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**UNITED STATES-IRAN POLICY: FROM DUAL CONTAINMENT
TO CONSTRUCTIVE CONDITIONAL ENGAGEMENT**

BY

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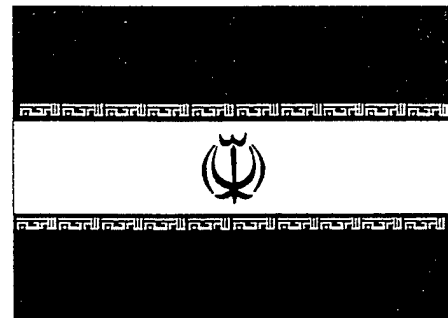
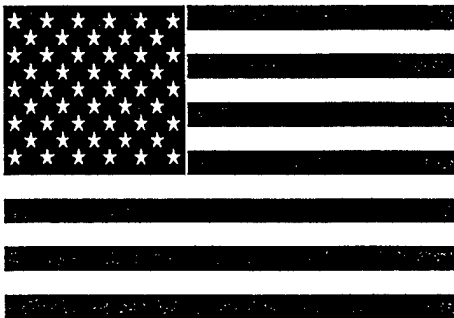
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**United States-Iran Policy: From Dual Containment to
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Contents

Executive Summary	iv
Chapter I Introduction	1
Chapter II Roots of "Constructive Conditional Engagement" .	8
Chapter III Iran's Threats to America's Interests . . .	35
Chapter IV Cooperation	49
Chapter V Sovereignty	62
Chapter VI Nonintervention	84
Chapter VII Balance of Power	116
Chapter VIII Economic Sanctions	132
Chapter IX Diplomacy	140
Chapter X Conclusion	153
Works Consulted	164

United States - Iran Policy: From Dual Containment to Constructive Conditional Engagement

Executive Summary

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Thesis Statement:

The United States should change its Iran policy from “Dual Containment” to what we term “Constructive Conditional Engagement” in keeping with U.S. core values, to foster cooperation in order to achieve U.S. regional security interests.

Failure of Dual Containment

“Dual Containment” does not to achieve U.S. regional interests in the Middle East. Politically and economically, it demonstrates the limits of coercive diplomacy in the absence of a dialogue with Iran. “Dual Containment” is counter-productive in terms of our preference for a tiered collective security arrangement in the Persian Gulf. Our Gulf Cooperation Council (GCC) partners disagree with our assessment of the Iranian threat and actively seek to improve their bilateral relationships with Iran. “Dual Containment” is no more successful with our European and Asian partners who refuse to participate in U.S. economic sanctions on Iran. “Dual Containment” is even less potent given the path effects of the ethically checkered history of U.S. - Iran relations. Our shared history has been inimical to the evolution and sustainment of cooperation between the two countries.

The Alternative: “Constructive Conditional Engagement”

We have recommended “Constructive Conditional Engagement,” to replace “Dual Containment.” “Constructive Conditional Engagement” blends realism and idealism,

order and justice, pragmatism and principle. It leans toward the latter in each case because we *can* in the wake of the Cold War and because our values tell us we *should*. We believe that the circumstances under which nations cooperate are magnified when we wean ourselves off *realpolitick*, where *is* determines *ought*, and embrace neo-idealism, by returning to our core values, where *ought* determines *is*. Our interests, we believe will follow where our values lead, and we believe our values, in common with Iran, will lead to regional peace and stability, our mutual objective. To describe "Constructive Conditional Engagement," we used the model of a monument (Figure X-1), and in conclusion we will summarize, key elements of the prescriptive policy, "Constructive Conditional Engagement."

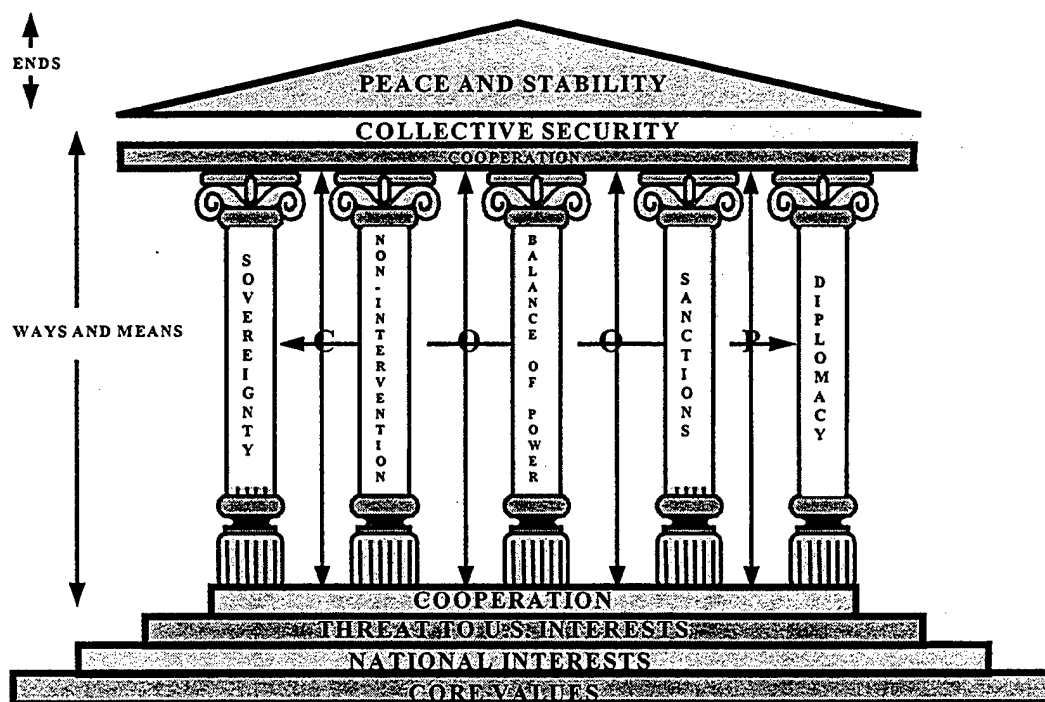


Figure I - 1 - "Constructive Conditional Engagement"

Reciprocal and Multilateral Cooperation to Achieve Common Interests

Coercion has not worked with Iran. "Dual Containment", intended to isolate two regional enemies, Iran and Iraq, has had the practical effect of isolating the U.S. from its

regional and global partners, making them less willing to cooperate with the U.S. "Dual Containment" policy. Iran, for its part, at the Tehran Islamic Conference in December 1997 silenced its calls for exporting the Islamic revolution and agreed with its Muslim brothers to curtail terrorism. President Khatami of Iran, speaking at the conclusion of the conference, stated, "I take this opportunity to pay my respects to the great American people, and hope to have a dialogue with the American people and the United States in the not too distant future."

In response, U.S. State Department Spokesman James Foley renewed President Clinton's offer of dialogue, and specified that such a dialogue should ". . . take place with an authorized representative of the government and that it be acknowledged publicly. The opportunity for the development long-term, stable cooperation with Iran is now. Iran's participation in cooperative efforts is essential to both Middle East peace and to collective security in the Persian Gulf region.

Controversies Associated with "Constructive Conditional Engagement"

A U.S. policy change to "Constructive Conditional Engagement" will face political opposition by lobbying groups, action committees, and several U.S. international partners include: ethical and moral considerations regarding Iran's perceived and real support for what the U.S. defines as terrorism; Iran's continued efforts to derail the Arab - Israeli Peace Process including Iran's reluctance to recognize Israel's right to exist and continued support for Hamas, Hizballah, and the Palestinian Islamic Jihad; Iran's pursuit of weapons of mass destruction capabilities, particularly nuclear and biological weapons; and Iran's pursuit of conventional military capabilities that could shift the regional balance of power in its favor.

Recommendations for the Office of the Secretary of State

The Roots of "Constructive Conditional Engagement"

Patriotism uncovers common core religious values (love of God, reverence for life, "Do unto others . . .," solidarity, non-violence, equality, fairness, truthfulness . . .)

and common secular values (democracy, the rule of law, justice, order, liberty, individual freedoms . . .) which form the bedrock of "Constructive Conditional Engagement."

These values constitute a global ethic which coalesces in the area of the confluence of the circles representing the three major religious traditions practiced in the region:

Christianity, Judaism, and Islam, allowing us to see regional challenges with what Karen Armstrong calls "triple vision." Once we agree on common values, pragmatic common interests follow. These include, *inter alia*, the desire to get oil to market at reasonable prices, free trade, access to markets, freedom of the seas, containment of Iraq, protection of our citizens, and so on. Achieving these objectives leads to prosperity, which assures the well-being of our peoples, which sustains life and our way of life, which fosters cooperation and ensures peace and stability in the region. Peace and stability permit international commerce that increases prosperity.. The steadfast foundation of the system stabilizes the pillars which represent selected norms of international relations. These in turn support the roof which represents our overarching objective for regional peace and stability. The roof, in turn, protects the pillars and the base. The model in life is self sustaining, three dimensional, and dynamic.

In terms of prescription, the roots of our policy call for:

- Mutual reverence, respect, and understanding of one another's religious, cultural, and political traditions. Dispense with rhetoric that demonizes any of the people or traditions.
- Revocation of sanctions, "Radio Free Iran," and \$20 million for covert operations against the Iranian Government.
- Graduated rapprochement with Iran, including initiation of political and diplomatic dialogue, exchange of clergy, academics, athletes.
- Universal application of conditions and incentives in the region, to include the Israelis and Palestinians.
- Renewed efforts to achieve a just peace between Israel and the Palestinians.

Unfortunately, not all nations cooperate, so we must account for the threat that Iran poses to U.S. vital interests.

The Threat

Unfortunately, Saddam Hussein's legacy will be that deterrence is less effective than advertised, after the Cold War and the Gulf War, despite the awesome destructive power of weapons of mass destruction, so we must account for the threat and always be prepared to fight for our values and interests. The Iranian threat to U.S. national values and interests lies primarily in its quest for nuclear weapons and missiles. Even as the U.S. reciprocates cooperation with Iran, defections in these two areas will result in reciprocal defections antithetical to our mutual values and interests. The U.S. must focus on reducing the political reasons for Iran's WMD procurement; nevertheless, these two conditions remain constant.

In terms of prescription, the threat calls for:

- Accurate and timely intelligence.
- Conventional and weapons of mass destruction (WMD) arms control

including establishment of a Nuclear Free Zone in the Middle East.

- Maintain economic and diplomatic pressure on Russia, China, and others who would sell nuclear weapons and missiles to Iran.

- Maintain a discrete but capable U.S. military presence in the Persian Gulf and enhanced expeditionary capability. Conduct a complete review of security assistance, a thorough review of Foreign Military Sales (FMS) cases, and a reduced military "footprint" in the region, *after* the Iraqi crisis is resolved. Conduct an Interagency Working Group (IWG) review of theater policy and strategy. Encourage increased military Confidence Building Measures (CBMs) between the Gulf Cooperation Council (GCC) and Iran.

- Establish a Theater Missile Defense System.
- Develop a responsibility sharing regime for defense of the Persian Gulf with our regional and extra-regional partners.

- Encourage cooperation on peaceful uses of nuclear power.

The threat is diminished when it is wedged between common values and interests and cooperation.

Cooperation

A global ethic of shared values and a pragmatic assessment of common interests tempers the threat and strengthens cooperation. It is a secular Golden Rule. Cooperation is to the system as central heat or air conditioning is to a house. It flows in every direction, and, in our interdependent world, cooperation is an imperative, not an indulgence. It is gradual and reciprocal, TIT for TAT. The U.S. has an opportunity to respond to President Khatami's overtures for *rapprochement* with magnanimity to reaffirm its values, break out of the "Prisoner's Dilemma," and the security dilemma, make the future more important relative to the present, change the payoffs, and enlarge the shadow of the future, in keeping with ethical norms of international relations to achieve peace and stability in the Gulf region. Cooperation accumulates over time just as defections do, and the path effects of present policies affect future negotiations. Conditionality and incentives must be applied fairly and universally throughout the region, because the world at large makes linkages that must be considered by policy makers. Cooperation sits on top of common values and interests and reciprocity holds the threat in check. Cooperation is self-feeding at the same time it sustains the foundation and the pillars. Values-based and interests-oriented, cooperation is the glue that holds the house together.

"Constructive Conditional Engagement," is consistent with cooperation theory. First, "constructive" refers to the end of our decades-long mutual defection and the beginning of cooperation to construct, or more appropriately, *reconstruct* trust between our two nations based on common values and interests by means of settled norms of international relations. Next, "conditional" refers to factors established to govern the conduct of both nations. Current conditions need to be reviewed and revised; nevertheless, conditionality, relative to the threat, establishes a baseline for reciprocity of both cooperation and defection, and imposes certain restraints on all parties as they pursue their diverse interests in the region. Finally, "engagement" refers to the central imperative of the policy to establish and maintain channels of communication, which

should remain open at all times and serve to lessen misunderstandings that could lead to conflict.

In terms of prescription, cooperation calls for:

- Cooperation (economic, military, informational, cultural, and diplomatic) up front; rapprochement with Iran based on cooperation theory and Charles E. Osgood's "GRIT" (Graduated and Reciprocated Initiatives in Tension Reduction) formula. Cooperate on little things first; big things will follow. reciprocity for defections.

- Confidence Building Measures (CBMs).
- Encourage dialogue for regional arms control and nonproliferation initiatives.
- Encourage and support exchange programs.
- Universal application of conditions and incentives in the region, to include the Israelis and Palestinians.

Cooperation, based on common values and interests, and the threat, supports the pillars, which represent the ethical norms of international relations, to which we now turn. While cooperation is the centerpiece of our policy prescriptions, it is supported by measures identified during our examination of selected norms of international behavior, the ways and means the U.S. will achieve its interests. We will summarize the pillars together as one.

Norms Of International Relations (Sovereignty, Non-Intervention, Balance Of Power, Sanctions, Diplomacy)

While sovereignty of the people is eroding in the U.S., Iran, and Israel; sovereignty in the traditional sense is alive and well in the world, as was demonstrated during the Iraqi crisis in late-1997 and early-1998 when, in the absence of an Iraqi incursion into Kuwait, there was no international or multilateral consensus for intervention, and international diplomacy averted unilateral action by the U.S. against Iraq. The central question that the Iraqi crisis raises for the future with respect to Iran is whether one can justify intervention to prevent them from procuring weapons of mass destruction or preempt their use. We adopted J. Bryan Hehir's just intervention formula;

based on just war theory, as a framework for future policy decisions relating to intervention (Figure i - 3).

“Just Intervention Theory”

- **Presumption Against the Use of Force**
- **Specified Exceptions Based on Moral Criteria**
 - **Why (For What Purpose) Can Force Be Used ? (*Jus ad Bellum*)**
 - Defend Life, Human Rights, Political Order
 - **When (Under What Conditions) Can Force Be Used? (*Jus ad Bellum*)**
 - Right Intention, Proper Authority, Last Resort, Moral Possibility of Success, Proportionality
 - **How (By What Means) Can Force Be Used? (*Jus in Bello*)**
- **Adaptation to Intervention**
 - Maintain the Presumption Against the Use of Force
 - Expand the Criteria of Just Cause for Intervention (Beyond Genocide to include non-proliferation)
 - Restrict the Authority of States for Unilateral Intervention
 - Enforce a Demanding Standard of the Means Test

Figure i - 3 - “Just Intervention Theory”

While Hehir expands the criteria for intervention, he upholds the norm of non-intervention, and restricts unilateral intervention in the case of prevention or preemption as well as applying a rigorous means test to the intervenor. In practical terms, Hehir's formula places greater emphasis on international and regional diplomacy. It also implies a balance between justice and order, but an order that abandons Bismarckian balance-of-power politics for equilibrium sake in favor of cooperative collective security.

U.S. sanctions against Iran have not worked, and there seems to be increasing international moral concern about U.N. sanctions against Iraq, with implications for their future enforcement. Again, these practical considerations place greater emphasis on shared values, common interests, collective cooperation, multilateral intervention, and diplomacy at the international and regional levels.

The linkage between U.S - Iran relations and Middle East peace is stark. Palestinian self-determination is essential to cooperation in the region and the world. Sovereignty of the people, subjugated by special interests, holds U.S. policy hostage. The U.S., Iran, and Israel must address these domestic issues to reduce their impacts on policy, at the expense of our shared values and common long-term interests.

In terms of prescription, in addition to all of the above, the norms of our policy call for:

- Pressure the Parties to Peace, Israel and the Palestinian Authority , through the U.N., to make peace.
- Initiate U.N. promotion of a "Charter of the Gulf" along the lines of the Helsinki Charter, whereby the U.N. would help to negotiate, monitor, and verify Confidence Building Measures (CBMs).
- Work through the U.N. to establish an Arms Control Regime and a Nuclear Free Zone in the Middle East. Encourage our GCC Allies to invite Iran to participate in the Arms Control and Regional Security (ACRS) talks begun in 1992.
- All powers should abide by the Universal Declaration of Human Rights.
- Vote for Palestinian Self-Determination in the Security Council and stop vetoing U.N. Resolutions condemning Israel as an Occupying Power and other violations of international law.
- Impartial universality in applying conditions and incentives in the region, to include the Israelis and Palestinians.
- Condition the U.S. "Special Relationship" with Israel based on their compliance with U.N. Resolutions and cooperation toward peace.
- Encourage the U.N. to establish an Inclusive Regional Organization. Until such time as it is established, Encourage the GCC to participate fully in the Organization of Islamic Conference headed by President Khatami.
- Publicly announce abandonment of "Dual Containment," as U.S. Policy with regard to Iran and announce and articulate a new policy.
- Restore diplomatic relations with Iran.

- Revoke ILSA, "Radio Free Iran, and the \$20 million allocated for covert operations against the Iranian Government.
- Develop education programs for diplomats, soldiers, civilians, and the American people on Iranian and Middle East issues.
- Establish an Interagency Working Group (IWG) to review and revise U.S. policy and strategy in the Middle East.
- Reduce and reshape the U.S. military footprint in the Gulf once the Iraqi crisis is resolved.
- Postpone further expansion of NATO to obtain Russian cooperation on stemming the flow of WMD to Iran. Tie China's MFN status to the same cooperation.
- Establish U.S. - Iran interagency and interdisciplinary exchange programs.
- Encourage the GCC to develop military to military and political - military bilateral and multilateral relations with Iran.
- All powers should condemn and forswear the use of terror or WMD to achieve their interests.
- All powers should exercise self restraint in terms of military, economic, and cultural actions that increase defections and could lead to war.
- Communicate, cooperate, and reciprocate.

Our recommended policy of "Constructive Conditional Engagement" reconciles morality and foreign policy as they apply to U.S. - Iran relations, and the Middle East, in a way that promotes shared values, fosters cooperation, abides by ethical norms of international relations, to achieve common interests in the Gulf region, namely peace and stability. The time to change U.S. - Iran policy from "Dual Containment" to "Constructive Conditional Engagement" is long overdue, and the change will serve to strengthen U.S. ideals, interests, and institutions.

Chapter I

Introduction

Peace is only possible if men cease to place their happiness in the possession of things which cannot be shared, and if they raise themselves to a point where they adopt an abstract principle superior to their egotisms. In other words, it can only be obtained by a betterment of human morality.

Julien Benda (1867-1956) French Philosopher

SITUATION

The United States should abandon containment of Iran as an element of its "Dual Containment" policy and adopt a policy of "Constructive Conditional Engagement."¹ For the past twenty years, American and Iranian egotisms have threatened peace and security in the Middle East. The Clinton Administration's policy of "Dual Containment" of Iraq and Iran, designed to isolate the two countries, at least with respect to Iran, has been neither principled, in terms of our core values and universal norms of international relations, nor effective, in terms of achieving and protecting U.S. interests in the Middle East. U.S. containment of Iran, progressively intensified despite positive overtures by Iran's democratically elected president Mohammad Khatami, and the strong rejection of the policy by our regional and extra-regional allies, has called into question the exact nature and scope of the Iranian threat to U.S. interests, and the appropriate ways and means to achieve our policy ends in the Middle East.

We are hopeful that recent gestures of cautious reciprocal cooperation by Iran and the U.S. will result in a full *rapprochement* between the two countries, but the prospect is doubtful as long as "Dual Containment" remains U.S. policy. According to Richard Haass, "The policy of 'dual containment' gave us a slogan when what we needed was a

strategy and sustained efforts to implement it.”² The purpose of this paper is to prescribe a policy framework that we term “Constructive Conditional Engagement,” based on core values and common interests, that takes into account the threat, fosters cooperation, and adheres to ethical norms of international relations to enhance collective security and achieve peace and stability in the region.

“CONSTRUCTIVE CONDITIONAL ENGAGEMENT”

“Constructive Conditional Engagement,” is consistent with cooperation theory. First, “constructive” refers to the end of our decades-long defection and the beginning of cooperation to construct, or more appropriately, *reconstruct* trust between our two nations based on common values and interests by means of settled norms of international relations. Next, “conditional” refers to factors established to govern the conduct of both nations. Current conditions need to be reviewed and revised; nevertheless, conditionality, relative to the threat, establishes a baseline for reciprocity of both cooperation and defection, and imposes certain restraints on all parties as they pursue their diverse interests in the region. Finally, “engagement” refers to the central imperative of the policy to establish and maintain channels of communication, which should remain open at all times and serve to lessen misunderstandings that could lead to conflict.

One can think of “Constructive Conditional Engagement” in terms of the U.S. symbol of the eagle portrayed with an olive branch in its right talon and three arrows in its left talon. The olive branch represents peace and constructive engagement with Iran, and an end to mutual enmity that has plagued the relationship for the past twenty years. The arrows represent the conditional aspect of our proposed policy and add credibility to deterrence and defense against defection, or, as the Roman statesman Vegetius wrote, “Let him who desires peace, prepare for war.”³ “Dual Containment” faces the arrows; “Constructive Conditional Engagement,” like the eagle, faces the olive branch, but keeps the arrows sharpened until enlightened cooperation between the U.S. and Iran, for mutual advantage, leads to lasting peace between us.⁴

METHODOLOGY

The model we have chosen to evaluate "Dual Containment" and to describe "Constructive Conditional Engagement" is a monument (See Figure 1). We assume the

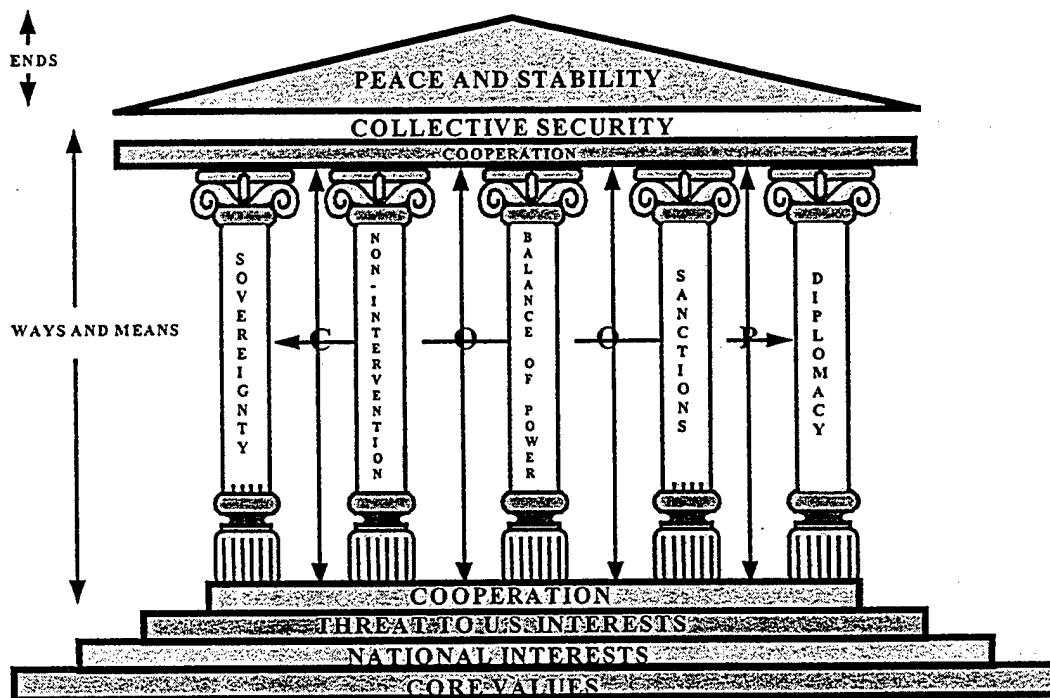


Figure I-1 - "Constructive Conditional Engagement"

ends of U.S. policy, regional peace and stability, are essential to achieving U.S. National Security Strategy (NSS) objectives, so we do not labor to prove that point in our paper. We begin with the foundation, where we describe the roots of "Constructive Conditional Engagement", common *core values*, first principles both secular and sacred, that form the cornerstone of "Constructive Conditional Engagement", and are the sole source of value judgments regarding U.S. - Iran policy. In the second level of the foundation, we define common *national interests*, built on shared core values, that expand the frontiers of cooperation. As a product of national values and interests, we address U.S. and Iranian patriotism to examine how it affects policy. In the third level of our foundation, we must,

of necessity, include a description of *the threat* Iran presents to core U.S. values and national interests, and define the conditions for mutual cooperation or defection with Iran. Finally, resting on the first three levels of the foundation, is *cooperation*. We show how “Dual Containment” thwarts cooperation and “Constructive Conditional Engagement” fosters it. We demonstrate how the reciprocal nature of cooperation operates throughout our paradigm, evolving from, and simultaneously fortifying, the Golden Rule embedded in core values and national interests. Reciprocity safeguards us against risks associated with the threat. At the same time, cooperation stabilizes the pillars.

Selected ethical norms in international relations: sovereignty, nonintervention, balance of power, sanctions, and diplomacy,⁵ represented by the pillars in our monument, rest on core values and national interests, account for the threat, and are sustained by cooperation. They are the ways and means we support the ends of policy, peace and stability, represented by the roof of our edifice. Based on the application and implementation of these norms, we examine the failure of U.S. - Iran policy of “Dual Containment,” and prescribe “Constructive Conditional Engagement” to replace it region wide. One might ask why we have chosen these norms of international relations? Following is a brief justification for our choice.

Justification

All states have two great concerns in common, survival and interdependence. The former relates to sovereignty; the latter to international law. That is why we chose those two categories of norms to analyze U.S. - Iran policy. The first three norms found in the pillars: sovereignty, nonintervention, and balance of power relate to sovereignty; the last two norms, sanctions and diplomacy, relate to international law.

The norms originate from the Treaty of Westphalia of 1648 ending the Thirty Years War. The war began in 1618 with the Defenestration of Prague when angry Bohemian noblemen threw the imperial governor out of a window (hence *defenestration* - “throwing of a person or thing out of a window”⁶). Today, some academicians call for the defenestration of the norms themselves, but the very name “Thirty Years War” argues against throwing anything out of a window unless one has something better to replace it.

The fact that some of the norms may be evolving does not entirely negate their value in guiding ethical foreign policy, and we take that evolution into account. Their defenestration based on fallacious reasoning that asserts their evolution demands their eradication is illogical. The terms *Abusus non tollit usum* (misuse does not nullify proper use) and *ab abusu ad usum non valet consequentia* (the consequences of abuse do not apply to general use; in other words, a right should not be withheld solely because some people abuse it) guided our selection.

Assuming the anarchical nature of international relations, "Constructive Conditional Engagement" seeks to ameliorate anarchy with justice and order by first underpinning cooperation with common values and interests. Next, the policy builds upon that foundation ethical normative pillars that are nourished by the foundation while the foundation is sustained by the pillars. The foundation and the pillars reinforce the umbrella of collective security and bolster the possibilities for the ethical exercise of politics and power in the interest of peace and security in the Persian Gulf and the Middle East. Although our primary focus is on U.S. - Iran policy, we discuss, where appropriate, U.S.-Israeli policy and the Middle East Peace Process, as well as the domestic imperatives that influence our proposed policy.

LINKAGE

If, as Edward O. Wilson asserts, "The primary origin of moral instincts is the dynamic relation between cooperation and defection,"⁷ then it is possible that the beginning of the end of defection and the resurgence of cooperation that we are witnessing between the U.S. and Iran signals a chance for the cessation of Americans and Iranians placing their happiness in the possession of things which cannot be shared, and raising themselves to a point where they adopt abstract principles superior to their egotisms. If only this were a two-party game, lasting peace could quickly move from the realm of the possible to highly probable. Unfortunately, it is not a two-party game, so peace will depend on our ability to apply "Constructive Conditional Engagement," universally and fairly, in our relationships with *all* the players in the region, including our friends the Israelis and Palestinians.

Peace presumes justice, or as Pope Paul VI said, "Let him who desires peace, seek first justice."⁸ From the point of view of Iran, and our allies, justice infers a linkage between U.S. - Iran policy, U.S.-Israel policy, U.S.-Palestinian policy, and the Middle East Peace Process. While these linkages are not the primary focus of this paper, we cannot help but take them, as well as domestic imperatives that influence policy, into account. Denying them would be as irrational as coupling Iran with Iraq.

Simone de Beauvoir, the French writer, said, "We make of our own history a hopeless inferno, a junkyard of events, or an enduring value." For the past twenty years, U.S. - Iran relations have been a "junkyard of events." We want the U.S. to avoid the risks that our relationship with Iran, and the region as a whole, will become a "hopeless inferno," by implementing "Constructive Conditional Engagement" and realizing the opportunity to turn the history of U.S. - Iran relations into an enduring value - peace in the Middle East - for the betterment of human morality. Since "statecraft subsists within a more encompassing realm of moral values and the underlying religious worldviews from which these values spring,"⁹ we turn now to an examination of the roots of "Conditional Constructive Engagement", core values, common interests, and patriotism.

Notes

¹ Based on examination of cooperation theory, we have added the word "conditional" to the policy recommendation of "Constructive Engagement" advanced by Anthony H. Cordesman and Ahmed S. Hashim in Iran: Dilemmas in Dual Containment, (Boulder: Westview Press, 1997), 319. See also Zbigniew Brzezinski, Brent Scowcroft, and Richard Murphy, "Differentiated Containment," Foreign Affairs, May/June 1997, Volume 76 No. 3. 20-30.

² Richard N. Haass, "The United States and Iraq: A Strategy for the Long Haul," Brookings Policy Brief No. 7, www.brook.edu, p. 2.

³ Flavius Vegetius Renatus, De Rei Militari, III, prologue.

⁴ Joseph Campbell, Myths To Live By (New York: Penguin Books USA, Inc., 1972), 200.

⁵ Mervyn Frost, Ethics in International Relations: A Constitutive Theory (Cambridge, UK: Cambridge University Press, 1996), pp. 104-136. Frost identifies a total of 18 norms divided into 4 categories: sovereignty, international law, modernization, and domestic.

⁶ "Defenestration," Webster's New Collegiate Dictionary, 8th Edition (Springfield, MA: G. & C. Merriam Company, 1979), 294.

⁷ Edward O. Wilson, "The Biological Basis of Morality," The Atlantic Monthly, April 1998, 58. Drawn from his book Consilience (New York: Knopf, 1998).

⁸ His Holiness Pope Paul VI.

⁹ Harvey Cox, "World Religions and Conflict Resolution," Religion. The Missing Dimension of Statecraft, Eds., Douglas Johnston and Cynthia Sampson (New York: Oxford University Press, Inc., 1994), 281.

Chapter II

The Roots of “Constructive Conditional Engagement”

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest.

George Washington's Farewell Address, 1796

The challenge of U.S. foreign policy, and specifically U.S. - Iran policy, is to reconcile U.S. values and interests with those of Iran, and to consider other nations' values and interests that affect U.S. bilateral relations with Iran. Ideologically, this effort attempts to balance realism and idealism, or order and justice. The end of the Cold War and the present stasis in U.S. - Iran relations suggests the ascendancy of values and justice to fulfill U.S. long term national security interests. Charles Kegley describes the advantage of neo-idealism in this regard.

They [neo-idealists] make long-term interactive effects an organizing principle, and this permits otherwise overlooked reciprocal symbioses in the relations of interdependent states to be recognized.¹

Kegley's idea that morality and interests are compatible is central to our model for “Constructive Conditional Engagement, and it is why we have made values the cornerstone of our paradigm. Kegley describes the relationship between values and interests this way.

Morality does not require a state to sacrifice its interests; it requires states to conceive of moral ideals as compatible with national interests, and to see those interests served when states bind themselves to a moral code which can restrain their struggle for power with one another. Morality even allows power to be exercised to promote and defend those ideals. But for a moral consensus to keep the struggle for power within bounds, the definition of national interest must be extended beyond narrow self-

concern and broadened so as to recognize that each state's national interests are entangled in a web with those of other nations.²

In this chapter, we will explore U.S. and Iranian values, attitudes, and interests to uncover shared values and interests and common fertile ground for cooperation to grow and prosper. First, we examine the religious and secular roots of U.S. and Iranian patriotism and its impact on U.S. - Iran relations. Second, we examine U.S. and Iranian values and describe what Karen Armstrong calls "Triple Vision,"³ where Islamic, Christian, and Jewish values coalesce and where cooperation originates. Finally, we define common U.S. and Iranian interests that can combine with common values to "enlarge the shadow of the future" for cooperation between our two nations, our objective being to transform obstacles into opportunities, to achieve peace and stability in the region. Our goal is a coherent long term policy whose energies and design are firmly rooted in American values and protect U.S. national interests. The outward manifestation of a nations' values can be found in patriotism, the subject of the next section.

Patriotism

The name of American, which belongs to you, in your national capacity, must always exalt the just pride of Patriotism, more than any appellation derived from local discriminations your union ought to be considered as a main prop of your liberty, and the love of one ought to endear to you the preservation of the other the continuance of the union is the primary object of Patriotic desire.

President George Washington, Farewell Address, September 17, 1796

Patriotism is a good thing where it refers to citizens' loyalty to, and love for, their state. Thus understood, patriotism is quite different from nationalism and is more akin to the old adage that unity is strength.⁴ When President Khatami of Iran was interviewed by Christiane Amanpour on the Cable News Network (CNN) on January 7, 1998, he addressed the "great American people," praised America's civilization as worthy of respect, spoke of the Pilgrim's landing at Plymouth Rock, and described Lincoln's death

as the death of a martyr who died for freedom and dignity. He went on to highlight the remarkable history of Iran, as worthy of the patriotism of the Iranian people as U.S. history is to Americans.

But President Khatami also spoke of events in the history of U.S. - Iran relations, that were they widely known by the American people, would be a source of embarrassment rather than pride or patriotism. Among them, the 1953 Central Intelligence Agency (CIA) engineered coup of the popularly elected Prime Minister, Muhammad Mussaddiq, and the reinstallation of the Shah; the refusal of the U.S. to recognize the legitimacy of Iran's Islamic revolution, America's support for Iraq during the Iran-Iraq War, Congress' appropriation of approximately \$20 million to topple the Iranian government; and U.S. government sanctions, backed by law, which penalize U.S. and foreign companies investing in Iran's oil and gas industry in order to punish Iran economically for its foreign policy.

When queried by Ms. Amanpour about, chants of "death to America," the burning of the American flag, and the hostage crisis, all of which are etched in the minds of patriotic Americans who watched the crisis unfold on television, President Khatami denounced the first two and said that he regretted that the "feelings of the Great American people" were hurt by the hostage crisis, but that "events of those days must be analyzed in the context of revolutionary fervor."⁵ He further indicated that the stability and nature of the current Iranian government would fully ensure that the Iranian people would abide by the law, the implication being that such an occurrence would be unlikely to occur again in present day Iran.

At one point during the interview, President Khatami cited de Tocqueville's classic, *Democracy in America*, which he said he was sure "most Americans have read." The citation was well chosen given the inherent conflict in Iran between religion and liberty. He paraphrased, "Liberty found religion as a cradle for its growth; religion found protection of liberty as its divine calling."⁶ What was most impressive about President Khatami's interview was his knowledge and understanding of U.S. and Iran history and his emphasis on the similarities between the two civilizations.

It is worthwhile to revisit de Tocqueville on the subject of American patriotism. de Tocqueville described two types of patriotism, one "instinctive," the other "well-considered." "Instinctive patriotism," he said,

... springs from the disinterested, undefinable, and unpondered feeling that ties a man's heart to the place where he was born This same patriotism is often also exalted by religious zeal, and then it works wonders When peoples are still simple in their mores and firm in their belief, when society gently rests on an ancient order of things whose legitimacy is not contested, then the instinctive patriotism prevails.⁷

Six months after Mohammad Khatami won a landslide victory with seventy percent of the vote to become President of Iran, Iran's national soccer team won a match that qualified them for the 1998 World Cup competition. Thousands of Iranians took to the streets to celebrate. The demonstration was one of the largest public gatherings in Iran since the 1979 revolution that overthrew the Shah. It was a genuine spontaneous display of Iranian patriotism, rooted in their great Persian culture and civilization. Americans tend to underestimate or delegitimize Iran's patriotic fervor as "Islamic fundamentalism" from ignorance of the history of Persia, misunderstanding of the tenets of Islam, and our own egoism. Americans make no distinction between Persian and Arab cultures, so they fail to understand Persian patriotism that flourishes in Iran. It is important to briefly review Persian history to get a glimpse of the origins of Iranian patriotism.

Persia

The Persians were an Indo-European people who settled in an area east of the *Persian Gulf* in what is today Western Iran around 2000 B.C. Under their great kings, Cyrus, Cambyses, and Darius, the Persians controlled an empire that, at its zenith, included most of the known world, extending from North Africa and southeastern Europe in the west, to India in the east, and from the Gulf of Oman in the south, to southern Russia in the north. The Persians ruled over forty million people for more than two hundred years. Never before in the history of the world had one government ruled over so many people and so extensive an area.

The Persian civilization introduced or perfected, among other things, using coins for money, cosmetics, irrigation, mail delivery, a standard system of weights and measures, and an effective and efficient system of government administration. The life of Persia was political and military rather than economic. The Persians relegated commerce to foreigners; in fact, they despised trade and looked upon the marketplace as a breeding ground for lies.⁸ The Persian civilization practiced an advanced organized religion called Zoroastrianism.

Zoroastrianism's prophet was Zoroaster (or Zarathustra), and its sanction for morality, ironically (since it resembles the foundation of U.S. - Iran policy that extends from the Cold War), was its vision of the world as a struggle between good and evil. Its central conception, like Islam, Christianity, and Judaism was the Golden Rule. Zoroastrianism holds that man's duty is threefold: 'To make him who is an enemy a friend; to make him who is wicked righteous; and to make him who is ignorant learned.'"⁹

Beginning in 493 B.C., the Persians were repulsed in their attempt to conquer the Greek city states, and in 331 B.C., Alexander the Great conquered the Persian Empire. The fall of the Persian Empire, moving as it did from stoicism to Epicureanism, mirrors the fall of the Roman Empire, in terms of immorality and degeneration of moral values among the people, and corruption and violence in government.

The Iranians never lost their instinctive Persian patriotism, and indeed the 1979 Islamic revolution in Iran exalted their patriotism with religious zeal. That revolution was as important to Iranians as the American Revolution was to Americans. We threw off the yoke of the British; the Iranians threw off the yoke of the Americans. If the 1979 revolution exalted Iranian "instinctive" patriotism, the election of Khatami and his enlightened policies enhance de Tocqueville's second kind of patriotism, "well-considered" patriotism.

... more rational than that [instinctive patriotism]; less generous, perhaps less ardent, but more creative and more lasting, it is engendered by enlightenment, grows by the aid of laws and the exercise of rights, and in the end becomes, in a sense, mingled with personal interest . . . the most powerful way, and perhaps the only remaining way, in which to interest men in their country's fate is to make them take a share in its government . . .¹⁰

"Well-considered" patriotism is on the rise in Iran, to the extent that the Khatami government can fulfill its campaign promises and overcome the power of the minority mullahs; but on the wane in the U.S. , to the extent that special interests like AIPAC alienate the majority of Americans who feel powerless to influence policy, therefore, less a part of it. That is to say, the peoples' interests and United States' interests, in practice, grow farther apart when foreign influence and corruption come between the leaders and the led, threatening the unity of the nation.

The Iranians also have "cross-cutting civilizational loyalties," as Robert Kaplan calls them, based on their identities as Persians, Shi'ite Muslims, and Indo-Europeans.¹¹ The contradiction most important in relation to U.S. - Iran policy and Middle East peace is the one between their Persian loyalty to the Jews and their Shi'ite loyalty to the Palestinians. Regardless of his motives, Cyrus treated the Jews with magnanimity. Not only did he free the Israelites from Babylonian captivity but one of his first acts was to decree (c. 538) the restoration of Judah and the rebuilding of the Temple in Jerusalem. The Shah maintained good relations with Israel, and post-revolutionary Iranian governments have continued to maintain secret diplomatic contacts with Israel up to the present day. If Americans do not understand Persian patriotism, they know even less about Islam.

Islam

"No part of the world is more hopelessly and systematically and stubbornly misunderstood by us [Americans] than that complex of religion, culture, and geography known as Islam."¹² Iran's Islamic heritage causes contradictions within contradictions. Islam, a monotheistic Abrahamic religion, philosophically linked to the Greeks, is remarkably close to Christianity and Judaism. Islam teaches there is only one God, Allah, and Mohammed (c. 570-632) is his greatest prophet. Muslims believe in the other prophets: Adam, Abraham, Noah, Moses, and Jesus. They believe in a last judgment, a resurrection, and life after death in heaven or hell. They believe that all men should live holy lives based on five pillars: Islam's creed or confession of faith known as *Shahadah*;

canonical prayer; charity; observance of the holy month of Ramadan; and, pilgrimage to Mecca where God's revelation was disclosed. In addition to things they should do, there are certain things they should not do, among them, drinking alcohol, gambling, lying, stealing, eating pork, being sexually promiscuous, and so on.

Islamic social teachings in economics, the role of women, race relations, and the use of force closely parallel those of the West, Christianity, and Judaism. Two are worthy of further comment. Muslims have accommodated themselves to capitalism (especially venture capitalism) by making lenders partners in the venture in which their money is invested. Capitalism's excesses are still condemned. On the use of force, they believe that justice requires reciprocity, agreements are to be honored and treachery avoided, and a righteous war must be defensive or to right a wrong. "Defend yourself against your enemies, but do not attack them first: God hates the aggressor."(2:190)¹³

Islam, like other religions, is historically divided between Sunnis and Shi'ites. Sunnis, traditionalists, make up eighty-seven percent of all Muslims. Shi'ites, literally partisans of Ali, Mohammed's son-in-law, whom Shi'ites believe should have directly succeeded Mohammed, was thrice passed over then assassinated when he was appointed leader of the Muslims. Shi'ites are in the majority in Iran but are surrounded by Sunnis to the west and the east. The important aspect of the division has to do with Iran's support for the Palestinians which puts them at odds with Israel.

Iran's final identity is Indo-European which affiliates them with Central Asians and against Turkey and would appear to set up a clash of civilizations. The U.S. sees these contradictions, which we have addressed under the rubric of patriotism, as irreconcilable differences, yet they are not. The U.S. should encourage Israel's engagement with Iran, as well as Turkey's, the GCC's, Central Asia's, the European Union's, Russia's, China's, Japan's, and most important, our own. What the confluence of civilizations and traditions in Iran should make perfectly clear is that Iran's relationship with the U.S. and Israel is predicated on Israel's relationship with the Palestinians and their willingness to see the end state of the peace process as the state called "Palestine," The U.S. relationship with Iran will depend on the United States' ability to act as an honest broker in the peace process. The U.S. cannot dictate the terms

of interdependence. It must embrace universal cosmopolitanism in the interest of cooperation.

One condition of the establishment and maintenance of world order and justice is cosmopolitanism, for which both Iran and the U.S. are well-adapted. For it to work as an instrument of peace requires us to educate ourselves about each others' histories and traditions with the help of the media. It requires that the average citizen strike the right balance between nationalism and cosmopolitanism. It requires that statesmen transcend past types of statecraft. Stanley Hoffman suggested the following standard for statesmen.

... We need a statecraft that stresses long-term collective gains rather than short or long-term national advantages; that accepts the need for a large measure of institutionalization in international affairs, and for important commitments of resources to common enterprises; that shows great restraint in its use of means; and that goes, in its choice of ends, far beyond the realm of interstate relations.¹⁴

U.S. statecraft in its relations with Iran has not quite measured up to Hoffman's standards. Part of the reason is that the American people are patriotic to a fault. Iran calls America "the Capital of Global Arrogance," and Saddam Hussein capitalizes on the world's resentment of the poor winner of the Cold War. de Tocqueville noticed when he visited the U.S. that,

It is not at all easy to make a man understand that his presence is unwelcome. To make that point roundabout methods are by no means always enough . . . Unless I tell him plainly, the man will not understand that he exasperates me, and I cannot escape from him except by becoming his deadly enemy . . . Their vanity is not only greedy but also restless and jealous. It makes endless demands and gives nothing. It is both mendicant and querulous . . . One cannot imagine a more obnoxious or boastful form of patriotism . . .¹⁵

Contrast this personality, which holds as true for the nation as it is for individual Americans, with this comment by Ibn Saud, the founder of Saudi Arabia, who said, "I am the friend of the Engliz, their ally. But I will walk with them only as long as my religion and honor permit." The Iranians hit that point in 1979. Americans "have a vindictive temperament. They hardly ever forget an offense, but it is not easy to offend them, and

their resentment is as slow to kindle as to abate.”¹⁶ Consider how deeply the hostage crisis is etched in American memory.

In June 1997, a special issue of the *New York Times Magazine* titled “How the World Sees Us” is revealing. A sampling reads: “Dependency bred resentment and then aggression-the unconscious desire to discredit or vilify a troublesome patron who disturbed the peace while purporting to protect it.”¹⁷ While the quote refers to Europe, it could apply as well to Iran and the Middle East. “Rome and France had to conquer territory before they could conquer minds. America’s culture is unique; its power comes from pull, not push.”¹⁸ In Iran, and the rest of the Middle East, pull has come to push, and push has come to shove.

... America’s power is enough to block any initiative; in wielding the power to say no, you are in a position second to none. You cannot be overruled against your will. But you cannot, or only in very exceptional circumstances, impose your will on others. At the same time your power to say no conveys an enormous leverage to make others say yes to what you suggest.¹⁹

There is nothing worse than saying yes when your head, your heart, and your soul cry out no. But not everyone is Epictetus.²⁰

“Through industry and faith, the founding Dissenters believed, America-and ultimately the world-could be made a model of heaven . . . once the life of the republic was assured, the U.S. could become the secular missionary to the world.”²¹ Stanley Hoffman describes it as a certain brand of American exceptionalism and self righteousness that smacks of the “tyranny of benevolence and naiveté.”²² And, Christoph Bertram strikes a more visceral note:

... What gets us is your rhetoric-this constant, brash claim that there is nothing under the sun that America cannot not do, and do alone if necessary. . . . By pretending to be what you are (and can be) no more, you create illusions that lead to disappointments and recriminations. You simply expect your power to deliver more than it can Your power does not translate into influence all that easily. . . .²³

So we revert to coercion and unilateralism with all the baggage that comes with them.

We must know ourselves before we can know others. Their perceptions of us are as important as our own perceptions of ourselves. The American brand of patriotism can be provocative and must be considered when determining strategy in Iran and the Gulf region. Former Secretary of State James Baker emphasized the need to approach the region's problems with "a due sense of modesty."²⁴ Good advice, but modesty and restraint are not our forte.

Sun Tzu advised:

Know your enemy and know yourself, you need not fear the result of a hundred battles. If you know yourself but not the enemy, for every victory gained you will suffer a defeat. If you know neither the enemy nor yourself, you will succumb in every battle."²⁵

We do not suggest that Iran is the enemy of the U.S.. However, Sun Tzu highlights the importance of understanding what is important to Iran, what they regard as their present and future security challenges, and how they view the U.S. relationship to the strategic environment. Having a better appreciation for U.S. and Iranian patriotism, let us turn to common values that underpin patriotism and form the base for the foundation of "Constructive Conditional Engagement."

VALUES

We hold values to be "'first things' - the fundamental and supremely important aspects of human life"²⁶ in the classical sense, so they are the cornerstone of our foundation. Given that our strategic ends are peace and security, like Stanton Burnett, we find that,

Classical study and diplomacy based on the idea that conflict resolution might be preferable to conflict escalation, or that peace might be preferable to war, can find no support in the value-free sciences . . . the character of a conflict is changed when the parties are able to look up, to see larger and loftier considerations.²⁷

"Consilience"²⁸ doesn't do much for us in this regard. Neither does so-called "modern" International Relations (IR) theory, or realist theory, based on the idea that states must be willing to go to war with each other.²⁹ Machiavelli must be forsaken in favor of *God* - the God of Abraham, the God of Jesus, the God of Mohammed - and spirituality, and

religion, which must be granted their rightful place in politics and foreign policy if we are to achieve lasting peace and security in the Middle East and the world. Regarding the importance of religion-based values, Stanton Burnett states,

. . . The principal method and central question of classical political science are both wonderfully suited to the serious consideration of the spiritual in the political life. The method is that of a dialogue in which two or more parties, each with imperfect knowledge, engage in a joint inquiry that raises all of them to a higher level of knowledge. And the central question - what is the best regime? - translates to the question of how a man should live in the *polis*, which translates to the question of how a man should live . . . these questions that were tossed out the back door by the Enlightenment sneak back in through the windows of the minds and souls of the men and women who may be found at, or brought to, the negotiating table.³⁰

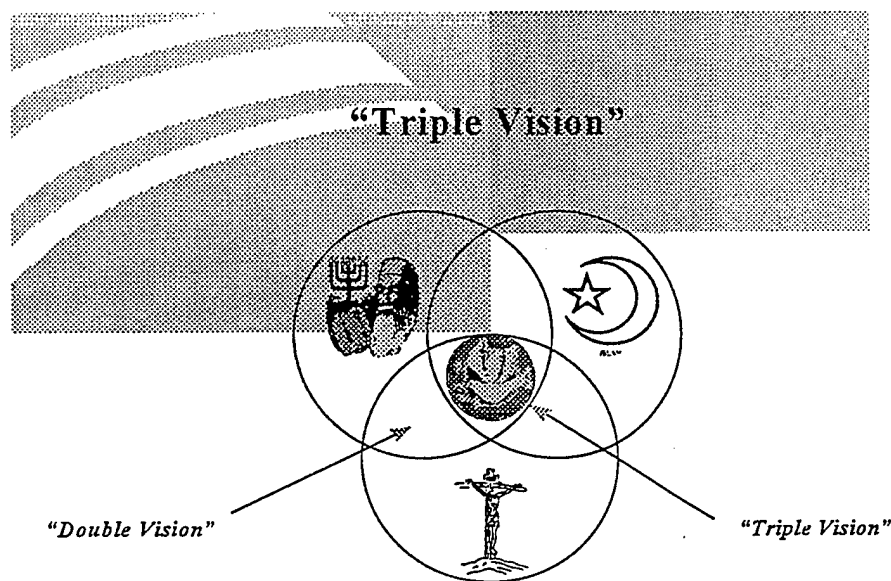
In his commencement address at Harvard University in 1978, Alexander Solzhenitsyn said that to speak about high values but never defend them is impotence. During that same address, Solzhenitsyn accused the West of losing its moral courage, and he said that "a society without any objective legal scale is a terrible one indeed. But a society with no other scale but the legal one is not quite worthy of man either."³¹ Solzhenitsyn, of course, was referring to a moral scale, provided by religion. Edward Luttwak has a similar view.

But, when we talk about the religious dimension of politics and conflict, we are confronted with a learned repugnance to contend *intellectually* with all that is religion or belongs to it - a complex inhibition compounded out of the peculiar embarrassment that many feel when faced by the explicit manifestations of serious religious sentiment; out of the mistaken Enlightenment prediction that the progress of knowledge and the influence of religion were mutually exclusive, making the latter a waning force; and sometimes out of a willful cynicism that illegitimately claims the virtue of realism . . . Ordinary prejudice denigrates, but absolute prejudice ignores (cf. 'The Invisible Man'), and when inadmissible facts cannot be ignored, they are instead transmuted by secularizing reductivism.³²

Whether mistakes the U.S. has made with respect to Iran resulted from poor judgment or willful belief or disbelief is not the point. Interests must be derived from values in the formulation of policy, because interests change, but core values are constant.

interests. The values the U.S. has in common with Iran stem from the religious traditions of Christianity, Judaism, and Islam.

The Christian, Jewish, and Islamic traditions intersect in the Middle East. We squint to see U.S. - Iran policy issues with what Karen Armstrong calls "triple vision," as portrayed in Figure II-1.



Figure

II-1 - "Triple Vision"

"Double vision," for example, sees Iran, the peace process, and the Middle East in general, from the U.S. and Israeli points of view, and not from Iranian, Arab, or Islamic points of view. We do not subscribe to the philosophy of the "clash of civilizations,"³³ because of the inevitability of the progression from subscription to delivery and payment. Instead, we plant the seed of the evolution of ethics in international relations by stressing similarities rather than differences and having reverence for all human life.³⁴ Rather than haggle over dogmatic differences and definitions of words like *jihad*, it is far more constructive to establish a common global ethic that permits progress towards peace.

... there will be no peace in the Middle East until there is a just and equitable settlement of the Arab-Israeli conflict. At the time of the war [Desert Storm], it seemed to many of the Arabs that the West had adapted a double standard . . . the West seemed to see the situation with 'double' rather than with 'triple' vision. It seemed unfair, for example, that the

[Desert Storm], it seemed to many of the Arabs that the West had adapted a double standard . . . the West seemed to see the situation with 'double' rather than with 'triple' vision. It seemed unfair, for example, that the West had not only permitted Israel to build a nuclear arsenal but had probably helped it to acquire one, yet it was and remains unable to countenance the idea of any Arab country's getting nuclear weapons . . . the West was ready to engage in a costly war to eject Saddam Hussein from Kuwait but had done nothing to challenge the Israeli occupation of Arab land in the West Bank and Gaza Strip, even though this occupation had also been condemned by the United Nations . . .³⁵

We borrow the global ethic from Hans Kung, one of the world's preeminent Christian theologians, who believes that with a global economy, global technology, and global media, we need a global ethic. As Kung observes, "The world is not going to be held together by the Internet." Kung calls on every human being, group, army, state, and so on, to do good and avoid evil, and he bases his global ethic on two principles and four irrevocable directives on which all religions agree:

1. **Every human being must be treated humanely!**
2. **What you wish done to yourself, do to others.**
 1. Commitment to a **culture of non-violence and respect for all life** . . . You shall not kill! Or, in positive terms: Have respect for life!
 2. Commitment to a **culture of solidarity and a just economic order** . . . You shall not steal! Or, in positive terms: Deal honestly and fairly!
 3. Commitment to a **culture of tolerance and a life of truthfulness** . . . You shall not lie! Or, in positive terms: Speak and act truthfully!
 4. Commitment to a **culture of equal rights and partnership between men and women** . . . You shall not commit sexual immorality! Or, in positive terms: Respect and love one another.³⁶

The First World Conference on Religion and Peace that met in Kyoto, Japan in 1970 found similar common moral ground:

- a conviction of the fundamental unity of the human family, and the equality and dignity of all human beings
- a sense of the sacredness of the individual person and his or her conscience
- a sense of the value of human community
- a realization that might is not right; that human power is not self-sufficient and absolute

- a belief that love, compassion, selflessness, and the force of inner truthfulness and of the spirit have ultimately greater power than hate, enmity, and self-interest
- a sense of obligation to stand on the side of the oppressed as against the oppressor
- a profound hope that good will prevail³⁷

To simplify and connect Karen Armstrong's idea of "triple vision" and Hans Kung's idea for a global ethic, "Do unto others . . ." would fall into the area of confluence of the three circles, the "triple vision" diamond. It would not be prudent to adapt political realism and shun moral realism to the point that interests become our only ends and principles and values count for nothing in determining means, ends, or consequences. Realism and morality are not mutually exclusive.³⁸ While we understand that no one has a monopoly on the truth, we want to take care to avoid half truths that nearly deceive our friends without quite deceiving our enemies and never deceiving the American people.³⁹

No matter whose theory of the ethics of international relations you choose to go by,

. . . the good, in politics, is not separable from its realization. The criteria of moral politics are double: sound principles and effectiveness. A morally bad design-say, naked aggression-does not become good because it succeeds. But a morally fine one-say, a rescue operation for the freeing of hostages-does not meet the conditions of the moral politician if the details are such that success is most unlikely, or that the costs of success would be prohibitive. Politics is the art of performance; a politician with excellent intentions but incoherent or unsteady execution is not a moral politician-especially not if one effect of his clumsiness is to help far less well intentioned politicians, or politicians whose moral code is far more of the Machiavellian variety, prevail in his stead. Even a prophet-statesman, a revolutionary statesman, a Khomeini or a Lenin, and even a statesman-saint like Gandhi has to be concerned with consequences because he is responsible to his own people and because of the bad results a neglect of consequences might have for his creed.⁴⁰

The critics of "Dual Containment" have based their censure of the policy primarily on its consequences; but the fact is "Dual Containment" has been neither principled nor effective because it has neglected to explore common values and common interests. It stands to reason that agreement on common religious values will pave the way for agreement on common secular values and common interests.

NATIONAL INTERESTS

If not in the interests of the state, do not act. If you cannot succeed, do not use troops. If you are not in danger, do not fight.

Sun Tzu, *The Art of War*

Since the basis of national interests rests on core values, and we have determined common core values of the three religious traditions that intersect in the Middle East, it is useful to define, in generic terms, secular values that the U.S. and Iran have in common. These national values are generally rooted in guarantees of territorial integrity, security of its citizens from foreign attack, preservation of a system of governance, free and open access to markets and international trade, and ensuring prosperity and some degree of quality of life of its citizens. National interests, a set of principles derivative from core religious and secular values, are the conditions that are strictly necessary to safeguard and enhance the well-being of its citizens and security of the nation.⁴¹ By inquiring into the values and interests of the U.S. and Iran, we hope to reach common ground upon which to build cooperation with Iran to achieve our mutual interests in the Middle East.

United States

U.S. values and interests are defined in the U.S. Constitution and in the National Security Strategy (NSS) document. The NSS requires that the national security strategy of the U.S. be judged by its success in meeting the purposes set out for it in the Constitution to “. . . provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, . . .”⁴² It identifies other requirements that have remained constant since the founding of the nation, including, protecting Americans home and abroad and providing for their well-being and prosperity; maintaining U.S. sovereignty, freedom, and independence; with its values, institutions, and integrity intact.⁴³

The NSS also applauds America’s core values of “representative governance, market economics, and respect for fundamental human rights [that] have been embraced

by many nations around the world, creating new opportunities to promote peace, prosperity and greater cooperation among nations.”⁴⁴

As the dominant global power, both economically and militarily, the overarching U.S. strategic vision for the world can be characterized by ensuring regional stability and preventing the emergence of a hegemonic power hostile to the U.S. and its allies; preventing the collapse of the global economic system, and ensuring unrestricted access to natural resources critical to America’s economic prosperity; preventing terrorism, drug trafficking, and international crime from undermining stability and peaceful relations; preventing the spread of nuclear, chemical, and biological weapons, and deterring their use; and maintaining cooperative relations with U.S. allies.⁴⁵

The NSS identifies America’s “enduring” interests in the Middle East as follows: “pursuing a just, lasting, and comprehensive Middle East peace; ensuring the security and well-being of Israel, helping our Arab friends provide for their security, and maintaining the free flow of oil at reasonable prices.”⁴⁶ The U.S. strategy in Southwest Asia focuses on deterring threats to regional stability and protecting the security of its regional allies. The U.S. sees Iran and Iraq as threats to Middle East security and stability. U.S. regional objectives are aimed at “changing the behavior of the Iranian government in key areas, to include:

Its efforts to obtain weapons of mass destruction and missiles, its support for terrorism and groups that oppose the peace process, its attempts to undermine friendly governments in the region, and its development of offensive military capabilities which threaten our Gulf Cooperation Council (GCC) partners and the flow of oil. Pending changes in Iran’s behavior, our goal is to contain and reduce its ability to threaten our interests.”⁴⁷

The U.S. wants to reduce the chances for the emergence of a regional hegemon, and it seeks to encourage the GCC to improve their collective defense and security arrangements, help individual GCC countries to meet their defense requirements, and maintain U.S. bilateral defense arrangements. Above all, the U.S. will ensure unrestricted access to Persian Gulf oil.⁴⁸

The NSS emphasizes the imperative of engagement and continued U.S. leadership underpinned by U.S. democratic ideals and values, including adherence to universal

human rights. The NSS seeks to achieve U.S. interests through an integrated approach, using all the elements of national power, by shaping the international environment through diplomacy, international assistance, arms control, nonproliferation initiatives, and military activities. In the NSS document, promoting prosperity, under the rubric of advancing U.S. interests, requires energy security, access to foreign markets, and strengthening macroeconomic coordination, and promoting democracy.

To achieve these objectives in the Middle East, the U.S. established a policy of "Dual Containment" of Iraq and Iran. A key component of that policy is the enforcement of strict sanctions on Iran, requiring support from U.S. allies in Asia and Europe. However, the U.S. has not been successful in getting its allies to support its "Dual Containment" strategy. In fact, the policy has in part brought about adverse effects on U.S. interests by, among other things: creating division and discord with its key strategic allies (namely the GCC states, France, Germany, UK, and Japan); preventing U.S. commercial industries access to substantially profitable ventures with Iran; increasing the real price of Persian Gulf oil when factoring U.S. costs in maintaining its robust military presence in the region and its concomitant detrimental effects on U.S. military readiness; creating inertia that drives Iran and Russia closer together thereby increasing the likelihood of WMD proliferation; emboldening Iran to continue its recalcitrant behavior *vis a vis* Middle east peace; and, jeopardizing the U.S. petroleum industry's access to oil and natural gas reserves in the Caucasus and the Caspian Sea. In addition, "Dual Containment" maintains tensions and asymmetries of authority, feelings of futility that become sources of justification for actions of last resort, that motivate continued terrorist behavior against the West. Every stated important interest of the U.S. is somehow negatively affected by its policy of "Dual Containment." We turn to Iran and evaluate their interests relative to U.S. interests.

Iran

Iranian values are inextricably linked to their "long-standing belief in the sovereignty of truth and Quranic justice."⁴⁹ Their freedom, independence, unity, cultural identity, and territorial integrity are inseparable from one another, and their preservation

is the duty of the government and each individual citizen.⁵⁰ At the center of Iranian values is the equilibrium of abstinence, honesty, and rectitude.⁵¹ Iranian values therefore are steeped in the uniform traditions of an Islamic monotheistic religion and the cultural heritage of the Persian empire that we discussed earlier in this chapter. The broad objectives of Iran's national interests are to: safeguard and protect the rights of all Iranian citizens and defend the rights of the world's Muslims, particularly the people of Palestine; resist the expansionist policies of dominant powers as well as outside aggression in cultural, political and military fields; safeguard territorial integrity and the political, economic, and cultural independence of Iran; and, strengthen and promote Iranian identity on the basis of Islamic and human values.⁵² Iran's national interests must be considered in the context of its strategic and socio-economic challenges, extraterritorial and internal.

To Iran's west is Iraq, its mortal enemy. In addition to suffering more than a million casualties during its eight year war with Iraq, Iranians suffered horrendous losses as a result of indiscriminate Iraqi chemical weapons attacks during the 'War of the Cities.' Iraq remains the greatest regional threat to Iran's sovereignty, and one must consider the threat when assessing Iran's quest for WMD. To Iran's north, the countries of Central Asia, with their vast oil and natural gas resources offer Iran opportunities to transship the resources via pipelines through Iran to Persian Gulf. Unfortunately, these plans have been placed on hold because of U.S. sanctions that discourage capital investment in the projects. To Iran's east is war-torn, anarchic Afghanistan, with its transnational drug trade a threat to Iran's sovereignty and stability. Iran's Gulf neighbors in the GCC view Iran with caution; nevertheless, recent overtures by the Khatami government have been well-received in most of the countries, with the possible exceptions of Bahrain, who accuses Iran of fomenting internal unrest, and the UAE, who contests ownership of Abu Musa and the Tunb Islands. The positive responses of the GCC to Iran's overtures result in part from the high cost of U.S. presence and the low cost of oil, which combine to threaten their prosperity and internal stability.

Iran sees U.S. military presence in GCC countries as hegemonic imperialism, inimical to its own sovereignty and to collective security in the region. Yet Iran has spent

millions of dollars expanding and diversifying its conventional forces which are the largest in the region, and its quest of WMD, especially nuclear materials and missiles, are alarming. The U.S., on the other hand, as the largest supplier of conventional weapons to the Gulf, while refusing arms sales to Iran, must share culpability for fueling an unprecedented arms race in a region rife with discord and suspicion.

Since the primary interest of the U.S. and its allies in the Persian Gulf is oil, Iran's geostrategic position, at the head of the Straits of Hormuz and at the gateway to Central Asia is critical to U.S. interests. Iran is even more significant when one considers that over the next ten years global consumption of crude oil and natural gas are expected to increase by forty percent. This suggests the industrialized world will increase its dependency on petroleum products - indeed, during 1996 more than fifty percent of Europe's petroleum came from the Persian Gulf.⁵³ In roughly the same period, because of depletion of petroleum reserves elsewhere and new discoveries in the Caucasus, the Gulf is expected to hold between sixty-five and seventy-five percent of the total global petroleum reserves (crude oil and natural gas).⁵⁴ Estimates project supertanker traffic through the Straits of Hormuz will increase by two hundred and fifty percent over the next ten years.⁵⁵

Iran has serious domestic political challenges that have recently escalated. The widening rift between a young and increasingly secular population and the ruling mullahs threatens domestic tranquillity. More than fifty percent of Iran's population is younger than twenty one years old, and they are exposed to a greater and greater degree to American culture through satellite television, the internet, books and movies; and, they like it, despite the fact that it is antithetical to the Revolution.

Iran's slow process of desertification and deforestation, sharp increase in urban air pollution, depletion of natural potable water reserves, overgrazing of an already small share of arable land, and oil pollution of the North Arabian Gulf have threatened the capacity of the natural environment to support its growing population. In Table II-1, the socio-economic vital signs illustrate the magnitude of what's lurking just beneath the

surface in Iran as it faces the 21st Century. Iran's economy lacks diversity and robustness and is predominantly dependent on the petroleum industry and products.

Population (1996)	66.1 million	Unemployment	>30%
Population (2020)	125 million	Inflation	60%
Fertility Rate	4.72	Literacy	72.1%
Arable Land	8%	GDP Per Capita	\$4,700
1997 Cubic Meters of Potable	Potable	2005 Cubic Meters of	
Water Per Capita	2,100	Water Per Capita	800

Table II-1: Iran's Vital Statistics⁵⁶

With high inflation and unemployment, Iran's anemic economy is not likely to support its security requirements. Iran also has to contend with a growing illicit drug trade and black market which in 1993 produced seventy metric tons of opium and served as a key transshipment point for Southwest Asian heroin to Europe.⁵⁷

The most dramatic challenge Iran faces is its access to potable water. The global per capita distribution of potable water is 7,600 cubic meters. The per capita share necessary for sustenance that is drinking, personal hygiene, and crop irrigation is 1,700 cubic meters. The capacity of Iran's potable water reserves is expected to decline to the point that it can only meet forty percent of its sustainable requirement by the year 2005.⁵⁸ Juxtaposed with this potential environmental disaster is the rapid growth in Iran's population that will strain the capacity of its natural environment and resources beyond the point of self-sustainability.

Iran's socio-economic conditions are characterized by a poorly educated population with limited opportunities to break out of its impoverished cast. Its single market economy, increasing black market, and shrinking natural resources present grave risks to Iran's internal security. As long as global oil prices remain low, it is unlikely Iran will be able to make any appreciable progress in reducing their foreign debt which is more than ten percent of their GDP. Externally, Iran must foster an element of cooperation with its GCC neighbors if it is to meet its own security objectives: to limit

Iraq's capacity to threaten Iran and marginalize U.S. influence in the region. Keeping these relatively significant domestic challenges in mind, we shift our attention to Iran's national interests.

Iran has identified the following objectives in promoting their national interests: encourage foreign investment in Iran and gain open access to foreign resources; maintain oil production consistent with economic demands and improve production in non-oil sectors; increase foreign exchange reserves and strengthen the national currency; promote the restoration of the legal rights of the Palestinian people; resolve land disputes with the United Arab Emirates; prevent foreign powers from interfering in domestic affairs; ensure unconditional withdrawal of foreign navies and forces from the region; create a nuclear and weapons of mass destruction free zone in the Middle East, including Israel; and build international cooperation for the protection of the environment, combating terrorism, and reduction of illicit trafficking of drugs in conformity with the UN Charter, without prejudice to the sovereignty of member states.⁵⁹

From a practical standpoint then, Iran sees its security challenges and ambitions as: remove or minimize direct U.S. influence in the Persian Gulf region; contain Iraq and prevent their reemergence as a regional military power; build political and economic alliances with European, Asian, and GCC nations that will increase opportunities for Iranian wealth and security; and, to some degree, erode U.S. relationship with these nations; establish themselves as the leader and spokesman for the Islamic world in an effort to build some form of Pan-Arabian coalition. However, given Iran's internal socio-economic, environmental, and political conditions, it is unlikely Iran can fulfill these challenges without mutual cooperation with the U.S.; however, the 1995 Iran-Libya Sanctions Act (ILSA) prevents the U.S. from engaging Iran. The end of the twenty-year mutual defection between the U.S. and Iran can only be realized by stressing similarities rather than differences and reaching some common ground where shared values and interests can be achieved together.

“Constructive Conditional Engagement”

We identified religious and secular values that the U.S. and Iran have in common, the most prominent being respectively, “Do unto others . . .,” and democracy. Both profess to believe in justice and order, human rights, and the rule of law. Both countries want to protect their citizens and sustain and improve their way of life. Both are interested in getting oil to market at reasonable prices. That requires freedom of the seas, secure pipelines, multilateral cooperation, and capital. Both condemn terror. Both would ostensibly benefit from turning swords into plowshares. Both need a healthy environment in which to live and work. Most importantly, both their values and interests benefit by securing and ensuring peace and stability in the region. We could go on. The point is that recognizing common values and interests serves to lower the threshold for rapprochement and mutual trust and usher in cooperation.

Constructive engagement should be incremental and begin by immediately reestablishing communications between the U.S. and Iran, preferably official, but unofficial through intermediaries or the United Nations if necessary. Both should refrain from inflammatory rhetoric; the U.S. should not demonize Islam; Iran should not demonize Judaism. Once communications were reestablished, the U.S. and Iran should, *inter alia*, exchange clergy, academics, journalists, students athletes and the like. They should collaborate on all matters economic, fiscal, and financial to reduce Iran’s debt and revitalize its industry. They should cooperate on environmental concerns, in particular water. They should cooperate in concert with the GCC on arms control and establish an inclusive regional organization to address collective security, and burden sharing. They should cooperate, again with the GCC, to establish confidence building measures, that enhance cumulative cooperation and reduce the chance of war. The U.S. should be permitted to invest in Iranian oil and gas and pipeline ventures. Iran would certainly profit from the services of a U.S. private security consulting firms that would aid in corporate security as well as helping Iranian law enforcement organizations in curbing flows of illicit narcotics and black market activity in Eastern Iran.

There are numerous fledgling U.S. companies that develop innovative solutions to environmental protection through renewable resources processes and creating efficiencies

in extraction processes. Iran clearly can benefit from this expertise as well as from larger corporations like Archer Daniels Midland that could find more efficient and cost effective ways for Iran to grow its food. It is consistent with its interests for the U.S. to ensure economic prosperity for its own free market industries while at the same time addressing some of the dreadful conditions existing inside Iran. This line of engagement further creates opportunities for new industries inside Iran that can begin to diversify its economy. Iran requires the superiority in technological sophistication the U.S. petroleum industry possesses in order to adequately access the Caspian and Caucasus petroleum reserves. Iran further needs to modernize its public education system to be able to compete in the global market economy. U.S. industrial and educational services involvement in these areas serves to ensure the flow of Mid-East oil at reasonable prices while further developing Iran's economic infrastructure through the creation of jobs and further diversification of its narrow economy.

The *quid pro quo* for removing sanctions and a program of incentives for graduated cooperation would be that Iran cease and desist from procurement of WMD, and support for terror. The U.S. in turn would cease and desist from implementing "Radio Free Iran," the \$20m for covert operations against Iran, and ILSA. Additionally, the U.S. would apply conditions and incentives fairly and universally throughout the region, beginning with reciprocal defection for Israel's or the Palestinians' intransigence on peace.

These measures would be graduated and reciprocated in TIT for TAT fashion with the hope that President Khatami's power and popularity would increase, thereby furthering iterative cooperation until mutual trust and confidence led to joint ventures to achieve our mutual objective of peace and stability in the region. While this is our genuine hope, we cannot bury our heads in the sand. We must take into account Iran's military capabilities and be prepared to defeat them should they defect and conflict becomes inevitable. So, in the next chapter, we will assess the Iranian threat to U.S. interests.

Notes

¹ Charles W. Kegley, Jr., "Neo-Idealism: A Practical Matter," Ethics and International Affairs, 1988, Volume 2, 194.

² Kegley, 196.

³ Karen Armstrong, Holy War: The Crusades and Their Impact on Today's World (New York: Anchor Books, 1992), vii.

⁴ Frost, 108.

⁵ Cable News Network Special Report, "Iran: A New Opening," Interview by Christiane Amanpour with the President of Iran, Mohammad Khatami, 7 Jan 98.

⁶ Cable News Network Special Report, "Iran: A New Opening," Interview by Christiane Amanpour with the President of Iran, Mohammad Khatami, 7 Jan 98. The actual passage reads, "Freedom sees religion as the companion of its struggles and triumphs, the cradle of its infancy, and the divine source of its rights. Religion is considered as the guardian of mores, and mores are regarded as the guarantee of the laws and pledge for the maintenance of freedom itself." (Alexis de Tocqueville, Democracy in America, Translated by George Lawrence, Edited by J.P. Mayer (New York: Harper Perennial, 1988) 47.

⁷ Alexis de Tocqueville, Democracy in America, Translated by George Lawrence Edited by J.P. Mayer (New York: Harper Perennial, 1988), 235-236.

⁸ Durant, 358.

⁹ Will Durant, The Story of Civilization Our Oriental Heritage (New York: Simon and Schuster, 1954), 369.

¹⁰ Alexis de Tocqueville, 236.

¹¹ Robert D. Kaplan, The Ends of the Earth A Journey at the Dawn of the Twenty First Century (New York: Random House, 1996), 224.

¹² Meg Greenfield, Newsweek, March 26, 1979, 116 quoted in Huston Smith, The World's Religions (New York: Harper Collins, 1991), 221.

¹³ Huston Smith, The World's Religions (New York: Harper Collins, 1991), 221-270.

¹⁴ Hoffman, 205.

¹⁵ de Tocqueville, 569.

¹⁶ de Tocqueville, 567.

¹⁷ Josef Joffe, "America the Inescapable," New York Times Magazine, "How the World Sees Us," Special Issue, June 8, 1997, 38.

¹⁸ Joffe, 43.

¹⁹ Christoph Bertram, "Powerless," New York Times Magazine, "How the World Sees Us," Special Issue, June 8, 1997, 62.

²⁰ Epictetus was a Greek slave who wrote the Enchiridion and said, "You can break my leg but not my will.

²¹ Thomas Keneally, "Hellbent," New York Times Magazine, "How the World Sees Us," Special Issue, June 8, 1997, 48.

²² Hoffman, 193.

²³ Christoph Bertram, "Powerless," New York Times Magazine, "How the World Sees Us," Special Issue, June 8, 1997, 62.

²⁴ Barry M. Blechman and Stephen S. Kaplan, "The Use of Armed Forces as a Political Instrument," Pub ADA 034083, Defense Doctrine Center, DLA, Alexandria, Va., 1977, 9.

²⁵ Sun Tzu, The Art of War, edited by James Clavell, (New York: Dell Publishing, 1983), p. 18.

²⁶ Stanton Burnett, "Implications for the Foreign Policy Community," Douglas Johnston and Cynthia Sampson, Eds., Religion, The Missing Dimension of Statecraft (New York: Oxford University Press, Inc., 1994), 300.

²⁷ Burnett, 300.

²⁸ Edward O. Wilson, "The Biological Basis of Morality," The Atlantic Monthly, April 1998, 58. Drawn from his book Consilience (New York: Knopf, 1998).

²⁹ Burnett, 299.

³⁰ Burnett, 295.

³¹ Alexander Isayevich Solzhenitsyn, "The Exhausted West," Commencement Address at Harvard University, June 8, 1978.

³² Edward Luttwak, "The Missing Dimension," Douglas Johnston and Cynthia Sampson, Eds., Religion, The Missing Dimension of Statecraft (New York: Oxford University Press, Inc., 1994), 10.

³³ Samuel Huntington, "The Clash of Civilizations," Foreign Affairs, Vol 72, No. 3 (Summer 1993), 22-49.

³⁴ Albert Schweitzer, The Philosophy of Civilization (Buffalo, New York: Prometheus Books, 1987).

³⁵ Karen Armstrong, Holy War: The Crusades and Their Impact on Today's World (New York: Anchor Books, 1992), vii. Karen Armstrong, Holy War: The Crusades and Their Impact on Today's World (New York: Anchor Books, 1992), vii. See also Ahmad Sadri, "Echoes of Kierkegaard and Locke," The Iranian, October. 1997. Sadri thinks it is important how civilizations look at one another, and he defines three lenses through which they choose to view one another: (1) *Tunnel Vision*-teaches us about our own neuroses; (2) *Double Vision*-teaches anthropologically the uniqueness of each civilization and that it is

unfair to judge them by one aspect of their culture; and, (3) *Depth Perception*—"integrated 3D view of the world."

³⁶ Hans Kung, A Global Ethic for Global Politics and Economics (New York: Oxford University Press, 1998), 110-111. The exclamations and bold highlights are Kung's.

³⁷ Douglas Johnston and Cynthia Sampson, Eds., Religion. The Missing Dimension of Statecraft (New York: Oxford University Press, Inc., 1994), 314. Quoting Homer A. Jack, Ed., Religion for Peace: Proceedings of the Kyoto Conference on Religion and Peace (New Delhi: Gandhi Peace Foundation, 1973), ix-x.

³⁸ Gary Bauer, "Morality and Foreign Policy," Institute of Foreign Policy Lecture Series, John F. Kennedy School of Government, Harvard University, April 13, 1998.

³⁹ Francis M. Cornford's definition of propaganda in Microcosmographia Academia is "That branch of the art of lying which consists in very nearly deceiving your friends without quite deceiving your enemies."

⁴⁰ Stanley Hoffman, Duties Beyond Borders On the Limits and Possibilities of Ethical International Politics (Syracuse, New York: Syracuse University Press, 1981) 29.

⁴¹ A Report from the Commission on America's National Interests, America's National Interests, 1996.

⁴² White House, A National Security Strategy For A New Century, May 1997, 1.

⁴³ White House, 1.

⁴⁴ White House, 1.

⁴⁵ White House, 5.

⁴⁶ White House, 26.

⁴⁷ White House, 27.

⁴⁸ White House, 27.

⁴⁹ The Constitution of the Islamic Republic of Iran, Article 1, March 29 and 30, 1979.

⁵⁰ The Constitution of the Islamic Republic of Iran, Articles 9 and 21.

⁵¹ Mohammad Khatami, Hope and Challenge: The Iranian President Speaks, (Institute of Global Cultural Studies, Binghamton University, State University of New York, 1997), p. 36.

⁵² Mohammad Khatami, 83.

⁵³ International Petroleum Statistics Report, April 1997, Energy Information Administration, U.S. Department of Energy.

⁵⁴ International Petroleum Statistics Report, April 1997, Energy Information Administration, U.S. Department of Energy.

⁵⁵ Anthony Cordesman, "The Challenge in the Gulf: Building a Bridge from Containment to Stability", remarks at a Capitol Hill Conference, 628 Dirksen Senate Office Building, March 5, 1997.

⁵⁶ Sources: 1997 CIA World Factbook and <http://www.netiran.com/Htdocs> "Water Crisis, Future Challenges in the Middle East and the Persian Gulf," May 1997.

⁵⁷ Central Intelligence Agency, 1997 World Factbook, <http://www.odci.gov/cia/publications/nsolo/factbook/ir.htm#Geography>, p. 5.

⁵⁸ Seyyed Shamseddin Sadeqi, Water Crisis, Future Challenges in the Middle East and the Persian Gulf, <http://www.netiran.com>, April-May 1997, No. 115-116.

⁵⁹ Khatami, 95-97. Tehran Declaration, Number 4, December 11, 1997, and the Tehran Vision Statement, December 11, 1997; both of these statements were presented at the Eighth Islamic Summit Conference, "The Session of Dignity, Dialog, Participation," December 11, 1997.

Chapter III

Iran's Threats to America's Interests

*On 8 January 1998, the day after President Khatami's interview on CNN, State Department spokesman James Rubin said, "... changes in Iranian policies on support for terror, the development of weapons of mass destruction, and support for violent opposition to the Middle East peace process remain key to forging a better relationship [with Iran]."*¹

James Rubin, U.S. State Department

Before continuing our argument for a policy of "Constructive Conditional Engagement", it is important to briefly discuss real and perceived threats which Iran presents to U.S. interests. In the preceding chapter, we described the common areas of U.S. - Iran core values and interests. However from the U.S. perspective, Iran's actions, particularly its support to what the U.S. terms "terrorism," and its pursuit of WMD weapons, present the greatest impediments to the development of long-term, stable cooperation between the two governments. Iran does pose threats to the attainment and protection of U.S. interests, but ways exist to ameliorate the effects of these threats to proceed along a cooperative path. Engaging Iran and providing incentives for cooperation backed by the threat of reciprocity, forceful if necessary, is a better path to achieve cooperation than sanctions backed by force. The purpose of this chapter is twofold. First, we will examine Iran's support to terror and its opposition to the Arab - Israeli peace process. Second, we will discuss Iran's activities to acquire nuclear, biological, and chemical WMD. With the threat properly framed, we will be able to discuss the conditional component of our proposed policy. Iran's support of terror is subject to debate and takes several forms.

IRAN'S SUPPORT FOR TERRORISM

Given President Khatami's recent overtures to the United States, a major question becomes whether or not he is actively involved in the actual decision-making process for Iranian terrorism support, or are current decisions relating to acts of terror controlled by the conservative clerics of Ayatollah Ali-Khamenei? Recently, Crown Prince al-Khalifa of Bahrain jokingly said to a senior U.S. official that "[in Iran] You have three people in charge: you have Khamenei, and he is in charge of religion and terrorism, you have Rafsanjani, and he is in charge of business and terrorism, and you have Khatami, and he is in charge of internal politics and terrorism."² Regardless of the decision authority, Iran's contradictory rhetoric and actions have several implications for the U.S. decision on whether or not to continue to follow "Dual Containment," or adopt the more cooperative policy alternative of "Constructive Conditional Engagement".

First, terrorism in general places Americans and American property at risk both at home and abroad.³ The threat of terrorism also presents forward deployed U.S. military personnel with increased force protection concerns. Second, Iran's activities reinforce U.S. perceptions of Iran as a rogue state with interests inimical to those of the U.S. This serves as a barrier to the development of cooperation by preventing U.S. political support for a cooperative dialogue with Iran. Third, Iran's continued support for extremists, particularly Hamas, Hezbollah, and The Palestinian Islamic Jihad (PIJ) complicates progress toward achieving a lasting Arab-Israeli peace. Last, Iran's activities erode U.S. influence and policy continuation as other countries who have long-condemned Iran's activities such as France and Germany begin to seek avenues of cooperation with Iran.⁴ Iran and the U.S. have different views on what terrorism is, and this difference may serve as a roadblock to dialogue.

During his interview on CNN, President Khatami said, "Terrorism should be condemned in all its forms and manifestations; assassins must be condemned. Terrorism is useless anyway and we condemn in categorically."⁵ Later in the interview and on the same topic, he made a veiled reference to Israel and the Palestinians by saying, "... supporting people who fight for the liberation of their land, is not, in my opinion, supporting terrorism. It is, in fact, supporting those who are engaged in combating state

terrorism.”⁶ Clearly, Iran does not view support for the Palestinian cause as acts of terrorism.

There is substantial evidence to support the U.S. position that Iran commits and supports state-sponsored terrorism to achieve its policy goals.⁷ When introducing the State Department’s 1996 report on global terrorism, Ambassador Philip Wilcox stated:

Iran is still the leading sponsor of state-sponsored terrorism. It continues to assassinate dissidents abroad. It maintains direct support of the Hizbollah, which is one of the most dangerous and lethal terrorist organizations. It continues to support the fatwa against Salman Rushdie, and it is using its resources – money, material – to support those groups which are using terrorism against the peace process; and the Iranian propaganda against the peace process continues at a virulent level.⁸

The State Department’s view of Iran’s support for terrorism changed little in 1997. According to the Department’s 1997 report on global terrorism:

Notwithstanding some conciliatory statements in the months after President Khatami’s inauguration in August 1997, Iran remains the most active state sponsor of terrorism. There is no evidence that Iranian policy has changed, and Iran continues both to provide significant support to terrorist organizations and to assassinate dissidents abroad.⁹

We will next discuss the three major categories of Iranian support of terror: acts to export the Islamic revolution, acts to silence Iranian dissidents, and acts to derail the Middle East peace process.

Debate exists regarding Iran’s intentions and the effectiveness of its efforts to export the Islamic revolution. Several observers believe that Iran has achieved only limited success in fomenting revolt in other Islamic countries because Iranian Shi’ite militants are distrusted by the Muslim world’s Sunni majority.¹⁰ On the other hand, there is ample evidence that Iran trains terrorists and activists in Iran, and that several Iranian groups including the Quds forces of the Revolutionary Guards, the Organization for the Liberation of Revolutionary Fighters (ORLF), and Iran’s Ministry of Intelligence and Security (MOIS or VEVAK) actively participate in support of extremist groups in Algeria, Morocco, Turkey, Tunisia, Egypt, and Lebanon.¹¹ Unlike actions taken to export

the Islamic revolution, there is little doubt that Iran commits assassinations to silence its dissidents both at home and abroad.

Cordesman and Hashim make a clear distinction between Iranian actions directed at extremist groups that use violence against the Iranian regime and "true acts of violence against legitimate peaceful opposition."¹² In the former category, Iran has used military action and assassinations against extremist opposition groups including the Mujahideen-e Khalq (People's Mujahideen or MEK) and the Kurdish Democratic Party of Iran (KDPI).¹³ In assassination actions against both of these groups outside of Iran, the Iranian Ministry of Intelligence and Security (VEVAK) and Iranian military intelligence play active roles. Cordesman and Hashim state:

There is little doubt that these agencies are deeply involved in a battle of assassination and counter-assassination with People's Mujahideen representatives overseas. For example, VEVAK agents almost certainly caused the death of Kazem Rajavi, the head of the People's Mujahideen organization in Geneva on August 24, 1990; Mansour Amini, a People's Mujahideen supporter in Turkey on June 4, 1992; and Mohammed Hussein Naghdi, a leading member of the National Council of Resistance in Rome on March 16, 1993.¹⁴

Iranian agents killed a total of four dissidents in 1994, seven in 1995, at least eight outside Iran in 1996.¹⁵ Iran is believed to have assassinated thirteen dissidents, primarily outside of Iran, in 1997.¹⁶

The most publicized example of dissident assassinations with direct ties to the Iranian Ministry of Intelligence (VEVAK) and the highest levels of Iranian leadership occurred in September 17, 1992 in the Berlin restaurant Mykonos. The attack left four men dead including anti-regime Iranian Kurd leader Sadegh Sharafkandi.¹⁷ Subsequent investigation by German authorities led to the arrests of five men, four Lebanese and one Iranian agent, Kazem Darabi. The defendants went on trial in Berlin in October 1993.¹⁸

Developments in the case led a German court in March 1996 to approve a request by prosecutors to issue an arrest warrant on four murder charges and one attempted murder charge for Hojatolislam Ali Fallahain, then Chief of VEVAK.¹⁹ In final statements of the case in November 1996, German prosecutors charged that Iranian

Supreme Leader Khamenei and then President Rafsanjani approved the operation.²⁰ In addition to Mykonos, VEVAK and other Iranian security organizations have been linked to assassinations in Paris, Argentina, and Geneva among others. Another example of Iran's sponsorship of terror is the fatwa or death threat against author Salman Rushdie.

On February 14, 1989, Ayatollah Khomeini issued a fatwa against Rushdie, the author of Satanic Verses because Rushdie's book was blasphemous against Islam. Iranian leaders including Khatami and Khamenei continue to maintain that the sentence cannot be revoked because Khomeini is not alive to revoke it. Additionally, the Iranian organization that offers a reward for Rushdie's death raised the reward in February 1997 to \$2.5 million from \$2.0 million.²¹ Last, from 1995 through 1997, the European Union and Iran could not reach an agreement whereby Iran would pledge, in writing, not to pursue Rushdie's death sentence.²² Iran also refuses to recognize Israel's right to exist.

Iran is virulent in its opposition to the Arab-Israeli peace process and has created a common ideological framework "which effectively den[ies] Israel's right to exist."²³ Regarding this ideology, in a 1993 radio broadcast, Ayatollah Khamenei stated that the "usurper, Zionist administration must pack up. Jews can stay in Palestine, but the administration of Palestine belongs to the nation of Palestine and the Palestinians."²⁴ In December 1997 at the opening of the Islamic summit hosted by Iran, Khamenei continued his rhetoric against Israel by denouncing the "Zionist Regime" as "hegemonic, racist, aggressive, and violent."²⁵ He also attacked the Arab-Israeli peace process as "unjust, arrogant, contemptuous, and finally illogical."²⁶ For his part, President Khatami has stated that the Arab-Israeli peace process is bound to fail, and Iran has a right to express its opposition to it.²⁷ In addition to rhetoric, Iran's opposition to the peace process and Israel includes support for militant terrorist organizations including Hamas, Palestinian Islamic Jihad (PIJ), and Hezbollah.

According to a 1996 State Department report on terrorism, Iran "continued to provide support – including money, weapons, and training – to a variety of terrorist groups."²⁸ The report also cites one example of a high-ranking Iranian leader, then Vice President Habibi, praising Hamas leaders for successful terrorist attacks in Israel.²⁹ Cordesman and Hashim cite evidence of Iranian encouragement for a number of Hamas

and PIJ attacks including “a wave of bombings that took place in the months before the Israeli election in May 1996.”³⁰ Additionally, Iran routinely supplies the Lebanese Hezbollah with arms and ammunition. One such example is the dispatch of ten supply flights from Tehran to Lebanon before the Hezbollah initiated a series of rocket attacks on Israel in April 1996. Also, Iran has been implicated in encouraging Hezbollah to conduct a series of rocket attacks that “led to a major Israeli confrontation with Lebanon in early May 1996.”³¹ Interestingly, a 1996 State Department report on terrorism pointed to these attacks as “timed to both delay peace negotiations between Israel and the PLO, and to try to influence Israeli public opinion to vote for the Likud, rather than the Labor Party.”³²

DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION (WMD)

There is substantial evidence that Iran has and continues to develop chemical and biological weapons capabilities and is pursuing the associated ballistic missile technology as a delivery means. Debate exists within the international community as to whether or not Iran is developing nuclear weapons. As with support for terrorism and opposition to the Middle East peace process, Iran’s pursuit of WMD capabilities has several implications for U.S. policy.

First, WMD weapons, coupled with ballistic missile delivery capabilities place American forces and bases at risk, particularly in the Persian Gulf region. Second, continued, unchecked development and eventual fielding of WMD by Iran weakens counter-proliferation regimes that are strongly supported by the U.S.. Third, Iran’s actions reinforce U.S. perceptions of Iran as a rogue state with interests inimical to those of the United States. Last, Iran’s security dilemma – actions that Iran takes to increase its security decrease the security of other states – establishes conditions for instability within the Middle East. We will now briefly discuss Iran’s WMD pursuits and capabilities.

NUCLEAR WEAPONS

The question of whether or not Iran is pursuing a clandestine nuclear weapons program is subject to debate between the United States and many of its partners. As a

member of the 1968 nuclear Non-Proliferation Treaty (NPT), Iran's declared nuclear facilities, at present two research reactors, fall under the inspection regime of the International Atomic Energy Agency (IAEA). The IAEA has reported that it has found no indication of a nuclear weapons effort.³³ However, the United States does not hold the same view of Iran's efforts as the IAEA. The United States believes Iran's efforts to acquire fissile material and weapons program related technology indicate that it is pursuing a nuclear weapons capability. In March 1996, then Director of Central Intelligence, John Deutch, stated:

We judge that Iran is actively pursuing an indigenous nuclear weapons capability. A variety of data indicate that Tehran has assigned civilian and military organizations to support production of fissile material for nuclear weapons. Specifically, Iran is attempting to develop that capability to produce both plutonium and highly enriched uranium. In an attempt to shorten the timeline to a weapon, Iran has launched a parallel effort to purchase fissile materials, mainly from sources in the former Soviet Union.³⁴

Current statements by George Tenet, Director of Central Intelligence, reinforce Deutch's assessment. Tenet states, "a growing trend toward indigenous production of WMD-related has decreased the effectiveness of sanctions and other national and multinational tools designed to counter proliferation."³⁵ For its part, Iran holds that its nuclear program is strictly for research and civilian power generation.

A fair question then is why OPEC's second largest producer, accounting for five percent of global output and holding nine percent of the world's oil reserves, would spend billions of dollars on a nuclear energy program to fulfill domestic energy requirements. According to the U.S. Department of Energy (DOE), Iran hopes that nuclear power will provide twenty percent of its domestic electricity demand. According to DOE, the United States argues "that Iran could use its substantial oil and gas reserves for power generation, rather than build costly nuclear reactors that could be used for military purposes."³⁶

Iran's nuclear power program began under the Shah and included both power plant development and a research reactor purchased from the United States.

The Shah also sponsored research aimed at producing fissile material for weapons development.³⁷ Today, in addition to a research reactor at Tehran University, Iran has three atomic research centers in Esfahan, Karaj, and Tehran, and with Russian assistance is completing a large "civil" nuclear facility at Bushehr.³⁸

Iran's ability to develop a weapon is hampered by its access to fissile materials and the expertise of its scientists and technicians. According to Shahbram Chubin, "Iran's research effort is aimed at developing the capability to rapidly put into place a nuclear weapon program once it gains access to fissile material, whether through its civil power reactors or covertly through purchases from Russia or the successor states of the USSR."³⁹ Estimates vary regarding the time it will take Iran to develop a weapon, but because it currently lacks a substantial nuclear infrastructure, Chubin places Iran in the category of a latent proliferator, "a state that, without actually possessing nuclear weapons, moves substantially closer to having them."⁴⁰

Iran's nuclear program and intentions has placed the United States at diplomatic odds with several countries including China, Russia, and most recently, Ukraine. Until October 1997, China was a major supplier of nuclear technology to Iran. The two countries signed a formal nuclear cooperation agreement in 1990 that included training for Iranian technicians in China and nuclear research technology for reactor construction and other projects.⁴¹ In 1993, China entered into a contract with Iran to build two nuclear power reactors and a uranium conversion facility. Of particular concern to the United States was the Iranian purchase of an electromagnetic isotope separation unit from China.⁴² However, in advance of the October 1997 United States - China summit, the Chinese suspended the 1993 contracts. With this cooperation from the Chinese, the Clinton Administration announced that it would provide Congress by early 1998 a certification that would open China to United States nuclear cooperation.⁴³

Likewise, the United States is concerned about possible technology transfers to Iran resulting from Russia's commitment to complete work on the nuclear facility at Bushehr. Work on the Bushehr facility was suspended by the German company Siemens after the Islamic Revolution in 1978. The Iranians kept the facility in a caretaker status

until Russia agreed to complete the work and build up to four reactors (two 1,000-1200 megawatt reactors and two 465 megawatt reactors).⁴⁴ In March 1998, Russia announced the possibility of constructing two additional reactors at the Bushehr facility.⁴⁵ Additionally, Russia supports Iranian claims that Iran's nuclear program is for civil and research purposes only.

Last, Russian work on the Bushehr facility caused a diplomatic strain between the United States and Ukraine that threatened a lucrative \$1.2 billion dollar project for Westinghouse Electric Corporation, a subsidiary of CBS. In order to complete the Bushehr facility, Russia wanted to purchase two special turbines from the Ukrainian state-owned firm Turboatom.⁴⁶ In March 1998, the Ukrainian government bowed to Washington's wishes and refused to provide the turbines to Russia for use at Bushehr.⁴⁷

CHEMICAL AND BIOLOGICAL WEAPONS (CBW)

Unlike nuclear weapons, Iran has a chemical weapons capability, and is expanding its biological weapon capabilities. However, according to Chubin, "Despite Iran's efforts, its CBW programs remain rudimentary and crude in comparison to Iraq. Iran's programs have a limited production capacity and are unsophisticated, focusing on less lethal agents and on a narrow range of munitions types."⁴⁸ Iran's experience as a victim of chemical warfare during the Iran-Iraq war undoubtedly serves as a motivation to develop CBW capabilities. As early as 1988, then acting commander-in-chief and speaker of Parliament, later president Hashemi Rafsanjani stated:

With regard to chemical, bacteriological and radiological weapons training, it was made very clear during the war that these weapons are very decisive. It was also made very clear that the moral teachings of the world are not very effective when war reaches a serious stage; the world does not respect its own resolutions, and closes its eyes to violations and all the aggressions which are committed on the battlefield. . . . We should fully equip ourselves in the defensive and offensive use of chemical, bacteriological and radiological weapons.⁴⁹

Iran is equipping itself with chemical and biological weapons.

Since 1984, Iran has been producing chemical agents including blister, blood, and choking agents, at a steadily increasing rate. Additionally, it has

weaponized some of these agents, created stockpiles, and increased the chemical defensive and offensive training posture of its ground forces.⁵⁰ Last, although Iran is a signatory of the Chemical Weapons Convention (CWC), it has yet to declare its weapon facilities and “sees a need to continue CW research.”⁵¹ A summary of Iran’s chemical weapons activities follow:⁵²

- At least two major research and production facilities.
- Made limited use of chemical weapons at the end of the Iran-Iraq War.
- Began to create stockpiles of cyanide (cyanide chloride), phosgene, and mustard gas weapons after 1985. Includes bombs and artillery.
- Was able to produce blister (mustard) and blood (cyanide) agents by 1987; used them in artillery shells against Iraqi troops.
- Production of nerve gas weapons started no later than 1994.
- Has produced a minimum of several hundred tons of blister, blood, and choking agents. Some are weaponized for support of ground troops. Others are used in chemical bombs.
- Has increased chemical defensive and offensive warfare training since 1993.
- Seeking to buy more advanced chemical warfare equipment.
- Has sought to buy specialized equipment on world market to develop indigenous capability to produce advanced feedstocks for nerve weapons.

The 1996 report on proliferation by the United States Department of Defense states, “Iran began its biological warfare program in the early 1980s during the Iran-Iraq War.”⁵³ The report also states, “Iran has evolved from piecemeal acquisition of bioprocessing equipment and is now pursuing complete biological production plants that could be converted to producing biological warfare agents.”⁵⁴ A summary of Iran’s biological weapons activities follow:⁵⁵

- Extensive laboratory and research capability.
- Weapons effort documented as early as 1982.

- Bioresearch effort sophisticated enough to produce biological weapons as lethal as small nuclear weapons. Working on toxins and organisms with biological warfare capabilities.
- Has biological support structure capable of producing many different biological weapons.
- Seems to have the production facilities to make dry storable weapons. This would allow it to develop suitable missile warheads and bombs and covert devices.
- May be involved in active weapons production, but no evidence to date that this is the case.
- Some universities and research centers may be linked to biological weapons program.

Iran's motivation for possession of WMD is most likely a result of its security dilemma. We define this dilemma as actions Iran takes to increase its security, decreases the security of its neighbors.⁵⁶ Iran's bitter experiences during the Iran - Iraq War coupled with its economic woes strengthen its desire for relatively low cost deterrents and perhaps offensive capabilities.

For its part, the U.S. is absolutely correct in holding to the position of countering proliferation with Iran and its supplies, particularly Russia, China, and North Korea. U.S. coercive diplomacy to stop the export of critical weapons technologies to Iran has worked with China, but to date is faltering with Russia. However, these actions are peripheral because we have yet to engage Iran on the issues surrounding its WMD pursuit. "Constructive Conditional Engagement" seeks to enter a dialogue with Iran on the WMD issue as well as its support for terror to establish long-term, stable cooperation. Only by engaging Iran can the two nations explore initiatives to achieve this cooperation such as arms control, disarmament, and confidence and security building measures. In the next chapter, we discuss the underpinnings of cooperation and discuss measures to achieve it.

Notes

¹ James P. Rubin, "U.S. Department of State Daily Press Briefing," 8 Jan. 1998, online posting, <http://www.state.gov/>, Internet, 8 Jan. 1998.

² Elaine Sciolino, "Saudis Make Nice With Iranians," New York Times 12 April 1998, A3.

³ The Khobar Towers bombing in Saudi Arabia and the massacre of tourists in Luxor, Egypt are two examples among many of the risks to lives and property associated with terrorist acts. The United States has not officially implicated Iran in either of these incidents.

⁴ The European Union's term is "Critical Dialogue"

⁵ President Khatami, CNN Interview, Jan. 7, 1998.

⁶ President Khatami, CNN Interview, Jan. 7, 1998.

⁷ For a complete discussion of Iranian support for state-sponsored terrorism through 1996, see Anthony H. Cordesman and Ahmed S. Hashim, Iran: Dilemmas of Dual Containment, (Boulder: Westview Press 1997), 147-164.

⁸ Ambassador Philip Wilcox, "Patterns of Global Terrorism for 1996," 30 April 1997, online posting, www.state.gov.

⁹ United States Department of State, Patterns of Global Terrorism: 1997, (Washington: GPO), April 1998, 25.

¹⁰ Online posting, "Dealing with Iran," www.heritagefoundation.com.

¹¹ Cordesman and Hashim, 155.

¹² Cordesman and Hashim, 157.

¹³ United States Department of State, Patterns of Global Terrorism: 1996, (Washington: GPO), April 1997, 23.

¹⁴ Cordesman and Hashim: 155.

¹⁵ Patterns of Global Terrorism, 23.

¹⁶ R. Jeffrey Smith, "Iran Still Leading Terrorism sponsor, Report Says," Washington Post, 1 May 1998, A31.

¹⁷ Sharafkandi succeeded Abdul Rahman Qassemloou as leader of the Kurdish Democratic Party of Iran (KDPI). Qassemloou and two associates were assassinated in Vienna in 1989. Cordesman and Hashim, 156.

¹⁸ Thomas Sancton, "Iran's State of Terror: A Berlin Murder Trail Provides Details of how Top Ranking Iranian Leaders Administer a Bloody International Network of Terror", Time, intl. ed., Nov. 11, 1996, 78.

¹⁹ Richard Whittle, "", The Dallas Morning News, Mar. 31, 1996, 16A. Fallahain was replaced as the head of VEVAK by President Khatami.

²⁰ In addition, the German court handed down guilty verdicts for four of the five defendants in April 1997. Patterns of Global Terrorism: 1996, 23.

²¹ Kenneth Katzman, CRS Report 93033, Iran: Current Developments and U.S. Policy, Jan. 9, 1998, 10.

²² Katzman, 10.

²³ Cordesman and Hashim, 158.

²⁴ British Broadcasting Corporation, Summary of World Broadcasts, ME/1708, June 7, 1993, A2., contained in Cordesman and Hashim, 159.

²⁵ John Lancaster, "Iran's Top Leaders Differ on Relations with the West: Clashing Views Aired as the Islamic Summit Opens", Washington Post Foreign Service, Dec. 10, 1997, A01.

²⁶ Lancaster, A01.

²⁷ Katzman, 7.

²⁸ Patterns of Global Terrorism: 1996, 23.

²⁹ Patterns of Global Terrorism: 1996, 23.

³⁰ Cordesman and Hashim, 159.

³¹ Cordesman and Hashim, 159.

³² United States Department of State, Patterns of Global Terrorism: 1995, (Washington: GPO), April 1996, 24-25.

³³ Cordesman and Hashim, 270. Cordesman and Hashim state: "The IAEA only formally inspects Iran's small research reactors. Its visits to other Iranian sites are not thorough enough to confirm or deny whether Iran has such activities."

³⁴ John Deutch, Director of Central Intelligence, online posting, http://www.odci.gov/cia/public_affairs/, Internet.

³⁵ George J. Tenet, Director of Central Intelligence, before the Senate Select Committee on Intelligence, online posting, http://www.odci.gov/cia/public_affairs/speeches/, Internet, Jan. 28, 1998.

³⁶ United States Department of Energy, Energy Information Administration, online posting, <http://www.doe/publicaffairs/>, Internet, April 1997.

³⁷ United States Department of Defense, Proliferation: Threat and Response, Washington: GPO, April 1996, 14.

³⁸ Shahbaram Chubin, "Eliminating Weapons of Mass Destruction: The Persian Gulf Case", Occasional Paper No. 33, The Henry L. Stimson Center, Washington: Mar. 1997, 6-7.

³⁹ Chubin, 7.

⁴⁰ Chubin, 7. For assessments on the time it will take Iran to develop a nuclear weapon, see Cordesman and Hashim, 306.

⁴¹ Cordesman and Hashim, 297-298.

⁴² Proliferation: Threat and Response, 14.

⁴³ Katzman, 3. Katzman explains that in preparation for the U.S. - China summit, "Administration officials negotiated with China a written Chinese pledge to end nuclear cooperation with Iran, even though Iran's nuclear facilities are already under [IAEA] safeguards. The agreement apparently allows China to complete two small nuclear projects in Iran already in progress - a zero power reactor at Esfahan and a factory to produce zirconium tubing for nuclear fuel rods."

⁴⁴ Cordesman and Hashim, 267.

⁴⁵ David Filipov, "Russia May Expand Nuclear Project in Iran," The Boston Globe, March 7, 1998, A12.

⁴⁶ David b. Ottaway, "U.S., Ukraine at Odds Over Nuclear Technology Transfer", Washington Post 8 Feb. 1998, Sunday ed.: A25. Ottaway reports that in December 1997, the Clinton administration offered the Ukrainian government a package of small business loans, Export-Import Bank credits, and joint ventures along with military and space cooperation and the prospect of future access to U.S. nuclear fuel.

⁴⁷ Filipov, A12.

⁴⁸ Chubin, 11.

⁴⁹ Hashemi Rafsanjani, then acting commander-in-chief and speaker of Parliament (Majlis), Tehran Radio Domestic Service, 6 October 1998, as quoted in FBIS-NES, 7 October 1988, 52. This excerpt and citation are taken from Chubin, 9.

⁵⁰ Proliferation: Threat and Response, 15.

⁵¹ Chubin, 9.

⁵² Summary contained in Cordesman and Hashim, 268.

⁵³ Proliferation: Threat and Response, 16.

⁵⁴ Proliferation: Threat and Response, 16.

⁵⁵ Summary contained in Cordesman and Hashim, 268.

⁵⁶ The description of Iran's security dilemma is patterned after Robert Jervis, "Cooperation Under the Security Dilemma," World Politics (Princeton University Press, 1978), 167-214.

Chapter IV

Cooperation

O mankind! . . . we made you into nations and tribes that you may know and cooperate with one another.

Koran 49:13

The Clinton Administration proposed government to government contact with Iran shortly after President Khatami's inauguration in August 1997.¹ On 7 January 1998 during a televised interview with CNN's Christiana Amanpour, President Khatami said, "nothing should prevent dialogue and understanding between two nations, especially between their scholars and thinkers."² Since 1953 when the U.S. supported the overthrow of Muhammad Mussadiq, American-Iranian relations have been anything but cooperative. Between 1953 and the present, the U.S. supported an unpopular leader in the Shah; had its embassy seized and hostages held in the wake of the Islamic Revolution; supported Iraq during the eight-year Iran-Iraq War; and currently seeks to politically, economically, and militarily contain Iran's influence in the Middle East.

We have argued to this point that it is in America's best interest to adopt a policy of "Constructive Conditional Engagement." We have also discussed the threats that Iran poses to America's interests both at home and in the Middle East. One necessary component of this policy is the development of a long-term cooperative relationship with Iran. If cooperation is desired, the question becomes how does America proceed? To answer this question, we first briefly discuss cooperation development theory to identify categories for policy alternatives. Next, we define the categories and present and discuss policy options in each category. Last, we will briefly discuss arguments against cooperation with Iran to provide balance to our argument.

COOPERATION THEORY

Cooperation theory is an extension of the study of games and game theory. Many researchers including Thomas Schelling, Robert Axelrod, and Robert Jervis have applied the game theoretic approach to the study of conflict resolution and cooperation development. Regarding cooperation, Robert Axelrod said, "Today nations interact without central authority. Therefore the requirements for the emergence of cooperation have relevance to many of the central issues of international politics."³ To study the emergence of cooperation, Axelrod conducted several experiments using iterative play of the game Prisoner's Dilemma.⁴

In a Prisoner's Dilemma game, there are two players. Each has two choices, namely cooperate or defect. Each must make the choice without knowing what the other will do. No matter what the other does, defection yields a higher payoff than cooperation. The dilemma is that if both defect, both do worse than if both had cooperated. The game matrix and payoff structure Axelrod used for his tournament are shown below where T is the payoff for the temptation to defect, R is the reward for mutual cooperation, S is the sucker's payoff for cooperation when the other player defects, and P is the punishment for mutual defection. Because of the payoff structure of the game, there is a great temptation for players to defect if the game is played only once.

		Column Player	
		Cooperate	Defect
Row Player	Cooperate	R=3, R=3 Reward for mutual cooperation	S=0, T=5 Sucker's payoff and temptation to defect
	Defect	T=5, S=0 Temptation to defect and sucker's payoff	P=1, P=1 Punishment for mutual defection

Figure IV-1: The Prisoner's Dilemma Payoff Matrix

However, Axelrod wanted to determine if players would be more likely to cooperate over time if the game were played repetitively by the same two players.

He devised a Prisoner's Dilemma computer tournament and solicited entry programs from numerous colleagues and others. During the tournament, programs played against each other with the winner determined by the program with the highest cumulative score from the payoff matrix (See Figure IV-1). The overall winner of several tournaments hosted by Axelrod was a simple, two-line program named TIT FOR TAT submitted by Professor Anatol Rapoport of the University of Toronto.⁵

TIT FOR TAT owed its success to the program's two decision rules: cooperate on move 1, and on moves 2 through n, do what the other player does. Axelrod accounted for TIT FOR TAT's success as a combination of being nice because it is not the first player to defect; being retaliatory because it defects only after the other player has done so; being forgiving because it does not continue to defect if the other player returns to cooperation; and being clear because its strategy is simple and easy to identify.⁶ After studying the results of all tournaments, Axelrod identified three broad categories of advice on how to promote mutual cooperation. First, make the future more important relative to the present. Second, change the payoffs to the players of the four possible outcomes of a move (cooperate, cooperate; cooperate, defect; defect, cooperate; and defect, defect). Last, teach the players values, facts, and skills that will promote cooperation.⁷

AMERICA AND IRAN: A PRISONER'S DILEMMA

In many regards the current American-Iranian relationship can be characterized as a Prisoner's Dilemma. For example, Iran's opposition to the Arab-Israeli peace process presents the U.S. with a dilemma of choice. Given Iran's recalcitrant behavior from the perspective of the U.S., if the U.S. attempts to develop an atmosphere of cooperation with Iran, Iran might be encouraged to continue uncooperative behavior in other areas both now and later on. Conversely, if the U.S. continues the status quo and attempts to isolate Iran politically, economically, and militarily, it risks some form of retaliation that could set off counter-retaliation, thereby continuing the long history of

mutual animosity.⁸ We will now discuss each of Axelrod's three categories relative to the American-Iranian relationship to present possible policy options.⁹

MAKING THE FUTURE MORE IMPORTANT RELATIVE TO THE PRESENT

Axelrod based his prescriptive advice for making the future more important relative to the present on the implicit threat of one party's retaliation against the other's defection. For the threat of retaliation to be effective, interactions between the parties must occur over an extended time period. In this way, the immediate or near-term temptation to defect is overcome by the impact of the defection on future interactions. Long-term, stable cooperation can therefore develop only if interactions between parties are made more durable and more frequent.¹⁰ Current Iran – U.S. interactions are neither durable nor frequent and do not provide the incentives for the development of long-term cooperation.

On the morning of February 11, 1998, many Americans were undoubtedly surprised when they opened their morning newspapers and saw an Associated Press photograph of two Iranians entering a Tehran sports stadium and carrying a large portrait of Ayatollah Khomeini. Directly behind the portrait were the American flag and five American wrestlers in Tehran to participate in an international wrestling tournament. This event is not evidence of the beginning of U.S. – Iran cooperation. It is, however, indicative of ways to develop the incentives for long-term cooperation by making the future more important relative to the present. We will next discuss two approaches to cooperation in this category that can serve to strengthen the cooperation pillar of "Constructive Conditional Engagement": the opening of a dialog through the creation of working or contact groups, and the creation of confidence building measures (CBM). Both serve as ways to achieve durable and frequent interactions.

One way for the U.S. to view the Middle East in general is as a multi-player Prisoner's Dilemma that presents the U.S. with dilemmas of choice between cooperation and defection with each concerned state. In this context and given the current nature of state-to-state relations in the region, it is, in the words of Kenneth Katzman, "... difficult

to formulate ideas and suggestions that would ultimately lead to security arrangements and other agreements that would satisfy all parties simultaneously."¹¹ Katzman suggests the creation of multilateral working groups that would address key issues of security, economic development, internal security, and territorial issues as a way to both start multilateral dialogue and form the foundation of cooperation.¹² Iran's participation in the working groups is vital to the success of this endeavor and incentives exist for Iran to do so. Katzman envisions the internal security working group to be "intended primarily to end Iranian support for radical opponents of incumbent Gulf regimes and the Arab-Israeli peace process."¹³ Iran's incentives to participate would rest on its perception of gains on other issues over time. In this way, Iran's temptation to continue defection on the terrorism issue is overcome by the impact continued defection would have on future interactions such as economic cooperation development with the U.S. and others.

Another way to foster the development of cooperation by making the future more important relative to the present is through the creation and implementation of confidence building measures (CBM) tailored to the Middle East and including Iran as an active participant. Lawrence Porter defines CBMs as follows:

CBMs are generally regarded as part of the arms control process. Their goal is to make military activities more predictable and transparent though not, as in the case of arms control, to actually reduce armaments or military size. Transparency – that is, greater openness – can help prevent misunderstandings that could escalate into armed conflict.¹⁴

CBMs can take on many forms and "include measures providing for information, communication, observation, notification, and restraint."¹⁵ For Iran and its neighbors including Iraq, voluntary cooperation on CBM development can help lessen regional suspicions and misunderstandings. There is evidence that Iran favors the creation of CBM within a regional framework and even supports the U.S. as a facilitator of CBM development between Iran and the GCC states.¹⁶ CBMs provide a way to achieve durable and frequent interactions not only between the U.S. and Iran, but perhaps more important between Iran and its neighbors. Next, we will discuss changing payoffs as a means to achieve long-term, stable cooperation.

CHANGING THE PAYOFFS

Recall the payoff structure of T, R, S, and P from Figure IV-1. What would happen if, through the implementation of a policy, we introduced an incentive factor that effectively changed each possible payoff? Axelrod states that, "If the payoffs changed, the situation changes from one in which cooperation is not stable to one in which it is."¹⁷ In changing payoffs, it is not necessary to totally eliminate the cooperate-defect tension inherent in Prisoner's Dilemma, "it is only necessary to make the long-term incentive for mutual cooperation greater than the short-term incentive for defection."¹⁸ Robert Jervis draws a similar conclusion:

. . . the chances of achieving mutual cooperation are increased by: (1) anything that increases incentives to cooperate by increasing the gains of mutual cooperation (CC) and/or decreasing the costs the actor will pay if he cooperates and the other does not (CD); (2) anything that decreases the incentives for defecting by decreasing the gains of taking advantage of the other (DC) and/or increasing the costs of mutual non-cooperation (DD); and (3) anything that increases each side's expectation that the other will cooperate.¹⁹

A very recent example of the U.S. changing payoffs to achieve cooperation indirectly involves Iran. Russia's commitment to an \$850 million dollar project to complete a nuclear power plant at Bushehr in Iran hit a snag when the U.S. pressured the Ukrainian Government and its state-owned firm Turboatom to drop plans to provide Russia with turbines needed for the project.²⁰ Ukraine's near-term temptation payoff for defecting was the \$45 million it would have received from Russia to provide the turbines. However, its longer-term incentive for cooperation with the U.S. includes the lifting of a ban that prohibited American companies from competing for work on Ukrainian nuclear power plants as well as continued U.S. support for NATO expansion including possible Ukrainian membership. In this case from the Ukrainian perspective, the long-term incentive for mutual cooperation with the U.S. is greater than the short-term incentive for defection.

An example of available options of changing payoffs to achieve cooperation more closely associated with Iran involves the Iran-Libya Sanctions Act – a product of the U.S. "Dual Containment" policy. In general, the act, sponsored by Representative Alphonse

D'Amato of New York, is intended as a means of altering Iranian behavior. It limits the amount American companies can invest in Iran (primarily in energy-related ventures) to \$20 million dollars. In addition, the act threatens sanctions on any country that invests the same sum in Iran.²¹ Recently, the constraints of the act have placed the U.S. in political conflict with Russia and France, both of which have companies whose business interests exceed the statutory limits. The U.S. could explore options to repeal the act over time. In this way, The U.S. would, in effect, be changing the payoffs to provide an incentive for Iranian cooperation on other issues. It is important to state that we are not suggesting that the U.S. do this unilaterally as a show of good faith to Iran to elicit cooperation. To the contrary, if Iran continues to defect on all issues important to the U.S., then the U.S. should continue to retaliate. However, lessening the severity of the act over time as a *quid pro quo* for Iran's cooperation on other issues is a possibility worth exploring.

TEACHING VALUES, FACTS, AND SKILLS

The values, facts, and skills described by Axelrod include: teaching people to care about each other, teaching reciprocity, and improving recognition abilities. This prescriptive advice follows the logic of the TIT for TAT strategy: be nice first, retaliate when the other player defects, and recognize when you are being exploited. We will briefly discuss each of these to describe their respective impact on cooperation development.

First, teaching people to care about each other promotes cooperation by establishing preferences of choice that incorporate both personal welfare and a concern for the welfare of others. However, Axelrod points out that this altruism presents the serious problem of "A selfish individual can receive the benefits of another's altruism and not have to pay the welfare costs of being generous in return."²² This problem leads to the tendency of being altruistic to everyone at first, and then only to those who show similar feelings.²³ Recalling the two rules of TIT for TAT—cooperate then reciprocate--, altruism leads to reciprocity.

Reciprocity rewards cooperation and punishes exploitative behavior. Axelrod points out that in systems where there is a central authority to make and enforce laws, the punishment for defection "might fit the crime without having to be as painful as the crime itself was."²⁴ Conversely, Jervis states, "Because there are no institutions or authorities that can make and enforce international laws, the policies of cooperation that will bring mutual rewards if others cooperate may bring disaster if they do not."²⁵ In the international political system with its characteristic absence of central authority, states must, according to Axelrod, "rely on themselves to give each other the necessary incentives to elicit cooperation rather than defection."²⁶ Reciprocity and the associated credible threat of retaliation provide the incentives.

Last, for cooperation based on reciprocity to develop, one must possess the ability to recognize exploitative behavior. Axelrod describes this ability as follows:

The ability to recognize defection when it occurs is not the only requirement for successful cooperation but it is certainly an important one. Therefore, the scope of sustainable cooperation can be expanded by any improvements in the players' ability to recognize each other from the past, and to be confident about the prior actions that have actually been taken.²⁷

As we stated earlier, Americans have a long collective memory. We must ensure that the facts creating our memories are not forgotten or misinterpreted over time.

This category defines the need for the word "conditional" in our proposed policy of "Constructive Conditional Engagement". The key difference between "Dual Containment" and "Constructive Conditional Engagement" is that the latter seeks to establish conditions for cooperation to evolve, the former does not (see Table 2). Regardless of the options that the U.S. may choose to develop cooperation with Iran, it must continue to be prepared to retaliate against the possibility of Iranian defection using all elements of its national power.

If the U.S. viewed the Middle East through the same lens as Iran, it would gain a much better appreciation for the challenges Iran faces in a region that has been in turmoil for decades. The U.S. would also be better able to recognize when Iran was exploiting it and when Iran was not. The converse is also true for Iran as well as other states within

the Middle East. In both instances, all concerned would be better able to rely on themselves to provide the incentives to elicit cooperation.

	Increase Importance of the Future	Change Payoffs to Increase Long- Term Incentives for Cooperation	Altruism then Retaliation for Non-Cooperative Behavior
Current Policy of Dual Containment	-	-	-
Support for Contact Groups	++	+	+
Confidence Building Measures	++	+	+
Economic Cooperation	+	++	+
Cooperate and Reciprocate	+	+	++

Table IV-1: Comparison of Cooperation Alternatives

ARGUMENTS AGAINST COOPERATION

There are several arguments against the U.S. attempting to develop any form of cooperation with Iran until Iran changes its behavior. As we discussed previously, Iran's recalcitrant behavior from the U.S. perspective includes its support for terrorism, its pursuit of weapons of mass destruction, and its virulent opposition to the Arab-Israeli

Peace process. We categorize opposition to cooperation development into three broad categories: policy change, the security dilemma, and moral objections to terror.

First, any policy change with Iran would require adjustments to U.S. policy toward other states in the Middle East: Iraq, other GCC states, and Israel. Kenneth Katzman has applied a systems-level analysis to U.S. policy in the Middle East and notes, "In the case of the Persian Gulf for example, a change in the policy toward Iran inevitable necessitates adjustments in strategy toward Iraq and the GCC states. The net result is that U.S. policy needs to address the entire system, not merely individual components of the system."²⁸ Iraq's intransigence regarding UN weapons inspections and Iran's continued opposition to the Arab-Israeli peace process and refusal to recognize Israel's right to exist among others serves to galvanize political opinion in the U.S. against cooperation.

Second, Iran's security dilemma, the actions it takes to increase its security in turn threatens the security of other states, is a political and military barrier to cooperation development.²⁹ Iran's actions to strengthen its conventional military capabilities coupled with ballistic missile development and chemical, biological, and perhaps nuclear weapons capabilities compound its security dilemma and place it at direct odds with the U.S. who leads international efforts in the counter-proliferation arena. Iran must be willing to enter a dialogue on this issue as a near- and long-term incentive for cooperation with the U.S..

Third and last, the prevailing opinion in the U.S. is that it is morally wrong to cooperate with a state that supports and conducts terrorism as a means to achieve its policy objectives. Any administration would find it difficult to convince Congress and the American public that actions taken to provide incentives for Iran to cooperate are acceptable so long as evidence continues that Iran does support the use of terror.

"CONSTRUCTIVE CONDITIONAL ENGAGEMENT"

To this point, we have discussed cooperation theory, given several examples of initiatives to foster cooperation within the categories of theory, and presented arguments against cooperation with Iran. The final step is to discuss additional ways to achieve cooperation that follows theory while not forsaking the protection of our interests. Inherent in each recommendation is the requirement for the U.S. to maintain the capacity

for retaliation if Iran decides to defect. In addition to support for contact groups, development of CBM, and economic cooperation, other avenues exist to incrementally increase the potential for cooperation development. We will briefly discuss five low-cost and low-threat areas to achieve incrementally this end.

First, as President Khatami suggested, the U.S. should encourage cultural exchanges to include academics, clergy, and journalists. These three disciplines, in particular, have the potential for teaching values, facts, and skills while promoting durable contacts. Second, the U.S. can and should promote sports exchanges such as the wrestling tournaments conducted in the U.S. and Iran in early-1998. Sports reflect culture and serve as outlets for patriotism. Third, the U.S. can ease visa restrictions for reciprocal travel. This will serve to increase the frequency of contacts necessary for the development of cooperation. Fourth, the U.S. can offer Iran assistance in areas that the U.S. holds particular expertise such as information technology development. This supports contact frequency and durability, and can be used as a way to achieve Iranian cooperation in other areas important to the U.S. Environmental protection, drug interdiction methods, and industrial management practices are other examples within this category. Last, the U.S. can and should encourage Iran and other regional actors to discuss regional arms control initiatives, collective security arrangements, and military-to-military contacts. We envision the first steps in this category to be within working groups, with the long-term objective of creating binding obligations.

In conclusion, the development of cooperation with Iran as a component of "Constructive Conditional Engagement" provides pathways for the U.S. to make the prospect for a future peaceful, stable Middle East more important than the current tensions associated with "Dual Containment." As Kenneth Katzman aptly states: "It is yet possible that policymakers will ultimately conclude that the way out of the unending security dilemma in the Gulf is to try to fundamentally restructure the Gulf from what it has been, for almost three decades, a crisis-prone adversarial system, into a system based on peaceful cooperation."³⁰ Next, we will discuss the normative theory of international relations that form the pillars of our "Constructive Conditional Engagement" policy. We begin with sovereignty.

Notes

¹ Washington Post 9 Jan 1998, early ed.: A1. Swiss Ambassador Rudolf Weiermueller delivered the U.S. proposal to the Iranian Foreign Ministry. Switzerland serves as the diplomatic "Protecting Power" of U.S. interests relative to Iran.

² President Mohammad Khatami, interview with Christiane Amanpour, Iran: A New Opening, CNN, 7 Jan. 1998.

³ Robert Axelrod, The Evolution of Cooperation (Basic Books, 1984) 4.

⁴ Axelrod, pp. 7-8, 125. Axelrod quotes the original story of the Prisoner's Dilemma from R. Duncan Luce and Howard Raiffa, Games and Decisions (New York: Wiley, 1957) 94-95 as two accomplices to a crime are arrested and questioned separately. Either can defect against the other by confessing and hoping for a lighter sentence. But if both confess, their confessions are not as valuable. On the other hand, if both cooperate with each other by refusing to confess, the district attorney can only convict them on a minor charge. Assuming that neither player has moral qualms about, or fear of, squealing, the payoffs can form a Prisoner's Dilemma.

⁵ Axelrod, 31. Refer to this work for complete descriptions of the other major entries of the tournaments and an in-depth discussion of why TIT FOR TAT was the best strategy.

⁶ Axelrod, 54.

⁷ Axelrod, 126.

⁸ Example patterned after Axelrod's description of the U.S. dilemma of choice following the Soviet invasion of Afghanistan in 1979. Axelrod, 4.

⁹ For a complimentary yet slightly different perspective on the development and promotion of cooperation, see Robert Jervis, "Cooperation Under the Security Dilemma", World Politics (Princeton University Press, 1978) 167-214. Jervis begins his dialog by discussing the options available to the players in Rousseau's "Stag Hunt." If they cooperate to trap the stag, they will all eat well. But if one person defects to chase a rabbit—which he likes less than stag—none of the others will get anything. Thus, all actors have the same preference order, and there is a solution that gives each his first choice: (1) cooperate and trap the stag (the international analogue being cooperation and disarmament); (2) chase a rabbit while others remain at their posts (maintain a high level of arms while others are disarmed); (3) all chase rabbits (arms competition and high risk of war); and (4) stay at the original position while another chases a rabbit (being disarmed while others are being armed). Jervis observed that in international relations, there are several conditions not present in the Stag Hunt. First, there is a potent fear that even if the other state now supports the status quo, it may become dissatisfied later. Second, in order to protect their possessions, states often seek to control resources or land outside of their territories. Third, there exists a security

dilemma: many of the means by which a state tries to increase its security decrease the security of others. In Jervis' view, these considerations and those of the Stag Hunt become similar to those of the iterated Prisoner's Dilemma.

¹⁰ Axelrod, 126-127.

¹¹ Kenneth Katzman, Searching for Stable Peace in the Persian Gulf, (Carlisle: Strategic Studies Institute), 2 Feb. 1998, 22.

¹² Katzman, 24-27.

¹³ Katzman, 25.

¹⁴ Lawrence C. Porter, "Confidence-Building Measures in the Persian Gulf", contained in The Persian Gulf at the Millennium, ed. By Gary G. Sick and Lawrence G. Porter, (New York: St. Martin's Press, 1997) 232.

¹⁵ Porter, 233.

¹⁶ Porter, 239. Additionally, Porter states that "There were indications in the spring of 1996 that Iran had in effect initiated the CBM process by suggesting military cooperation with some Persian Gulf countries." As recent as December 1997, Iran has proposed joint naval maneuvers with Kuwait and Oman.

¹⁷ Axelrod, 134.

¹⁸ Axelrod, 134.

¹⁹ Jervis, 169.

²⁰ David Filipov, "Russia may expand nuclear project in Iran", The Boston Globe, March 7, 1998, A12. Filipov reports that Russia is continuing with its plans for the project including the possibility of expanding the project to include the construction of two additional reactors at the site. Russia holds that the Iranian nuclear program is for civil purposes only.

²¹ Iran-Libya Sanctions Act, online posting, www.csis.com.

²² Axelrod, 135.

²³ Axelrod, 136.

²⁴ Axelrod, 138.

²⁵ Robert Jervis, "Cooperation Under the Security Dilemma", World Politics (Princeton University Press, 1978) 167.

²⁶ Axelrod, 138.

²⁷ Axelrod, 140-141.

²⁸ Katzman, 2.

²⁹ Jervis, 168. Jervis describes the security dilemma and its impact on cooperation development.

³⁰ Katzman, 27.

Chapter V

Sovereignty

The legal doctrine of sovereignty . . . defines the liberty of states as their independence from foreign control and coercion. In fact, of course, not every independent state is free, but the recognition of sovereignty is the only way we have of establishing an arena within which freedom can be fought for and (sometimes) won. It is this arena and the activities that go on within it that we want to protect, and we protect them . . . by marking out boundaries that cannot be crossed, rights that can not be violated . . . there are things that we cannot do to them, even for their own ostensible good.

Michael Walzer, *Just and Unjust Wars*, 1977

Having established our foundation of values, interests (and threats to our interests), and cooperation, we treat in the next five chapters, the norms of international relations represented by the pillars, which define the ways and means of achieving our policy goals with respect to Iran. The subject of this chapter is sovereignty, the first and perhaps most important of the pillars, as defined by Michael Walzer in our introductory quote, and in its many aspects relating to U.S.-Iran relations. First, on a macro level, we analyze U.S.-Iran relations according to the norm of the preservation of the society of sovereign states. We demonstrate the merits of achieving our policy goals through international and multilateral means rather than unilateral action. Second, we treat the sovereignty of individual states, and in reviewing some history of U.S.-Iran relations, we demonstrate how *not* to do things. Third, in terms of the sovereignty norm, we recommend ways that we can constructively engage with Iran and under what conditions.

Let us begin then by addressing the norm of the preservation of the society of sovereign states and its impact on U.S.-Iran relations with respect to internationalism, multilateralism, and unilateralism. We draw conclusions about the prospects in the future

in terms of these three *isms* based in part on the events that once again led the U.N. and the U.S. to the brink of war with Iraq in late 1997 and early 1998.

PRESERVATION OF THE SOCIETY OF SOVEREIGN STATES

We, the people of the United Nations

Determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

To reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal right of men and women and of nations large and small, and . . . for these ends

To practice tolerance and live together in peace with one another as good neighbors, and To unite our strength to maintain international peace and security . . . Have resolved to combine our efforts to accomplish these aims.

Preamble to the Charter of the United Nations, June 1945

Internationalism

Regardless of whether they justify the preservation of the society of sovereign states based on order, utility, or rights, "No significant group of actors in world politics acts contrary to this [preservation of the society of sovereign states norm] in the conduct of international affairs without invoking special justifications."¹ The National Security Strategy invokes special justifications with regard to Iran that anticipate deviation from the norm and set the stage for unilateral action. Unjustified unilateral infringement on the sovereignty of individual nations, or even the perception of it, as in the case of Iranian sanctions, the \$20 million appropriation aimed at the overthrow of the Iranian government, and "Radio Free Iran" diminish the society of sovereign nations as a whole.

International interdependence is substantiated by new notions of governance in the 21st Century such as "transgovernmentalism,"² that envisions elements of governments, such as courts and legislatures, building global networks with their counterparts; or, Joseph S. Nye's vision of national, sub-national, and supra-national forces intersecting with private sector, government, and non-government groups to influence government policy decision making.³ Unfortunately, institutions and structure have not kept pace with ideas. According to Daniel Bell writing in the Summer 1997

issue of *Foreign Policy*, "The nation state has become too small for the big problems in life, and too big for the small problems."⁴ By U.S. accounts, the Iranian threat poses a big problem for the future; therefore, it ought to be handled under the auspices of the U.N. where common interests and burden sharing should prevail. American hegemony is a double-edged sword. While it may counteract the defects in the U.N., its use of the awesome elements of national power to extort coercive consent serve to weaken its hegemony in the long term.⁵

The preservation of the society of sovereign states is enhanced, ideally, when states act on their common values and protect their common interests, within the framework of the U.N. and other international institutions.⁶ In his excellent article, "In Our Own Image The Sources of American Conduct in World Affairs," David C. Hendrickson, Professor of Political Science at The Colorado College, wrote in the Winter 1997/98 edition of *The National Interest*,

The pre-eminent position of the United States rests upon the belief that the exercise of American power is harnessed to the general purposes of the federation of free nations. If that belief is not well founded, the United States becomes just another imperial power, doomed to elicit the same hostility and countervailing alliances that imperial powers have always provoked in the past. It is also true, conversely, that the prospects of the system rest upon the willingness of our partners to share its burdens fairly.⁷

U.S. vetoes on the U.N. Security Council resolutions that censure Israel for unjust and illegal acts *vis-a-vis* the Palestinians cause the world to lose faith in America as guarantors of freedom and justice in the world. Israel is the only U.N. member identified as an occupying power by the Security Council in more than twenty-five resolutions, all of which have been vetoed by the U.S.⁸

When the U.S. resorts to coercion, rather than persuasion or cooperation, to obtain consensus in the U.N. Security Council, as they attempted to do when they were unable to secure support from the Security Council, and their allies, to attack Iraq in late 1997, the results are often short-term Pyrrhic victories that, in the long term, threaten Security Council unity, credibility, and effectiveness, or, in other words, *its* sovereignty. Those victories become shorter and more Pyrrhic when we exercise our power for aims other

than the altruistic "federation of free nations," instead adopting capitalist consequentialist⁹ criteria (based on profits) for foreign policy success that breed collective cynicism and division.

We can learn much from our experience with Iraqi intransigence that resulted in sanctions and the near use of military force against them in late 1997. Russia, China, France, and our regional friends were openly critical of sanctions and the use of force against Iraq as U.N. policy started looking more and more like U.S. policy,¹⁰ and tens of thousands of Iraqi children died as a result of U.N. economic sanctions. There also existed widely divergent views on the accuracy of the U.S. assessment of the threat of Iraqi weapons of mass destruction. Even if the threat assessment were true, one had to be concerned about the potential catastrophic consequences of bombing WMD caches in terms of collateral damage. Finally, neither the U.N. nor the U.S. could restrain Israel from massive retaliation had Saddam chosen to attack them with WMD, if in fact he had had the capability and intent, which is reasonable, but has not been proven. The U.N. and U.S. could not even restrain Israel from threatening massive retaliation long before diplomacy had been given a chance to work. For the U.N. and the U.S., the contemplated military action against Iraq shaped up as a lose-lose gamble. The point for U.S.-Iran policy is that if diplomacy failed to garner international support for collective action against Saddam Hussein, it will certainly fail to make muster against Iran, outside some catastrophic mistake on the part of Iranian leadership, which is unlikely, unless U.S. policy occasions the mistake.

A report titled "Words to Deeds: Strengthening the U.N.'s Enforcement Capabilities," published in December 1997 by the United Nations Association, was written out of concern for the Security Council's inability to act in the face of crisis until a situation is out of control.¹¹ The Association's concern was misplaced. The problem is not that a situation gets out of control, although that might happen; the problem is who is in control. This mantle normally falls on the shoulders of the U.S. whose long-term strategies for Persian Gulf security in general, and containment of Iraq and Iran in particular, have not received multilateral support. Because of its leadership role, the U.S. policy is often adopted by the Security Council to the possible chagrin of many of its

members. The Association's report however was correct in its conclusion, "Bad decisions will yield bad results even if improved mechanisms were to ensure that they are efficiently achieved."¹²

Fareed Zakaria, Managing Editor of *Foreign Affairs* said, "It takes a lot of effort to maintain the world. But the administration hasn't prioritized. You can't keep saying, 'I want your cooperation on everything.'"¹³ Reluctant cooperation or non-cooperation on Iraq, in the knowledge that it might have been a bad decision and yielded a bad result in the long run, left the Security Council and our allies resentful and less willing to cooperate with us in the future on Iran, which increases risk if in fact the Iranian threat is as characterized by the Clinton Administration, or if we proceed on the assumption of that characterization. It would have been very risky for the U.N. to condone and conduct military action against Iraq, chiefly because of the specific circumstances of the situation that put it at odds with normative non-intervention, but also because of the cumulative consequences on its credibility in the post-Cold War era. It is notable that the U.S. and the U.N. justified the planned 1997/98 attack of Iraq based on 1991 Security Council Resolution 687, which required Iraq to destroy weapons of mass destruction under international supervision. The reason they used the old resolution was for fear of not being able to pass a new one in the Security Council in 1998.

U.S. rhetoric during late-1997 and early-1998 was inflammatory to say the least. As deterrence again seemed to have little effect on Saddam Hussein, U.S. and Israeli rhetoric escalated until there were veiled references to the use of nuclear weapons to address the threat of Saddam's procurement and use of WMD. From a moral point of view, the references, in as much as they implied intent to use in order to deter, especially when deterrence had not worked up to that point, were better off left unsaid.

The United States' and Iran's provocative rhetoric is equally destabilizing. Rhetoric like "rogue state," "pariah state," and "great Satan" is dangerous because, in effect, it removes the target from the greater society of sovereign states, and makes it easier to justify choosing force over diplomacy, either to bring them back into the society of sovereign states or to remove them entirely from it. It also tends toward the absolute.

As Naomi Chazan, a left-wing member of the Israeli Knesset, said recently, "Words can kill."¹⁴

One can see that the logical outcome of such language, translated into policy, is not only harmful to preserving the society of sovereign states but also portends subsequent violations of just war theory, including, *jus ad bellum*, justice of war, (just cause, competent authority, comparative justice, right intention, moral chance for success, and last resort), and *jus in bello*, justice in war, (proportionality and discrimination). It perpetuates enmity. And as Stanley Hoffman wrote,

Whenever states are closest to the pole of enmity, and struggling for survival and security, the opportunities for a non-Machiavellian morality will be poor. Logically, moral restraints are easier to preserve when the stakes are lower, when the states in conflict have mixed interests. . . .¹⁵

Because the U.S. and Iran are close to the "pole of enmity," their mixed interests might best be negotiated in an international forum like the U.N. since bilateral relations are unlikely in the near-term. But even in an international venue, successful and harmonious relations will require them to adhere to certain principles elaborated by David C. Hendrickson.

Hendrickson traces the roots of American internationalism in the post World War II era to the federal principle. He identified six traits that lead to success and prosperity, common to both systems. First, good faith or credibility. Second, affirmation of the norms of co-determination and concurrent majority. Third, acceptance of the need for 'reciprocal concession' and 'diffuse reciprocity.' Fourth, belief in 'all for one and one for all' as the basis for security, or 'hang together or hang separately.' Fifth, the equality of states; and sixth, reduction or elimination of trade barriers would provide a firm basis for the prosperity of all its members.¹⁶

Assuming the analogy holds, in reviewing U.S. policy in the Middle East, one finds few of these traits in practice. From the Iranian perspective, U.S. good faith and credibility are suspect because of our inability to act as an honest broker in the peace process. Co-determination is circumvented by messianic determinism. American diplomats are less willing to make concessions or reciprocate goodwill in our unipolar moment. The U.S. prefers uncompromising, dogmatic, "my way or the highway" type

solutions to regional problems. We believe in the equality of states, but our relationship with Israel often compromises the concept, and our dialogue with regional partners resembles the Melian Dialogue of Thucydides where the Athenians tell the Melians, "... You know as well as we do that right, as the world goes, is only in question between equals in power, while the strong do what they can, and the weak suffer what they must."¹⁷

While we will address the Iran-Libya Sanctions Act (ILSA) fully in Chapter VIII, it is worthy of brief mention here because of its antipathetic implications for internationalism and multilateralism. ILSA is not only a trade barrier *de facto* but also threatens to start a trade war if the U.S. seeks to apply national law internationally. ILSA demonstrates how internationalism, as practiced by the U.S. in the post-Cold War era, enjoys the appearance of multilateralism, but in the absence of quick consensus soon degenerates into hegemonic unilateralism. But, before we look at unilateralism, we will explore the implications of U.S.-Iran policy on multilateralism.

Multilateralism

We do not live in an ideal world; there is no world government, the U.N. has its faults, and the world of international relations is anarchical. Therefore, certain problems lend themselves to multilateral regional solutions. Of course, one can do both; that is, think globally but act locally. So, falling short of finding common interests at the international level, settling differences through regional organizations is desirable. But in the Middle East, according to David M. Ransom, U.S. Ambassador to Bahrain, the most curious point about our large military commitment is:

... that we lack the normal political structure to manage it in the field. Elsewhere we have a NATO, a U.S.-Japan or U.S.-Korea Treaty, but in the Gulf we have nothing of the sort, just a series of bilateral [Defense Cooperation] agreements. ... One of the great problems with our commitment in the Gulf is that it lacks a multilateral framework, and is constantly at the risk of unilateral moves - our own as well as others.¹⁸

The Gulf Cooperation Council (GCC) (Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, and the United Arab Emirates) is an oxymoron, at least from United States' point

of view, because while the U.S. has worked feverishly since 1979, but more intensely since 1987, to isolate Iran, the GCC held a conference in December of 1997 in which they urged better relations with Iran and welcomed Iranian President Mohammed Khatami's pledge to improve relations with his neighbors. The group's final statement expressed hope for cooperation with Iran "to establish mutual confidence and relations on a firm basis that fulfills security and peace in the region."¹⁹

The remarkable unity and huge success of the eighth Organization of the Islamic Conference (OIC) Summit, of which Mohammad Khatami is President, held in Teheran during the second week of December 1997 was not an auspicious event for U.S. containment of Iran. It was more remarkable when juxtaposed against the ongoing difficulties of the Middle East peace process, the challenges of U.S. sanctions against Iraq and Iran; the inability of the U.S. and the U.N. to obtain consensus for the use of force against Iraq; and the failure of the U.S.-sponsored economic conference in Doha, Qatar during November 1997, which was boycotted by most Arab states protesting Israel's participation.

The OIC witnessed Iran toning down its rhetoric, embracing its neighbors, and swearing off terrorism. The division in Iran between the moderate President Khatami and the radical Ayatollah Khamenei, evident at the summit, mirrors, and may be the cause of, the differences of opinion in the Clinton Administration between the intelligence community, represented by CIA Director, George Tenet, who believes that Khatami's election could lead to a sea change in Iranian domestic and foreign policy, and the State Department, represented by Madeline Albright, who recommends a strident policy against Iran. These differences in tone were most pronounced in the State Department's blanket denunciation of Iran's sponsorship of global terrorism in their May 1, 1998 report on terrorism, and the intelligence community's more nuanced and balanced assessment of Iran's links to terrorist organizations and activities. The differences hinge on their views about Khatami. Said one high-level intelligence official,

It is clear to us that Khatami is the real thing, that he and his supporters within the Iranian government wish to change Iranian policy with regard to terrorism. . . in a direction that would relieve some of the impediments to improved relations between Iran and western countries. . . .²⁰

If the intelligence sources are correct about Khatami, and if he is successful in overcoming his domestic challenges, the State Department will have lost an excellent opportunity to change its Iran policy, for the mutual benefit of both countries, and the U.S. will be a sorry spectator of Khatami's multilateral maneuver. Along with Iran's renewed efforts regionally and internationally to establish economic, cultural, political, and military relationships, it has managed to improve its reputation as a member of the community of nations and a regional leader. Because the U.S. set up their relationship with Iran through its policy of "Dual Containment" as a zero sum game, Iran's regional gain with the GCC, and its successes abroad in Europe and the Far East, will be United States' losses. When we cannot obtain the support of our allies, we often choose to act alone. Failing to develop and implement a holistic regional policy and acknowledge linkages that exist reduces multilateral possibilities and increases the chances for unilateralism.

Unilateralism

While internationalism or multilateralism are the preferred and most acceptable forms of conflict resolution, unilateral action is generally unacceptable, again, without special justification, particularly when it comes to the use of force. United States' sanctions against Iraq and Iran, and our penchant to use force against Iraq in February 1998, despite vigorous diplomatic efforts to reestablish the Gulf War coalition (to *go to* war rather than to *avoid* war), were unilaterally driven and led. Preservation of the society of sovereign states is threatened when the U.S. acts in a determinist fashion as if *Pax Americana* actually exists.

U.S. policy toward Iran, with the exception of coercive diplomatic measures taken against Russia and China to curtail transfers of weapons of mass destruction, has been unilateral. As we attempt to negotiate our moral course in the narrow post-Cold War corridor between the Hobbesian vision of an anarchical world where every man is to every other man a wolf and necessity rules, and the Weberian vision where the interest of the state is the dominant value,²¹ we must be careful not to believe of our own volition²² in necessity when it is really self-interest, and not even our own self-interest,

masquerading as necessity. Pretending to believe, then acting on the pretension, is immoral, and politically risky as well since democracies do not pretend well. Such was the case of Iraq in early 1998.

Unilateralism, under the guise of multilateralism, where consent is coercive and spin (As Lawrence O'Donnell Jr., writing in *New York* magazine said, "There is so much lying in Washington that its residents had to invent a new word for it to feel better about themselves: *spinning*"²³) compromises support, does not fool anyone. From the perspective of our Gulf allies, the mask of multilateralism with their uncomfortable acquiescence, is made more iniquitous by their perception of the one-sided policy of the U.S. with respect to Israel and the peace process. We simply cannot seem to fight and win our moral battles on two fronts at once. Our unconditional support for Israel causes us to make moral compromises, that in turn limit our flexibility to compromise with the Arabs (and Persians) in the interests of justice and morality. We get agitated when others see through our moral hypocrisy and call us on it.

America is too adamant in demanding the moral approbation of the world for its Iran and Middle East policies, and our policy with respect to Israel would be best summed up by William James' syllogism, "If your heart does not *want* a world of moral reality, your head will assuredly never make you believe in one."²⁴ But a frustrated America cannot control the hearts and heads of their allies so they believe the way we believe, or pretend to believe. When we try to enforce such an irrational rule of thinking on our allies we come across as messianic, egotistical, deterministic, and bad. Instead of "doing well by doing good,"²⁵ in the world, we do badly by doing bad, and worse when we call it good and expect others to believe it's good because we say so. Hendrickson said,

The proclivity toward unilateralism is exacerbated by [American] 'fragmentation and hubris'. . . If it persists, it is a habit that will surely destroy the postwar system over time. Palpably absurd-and contrary to the basic presuppositions of American constitutionalism-is the idea that American power, unlike that of any other state, needs neither check nor balance.²⁶

Absent Cold War checks and balances and self-restraint, partially caused by fashioning our vital interests after Israel's survival interests, we violate the individual sovereignty of regional nations, economically and culturally, if not militarily. When we resort to military violence to achieve those interests, we inadvertently abet smaller nations' recourse to asymmetric means to protect their sovereignties. Even in the case of Iraq in early 1998, one sensed a reluctance on the part of our allies to sacrifice their individual sovereignties voluntarily at the alter of the U.N. when the U.S. was leading the debate. The success or failure of the U.S. in achieving its foreign policy goals, depends on the means they choose to achieve them; that is, internationally, multilaterally, or unilaterally, and the grounds for those choices are rooted in how the U.S. approaches the sovereignty of individual states.

SOVEREIGNTY OF INDIVIDUAL STATES

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Preamble to the Constitution of the United States of America

It is a settled good for states in the system to be accounted as sovereign, where sovereignty refers to an autonomous state ruling over a specified territory.²⁷ Implicit in the notion of sovereignty is the state as a person capable of having rights and duties, a *magna persona*, a moral personality, or a source of value. From this idea rose the idea of a society of equal states establishing rules of international law.²⁸ A sovereign state is free and independent. In its internal affairs it has total jurisdiction over all persons and property within its territory. It has the right to regulate its economic life without regard to its neighbors and to increase its armament without limit. No other nation has the right to interfere in its domestic affairs. In its foreign affairs, the sovereign state has the right to declare war. States can lose their sovereignty in one of two ways: voluntarily, for

example, by giving it up to the U.N., or by force. The whole notion of state sovereignty begs for self-restraint or the restraint of international law by common consent of the society of sovereign states.²⁹ The rights of states can be summed up as territorial integrity and political sovereignty, and they both derive from the rights of individuals from whom they take their force.³⁰

If "the quality of sovereignty. . . made the smallest commonwealth equal in kind to the largest,"³¹ it stands to reason that, within the norms of international relations, no nation has the moral authority to dictate changes in any other nation's behavior without changing its own, or its allies,' first. This notion strikes at the heart of linkage, specifically, U.S. conditions on Iran, outlined in Chapter II, that are in stark contrast to the United States' nearly unconditional support for Israel. At this juncture in our unipolar moment, in terms of reciprocity, justice, and the threat, tit-for-tat reciprocity with Iran has a better chance of succeeding if the U.S. cooperates with Iran and defects with Israel. Instead, the U.S. is doing the opposite, and the nature of U.S. cooperation with Israel, that is, significant military and monetary support for an uncooperative (in terms of the Middle East Peace Process) regime, makes matters worse. Because, even as we begin to open up to Iran, our continued virtually unconditional cooperation with Israel threatens to curtail the rise of democratic moderates in Iran, and foments radical political militant Islam in Iran, and the countries that comprise the Gulf Cooperation Council (GCC). That situation would be unfavorable to long-term U.S. interests in the region because the "Sucker's Payoff" will be injustice and disorder..

U.S. interests are best served when it applies rewards and punishments fairly and universally to its friends and enemies alike in the region, based on values first, not simply rewarding friends regardless of their conduct and punishing enemies regardless of theirs. In addition, since one of the most difficult patterns of behavior confronted by cooperation theorists is contumaciousness, accumulated during protracted defections, which can bar rebuilding mutual trust, the U.S. should at least consider acknowledging mistakes it made in the history of U.S.-Iran relations, especially those directed against Iran's sovereignty, that contributed to the poor relations. That is not to say that the Iranians did not make mistakes of their own, but many of those mistakes were the result of threats to their

sovereignty, and President Khatami voiced his regrets regarding the hostage crisis during his CNN interview. Since U.S. sovereignty is relatively secure, and the U.S. guarantees Israeli sovereignty, let us focus on Iranian sovereignty.

“The concept of sovereignty expressed a determination to restrain the imperatives of individual moral conscience, anchored in religious belief, and to accord priority instead to the requirements of peaceful coexistence within a political space.”³² If we can take the liberty of applying this principle to U.S.-Iran relations, the U.S. might have anticipated that the religious restraints would be removed making peaceful coexistence impossible when the U.S. encroached upon Iranian sovereignty, most egregiously in engineering the 1953 coup. Once Iran’s sovereignty was reestablished with the 1979 Islamic Revolution, peaceful coexistence became possible again, though it would take time for historic wounds to heal. Despite the fact that there is no separation of church and state in Iran, and “though its rhetoric is consistently ‘Islamic,’ post-revolutionary Iran’s foreign policy has always been more Shah than Mohammed, guided by national interest rather than religious fervor.”³³

Described thus, U.S. policies and actions have as much to do with inciting religious fervor in Iran as President Khatami’s. Particularly provocative are U.S. policies that are aimed at the overthrow of the Iranian government, such as the Clinton Administration’s acceptance of a House-Senate conference agreement to include \$18-20 million in funding authority for covert operations against Iran. Equally intrusive are measures such as the Fiscal Year 1998 Commerce/State/Justice appropriation providing \$4 million for a “Radio Free Iran.”³⁴ And let us not forget the Iran-Libya Sanctions Act (ILSA) that will be discussed in Chapter VIII. United States’ difficulties in their relationship with Iran began in the mid 20th Century, after World War II, when they extended the political connection to consolidate commercial relations in a way that directly interfered with Iranian self-determination and sovereignty. As we approach the end of the century, “Dual Containment” meddles with Iranian self-determination and sovereignty to curtail commercial relations.

President Washington stated in a letter to the American people, “The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to

have with them as little *political* connection as possible.”³⁵ He went on to state, “I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy.”³⁶ “Arguments about international affairs, like ethical and political arguments generally, have a history. Accordingly, the study of international ethics must be, at least in part, historical. It is beyond the scope of this paper to provide a full history of U.S.-Iran relations,³⁷ but it is worth mentioning a few highlights that relate to U.S.’ violations of Iranian sovereignty that affect our relationship to this day.

Historical Highlights of U.S.-Iran Relations

It is remarkable how few Americans are aware of the history of the U.S. relationship with Iran, other than the fact that Iranians held Americans hostage in 1979, burned American flags, and shouted “Death to America.” But there is another side of the story that deserves to be told. During the early part of the 20th Century, the U.S. relationship with Iran was healthy precisely because it was honest and open and it avoided the great political power rivalry that existed between Great Britain and Russia, who both exploited Iranian oil resources and constantly threatened Iranian sovereignty. It was only in the 1940s, at the beginning of the Cold War, when the U.S. increased the political connection with Iran in order to get oil concessions, and became more secretive in its dealings with Iran, that the relationship began to come apart at the seams. The Iranian policy at that time was, “to bring in as many Americans as possible to Iran, to be witness to the Soviet political encroachments, and by their presence act as a deterrent for the more open violations of [their] independence and interference in our internal affairs.”³⁸

Instead, the increased political connection caused the Iranians to see the U.S. in the same light as the British and Soviet imperialists, even as we sought to stem Soviet influence in the region. Unfortunately, that view was given impetus by Americans like General Patrick Hurley, personal representative of President Roosevelt to Stalin, then to Iran, who in 1944 was politicking to be U.S. ambassador, and who was “risking American long-term interests in Iran through a clumsy, stumbling interventionism.”³⁹ Hurley “would let go with native Oklahoman war cries in the middle of diplomatic

receptions in Tehran,"⁴⁰ and "believed that a good dose of American capitalism would cure Iran's ills."⁴¹ Eugene Rostow, then assistant to Dean Acheson, Under Secretary of State to Cordell Hull, was deeply concerned about flooding Iran with American advisors which he termed "a classic case of imperial penetration," and he called Hurley's schemes "innocent indulgence in messianic globaloney."⁴² In addition,

The failure of American diplomats to recognize the Iranian contribution was symptomatic. The Americans frequently assumed that Allied actions determined the results, both for good or ill, of events in Iran. With their big power bias, the Americans ignored the vital role Iranians played for themselves.⁴³

The U.S. crusade culminated in 1953 in a watershed event, Operation Ajax, the unsavory clandestine CIA engineered counter-coup to unseat Prime Minister Muhammad Musaddiq, who had nationalized the Iranian oil industry in 1951, and re-install Muhammad Reza Shah Pahlavi in power. The operation was orchestrated by Kermit "Kim" Roosevelt, head of CIA operations in the Middle East, whose public relations firm later represented the Shah's financial interests in the U.S.. That illegal intervention struck at the heart of Iran's sovereignty and self-determination and remains etched in the national memory to this day. According to James A. Bill,

By its actions in Iran in 1953, the United States guaranteed the unremitting future opposition of the nationalist extremism of the religious right while at the same time effectively undercutting the strength and credibility of the liberal, nationalist center.⁴⁴

With the United States' help, the Shah developed and implemented a three-pronged political policy to deal with his opposition: coercion and destruction, repression and control, and surveillance and accommodation. His human rights abuses were nefarious. The U.S. benefited enormously from the sale of military armaments, electronic, and telecommunications products during the reign of the Shah.⁴⁵ In 1959, the U.S. and Iran signed a bilateral defense agreement similar to those it has negotiated with GCC nations in the Gulf after Desert Storm. Americans were entrenched in Iran in the 50s and 60s, distrusted and disliked by all who opposed the Shah's despotic rule. Early on during the Kennedy Administration, Iran experts in the U.S. government warned of the

weakness of the Shah's regime. Professor T. Cuyler Young of Princeton saw the situation in Iran as cause for alarm and told W. W. Rostow in the Kennedy White House about his concerns:

This regime [the Shah's] is considered by most aware and articulate Iranians as reactionary, corrupt, and a tool of Western (and especially Anglo-American) imperialism. . . . Moreover, since the regime has ruthlessly eliminated almost all genuine opposition. . . an increasing number of Iranians are beginning to think of communism as the only means to effect basic change in Iran. The majority of Iranians are anti-Russian and for ideological reasons pro-Western; in most cases they are very pro-American. The U.S. however, already has overdrawn this valuable capital of goodwill accumulated in Iran during half a century of genuine friendship and cooperation in the cause of Iranian independence and freedom.⁴⁶

If it had not been for America, the Shah surely would have been deposed in 1963 when riots and demonstrations that cut across class, religion, and ideology, spread throughout Iran. He remained in power only by violent repression of the Iranian people. The people of Iran feared "becoming so beholden to, and identified with the U.S. that the nation loses its independence and freedom of action."⁴⁷

In 1964, the Iranian Majlis (Parliament) approved an unprecedented Status of Forces Agreement (SOFA), known pejoratively in Iran as the Capitulations Agreement, that nullified Iranian legal control over American service members and their dependents. The Iranian people were outraged by it. Ayatollah Khomeini spoke out against the measure which he saw as antithetical to the sovereignty of Iran, and he was forced into exile. He vowed that Iran would never again surrender their national sovereignty. He made good on his commitment in 1979.⁴⁸

By 1977 when President Carter took office, Iran accounted for more than half of all U.S. arms sales, and while the American balance of payments improved, the internal security of Iran was falling apart. During 1978 and 79, there were massive demonstrations throughout the country, and on January 16, 1979, the Shah and his family fled Iran. On February 1, 1979, the Ayatollah Khomeini returned in glory to lead Iran.

America's failure to recognize the Iranian Revolution as legitimate, the calculated admission of the Shah into America, followed by the freeze of Iranian assets in U.S.

banks;⁴⁹ the hostage crisis, the economic boycott, the Desert One debacle; the Javits Resolution condemning revolutionary excesses, the continuing CIA operations to topple Khomeini,⁵⁰ U.S. support for Iraq during the First Persian Gulf War, the Iran-Contra affair, and "Dual Containment" all contributed to the enmity between Iran and the U.S. after the fall of the Shah that continues to this day.

The death of Ayatollah Khomeini in 1989 ushered in a new era in Iranian history. The war with Iraq was over. The people were ready for peace and prosperity. During the Gulf War, Iran was conspicuous by its neutrality. Ali Khamenei, Ayatollah Khomeini's successor, is not of the same stature as the Ayatollah. President Rafsanjani was a transition president whose moderation paved the way for stabilization and a *rapprochement* with America. With the democratic election of Mohammad Khatami in May of 1997, the time was ripe for *rapprochement*, but while President Clinton called Khatami's election a "hopeful sign," he insisted that U.S.-Iran relations were not possible until Tehran renounced terrorism, curtailed opposition to the Middle East peace process, and terminated attempts to procure weapons of mass destruction (WMD). On January 7, 1998, in an historic interview with CNN, Khatami, at great personal political risk, suggested improved relations with the U.S..

President Clinton's response to President Khatami's overtures to the American people during his interview with Christian Amanpour on CNN on January 7, 1998, in which Khatami offered dialogue between U.S. and Iranian intellectuals, students, media, journalists, and others, was to demand dialogue between the two governments. That demand is at odds with history, since it was precisely the group of citizens Khatami refers to who were most successful in establishing healthy relationships with the Iranians during the first half of the 20th century, and it was the U.S. government that squandered that good will during the second half of the century. Notwithstanding the Iranian threat, it is disconcerting that since the end of the Cold War and the death of Ayatollah Khomeini in 1989, the U.S. has failed to reciprocate Iranian gestures of peace, and in fact has embarked on a hostile policy toward Iran, including military threats, economic sanctions, appropriation of \$20 million to topple their democratically-elected government, and "Radio Free Iran."

CONSTRUCTIVE ENGAGEMENT AND CONDITIONS

On an international level, U.S. status and prestige would benefit from conditioning our relationship with Israel subject to their compliance with United Nations' resolutions and progress on the peace talks. The U.S., through the U.N., must exert maximum pressure on Israel and the Palestinians to make peace. At the earliest opportunity, the U.S. ought to vote for Palestinian self-determination. In addition, NATO expansion ought to be postponed pending a comprehensive debate that takes into consideration the path effects of that policy *vis a vis* nuclear technology transfer from Russia to Iran and the implications of Russia's Security Council veto that has potential to preclude the U.S. from acting under the auspices of the U.N., or multilaterally, to achieve our interests. The U.S. ought to work through the U.N. to establish the Middle East as a nuclear-free zone. Finally, the U.S. ought to initiate U.N. promotion of a "Charter of the Gulf" along the lines of the Helsinki Charter, whereby the U.N. would "help negotiate, monitor, and verify confidence-building measures."⁵¹

On a multilateral level, the U.S. ought to encourage its GCC allies to invite Iran to participate in the Arms Control and Regional Security (ACRS) talks that began in 1992 to build a confidence building regime in the region.⁵² Additionally, the U.S. should seek to give its friends in the GCC autonomy and leverage to engage Iran through the Organization of Islamic Conference (OIC) since the region lacks an inclusive forum and it is doubtful that the U.S. could credibly initiate one. The U.S. should also encourage members of the GCC to establish bilateral and multilateral confidence-building measures with Iran that include economic, environmental, cultural, religious, and military cooperation in the Persian Gulf. The U.S. should take full advantage of the efforts of Prime Minister Tony Blair of the United Kingdom in re-energizing the Middle East peace talks. Establish an Interagency Working Group (IWG) to construct and implement a responsibility sharing concept for the Middle East that incorporates regional and extra-regional beneficiaries of U.S. defense of the Persian Gulf.

On a unilateral level, the U.S. ought to publicly abandon "Dual Containment" as a policy and present a new policy with regard not only to Iran but the Middle East in general, to include a plan for peace. We ought to relieve the pressure on Iran, in terms of

enforcement of ILSA, stop the implementation of the \$20 million for covert activities against the Iranian government, and stop "Radio Free Iran" before it starts. Continue to exert pressure on Russia and others who would transfer nuclear technology and missiles to Iran. Finally, the U.S. ought to seek to reestablish diplomatic relations with Iran.

Samuel Johnson once remarked, "Some praise at morning what they blame at night, But always think the last opinion right."⁵³ The last opinion, prior to the Iranian Revolution, expressed by Henry Precht, Iran desk officer at the State Department in 1978, in response to Zbigniew Brzezinski's Deputy's, David Aaron's, question, "Who is the opposition," was the right one. Precht answered simply, "The people David, the people."⁵⁴ The Iranian people reclaimed their sovereignty in 1979, but are in danger of losing it again twenty years later. The time has come for the American, Israeli, and Iranian peoples to reclaim their sovereignty once again in the interest of cooperation and peace, or the norm of nonintervention risks becoming a norm of intervention. We continue our discussion of sovereignty in the next chapter with an examination of the effects of domestic politics on foreign policy that increase unilateralism, reduce the potential for cooperation, and open the gates to intervention.

Notes

¹ Frost, 106.

² Anne-Marie Slaughter, "The Real New World Order," Foreign Affairs, 1997, Volume 76, Number.

³ Elaine Sciolino, "It Turns Out That All Global Politics Is Local," New York Times, Sunday, December 7, 1997 Week in Review, Section 4, 3.

⁴ Daniel Bell, "The Future World Disorder," Foreign Policy, Summer 1997, 132.

⁵ David C. Hendrickson, "In Our Own Image The Sources of American Conduct in World Affairs," The National Interest, Number 50 Winter 1997/98, 18.

⁶ Hendrickson, 18.

⁷ Hendrickson, 18.

⁸ Ian Williams, "In U.S. Lexicon, U.N. Security Council Resolution Are Binding on the Arabs But Not on Israel," United Nations Report, Jan/Feb 1998, 31, 103.

⁹ Philip Pettit, "Consequentialism," A Companion to Ethics, Ed. Peter Singer (Oxford, UK: Blackwell Publishers Ltd. 1991) 230-240. Pettit defines consequentialism as "the view that whatever values an individual or institutional agent adopts, the proper response to those values is to promote them."

¹⁰ The U.S. engaged in a transparent, lose-lose, Sancho Panza type diplomatic offensive by claiming to acquiesce to U.N. policy, which was criticized in conservative quarters as an unsuitable surrender of U.S. sovereignty to U.N., and a coercive effort to carry out the U.S. agenda through the U.N., which was criticized in liberal internationalist circles, and the U.N. itself.

¹¹ Crossette, 8.

¹² Crossette, 8.

¹³ Crossette, 8.

¹⁴ Serge Schmemmann, "Tribes of Israel: Security's Bitter Fruit: An Urge to Fight," New York Times Week in Review, Section 4, Sunday, February 15, 1998, 1.

¹⁵ Hoffman, 93.

¹⁶ David C. Hendrickson, "In Our Own Image The Sources of American Conduct in World Affairs," The National Interest, Number 50 Winter 1997/98, 13-14.

¹⁷ The Landmark Thucydides A Comprehensive Guide to the Peloponnesian War, Edited by Robert B. Strassler and translated by Richard Crawley (New York: The Free Press, 1996) 352.

¹⁸ David M. Ransom, U.S. Ambassador to the State of Bahrain, "Gulf Policy A Curious Construction," The Central Region: Secure and Stable Transition to the 21st Century Central Region Symposium '97 Proceedings, Sheraton Grand Hotel Tampa, Florida 23-25 June 1997, 38.

¹⁹ "Gulf Countries Call for Closer Ties With Iran," washingtonpost.com home page, From News Service Reports, Tuesday, December 23, 1997, p. 111.

²⁰ R. Jeffrey Smith, "Khatemi Wants to End Terrorism, Officials Say; Intelligence Sources' View Counters State Department's Portrayal of Iran," Washington Post, Tuesday, May 5, 1998, A09.

²¹ Hoffman, 1-43.

²² William James, The Will to Believe and Other Essays in Popular Philosophy (New York: Dover Publications Inc., 1956) 1-31. James talks about the preposterousness of our opinions being modified by will and quotes Huxley, "My only consolation lies in the reflection that, however bad our posterity may become, so far as they hold by the plain rule of not pretending to believe what they have no reason to believe, because it may be to their advantage so to pretend, they will not have reached the lowest depth of immorality."

²³ Lawrence O'Donnell Jr., "The Frequent Liars Club: Capital Hill is the Home of the Whoppers and We're Eating Them Up," New York, February 9, 1998, 31.

²⁴ James, 23.

²⁵ Josef Joffe, "Doing Well by Doing Good," The National Interest, Number 50, Winter 1997/98, 75.

²⁶ Hendrickson, 18.

²⁷ Frost, 107.

²⁸ Nardin and Mapel, 316.

²⁹ For a wider discussion of sovereignty, see also C.E. Merriam History of the Theory of Sovereignty Since Rousseau (1968); H.J. Laski, Studies in the Problem of Sovereignty (1968); J.L. Brierly, The Law of Nations (1963); von Glahn, Law Among Nations (1986); F.H. Hinsley, Sovereignty (1966). The primary works used in this paper were Nardin and Mapel, Traditions in International Ethics (1992); S. Hoffman, Duties Beyond Borders (1981); Mervyn Frost, Ethics in International Relations (1996); and Michael Walzer, Just and Unjust Wars (1977).

³⁰ Michael Walzer, Just and Unjust Wars: A Moral Argument with Historical Illustrations (New York: Basic Books Inc., Publishers, 1977), 53.

³¹ Traditions of International Ethics, Edited by Terry Nardin and David R. Mapel (Cambridge England: Cambridge University Press, 1992) 28.

³² Nardin and Mapel 25.

³³ Tarek E. Masoud, "Misreading Iran," Current History: A Journal of Contemporary World Affairs January 1998: 39.

³⁴ Kenneth Katzman, "93033: Iran: Current Developments and U.S. Policy," Updated 9 January 1998, CRS Issue Brief for Congress, <http://thomas.loc.gov>.

³⁵ Alexis de Tocqueville, Democracy in America, trans. George Lawrence, ed. J. P. Mayer (New York: Harper & Row Publishers, Inc., 1966)

³⁶ de Tocqueville, 227.

³⁷ See James A. Bill, The Eagle and the Lion (New Haven: Yale University Press, 1988).

³⁸ James A. Bill, The Eagle and the Lion The Tragedy of Iranian-American Relations (New Haven: Yale University Press, 1988) 36.

³⁹ Bill, 22.

⁴⁰ Bill, 22.

⁴¹ Bill, 28.

⁴² Bill, 22.

⁴³ Mark H. Lytle, The Origins of the Iranian-American Alliance, 1941-1953 (New York: Holmes and Meier, 1987) 168 .

⁴⁴ Bill, 95.

⁴⁵ Bill, 206-207.

⁴⁶ Bill, 135.

⁴⁷ Bill, 129.

⁴⁸ Bill, 158.

⁴⁹ Bill, 344. Bill describes in detail Chase Manhattan Bank's financial stake in the freeze.

Quoting a Congressional Committee scenario, "Chase Manhattan engineered a freeze by convincing the government to permit the Shah to come to the U.S. knowing that the act would precipitate violence in Iran and make a freeze inevitable."

⁵⁰ Noam Chomsky, World Orders Old and New (New York: Columbia University Press, 1996), 205. Immediately after the overthrow of the Shah and the failure President Carter's envoy, Gen. Robert Huyser to foment a military coup, the U.S., Israel, and Saudi Arabia conducted combined clandestine operations to restore the tripartite alliance. Saudi Arabia funded U.S. arms sales via Israel to elements in the Iranian military, hoping that they would stage a coup to overthrow Ayatollah Khomeini.

⁵¹ Lawrence G. Potter, "Confidence-Building Measures in the Persian Gulf," The Persian Gulf at the Millennium: Essays in Politics, Economy, Security, and Religion, Eds., Gary G. Sick and Lawrence G. Potter (New York: St. Martin's Press, 1997), 241.

⁵² Potter, "Confidence-Building Measures . . .," 234.

⁵³ Alexander Pope, An Essay on Criticism (1711), l. 230.

⁵⁴ Bill, 250.

Chapter VI

Nonintervention

... *War* is the international system's response to aggression undertaken in the name of protecting both the sovereign state under attack and protecting the system of sovereign states; *intervention* involves the use of force within a state's borders, usually to influence the policy or status of a sovereign government. In many ways the character of intervention makes it more difficult to justify than war.¹

J. Bryan Hehir, 1994

In this chapter, we address the corollary of the sovereignty norm, the norm of nonintervention, to include self-determination, and its application to U.S. - Iran relations. First, we continue our discussion of sovereignty, begun in the last chapter, by addressing the critical issue of sovereignty of the people, and we briefly examine the domestic politics of the U.S., Israel, and Iran that affect U.S. - Iran relations and increase the possibility of defection and intervention. Second, we define the terms nonintervention and self-determination and assess their relevance and status in the post-Cold War era from the points of view of both the legalist and consequentialist traditions. Third, we consider the most likely scenario for U.S. or Israeli intervention in Iran, that is, prevention or pre-emption, to prevent them from procuring nuclear weapons, or pre-empt their use should they procure them, and we discuss the legal and moral justifications of our response. Fourth, having discussed the threat of Iranian intervention through terror in the region in Chapter III, and instances of U.S. intervention in Iranian internal affairs in Chapter V, all of which are activities that stifle self-determination, we take a brief look at the linkage between U.S. - Iran relations and Palestinian self-determination. Finally, we prescribe constructive engagement and conditions for U.S. - Iran relations that bear on the norm of nonintervention.

In this section, we will analyze how cooperation is thwarted and peace squandered when the people lose their sovereignty and government decisions do not represent the rule of the majority. We will treat the subject as it applies in America, Israel, and Iran. Our main focus is on America.

SOVEREIGNTY OF THE PEOPLE

. . . that this nation under God shall have a new birth of freedom, and that government of the people, by the people, for the people shall not perish from the earth.

Abraham Lincoln, Gettysburg Address, November 19, 1863

The Constitution of the United States of America begins "We, the people of the United States . . ." Over the objection of Patrick Henry, the Constitution became a product of the people of America and not its union of individual states. John Locke, the theoretical architect of American democracy, in response to the question of who should rule, determined, ". . . in assemblies, impowered [sic] to act by positive laws, where no number is set by that positive law which impowers them, the *act of the majority* passes for the act of the whole, and of course determines, as having, by the law of nature and reason, the power of the whole."²

Locke did not fully account for the possibility of the tyranny of the majority, but John Stuart Mill³ completed democratic doctrine with the proviso that the minority must be protected from the tyranny of the majority to safeguard personal liberty. More importantly, Mill recognized that the leaders who exercise power are not the same as those over whom they exercise it. Leaders not only develop their own interests but also are subject to the pressures of special interests. This is the political plague of America at the turn of the 20th Century that threatens the sovereignty of the people, and it is the reason that, despite almost universal criticism and condemnation of the U.S. - Iran policy of "Dual Containment," by soldiers, statesmen, and citizens, that policy has remained in effect for the past seven years. This problem is not new.

Washington was wary of special interests and said so at his farewell in 1796. He spoke of the obstruction of law and subversion of the deliberation and action of the constituted authorities which served to organize "faction."

To give it an artificial and extraordinary force; to put in the place of the delegated will of the nation, the will of a . . . small but artful and enterprising minority of the community. . . to make the public administration the mirror of the ill-concerted and incongruous projects of faction. . . they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines, which have lifted them to unjust dominion.⁴

The most potent engines of subversion of the power of the American people today, *vis a vis* U.S. - Iran and Middle East policy, are the American-Israel Public Affairs Committee (AIPAC) and the military-industrial complex. AIPAC is the most powerful and feared lobby in the U.S., and it is the subject of a Supreme Court case brought by former U.S. government officials who hope that the Court upholds an earlier 8 to 2 ruling against AIPAC and forces the lobby to disclose its election contributions and expenditures. Called simply "The Lobby" on Capital Hill, AIPAC channels millions of dollars in campaign contributions to candidates for federal office. Additionally, as a result of their power, access, and influence, they have been responsible for the extraordinary increase in U.S. foreign aid to Israel that accounts for one-third of the total world-wide U.S. foreign aid budget. As Richard H. Curtiss notes:

Aside from its implications for U.S. foreign policy, the [Supreme Court] case has important domestic implications at a time of public pressure to reform the campaign finance laws, which most Americans feel give special interests the power to override constituent wishes with their representatives in Congress.⁵

More importantly, AIPAC has become a major player in determining who represents the American people in elected office. That fact is not lost on Senator Alphonse D'Amato (R-N.Y.), who initiated the Iran-Libya Sanctions Act (ILSA).

In the preface to Senator D'Amato's book, Power, Pasta, and Politics, Ed Koch, former Mayor of New York, in the preface, describes a meeting he had with D'Amato

after D'Amato's election to the U.S. Senate. Senator D'Amato was concerned because he had received only a small percentage of the Jewish vote. Koch advised him,

Al, let me fill you in on a little secret. There are . . . two issues that obsess the lives and minds and hearts of most Jews. They are the security of Israel and rescuing Russian Jews . . . Al, make those your two issues, and the Jews will love you . . . The Jews give little credit to Jewish legislators who take on these two issues because it is expected that they will, but when a Christian legislator does it, they will vote for him forever.⁶

That was in 1980. Senator D'Amato apparently took Koch's advice. During the Bush Administration, he fought for *\$10 billion* in loan guarantees to Israel that helped finance Jewish settlements that were in violation of international law and inimical to peace in the region, and then he vilified President Bush and James Baker for standing up to AIPAC. By early 1998, Senator D'Amato, running for reelection, had almost \$10 million in his coffers.

After intense negotiations in early May 1998, initiated by Prime Minister Blair of Great Britain, to break a fourteen month stalemate in peace talks between Israel and the Palestinians, failed, American diplomats confided to reporters in private that Secretary of State Albright's efforts were hamstrung by President Clinton's unwillingness to penalize Netanyahu for stonewalling the talks. The White House's primary concern, according to diplomats was that,

Any attempt to strong-arm Israel into making concessions would infuriate the Jewish lobby in the United States and hurt Gore's expected bid for the presidency in 2000. . . . 'I don't know why Netanyahu keeps getting away with it,' said one Western diplomat deeply involved with Israel-Palestinian issues. 'The Americans look like jerks. Netanyahu senses their weakness, called their bluff, got this thing put off another week, while the frustration in the West Bank just builds, baby, builds.'⁷

While domestic politics figure prominently in the failure of the peace talks, the military-industrial complex stands to gain from the stalemate, and the enmity that builds over time.

Notwithstanding the path effects of U.S. policy that lead Iran to attempt to procure WMD, sponsor terror, and undermine peace; Senator D'Amato, and others like him, with large Jewish constituencies, can legitimately defend their actions when U.S. military-

industrial firms circumvent trade laws and deal with Iran without regard for U.S. national security concerns. From 1989 through 1994, U.S. trade with Iran undercut U.S. policy. The question of whether the policy was justifiable in terms of the Iranian threat was obscured by the nature of the trade which exacerbated the threat. For example, items shipped to Iran during 1993 included toxins, cultures of micro-organisms, centrifuges, and gas separation equipment, many of which are dual-use technologies with "direct military applications including in some cases in the production of nuclear weapons, ballistic missiles, and chemical or biological warfare agents."⁸ Catch-22: U.S. policy impels Iran to buy weaponry that we do not want them to have. U.S. companies circumvent the law to sell these goods to Iran, which gives Iran a capability, if not intention, to use them against us or our allies, which causes mutual defections and pushes policy to further extremes. It's as if corruption of capitalism run amok in the absence of the communist threat leads to corruption of democracy to contain capitalism. In terms of policy prescription, we have to go back to core values that place restraints on capitalistic self-interest and return democracy to the rule of the majority. We can't have one without the other.

Admittedly, AIPAC contributes positively to U.S.-Israeli relations in many ways and cannot be held fully responsible for the history of our poor relationship with Iran. There are other linkages that also bear directly on the issue; for example, NATO expansion that makes Russian cooperation with the U.S. over the issue of nuclear material and missile technology transfer to Iran far more difficult, particularly when U.S. motivation is driven in part by projected profits from arms sales to the new NATO nations, and in the absence of comprehensive debate on the issue. Without cooperation, U.S. lawmakers again resort to legislation, the proposed Iran Missile Proliferation Sanctions Act, which would penalize Russia and others for engaging in missile technology transfer to Iran. Our guess is that would not be necessary were it not for NATO expansion, but then again, if the U.S. - Iran policy were changed to expand the Pareto frontier for cooperation rather than amassing enmity and endless defection, Iran might not be a buyer. When Ralph Peters, the outspoken Army officer, was asked at a

Naval Conference at Tufts University in the fall of 1997, "What is the greatest threat to U.S. national security in 1998?" He responded without hesitation, "Lockheed-Martin."

Survival of the fittest capitalism and partisan special interest politics of the late 20th Century stand both Locke and Mill on their heads by creating dual tyranny of the moneyed majority and the moneyed minority that disables our system of checks and balances and puts our national security in peril. When domestic political considerations impact foreign policy to the extent that they have in the Middle East, one finds an ends-means, or a policy-strategy, mismatch, and inattentiveness to all consequences except those that bear on politicians' reelections and capitalists making more money. The amorality of U.S. - Iran policy is more baffling given the simple fact that it does not work. As a senior British diplomat said, "U.S. policy on Iran has sounded good but has not worked. This is a situation where the American system forces the U.S. to act against its own interests,"⁹ and its values.

The fact that Senator D'Amato, and others, chose to use the law to ensure national and international compliance with U.S. sanctions against Iran encroached not only upon the sovereignty of the American people but also the sovereignty of our allies. de Tocqueville, in describing the disadvantages of certain aspects of legislation in democracies was prophetic.

Suppose that the lawgiver's aim is to favor the interests of the few at the expense of the many; his measures are so combined as to accomplish the proposed aim in the shortest time and with least possible effort. The law will be well contrived, but its object bad; its very efficiency will make it the more dangerous. . . . [A democracy's] laws are almost always defective or untimely. . . it often unintentionally works against itself. . . .

¹⁰

Such is the case of ILSA, and there would be no ILSA without AIPAC. Robert D. Kaplan, author of *The Ends of the Earth*, blames "Dual Containment" and our slowness in engaging Iran on the Clinton Administration's practice of what Kaplan calls our "ethnic lobby time-share," whereby AIPAC "has rented U.S. Middle East policy to a greater extent than ever before."¹¹ A telling instance of AIPAC's political clout came in March 1998 when AIPAC lobbied Congressmen to sign a letter urging President Clinton not to go public with an American proposal for Israeli withdrawals from the West Bank.

Nevertheless, President Clinton held the line on thirteen percent withdrawal and Netanyahu defected again.

George Washington associated factionalism with ruthless and vengeful partisanship which he believed would eventually lead to despotism and which opens the door to foreign influence and corruption. "Thus the policy and will of one country are subjected to the policy and will of another country."¹² Ironically, this happened with Iran and the U.S., and the U.S. and Israel, after World War II. Again, we treat both relationships, the U.S. and Iran, and the U.S. and Israel, because of the relevance of the linkage to our discussion.

In the former case, there developed during the post-war period an inverse relationship between U.S. influence and corruption and Iranian sovereignty and self-determination. U.S. influence and corruption in Iran reached its zenith with the CIA orchestrated overthrow of Iranian Prime Minister Mohammad Mussadiq (who had nationalized the Iranian oil industry), in 1953, and the reign of the Shah, at the same time Iranian sovereignty and self-determination reached its nadir. With the illegitimate accession and reign of the Shah, the Iranians lost their sovereignty and self-determination, until they took them back by force. With the 1979 Revolution, U.S. influence and corruption reached its low point at the same time Iranian sovereignty and self-determination improved. Washington warned of the dangers of such animosities.

. . . permanent, inveterate antipathies against particular Nations, and passionate attachments for others, should be excluded . . . The Nation, which indulges an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest . . . The Nation prompted by ill will and resentment, sometimes impels to war the Government, contrary to the best calculations of policy . The Government . . . adopts through passion what reason would reject. . . . The peace often, sometimes perhaps the liberty, of Nations has been the victim.¹³

In the latter case, in 1948, the Israelis, with the help of the U.S., achieved sovereignty and self-determination at the expense of Palestinian sovereignty and self-determination. Over the years, through war, offensive and defensive, the Israelis have consolidated their position and security in the Middle East at the expense of other nations in the region. In the U.S., Israel has gained access, power, and influence through

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. . . a passionate attachment of one Nation for another produces a variety of evils. Sympathy for the favorite Nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite Nation of privileges denied to others, which is apt doubly to injure the Nation making the concessions; by unnecessarily parting with what ought to have been retained; and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite Nation), facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding, with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation . . . Such an attachment of a small or weak, towards a great and powerful Nation, dooms the former to be the satellite of the latter.¹⁴

Washington was worried that a relatively small or weak nation, like Israel, would become a satellite of a great and powerful Nation, like the U.S.. Witnessing the relationship between the U.S. and Israel in the latter part of the 20th Century, Washington would be dumbfounded and confused, like Copernicus waking up in Krakow to find the Earth revolving around the moon. It relates back to the sovereignty of the people.

Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence of the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.¹⁵

As John Stuart Mill said in *On Liberty*, "Not the violent conflict between parts of the truth, but the quiet suppression of half of it, is the formidable evil. There is always hope when people are forced to listen to both sides."¹⁶ Ironically, the military-industrial complex uses the free market to defend their interests, and AIPAC uses free speech to defend theirs, but in effect, while they are both right that money talks, the practical effect of their monopolies is that the voice of the majority of the American people is quietly suppressed. That is a formidable evil that we must surmount by returning to our core values. Interests will follow.

The U.S. is not alone in facing challenges to the sovereignty of the people. Ironically, the United States' virtually unconditional guarantee of Israel's security has contributed to their lack of self-discipline in approaching Middle East peace, relations with their Arab neighbors, and with the U.S., their benefactors.

Israel

Whether we like it or not, what happens inside Israel affects U.S.-Israel policy, which in turn affects the Middle East Peace Process, which affects U.S. - Iran policy. Even if we refuse to make the linkages, the Iranians and our allies will. So, in this section, we review the state of the sovereignty of the people in Israel and its implications for U.S. - Iran policy. The politics of faction in Israel - theocracy versus democracy, religion versus secularism, Palestinian versus Jew, haves versus have nots, Eastern versus Western cultures, Ashkenazi vs. Sephardi, new immigrants versus long-established citizens, Right versus Left on the Palestinian question, U.S. Jews versus Israeli Jews, and so on. - are intensifying and threatening the state itself.¹⁷

Just as the Israeli lobby in the U.S. became expert at beating the system by participating in it, so too Orthodox Jews in Israel finally recognized that their religious objectives could be accomplished through politics. In fact, during PM Blair's attempt to revive the peace talks in May 1998, the only real pressure that Netanyahu felt at all was the pressure from Israeli right wing nationalists who threatened to topple his government if he agreed to Washington's proposal for a 13 percent withdrawal from the West Bank.¹⁸ One can trace the rise of the Likud Party's rise to power to 1977 when they took power in

Israel and ultra-religious Jews began demanding that their brand of Orthodoxy be adopted as the Judaism of Israel and the world. "In effect, a religious force deeply suspicious of Western notions of democracy, human rights and pluralism emerged as the kingmaker in Israeli politics."¹⁹

With the assassination of President Yitzhak Rabin, and the rise of Benjamin Netanyahu's Likud government, with its vehement opposition to withdrawal from the occupied territories and aggressive support for Jewish settlements, the peace process begun at Madrid and Oslo was incapacitated. Netanyahu had to be concerned, like American politicians, with staying in power, and ultra-Orthodox Jews were a vocal minority, and demographically, a majority in the making.

There has always been an internal Jewish psychosis about whether we're going to survive . . . We're an ever-dying people, a remnant society still wondering whether we can deal with freedom in a pluralistic society. Is persecution and the ghetto necessary for survival, or can we live in freedom.^{20 21}

They will never know unless the U.S. gives them the freedom to find out for themselves. First, AIPAC has to release its political prisoners, otherwise known as U.S. Congressmen, and we have to reassess whether Israel's survival interests automatically and unconditionally translate into U.S. vital interests, now that the Cold War is over.

One thing is for certain. The Netanyahu government is not acting in accordance with the wishes of the majority of Israelis. Sixty percent of the Israeli people support establishment of a demilitarized Palestinian State, and more than fifty percent favor granting Palestinians sole or joint sovereignty over parts of East Jerusalem. A similar majority also supports withdrawal from most of the Golan Heights in exchange for peace with Syria and security guarantees from the U.S..²² A first-ever joint Israeli-Palestinian public opinion poll found fifty-nine percent of Israelis and sixty-eight percent of Palestinians favor the Oslo process. Asked what was the major obstacle to the peace process, almost all the Palestinians cited Israel, but, significantly, twenty-seven percent of the Israelis blamed the Netanyahu government.²³

While we have focused on American attitudes that portray the U.S. as doing Israel's bidding, Noam Chomsky points out that,

Many Israelis have regarded this relationship [with the U.S.] as both dangerous and degrading. Expressing widely-held attitudes, Israeli satirist B. Michael defined the reigning doctrine with characteristic insight: 'My master gives me food to eat, and I bite those whom he tells me to bite. It is called strategic cooperation' Israel's dependence on the United States is so extreme that no domestic opposition can gain much credibility unless it has backing from within the United States, and that has been almost completely lacking in this case.²⁴

Iran has in common with the U.S. and Israel its domestic division between moderate and radical elements in government that affect its foreign policy. We made reference to it in the previous chapter, and will expand on it in the next section.

Iran

The Iranians have internal conflicts that are similar to the U.S.' and Israel's, the key difference being that President Khatami, democratically elected with 70percent of the popular vote, seeks to execute the will of the majority of the Iranian people, reflected in his platform: the rule of law, tolerance for opposing views, and the creation of a civil society. Admittedly, he walks a tightrope between modernization, sometimes called "Westoxification" in Iran, essential to economic prosperity, and radical Islamic fundamentalism, represented by the "Supreme Leader," Ayatollah Ali Khamenei, successor of Ayatollah Ruhollah Khomeini. He must move within the extraordinary constraints of the Constitution of the Islamic Republic in which he deeply believes.²⁵

The disagreement between Khatami and Khamenei, life-long friends, is most apparent in their views on Iran-U.S. relations. Khatami, moral, religious, charming, humble, brilliant, fluent in English, steeped in the Western philosophy, and loved by the Iranian people, especially women and youth; wants to take the best of the West, especially freedom, but retain Islamic religion and culture at the same time. He believes that the more freedom the Iranian people have, the more rationally the government treats the West, the more enlightened Iran will become. He speaks of the need for communication among cultures. He also credits Western freedom with Western political, economic, military, and cultural power. Khamenei, on the other hand, taciturn, moral,

religious, distant, artistic, and lacking the religious credentials of the Ayatollah Khomeini; is concerned that the relationship will quickly degenerate into a colonial one as it was in the past, but attended by cultural colonialism characteristic of the information age. Khatami's constituency is the majority of the people; Khamenei's, the mullahs, and a minority of the people.

Khatami's challenge is significant; however, he knows the limits of his Constitutional role as President and does not seek to exceed them. When he comes under what he considers to be unfair criticism, he reminds his political foes that he has the Iranian people behind him. While he has not brought about significant change because of the constraints he faces, he maneuvers magisterially through the maze of Iranian politics with a Gandhian like moral courage that has captivated the Iranian people, his neighbors, many Americans, and increasingly, the world.²⁶ Khatami was either at Woodstock or he has been listening to old Beatles' tapes. In a recent interview he said, "We say we love all the people in the world and we want them to love us in return. Resentments should be turned into kindness and love."²⁷

Not so with Ayatollah Ali Khamenei. After the controversial arrest of Tehran's moderate mayor, Gholamhossein Karbaschi, in March 1998, Khamenei was pressured by the power of public opinion to pardon the mayor, who was a close ally of Khatami. In late April 1998, in the wake of that embarrassment, Khamenei, with the help of the Judiciary, the police, and Major General Yahya Rahim Safavi, commander of Iran's Islamic Revolution's Guards Corps (IRGC), launched a political offensive against Rafsanjani and Khatami, along with other moderates in the government, and dissident cleric Ayatollah Hussein Ali Montazeri. Safavi openly attacked Khatami for attempting to reach detente with America which he saw as a threat to Iran's national security. He also attacked the Iranian media. In his widely publicized remarks, Safavi said,

... the United States, designing conspiracies through cultural encroachment, wants to destroy the foundations of the sovereignty of the Islamic Republic of Iran, in addition to denuding the bases of Islam, its ideals and values. [Safavi threatened to] root out anti-revolutionaries wherever they are. We have to behead some and cut off the tongues of others ²⁸

For his part, Khatami must censure Safavi in order to maintain credibility. Rafsanjani will be tempted to distance himself from Khatami and reassert himself as the key power broker in Iran. Khatami needs to keep Rafsanjani on his side. It is unlikely that Khatami would play a foreign policy wild card to deflect attention from his domestic challenges, but U.S. activities like "Radio Free Iran," stoke the fires of fundamentalism and undermine Khatami's power and authority in Iran. U.S. policy threatens to drive Khatami from power leaving a radically conservative and militaristic government in place at the same time the Iranians will have procured nuclear weapons and delivery systems. The best U.S. policy toward Iran given the current challenges that Khatami faces, is the most difficult for America, to *do nothing* - no "Radio Free Iran," no \$20 million to subvert the Khatami government, no ILSA. Determinist policy will destroy our best hope for future cooperation with Iran.

In evaluating U.S. policy towards Israel and Iran, with linkages to the peace process and Middle East policy, the U.S. is listening to and acting on, a minority of Americans, who are supporting a minority of Israelis, who are obsessed with a minority of Iranians. The irony of U.S. - Iran policy is that it threatens to become self-fulfilling when the shouts of the minorities are heard over the voices of the majorities, and intervention, rather than nonintervention, threatens to become the norm.

NON-INTERVENTION

Let's take a moment to review where we have been so far and where we are going. We have explored a global ethic encompassing the three major religious traditions practicing in the Middle East. Focusing on the diamond formed where "triple vision" occurs and common interests coalesce, we can see that self-restraint crushes the coals of enmity and exceptionalism between the U.S. and Iran and evolves cooperation. When the threat is wedged between common values and interests and cooperation, from below; and batted down by ethical norms of international relations, including sovereignty and non-intervention, from above, the threat is diminished, opening the way for the transformation of belligerence into cooperation, that enhances collective security, and the chances for lasting peace and stability in the region.

Theoretically, intervention becomes less justified and less likely to occur, because we will have reduced the political reasons for Iran to resort to the use of force,²⁹ whether through conventional means, WMD, or terror. It follows that we will also have reduced the U.S.' and its allies' need to preempt, prevent, or retaliate against Iran. In addition to the compelling arguments against intervention made by sovereignty, the reduction of necessity (that accrues from attenuation of the threat brought on by negation of the Clausewitzian political justification for the use of force), turns the moral and pragmatic arguments that normally favor intervention, against it. As we continue our discussion of nonintervention, we will attempt to derive just intervention theory from just war theory and apply it to U.S. - Iran policy, because while nonintervention is the norm, interventions are becoming so commonplace that they imperil the norm. As Hedley Bull asked in 1984, before the end of the Cold War and the spate of post-Cold War interventions:

Is the gap between the rules of nonintervention and the facts of intervention now so vast that the former has become a mockery which it would be better to dispense with altogether, or does the proscription of intervention remain a vital part of the normative structure on which international order depends?³⁰

There are actually two questions embedded in Mr. Bull's question. In short, the answer to the first is no, for reasons that were elaborated in the justification we previously gave for maintaining the norms; the answer to the second is yes, for reasons we will develop in this chapter, beginning with definitions that draw out the distinction Reverend Hehir made between war and intervention.

It is settled that any attempt by one sovereign state to extend its sovereignty by subjugating other states by force is bad and that action to avoid any such imperial drive towards preponderant power [self-defense] is good.³¹ Closely tied to the norm of nonintervention, is self-determination. It is agreed that within certain parameters the self-determination of peoples is a good . . . a nation is entitled to be self-determining within a sovereign state.³² Kegley and others attest that "Sovereignty and nonintervention are part and parcel of the same 'doctrinal mechanism to express the outer limits of permissible influence that one state may properly exert upon another,'"³³ and like Bryan Hehir,³⁴ they

believe that the definition of the boundaries of justified intervention varies over time as the global system changes. Rosenau defines intervention as "acts undertaken by one state to modify the authority structure in a target state."³⁵

In the second chapter, we determined common values of three major religious traditions. David Mapel and Terry Nardin review these and other traditions of international ethics, based on the traditions' responses to three questions. First, is it always better to suffer than to do wrong? Second, is it permissible to sacrifice some for the benefit of others? And, third, Why the state? Mapel and Nardin also examine the traditions based on how they come to terms with force, order, and justice. Based on their study, they divide the traditions into two general groups, those who link judgments of right and wrong to rules and those who link them to consequences.³⁶

For the first group, the goodness of nonintervention and self determination depends on interpretation of the rules, that is, whether the act or policy falls under the rules. For the second group, an act or policy is judged good according to its actual or expected causal contribution in achieving a desired end state, either with respect to a particular community, or universally for humanity as a whole. With the exception of the pacifist position that sees killing as murder in all circumstances, all the traditions acknowledge exceptions to the normative rule of non-violence, usually justifying the use of lethal force by considerations of self or collective defense. With Mapel and Nardin as a backdrop, let us first determine the rules that exist for intervention, and then, since there is no just intervention theory, using the ideas of Bryan Hehir, we will probe the consequence-oriented just war theory to determine how it might be applied to intervention in the case of Iran.

Article 2(4) of the United Nations Charter articulates the nonintervention norm, "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state . . ."³⁷ And in Article 2(7):

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essential within the domestic jurisdiction of any state or shall require the Members to submit such

matters to settlement under the present Charter; but this principle shall not prejudice the application to enforcement measures under Chapter VII.³⁸ The caveat refers to Chapter 7(42) which grants the Security Council the authority, using forces provided by member states, to "take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security."³⁹ In a caveat to the caveat that accounts for sovereignty of individual nation states, Chapter 7, Article 51 states in part, "Nothing in the present Charter shall impair the inherent right of individual and collective self-defence (sic) if an armed attack occurs against a Member . . ."⁴⁰ These rules parallel very closely the Westphalian tradition of the norm of nonintervention based on sovereignty that permits exceptions for self or collective defense.

In a far more permissive recognition of the circumstances or legal rules governing intervention, Gerhard von Glahn identifies nine rules where one state might legally intervene using lethal force in the affairs of another state.

(1) granted by treaty, (2) to punish violations of a previous agreement, (3) if a 'serious' violation of generally accepted rules of customary or conventional law occurs, (4) if the citizens of a state are mistreated or endangered, (5) in the case of collective action undertaken by an international organization on behalf of the global community, (6) when invited by the lawful government of a state, (7) for humanitarian purposes when gross human rights violations occur, (8) to abate an intolerable international nuisance, and (9) to support the new right of states to democratic government.⁴¹

Since small states as a rule do not intervene in the domestic affairs of large states, the big states write the rules, and national self-restraint is a dying virtue, the rules can be used to justify or vilify an intervention, therefore consequences have become increasingly important in judging the morality and practicality of an intervention. In addition, as we approach the 21st Century, and reassessment of the nonintervention norm seems to blend the traditional realist use of force to maintain international order with the neo-liberal use of force to ensure justice, the issue, in our increasingly interdependent world, becomes consequentialist, in the sense that, regardless of intentions, we must determine whether a contemplated intervention will achieve its purpose, be it order or justice. In that regard, it is also important to be aware that consequences in the nuclear, biological, and chemical post-Cold War World are increased by a factor of fate. Values or interests? Cooperation

or defection? Order or justice? Rules or consequences? How does a nation determine when and when not to intervene?

In response to this dilemma, Bryan Hehir proposes to use the framework of just war theory to revise the legal model for intervention, and establish a moral ethic for military intervention (See Figure VI-1).⁴² The first two bullets reflect Just War Theory that presumes against the use of force, with certain exceptions based on moral criteria developed by asking three questions: why, when, and how may force be used?. The answers to those questions determine the criteria of the moral doctrine (right intention, proper authority, an so on).

In adapting just war theory to intervention (#3), Hehir maintains the presumption against the use of force, but expands the just cause criteria beyond the traditional justification of genocide. Hehir includes, *inter alia*, “ethnic cleansing,” failed states, and most importantly for our purposes, nuclear proliferation, which Hehir, like Stanley Hoffman and Michael Walzer, sees as a systemic threat to order, justice, and indeed our very survival as a civilization.⁴³

“Just Intervention Theory”

- **Presumption Against the Use of Force**
- **Specified Exceptions Based on Moral Criteria**
 - **Why (For What Purpose) Can Force Be Used? (*Jus ad Bellum*)**
 - Defend Life, Human Rights, Political Order
 - **When (Under What Conditions) Can Force Be Used? (*Jus ad Bellum*)**
 - Right Intention, Proper Authority, Last Resort, Moral Possibility of Success, Proportionality
 - **How (By What Means) Can Force Be Used? (*Jus in Bello*)**
- **Adaptation to Intervention**
 - Maintain the Presumption Against the Use of Force
 - Expand the Criteria of Just Cause for Intervention (Beyond Genocide to include non-proliferation)
 - Restrict the Authority of States for Unilateral Intervention
 - Enforce a Demanding Standard of the Means Test

Figure VI-1—Just Intervention Theory

Unlike either Hoffmann or Walzer, neither of whom would constrain unilateral use of force in the expanded cases, Hehir restricts intervention to a multilateral response. His rationale is that "legitimizing such unilateral measures could in fact increase the instability of the international system since proliferation is often linked to long-standing political tensions Even in the case of proliferation therefore, the desired norm should be multilateral authorization of any military intervention."⁴⁴ Finally, Hehir calls for enforcement of a demanding standard of the means test. Hehir's proposal strikes a balance between "elevating the power of principle over the principle of power"⁴⁵ or vice versa, where *can implies ought* and *ought implies can* translate into immediate action regardless of circumstances or consequences.

Nevertheless, since *can implies ought* and *ought translates to action* more frequently in the post-Cold War era, U.S. military intervention policy is *de facto* more offensive in the post-Cold War era despite the changed or reduced threat. Steven Van Evera argues that war is more likely to occur when conquest is easy, and he identifies ten war-causing effects when offense dominates (Van Evera uses "offense dominant" to mean that offense is easier than usual):

- (1) Empires are easier to conquer . . . , (2) Self-defense is more difficult; hence states are less secure. This drives them to pursue defensive expansion . . . , (3) Their greater insecurity also drives states to resist others' expansion more fiercely . . . expansionism prompts a more violent response . . . , (4) First-strike advantages are larger, raising dangers of preemptive war . . . , (5) Windows of opportunity and vulnerability are larger, raising dangers of preventive war . . . , (6) States more often adopt *fait accompli* tactics, and such tactics more often trigger war . . . , (7) States negotiate less readily and cooperatively; hence negotiations fail more often, and disputes fester unresolved . . . , (8) States enshroud foreign and defense policy in tighter secrecy, raising the risk of miscalculation and diplomatic blunder . . . , (9) Arms racing is faster and harder to control, raising the risk of preventive wars and wars of false optimism . . . , and (10) Offense dominance is self-feeding ⁴⁶

While there may not be *pax Americana*, there is no question that number (1) is certainly true for the U.S.. Since we have equated our vital interests with Israel's survival interests, and led the way on number (9), number (2) is true. With the rise of terror and

WMD proliferation, self-defense becomes even more difficult. Number (3) follows from number (2), and could account for Israeli intransigence on the issue of Palestinian self-determination, as well as U.S. efforts to prevent Iranian economic and military expansion. Numbers (4) and (5), having to do with preemption and prevention, particularly as they apply to nuclear proliferation, are true as attested to by the untiring efforts of the U.S. and U. N. to deny Iraq (and U.S. efforts to deny Iran) weapons of mass destruction. Numbers (6) and (7), *fait accompli* tactics and defections, were most apparent in the United States' handling of the Iraqi crisis in late-1997 and early-1998 where the object of U.S. diplomacy appeared to be to go to war with Iraq, but the Netanyahu government in Israel uses these tactics to stall, some would say subvert, the Middle East Peace Process. "Dual Containment" itself is a U.S. *fait accompli* policy and *de facto* defection from Iran. Number (8), secrecy, has characterized our Iran policy for the past forty years, from the 1953 coup, to Iran-Contra, to "Dual Containment." There is intrigue and secrecy about the why and how of U.S. - Iran and U.S.-Israel policy that defies necessity and reason. Number (9). As the leading arms merchant in the world, selling more than \$16 billion worth of arms in 1996, over sixty percent to non-democratic nations, America is largely responsible for raising the risk of wars resulting from arms races. The U.S. leads the league in selling conventional arms to all comers without regard for future consequences, then wonders how it gets mired down in the "dove's dilemma"⁴⁷ *again*. Or does it? Israel offers the U.S. "a form of export promotion," as grants of arms to Israel helped stimulate huge arms sales to the Arab states, recycling petrodollars to U.S. industry."⁴⁸ We are so busy exercising our soft and hard power that one wonders about the state of American diplomacy in the twilight of the American Century.⁴⁹

The self-feeding aspect of offense dominance is a product of exaggerations of insecurity which Van Evera says are prevalent.

... This exaggeration of insecurity, and the bellicose conduct it fosters, are prime causes of national insecurity and war. States are seldom as insecure as they think they are. Moreover, if they are insecure, this insecurity often grows from their own efforts to escape imagined insecurity . . . the prime threat to the security of modern great powers is . . . themselves. Their greatest menace lies in their own tendency to exaggerate the dangers they face, and to respond with counterproductive belligerence.⁵⁰

The differences of opinion about the Iranian threat that exist within the Clinton Administration, that we alluded to earlier in the paper, are germane to Van Evera's thesis. The State Department's exaggerated portrayal of the threat, at odds with the CIA's threat assessment, has alarming implications for the nonintervention norm. There is good intelligence and there is bad intelligence. We witnessed the same contentious debate with respect to the Iraqi threat twice since the end of the Gulf War.

The first time was during Operation Vigilant Warrior (OVW) in October 1994 when Saddam postured his forces for an attack against Kuwait; the second time during Operation Desert Thunder (ODT), the planned strike against Iraq in late-1997 and early-1998. On both occasions there were differences of opinion about the nature and scope of the Iraqi threat that affected the U.S. allies' participation and willingness to share the burdens associated with military action. OVW resulted in an intervention that cost hundreds of millions of dollars where regional allies were dragged reluctantly into minimal participation and then coerced, after the fact, into contributing to pay the exorbitant costs. ODT saw even more reluctance on the part of regional and extra-regional allies to participate, or share the financial burden associated with U.S. deployments, which amounted to about one billion dollars. ODT did not end in a military intervention, because of the diplomatic intervention by Kofi Annan, Secretary General of the United Nations.

Desert Storm demonstrated acceptance of the norm. Desert Thunder, storm turned overcast, confirmed the norm and its corollary, that in the absence of a threat by a sovereign state (Iraq) to subjugate another state (Kuwait) by force, action against Iraq by the U.S., regardless of the established reasons, was perceived to be an imperial drive towards preponderant power, and U.S. regional hegemony, therefore bad. If the U.S. had difficulty mustering support for military action against Iraq, one can logically surmise that they will have even more difficulty garnering support for action against Iran. U.S. allies do not assess the threat in a vacuum. They take into account linkages and U.S. policies that tend to increase the threat. So do the American people, with ominous implications for future U.S. military interventions.

There is an anomalous association between ends and means of the U.S., as they apply in the Middle East, that is different from the association of ends and means between the U.S. and the former Soviet Union during the Cold War. During the Cold War, Americans were more willing to die ("Better dead than Red.") than the U.S. was willing to kill, because of the qualitative difference of the means, that is, nuclear weapons. Kissinger said that the price we paid for nuclear peace during the Cold War was limited war. We now face the prospect that the price we pay for limited peace is nuclear war, or a war in which weapons of mass destruction are used. After the Cold War, particularly in the Middle East, the U.S. seems more ready and willing to kill (Iraqis, for example) than Americans are willing to die to defend our interests and the interests of our allies in the region.

The United States' allies are less ready and willing to kill and/or die for those interests (which in most cases are greater than our own), than we are. Their reluctance to kill or die defending their interests attenuates Americans' support for U.S. commitment, especially when such commitment results in the use of military force and risks Americans' lives. Perhaps this anomaly helps to explain why the U.S. exaggerates the capabilities of air power after the Gulf War.

Retired Marine General Bernard E. Trainor, commenting in *The Boston Globe* on the anticipated, but never consummated, Operation Desert Thunder, against Iraq in February 1998, spelled out the problem this way:

If the administration rejects such possibilities [that Saddam's capabilities, questionable as they were, did not necessarily equate to his intent to use WMD] and sees military action as the only answer to failed diplomacy, it should answer a final question. Is the president willing to commit ground combat units to attack Iraq to insure that the 'clear and present danger' is eliminated? That is the litmus test for the administration the answer tells us how seriously the threat is to be viewed ⁵¹

Trainor also warned against unintended consequences of the use of force in the Iraqi case. The Iraqi crisis certainly raised some moral and practical questions that have application to the case for intervention, prevention or preemption, of Iranian WMD. Reverting back to Hehir's why, when, and how questions, Trainor raises *jus ad bellum* and *jus in bello* issues of last resort, moral probability of success, non-combatant

immanence in the case of nuclear, biological, or chemical weapons? Grotius identified the first just cause of war as,

An injury, which even though not actually committed, threatens our persons or our property The danger must be immediate, and as it were, at the point of happening. If my assailant seizes a weapon with the obvious intention of killing me, I admit too that I have a right to prevent the crime.⁵²

If the U.S. and its allies were unable to reach agreement on these issues over Iraq, it will be eminently more difficult for them to achieve consensus to attack Iran to prevent/preempt WMD since Iran abides by IAEA inspections and is signatory to WMD conventions.

This willingness to kill or willingness to die anomaly can be traced in part to the U.S. equating its vital interests to Israel's survival interests. A *New York Times* poll conducted April 15 through 20, 1998 showed that Israel enjoys broad general support among Americans,

When the topic of war arises, however, the broad support for Israel betrays a certain shallowness. If Israel seemed in danger of being defeated by Arab armies, only 22 percent [of Americans] would favor sending troops; 24 percent would favor sending arms and equipment only, and 44 percent would want to stay out of the conflict.⁵³

Furthermore, this anomaly causes the U.S. to resort to coercive diplomacy, and when that fails, to turn to military force where it is compelled to use its technological power to advantage to defeat the enemy without risking American casualties. But, from the enemy's perspective, casualties become the United States' critical vulnerability; therefore, the enemy's end is to kill as many Americans as they can. The best means to achieve their end, given the enormous margin of U.S. military technological dominance, are the levelers of terrorism and weapons of mass destruction. The very asymmetry the U.S. seeks to avoid is the symmetry the enemy seeks to achieve. U.S. policy incites asymmetry when the interests of the government are greater than the risks Americans are willing to take to defend those interests.

The U.S. and its allies also incite or escalate asymmetrical aspirations and tension when they threaten nuclear reprisals for the use of WMD by regional actors in the Middle

achieve their end, given the enormous margin of U.S. military technological dominance, are the levelers of terrorism and weapons of mass destruction. The very asymmetry the U.S. seeks to avoid is the symmetry the enemy seeks to achieve. U.S. policy incites asymmetry when the interests of the government are greater than the risks Americans are willing to take to defend those interests.

The U.S. and its allies also incite or escalate asymmetrical aspirations and tension when they threaten nuclear reprisals for the use of WMD by regional actors in the Middle East. Perhaps this rhetoric is born of frustration that U.S. deterrence has not worked with Iraq; nevertheless, the case has been made by Ramsey, Hehir, Hoffman, Walzer,⁵⁴ and others, that the very threat could be considered immoral. In the wake of Operation Desert Thunder, the Defense Department's Strategic Command published a study, "Essentials of Post-Cold War Deterrence." It reads, in part,

The fact that some elements (of the U.S. government) may appear to be potentially 'out of control' can be beneficial to creating and reinforcing fears and doubts within the minds of an adversary's decision makers. . . . That the U.S. may become irrational and vindictive if its vital interests are attacked should be a part of the national persona we project to all adversaries ⁵⁵

This comes after President Clinton signed a directive on U.S. nuclear policy promising to uphold the "negative security assurance" that the U.S. would refrain from first use of nuclear weapons against signatories of the Non-Proliferation Treaty (NPT), among them, Iran. Arms control advocates are concerned that states like Iran, with no nuclear capability, will defect from the pact if they see the U.S. maintaining their nuclear arsenal and "finding missions for their weapons - particularly if those missions include scenarios that involve attacks on them."⁵⁶ This "Madman Theory," is a *post hoc ergo propter hoc* fallacy that reasons because it worked during the Cold War, it will work again. A dangerous, dangerous assumption.

In this context, U.S. - Iran policy and U.S.-Israel policy puts the U.S. on a war footing in the Middle East. George Kennan's warning about such policies echoes Van Evera's notions of exaggerated threats, self-feeding offense, and self-fulfilling prophecies.

History shows that belief in the inevitability of war with a given power affects behavior in such a way as to cripple all constructive policy approaches towards that power, leaves the field open for military compulsions, and thus easily takes on the character of a self-fulfilling prophecy. A war regarded as inevitable or even probable, and therefore much prepared for, has a very good chance of eventually being fought.⁵⁷

The U.S. military "footprint" in the region is offensive by all definitions of "offensive," at least from the perspective of those who live in the region. The U.S. Foreign Military Sales (FMS) cases in the region are also problematic. Since the Gulf War, the countries in the Middle East have spent more than \$130 billion buying weapons of all kinds and descriptions, including state-of-the-art technology. The U.S. controls 42.6percent of all international arms sales, and two-thirds of U.S. sales are to Middle Eastern countries.⁵⁸ While we will discuss the U.S. military strategy in the region in some detail in the next chapter, U.S. - Iran policy with its *droit de guerre* overtones, permissive view of intervention, and robust arms sales threaten chaos rather than order without redressing injustice.⁵⁹

We have attempted to apply *jus ad bellum* and *jus in bello* to intervention in the post-Cold War period, but we come to the realization that those concepts assume and rely heavily on the use of force and do not necessarily guarantee either justice or order. As Stanley Hoffmann observed,

... we find that we should not pose the problem of ethics and international affairs as a problem of morality vs. politics It is through the right kind of politics that some moral restraints can become observed and practicable. Today, in many instances, morality requires not only a *jus in bello* and a *jus ad bellum*, but a *jus* or rather a *praxis-ante ad contra bellum*.⁶⁰

Again, from the perspective of regional nations, including Iran, the greatest injustice is that perpetrated by the U.S. and Israel against the Palestinians, which brings us to a brief discussion of self-determination.

SELF DETERMINATION

Self determination, then, is the right of a people 'to become free by their own efforts' if they can, and nonintervention is the principle guaranteeing that their success will not be impeded or their failure prevented by the intrusions of an alien power . . . there are things we cannot do for them, even for their own ostensible good . . .

Michael Walzer, Just and Unjust Wars, 1977

While it is beyond the purpose and scope of this paper to explore in detail the linkage between the Israeli-Palestinian conflict and U.S. - Iran relations, there are some key elements in that struggle, relating to self-determination that are worth a brief look. Stanley Hoffman declared, "self-determination is a precondition for peaceful coexistence."⁶¹ We saw in the sovereignty chapter the enmity caused by the U.S. interference in Iran's domestic affairs and self-determination that resulted in the present protracted mutual defection. U.S. intervention in Iran brought about injustice and disorder, until Ayatollah Khomeini restored order, albeit without justice. Having been the subject of U.S. interventions, Iranians empathize with the plight of the Palestinians.

In January 1998, the U.S., the same country that guaranteed Israel's basic right to self-determination in 1947, voted in the Security Council of the United Nations, against Palestinian self-determination, because it was part of "final status" negotiations and it would have been premature to grant that right at that time. And on 7 May 1998, when First Lady Hillary Rodham Clinton told a youth conference on Mideast peace, "I think it will be in the long-term interests of the Middle East for Palestine to be a state,"⁶² she was castigated by the Netanyahu government and the U.S. press. As Arnold Toynbee said fifty years ago,

Of all the somber ironies of history none throws a more sinister light on human nature than the fact that the new-style nationalist Jews, on the morrow of the most appalling of the many persecutions that their race had endured, should at once proceed to demonstrate, at the expense of Palestinian Arabs whose only offense against the Jews was that Palestine was their ancestral home, that the lesson learnt by Zionists from the sufferings which Nazis had inflicted on Jews was, not to forbear from committing the crime of which they themselves had been the victims, but to persecute, in their turn, a people weaker than they were.⁶³

As the U.S. increased pressure on the Israelis to give up an additional thirteen percent of the West Bank in early May 1998, it seemed surreal that the Israelis were unwilling to forfeit on the margin a fraction of what they had been willing to sacrifice for their own state, and a fraction of what they demonstrated they were willing to give up at different times during fifty years of Israel's statehood. As Noam Chomsky points out, for at least twenty of those fifty years, the U.S. and Israel opposed international consensus, that barred a peaceful negotiated settlement of the Israel-Palestinian conflict, on three major issues: withdrawal, rejectionism, and the right of resistance. On the first issue, withdrawal, the U.S. has virtually abandoned UN Resolution 242 and rejected full Israeli withdrawal from the "occupied territories. On the second issue, rejectionism, the U.S. has consistently rejected "the right to national self-determination of one of the two claimants for national rights in the former Palestine, the indigenous population."⁶⁴ On the third issue, the right of resistance, the U.S. rejects the Palestinians' right to resist Israeli occupation and repression. The rejectionists have been victorious on all three counts, then some, according to Chomsky.⁶⁵

The Clinton Administration is now carrying the rejectionist victory several steps beyond, abandoning the former U.S. support for the international consensus on the right of Palestinian refugees to return or compensation, the status of the territories as 'occupied' (rather than 'disputed'), and the inclusion of Arab Jerusalem in the 'disputed' territories. Given U.S. power, those departures too are likely to become the conventions of the future, the facts securely hidden from view.⁶⁶

Current U.S. conditions on Iran, relating to their stand against the peace talks (one can even see that the U.S. commands the terms of the debate), and their support of terrorists strike at the heart of Iranian sovereignty and Palestinian rights, namely, the Palestinians' rights to self-determination and resistance. In terms of what the U.S. should do with regard to Iran, our policy might read constructive conditional *disengagement* rather than engagement, because engagement implies deterministic control, based on the idea that what we do makes the difference, when in fact, from, *inter alia*, the Iranian point of view, it is

not what we do but what we do not do, or stop doing, that will make the difference in achieving long-term peace and stability in the region.

CONSTRUCTIVE ENGAGEMENT AND CONDITIONS

What does nonintervention and self-determination theory have to say about U.S. policy *vis a vis* Iran, Israel, and the Middle East in general? First, justice, that is self-determination and a sovereign state, for the Palestinians is paramount. As Pascal said more than three hundred years ago, "Justice without force is impotent; force without justice is tyranny. We must reconcile them, either by making justice strong or force just."⁶⁷ As long as the Palestinians are without a state of their own, it will be difficult, if not impossible, for U.S. force to be just; therefore, we must first focus on making justice strong. Regarding Palestinian self-determination then, the U.S. must voice it, vote for it, and act on it. Hilary Clinton was right, and everybody knew it. Recognize that Israel's survival interests are not necessarily the United States' vital interests. The U.S. policy on peace must be a "New Rejectionism" that rejects the rejectionists and seeks real justice for the Palestinians. There is nothing wrong with taking sides when you are right. Furthermore, the U.S. must make known to the Israelis that U.S. support, particularly money and military weaponry, and guarantees of Israeli security, will be tied to Israeli cooperation on the peace talks.

Second, establish an Interagency Working Group (IWG) to review U.S. policy, and U.S. military strategy in the region. Get regional input. What do *they* want? Look to reduce the size and nature (more naval in character) of the U.S. military footprint in the Persian Gulf to induce military and financial burden sharing by our allies. Cut the number of exercises in half and ensure they are genuinely combined. Review the bidding on prepositioning. Place an oversight on Foreign Military Sales (FMS) to the Persian Gulf nations until it is determined how they benefit policy by country and regionally. Encourage GCC bilateral and multilateral military exercises and confidence building measures (CBMs) with Iran, and an increase in political - military and military to military relationships with Iran. Increase language capability of servicemen and action officers/planners who work in the region. Train and educate all military officers, enlisted,

and civilians who work at Central Command, with Iran, and in the region, in Islam, Persian history, the history of U.S. - Iran relations, Arab and Persian culture, geography, and so on.

Third, stop the \$20m appropriation for covert operations against Iran. If it cannot be stopped, do not enforce it, for national security reasons. Stop "Radio Free Iran." Put the money into exchange programs instead. Relax ILSA based on reciprocal cooperation with Iran. Increase pressure on Russia, China, and others to curtail sales of nuclear materials to Iran.

Bryan Hehir, acknowledging that intervention was becoming more common than nonintervention, identified two causes for that phenomenon: first, increasing integration of international society; and second, the fact that the nonintervention rule rests on a fragile moral foundation where order has priority over justice. That moral foundation becomes even more fragile when it is based on balance of power politics, which is the subject of the next chapter.

Notes

¹ J. Bryan Hehir, "Intervention: From Theories to Cases," Ethics and International Affairs, Vol. 9, 1995, 7.

² John Locke, Second Treatise of Government, Ed. C.B. Macpherson (Indianapolis: Hackett Publishing Company, Inc., 1980) 52.

³ John Stuart Mill, On Liberty (1859)

⁴ The Farewell Address of President George Washington, September 17, 1796, The University of Oklahoma Law Center, <http://www.aw.uoknor.edu/ushist.htm>.

⁵ Richard H. Curtiss, "Supreme Court Takes Up 'The Case Against AIPAC,'" Washington Report for Middle East Affairs, August/September 1997, 6, 75. It should be pointed out that Mr. Curtiss, former U.S. Information Agency Chief Inspector, is one of the complainants in the Supreme Court case.

⁶ Power, Pasta, and Politics: The World According to Senator Al D'Amato, Senator Alphonse D'Amato (New York: Hyperion, 1995) xvi-xvii.

⁷ John Donnelly, "Americans Blamed for Middle East Stalemate," Knight Ridder News Services, Jerusalem, Posted 7:10 PDT May 5, 1998, page 2 of 3.

⁸ "Hearing of the Senate Banking, Housing, and Urban Affairs Committee on Comprehensive Iran Sanctions Act of 1995," Federal News Service, March 16, 1995.

⁹ Steven Erlanger, "Analysis: U.S. Policy to Isolate Iraq and Iran Is Failing," New York Times, November 11, 1997.

¹⁰ de Tocqueville, 232.

¹¹ Robert D. Kaplan, The Ends of the Earth A Journey at the Dawn of the Twenty First Century (New York: Random House, 1996).

¹² Farewell Address of Washington, 5.

¹³ Farewell Address of Washington, 7.

¹⁴ Farewell Address of Washington, 7-8.

¹⁵ Farewell Address of Washington, 8.

¹⁶ John Stuart Mill, On Liberty.

¹⁷ Serge Schmemmann, "Tribes of Israel: Security's Bitter Fruit: An Urge to Fight," New York Times Week in Review, Sunday, February 15, 1998, Section 4, Page 1, 14.

¹⁸ Donnelly, "Americans Blamed . . .," 2.

¹⁹ Serge Schmemmann, "Tribes of Israel: Security's Bitter Fruit: An Urge to Fight," New York Times Week in Review, Sunday, February 15, 1998, Section 4, Page 14.

²⁰ Joab B. Eichenberg-Eilon, "The Bigger Picture Behind Bibi's Crisis," Newsday, Sunday, January 11, 1998, B5.

²¹ Schmemmann, 14.

²² Washington Post, Editorial August 4, 1997.

²³ Serge Schmemmann, "Arafat Trims His Hopes And Pins Them on Clinton," New York Times, The World, Sunday January 18, 1998, 3.

²⁴ Noam Chomsky, World Orders Old and New (New York: Columbia University Press, 1996), 206.

²⁵ Elaine Sciolino, "Mullah Who Charmed Iran Is Struggling to Change It" Beneath the Turban, A Special Report, New York Times, Sunday, February 1, 1998, 1, 6.

²⁶ Elaine Sciolino, 1, 6.

²⁷ Elaine Sciolino, 1.

²⁸ Global Intelligence Update, Red Alert, Iran, g2i@xmission.com, April 30, 1998.

²⁹ Brigadier General Wallace Gregson USMC, Director of Strategy and Plans at Headquarters U.S. Marine Corps, speaking at a Naval Conference at Tufts University on 20 Nov 1997 acknowledged the limits of technology and the so-called Revolution in Military Affairs (RMA). He stated that the U.S. needs to negate the political value of WMD and terror rather than single-mindedly focusing on prevention and pre-emption, that is, the use of force alone, to counter Iran's, inter alia, quest to procure WMD or use terror to achieve their objectives.

³⁰ Hedley Bull, ed. Intervention in World Politics (Oxford: Clarendon Press, 1984).

³¹ Frost, 107.

³² Frost, 108-109.

³³ Charles W. Kegley Jr., Gregory A. Raymond, Margaret G. Hermann, "The Rise and Fall of the Nonintervention Norm: Some Correlates and Potential Consequences," The Fletcher Forum of World Affairs, Volume 22:1, Winter/Spring 1998, 88-101.

³⁴ Hehir, "Intervention: From Theories to Cases," 3.

³⁵ James A. Rosenau, "Intervention as a Scientific Concept," Journal of Conflict Resolution 13 (March 1969), 149-171.

³⁶ David R. Mapel and Terry Nardin, "Convergence and Divergence in International Ethics," Traditions of International Ethics, Eds. Terry Nardin and David R. Mapel (Cambridge: Cambridge University Press, 1993), 297-298. Nardin and Mapel also mention the Aristotelian tradition that emphasizes character and motive over rules or consequences.

³⁷ Charter of the United Nations and Statute of the International Court of Justice (New York: United Nations Department of Public Information, 1995), 4. The Charter was originally signed 26 June 1945 in San Francisco.

³⁸ Charter of the United Nations, 5.

³⁹ Charter of the United Nations, 23.

⁴⁰ Charter of the United Nations, 27.

⁴¹ Gerhard von Glahn, Law Among Nations, 7th Edition (Boston: Allyn and Bacon, 1996), 579-585.

⁴² Hehir, "Intervention: From Theories to Cases," 7.

⁴³ Hehir, "Intervention: From Theories to Cases," 10, and Stanley Hoffmann, "The Politics and Ethics of Military Intervention," Survival, Vol. 37, No. 4, Winter 1995-1996, pp. 29-51. Hoffmann argues that military intervention is ethically justified when "domestic turmoil threatens regional or international security." Michael Walzer, speaking at a luncheon at the Harvard Divinity School in February 1998, argued that the unilateral option had to be left open because of the qualitative difference in the nature of nuclear weapons and the critical aspect of time to prevent procurement or to preempt use. In other words, if one was to err in the case of a nuclear threat, better to assume intention and immanence and act early, erring on the side of order, against sovereignty and last resort. His argument must be seen in the context of the Iraqi crisis that was ongoing at the time of Walzer's visit.

⁴⁴ Hehir, "Intervention: From Theories to Cases," 10.

⁴⁵ Kegley, Raymond, Hermann, "The Rise and Fall of the Nonintervention Norm...", 95.

⁴⁶ Steven Van Evera, "Offense, Defense, and the Causes of War," International Security, Vol. 22, No. 4, pp. 5-43.

⁴⁷ Stanley Hoffman, Duties Beyond Borders, 217. Hoffman describes the "dove's dilemma" as follows: "In order to prevent a country from going nuclear, should not one feed it conventional arms . . . if we do not want them to build *the* bomb, let us give them smaller bombs [perhaps this accounts for Israel's covert arms sales to Iran recounted by former Mossad agent Victor Ostrovsky in By Way of Deception] . . . Or if we want a country-say Israel-to resolve a dispute, is not the best way of getting it in the proper mood, and of making it feel secure and strong enough to bargain, to feed it the weapons it needs?"

⁴⁸ Noam Chomsky, World Orders Old and New (New York: Columbia University Press, 1996), 206.

⁴⁹ George F. Kennan, "Diplomacy Without Diplomats," Foreign Affairs, Volume 76, Number 5 (September/October 1997), pp. 198-212.

⁵⁰ Van Evera, 42-43.

⁵¹ Bernard E. Trainor, "Gulf War II? First, Some Questions," The Boston Globe, Tuesday, February 10, 1998, A15.

⁵² Hugo Grotius, The Law of War and Peace (Roslyn, New York: Walter J. Black Inc., 1949), 73.

⁵³ Carey Goldberg and Marjorie Connelly, "For Better or Worse, Israel is 'Special' in U.S. Eyes," The New York Times International, Sunday, April 26, 1998, 6

⁵⁴ Michael Walzer, Just and Unjust Wars (New York: Basic Books, 1977), 207. Some U.S. threats fall under "reprisals," which Walzer, quoting G. Lowes Dickenson, War: Its Nature, Cause, and Cure, defines to mean, "doing what you think wrong on the plea that someone else did it first."

⁵⁵ "Pentagon Study: 'Irrational' Nuclear Policy a Deterrent," AP Wire Services, 8:35 PM EST, March 1, 1998, 2.

⁵⁶ "Pentagon Study: 'Irrational' Nuclear Policy a Deterrent," AP Wire Services, 8:35 PM EST, March 1, 1998, 2.

⁵⁷ George F. Kennan, The Cloud of Danger, 1977, 201-202.

⁵⁸ Paul McGeough, "Arms Sales," Sydney Morning Herald, Sunday, February 21, 1998.

⁵⁹ Hehir, "Intervention: From Theories to Cases," 3-4.

⁶⁰ Stanley Hoffman, Duties Beyond Borders On the Limits and Possibilities of Ethical International Politics (Syracuse, New York: Syracuse University Press, 1981), 82.

⁶¹ Hoffman, Duties Beyond Borders, 34.

⁶² "First Lady Backs Palestinian State," Associated Press Wire Service, New York, 1155 EDT, May 7, 1998.

⁶³ Arnold J. Toynbee, A Study of History Abridgement of Volumes VII-X by D.C. Somervell (New York: Oxford University Press, 1957) 177.

⁶⁴ Chomsky, World Orders Old and New, 252.

⁶⁵ Chomsky, World Orders Old and New, 252.

⁶⁶ Chomsky, World Orders Old and New, 252.

⁶⁷ Blaise Pascal, Pensees, 298.

Chapter VII

Balance of Power

The management of a balance of power is a permanent undertaking, not an exertion that has a foreseeable end.

Henry Kissinger, White House Years, 1979

In this chapter, building upon the norm of non-intervention, and justified intervention, we address the balance of power (BOP) norm and its relevance to U.S. - Iran relations, in particular, and the Middle East in general. Balance of power is closely associated with realist theory.

Realism in international relations portrays a world of nation states, relating to one another in terms of their national interests, by means of the balance of power, and through the use of warfare The realist theory taken as a whole plays a part in upholding the practice of present day international relations and within this practice some people make gains at the expense of others.¹

From the beginning, we have taken a different approach, more neo-idealist² than realist, and our position on BOP is ambivalent; that is, if any of the norms needs readjustment it is the balance of power norm. In fact, BOP is more a justification of the other norms based on order than an independent norm. Many of the conflicts that we are witnessing today in the Middle East stem from Kissinger's BOP Middle East strategy which he outlined in a private meeting with Jewish leaders in 1975.

. . . 'To ensure that the Europeans and the Japanese did not get involved in the diplomacy concerning the Middle East,' 'to keep the Soviets out of the diplomatic arena,' 'to isolate the Palestinians' so that they would not be a factor in the outcome, and 'to break up the Arab united front' thus allowing Israel 'to deal separately with each of its neighbors' while of course remaining dependent on the United States ³

Perhaps the first part helps to explain why burden sharing or "responsibility sharing" gets no where in the State Department. As we observed in the last chapter, the U.S. attempt to isolate the Palestinians has not changed appreciably. Finally, the U.S. only maintains the facade of Arab unity when it serves U.S. interests, for example, to keep Iran contained. It is indeed remarkable how little U.S. strategy has changed in the Middle East in the past twenty-five years.

We would disagree with the determinist, Bismarckian, Cold War outlook of Kissinger because of its corrosive effect on sovereignty and non-intervention, its over-reliance on military strength and economic sanctions, and its manipulative and meddlesome diplomacy. Our thinking more closely follows Jack F. Matlock Jr.'s, former U.S. Ambassador to the Soviet Union from 1987 to 1991, who stated,

The United States must be able to counter threats to regional balances of power when they occur. But over the long run, we can maintain our strength and influence only if we can do so with the support and participation of our friends . . . Islamic states . . . along with Israel . . . must be responsible for supporting effective means to contain Saddam Hussein . . . and must understand that they bear the responsibility for settling their problems and that others will not intervene to save them from themselves. Tough love works.⁴

We build on Matlock's idea with two others that help to define balance of power. First, the historical idea that the preservation by sovereign states of the balance of power (BOP) is a settled norm and acts aimed at furthering this end need no special justification, while those tending to upset it generally do.⁵ Second, Michael Walzer's idea that preventive wars (which if there were a war between Iran and the U.S. or Israel would most likely be fought to prevent Iran from procuring weapons of mass destruction) are fought to maintain the balance of power, that is, to stop an even distribution of power from becoming uneven. Let us take Walzer's idea first and see how it might apply to the U.S. - Iran case.

Walzer is doubtful that the BOP is the key to peace. If it were, he says, it would not have to be defended so frequently, and when Europeans fought to maintain the BOP, which they thought was in their national interests, they also fought for international order that they believed made liberty possible. Walzer summarizes the utilitarian argument in

two propositions: one, that the BOP was worth defending at some cost and preserves liberty; and two, fight early to keep the costs down. He then anticipates a second-level utilitarian response that acceptance of the first two propositions would lead to continuous wars and would be too costly, and that in any event,

... increments and losses of power are a constant feature of international politics, and perfect equilibrium, like perfect security, is a utopian dream; therefore it is best to fall back upon the legalist paradigm or some similar rule and wait until the overgrowth of power is put to some overbearing use.⁶

Here, Walzer appears to be at odds with Kissinger's assertion quoted at the beginning of this chapter. In addition, Walzer notes the requirement for judgments regarding one's neighbor's intentions, and the definitions of "just fear," and "threaten." In other words, Walzer holds that preventive war can be justified not on the basis of the balance of power alone, but on just fears arising from real threats. Quoting the *Oxford English Dictionary*, he defines "threaten": "to hold out or offer (some injury) by way of a threat, to declare one's intention of inflicting injury."⁷ Using the basic definition of BOP, and Walzer's logic and definitions, we can assess the balance of power norm as it applies to U.S. - Iran relations and the Middle East in general.

With the end of the Cold War, and a radical *global* shift in the balance of power to the United States, the U.S. sought to use its freedom of action and power to shift the *regional* balance of power in the Middle East. Indeed, the Gulf War shifted the balance of power between Iraq and Iran, that had slightly favored Iraq after the Iraq-Iran War, heavily in favor of Iran. The Bush and Clinton administrations then sought to check the power of Iran, and with the help (if not help, at least initial acquiescence) of the GCC, embraced "Dual Containment" of Iraq *and* Iran. As Jack Matlock said, referring to the U.S. unipolar moment,

The United States is now strong enough, both economically and militarily, to commit blunders without sensing the immediate effects. The public seems oblivious to the dangers that lie ahead if the United States continues, without strategic design, to inject itself in one crisis after another, treating much of the world as its protectorate. Uncle Sam still needs a big stick in this dangerous world. But the American people and our friends abroad will eventually whittle it to a toothpick unless he

remembers Theodore Roosevelt's advice to speak softly and use it sparingly.⁸

Nowhere is Matlock's warning more pertinent than when the U.S. acts in a determinist way to mold the BOP in the Middle East as it attempts to do with "Dual Containment." In effect, "Dual Containment" nullified the natural regional balance of power, prolonged the mutual defection of the U.S. and Iran, and prevented Iran from countering Iraqi aggression. That meant that the U.S. would have to act alone, or in concert with others, to keep Iraq in check. But in late-1997 and early-1998, the U.S., unable to muster the support and participation of its sovereign friends, or the society of sovereign states (U.N.), finally chose not to act alone against Iraq, after U.N. Secretary General Kofi Annan's eleventh hour diplomacy.

Regardless of U.S. intentions, "Dual Containment" serves to strengthen the wider regional balance of power in Israel's favor, which weakens U.S. hegemony and credibility with its regional and extra-regional allies, ultimately undermining and exposing U.S. - Iran policy for what it intends or effects. Using the first definition of BOP, that the preservation by sovereign states of the balance of power (BOP) is a settled norm and acts aimed at furthering this end need no special justification, while those tending to upset it generally do; let us put ourselves in Iran's shoes. Understanding that the real important balance of power in the region is being upset, Iranian efforts to maintain the BOP are legitimate whereas those of the U.S. and Israel, require special justification.

The United States' "special relationship" with Israel hardly qualifies as special justification; in fact, it would better serve as special justification for Iran, especially if the special relationship loses its foundation of shared values that we described in Chapter II.

When Israel appears to be high-handed, unjust, and motivated by a messianic desire to control land without regard to the people who live there, its actions threaten to erode the very basis of the special relationship with the United States The foundation of the special relationship is that in Israel the American people see a fellow democracy with similar values of individual dignity and human rights rooted in a common religious heritage ⁹

U.S. and Israeli hyperbole regarding the Iranian threat does not settle well with U.S. partners. While the U.S. had international support and grounds to impute intent (to procure and use weapons of mass destruction) with respect to Saddam Hussein, we have neither international support nor legitimate grounds to impute intent to Iran, except to say that the path effects of our policy, and the Israeli threat, might drive them to such intent. Perhaps this is why the U.S. has had to resort to national legislation in an attempt to enforce sanctions against foreign countries doing business with Iran.

Without launching into a detailed order of battle comparison between Iran and Israel, suffice it to say that Israel now deploys a large and diverse nuclear force, with as many as 200 or even 300 nuclear weapons . . . some with yields of over 100 kilotons, backed by a formidable and diverse array of possible delivery systems. The delivery systems include twenty five advanced U.S. F15I fighter planes believed capable of reaching Iran without refueling and delivering 11 tons of bombs and missiles.¹⁰ As we touched on in Chapter III, based on the latest intelligence regarding Iran's nuclear capability, they may have received two or more nuclear devices from Kazakhstan, which would give them medium range missiles, and a nuclear warhead to attach to a missile, as early as 2000.¹¹

In terms of Israel's intent, signaled for the first time in public in November 1997, by Yitzhak Mordechai, Israeli Defense Minister, Israel is revamping military contingency plans to neutralize Iran's missile and nuclear weapons program, including options to conduct aerial bombardment of Iranian missile plants in the cities of Shiraz, Kuramabad, Farhin, and Semnan, or targeting foreign scientists at the plants.¹² Israel has already set the precedent for preemptive strikes with their attack on Iraq's nuclear reactor in Osirak in 1981, the Mossad's assassinations of German scientists working on Egyptian rocket programs in the 1960s, and an Egyptian metallurgist involved in Iraq's nuclear program in 1980.¹³ By anyone's definition of the word "threaten," Israel's words and actions are threatening.

Iran, having had the benefit of a ringside seat during Desert Storm, and recognizing the futility of attempting to right the regional balance of power by challenging the United States' conventional military might, resorts to terrorism and

procurement of weapons of mass destruction and delivery systems. The U.S. policy of "Dual Containment" propels Iran to asymmetric capabilities which pose the greatest challenge to American forces forward deployed in the region, according to a recent report published by the National Defense Panel (NDP).¹⁴

United States Central Command's (USCENTCOM) Theater Military Strategy, facing a formidable time-distance challenge and political constraints, attempts to strike a balance between being there (forward presence) and getting there (power projection). Former Commander in Chief of USCENTCOM, General Joseph P. Hoar, testified before Congress in 1994 that "strategic lift is broken." The deficiency in strategic lift, among other things, tilts the balance in favor of being there with a "near continuous presence." The nature of the U.S. "footprint" in the region, which is geopolitically well-suited for a preponderance of naval forces, instead relies heavily on ground prepositioning, military exercises, host nation support, and security assistance. That imbalance is also contrary to the NDP's assessment of future requirements.

We must be able to project military power and conduct combat operations into areas where we may not have forward-deployed forces or forward bases. In particular, we must have the ability to put capable, agile, and highly effective shore-based land and air forces in place with a vastly decreased logistics footprint.¹⁵

CENTCOM's prepositioning goals of having an Army armored division equipment set, Air Force base support for 750 aircraft and 50,600 personnel, and sustainment support for 150,00 personnel for thirty days¹⁶ - in addition to U.S. forces permanently stationed in the region, and approximately eighty military exercises a year in the region - is an extremely heavy footprint relative to the threat, the desires of our regional allies, and the cost to American taxpayers (Between \$30-\$60 billion a year for defense of the Gulf¹⁷). U.S. theater strategy walks a fine line between deterrence and provocation, in terms of national and regional stability; and readiness and risk, in terms of troops forward-deployed. "In some respects it would be more accurate to describe its objective [of preventing the emergence of regional hegemons, viz. Iran] as preserving U.S. hegemony in the Gulf."¹⁸

Which brings us to another imbalance in the region, that is with regard to burden sharing, on two counts. The first, the imbalance between U.S. and GCC commitments to regional defense. Theoretically, according to the theater military strategy, as the GCC comes closer to realizing Tier I (self defense) and Tier II (regional defense) capabilities, U.S. forward presence in the region would be reduced. The fact that it has not been reduced, despite the camouflage provided by Iraq's obduracy, is telling in terms of GCC capabilities and potential. The exercise program has been only marginally successful in improving GCC Tier I capabilities and largely unsuccessful in improving Tier II. The GCC is simply not capable of doing their part and is less and less willing or able to pay the U.S. to defend GCC interests, individually or collectively, particularly when those interests are different from those of the U.S.

Credible statesmen and intellectuals in the Middle East have called into question U.S. strategy. Dr. Abdullah Al-Shayehji, Professor of Political Science at Kuwait University and political advisor to the Kuwaiti National Assembly, wrote in a paper in 1997,

The effect of leaving Saddam in power [after the 1991 Gulf crisis] . . . was to make him a hero and the underlying suspicion that the U.S. deliberately kept Saddam in power in order to make the Gulf states dependent on U.S. protection is widespread.¹⁹

Whether intended or not, the reality is that the GCC cannot protect themselves, alone or together, and they are dependent on the United States to defend them. When one considers Iran in this equation, it makes sense that the U.S. would want to do everything in its power to contain Iran, so that the GCC would not establish relations with Iran that would make them less dependent on the U.S. for protection against Iraq. If Saddam remains a threat, Israel is a perennial threat, and Iran is painted as a major threat, the GCC has no where to turn but the U.S. And the more arms the U.S. sells Israel, and the greater the pressure the U.S. puts on the GCC to achieve some semblance of self or collective defense, demographics and culture being what they are, the GCC countries are prompted to buy things that are advertised to reduce requirements for troops and training, as if future war can be won by remote control and technology. So the GCC buys U.S. arms.

The second imbalance is between the U.S. and its extra-regional allies whose reliance on Gulf oil far outweighs their willingness to contribute to its defense. A responsibility sharing initiative, drafted by USCENTCOM in 1991, was briefed and forwarded to the Department of State, but State took no action to implement that plan or to produce their own.²⁰

Despite the genuine efforts of General Anthony C. Zinni USMC, Commander-in-Chief of USCENTCOM (CINCCENT), to develop a security assistance "sub-strategy" and blueprint that focuses the overall security assistance efforts in the region, the fact remains that the Foreign Military Sales (FMS) and Foreign Military Financing (FMF) elements of the Security Assistance pillar of U.S. theater strategy have more to do with the U.S. balance of payments than the regional balance of power. It is doubtful that there is anyone in the U.S. government or military who can adequately explain the rationale, in terms of regional stability, the regional balance of power, and U.S. war plans, behind the flea market of military sales that has occurred in the Middle East, particularly after Desert Storm, when gunrunners and carpetbaggers, most of them employed by the U.S. military-industrial complex, saturated the region.

This is where U.S. capitalism sometimes gets in the way of U.S. credibility, because FMS are about big business, not Tier defense, collective security, or coalition building. USCENTCOM security assistance case value went from \$62.5 billion in FY1984 to \$147.8 billion in FY1996. At the same time, funding levels for USCENTCOM countries (*not* including Israel, which is part of U.S. European Command (EUCOM)) for FMF dropped from \$1.83 billion in FY1984 to \$1.47 billion in FY1996. International Military Education and Training (IMET) dropped from \$9.04 million in FY1984 to \$3.554 million in FY1996.²¹ As Dr. Anthony Cordesman stated,

The issue in security assistance is never how much you sell; it is how much you are able to transition successfully. It is the level of confidence and trust you build up in your partners, not the volume of equipment and sales *per se* that counts There is within this region a backlash a perception again and again . . . that the U.S. dominates the region with arms sales and presence and that most of what the Gulf countries purchase are a waste of money a perception of security assistance by some people that the U.S. is the region's 'merchant of death.'²²

Out of total U.S. FMF budgets for FY1997 and FY1998 of \$3.3 billion, Israel receives \$1.8 billion (approximately fifty-five percent), unconditionally. That figure does not include the billions of dollars the U.S. gives to Israel each year in surplus military equipment, foreign aid subsidies, and so on, which by one *New York Times* account amounted to \$77 billion from 1967 to 1991, and has skyrocketed since the Gulf War.²³

Whatever legitimate differences may exist about how the *cumulative total* of U.S. aid to Israel should be compiled [since 1949 the author estimates the amount at between \$100-200b, inflation-adjusted annually in 1996 dollars), there is no question as to the total in 1996 dollars of current *annual* American aid to Israel. It is approximately the same as the \$6.231 billion in grants and loan guarantees that Israel received from the U.S. in the 1993 fiscal year.²⁴

That is far more than the aid the U.S. gives all the other countries in the Middle East *combined*. What is more, going back to a point we made in our discussion of sovereignty of the people and secrecy, eighty-four percent of Americans are unaware that Israel is the largest recipient of U.S. aid.²⁵ While we understand the importance of America's relationship with Israel, historically and politically, as The Honorable Lawrence Eagleburger said,

We have miserably failed in our obligation to demonstrate our commitment to a balance in the region, within the context of understanding our deep commitment to Israel, by telling the Israelis to think about these issues [the peace process, settlements, proliferation of WMD, etc.] when they threaten the stability in the region by turning their backs on commitments made by the government's predecessors. The Administration has fundamentally threatened the whole peace process It is threatened now because we have been two-sided and our Israeli friends have been too pugnacious. I am not trying to intervene in Israeli domestic affairs, but when our interests are involved and we are spending billions of dollars supporting our friend and ally, we have some right to express ourselves in a somewhat more forceful manner than we have done so far.²⁶

Charles Kegley, clarifying the neo-idealist position that challenges the realist notion of the balance of power, particularly as an impetus for arms races that he sees as

"creating circumstances that enhance considerably the probability that warfare will follow,"²⁷ the so-called "tinderbox hypothesis", states,

... At the macro level the 'if you want peace prepare for war' formulation creates a security dilemma.' One state's security can be gained only at the expense of the security of others. Arming by one state for purposes of defense frightens others, who arm in turn . . . The unanticipated consequence of the rush for arms is the reduction of each state's security, as all have more to fear than would have been the case in the absence of an escalating arms race The pursuit of arms diminishes national security, prepares the way for military imbalances, and ultimately for warfare instead of peace. . . . This approach constitutes a frontal attack on the realist theory that power can be balanced with power.²⁸

As we saw in Chapter II in our discussion of patriotism, there is a paradox between U.S. power and its influence. Kegley points out the same paradox associated with arms races: "Every hegemon following the realist path to power through arms has eventually failed. The power to destroy has not been the power to control."²⁹

However one wants to consider the balance of power in the Middle East ideologically, one comes to the same conclusion, i.e., U.S. containment of Iran and unconditional support for Israel upsets the balance of power without special justification which leads to instability. In the realist sense, "if that balance were seriously upset, stability and its opportunities for ethical action would vanish."³⁰ The conservative "engineering" conception of statecraft, ala Kissinger, sees equilibrium as an end in and of itself rather than a means to attain a policy vision; it tends to favor "great powers" and subordinate lesser ones; finally, it relies heavily on the use of force as a means without proper reflection on consequences.³¹ As Hoffman says, "Order must have a content beyond equilibrium, otherwise it becomes pure mechanics. Equilibrium is an ingredient or a precondition, not an inspiration or a vision."³² U.S. - Iran and U.S. -Israel policies reduce regional stability, order, and opportunities for peace. From a Wilsonian perspective, the U.S. is challenged "to provide an example to the world of a country guided not by a balance of power, but by a conception of right and duty . . ."³³ Order, justice, and U.S. interests are ill-served by U.S. containment of Iran and accommodation of Israel.

During the Cold War, balance of power politics had credibility because of the "clear and present danger" posed by the threat. In the absence of a credible threat to the U.S., BOP has less meaning, especially at the regional level where individual nations refuse to buy into the definition of order that the unipolar power, the U.S., dictates. Arms sales and the appearance of manipulation of the regional BOP to make regional allies more dependent on the U.S. actually alienates even our friends in the region in the long term. U.S. interests and values would be better served if we sought justice before order in keeping with the post-Cold War *zeitgeist*. When the balance of power is tilted so far in the U.S. favor, we ought to be careful not to derive the "ought" from the "is,"³⁴ in a messianic way. Instead, the U.S. should use their military and economic advantage in the interest of justice rather than in pursuit of an arbitrary order of our own design.

Whether one is a realist or neo-realist, idealist or neo-idealist, or somewhere in between, U.S. - Iran rapprochement makes sense. In terms of BOP, U.S. cooperation with Iran will offset the Iraqi threat and place pressure on Israel to make peace with the Palestinians. Charles Kegley, a proponent of neo-idealism, points to evidence that the Golden Rule applies to relations between powerful, imperialistic states and weak, subordinate states as well as it does between two superpowers.³⁵ With the U.S. the only remaining superpower, self-restraint should be extolled along with self-interest, and the U.S. should replace the BOP, "You kill my cat, I'll kill your dog," negative reciprocity with positive cooperation with Iran. From a neo-idealist perspective, the U.S. should respond to Iran's gestures in kind as the basis to achieve peace and stability in the region, along the lines of Charles E. Osgood's strategy for peace, which he explains using the acronym GRIT ("graduated and reciprocated initiatives in tension-reduction").

. . . the nation seeking to live in a more peaceful environment should treat its enemies in a fashion that conforms to the message of The Golden Rule . . . An actor seeking to diminish threats to itself should unilaterally make some modest conciliatory gestures toward its primary enemy That actor should communicate the fact of this concession to the other side, and then look for some similar conciliatory move by the beneficiary in return, which, if forthcoming, should be promptly rewarded. The strategy calls for the reinforcement process to continue with additional unilateral positive moves undertaken if and when the adversary responds reciprocally, until the cycle of mutual fear and enmity is broken.³⁶

Osgood's theory is in keeping with our recommendations for cooperation and "Constructive Conditional Engagement" as outlined in Chapter IV. More importantly, it is consistent with our attempt in designing a policy to replace "Dual Containment," to preserve the balance between U.S. principles and interests. If America fails to preserve that balance, "the peril is not preeminently to the Nation's purse; it is to its soul. The danger is not so much that we will fail to protect our interests; it is that we will betray our historic ideals."³⁷

CONSTRUCTIVE ENGAGEMENT AND CONDITIONS

From a philosophical point of view, the U.S. should abandon its balance of power approach to the region, but in a practical sense it should apply the principle. We explain the paradox this way. Rather than think in terms of what the U.S. should do to prevent Iran from becoming a regional hegemon, they ought to consider what measures the U.S. should take in terms of self-restraint to curb its quest for regional hegemony. As Noam Chomsky said, the U.S. does not want access to oil, they want to control it.³⁸ U.S. "shaping," as it is called in the National Security Strategy document, that manipulates the regional balance of power, infringes on national sovereignties to the extent that it not fair and universal in its application. Furthermore, it seldom serves the long-term interests of the U. S or enhances the chances for mutual cooperation. There is, as Stanley Hoffman averred,

... A quite extraordinary coincidence between morality and self-interest, because in instance after instance - Iran being the most spectacular - one can show that it is not at all in America's interests to support blindly unjust, corrupt, and repressive regimes.³⁹

Hoffman was of course referring to U.S. support for the Shah and the catastrophic consequences of that U.S. attempt at "shaping," in terms of the regional balance of power and U.S. interests. U.S.-Israel policy almost twenty years after the fall of the Shah repeats some of the same mistakes the U.S. made then, regarding acquiescing in despotic and unjust rule of our ally. Hoffman has a prescription for U.S. policy that we would do well to heed *vis a vis* Israel.

Our policy should aim at using our influence for human rights purposes - at blending security concerns and human rights considerations so as to enhance both, instead of sacrificing the latter to the former; and if the attempt fails, we should deliberately, if gradually, dissociate ourselves from the violator.⁴⁰

As things stand now in the region, the U.S. guarantee of Israel's security at the expense of the Palestinians has created an imbalance of power and the perception of injustice by governments and peoples of the world, including a majority of Americans. It is time for the U.S. to dissociate itself from Israel.

The practical aspect of applying the balance of power in the region goes beyond the fact that if the U.S. backs Iran, Iran can balance Iraqi power. It also stems from the natural balance that will be achieved when we cooperate or defect from regional actors based not only on interests but also on values. That is, if U.S. policy aims at balancing the scales of justice, and its actions are consistent with its policy, a natural balance of power will ensue. For example, if the Netanyahu government defects from the peace process over the requirement to withdraw an additional thirteen percent of Israeli forces from the West Bank, the U.S. would immediately withhold delivery of military arms pending Israeli cooperation. This defection and counter-defection would reduce Israel's margin of military superiority in the region, bringing the scales of justice and the balance of power into closer alignment.

Theoretically, U.S. engagement with Iran ought to follow Osgood's GRIT formula, which was *de facto* begun by President Khatami of Iran during the Eighth Islamic Summit Conference held in Tehran in December 1997, and reinforced during in his CNN interview in January 1998. U.S. reciprocity has been too limited and too laggardly, considering that on both occasions Khatami forswore terrorism, one of the U.S. conditions for the normalization of relations; Iran is officially in compliance with the NPT and IAEA inspections, another U.S. condition; finally, that Khatami suggested mutual exchange of academics and other U.S. and Iranian citizens. The U.S. should reciprocate in kind and accelerate the process of rapprochement at the same time we increase pressure on Israel to compromise for peace.

Finally, in terms of conditions, the most significant condition relating to the balance of power in the region is the self restraint the U.S. ought to exercise by stopping the flow of arms to any regional power that can pay for them without regard to consequences for peace and the threat or use of weapons of mass destruction.

If the balance of power norm, or justification for normative theory in international relations, relied in the past on the balance of power, the preponderance of power in the hands of the U.S. changed how the BOP norm could be applied. With proliferation of WMD a matter of when rather than if, the U.S. has sought to use the economic element of national power to influence the BOP in the region and to change Iran's conduct in terms of U.S. interests. But the U.S. has found that the norm of economic sanctions is not without its challenges, not the least of which is capitalists competing for limited resources. That brings us to the subject of the next chapter, economic sanctions.

Notes

- ¹ Frost, 67.
- ² Charles W. Kegley Jr., "Neo-Idealism: A Practical Matter," Ethics and International Affairs, 1988, Volume 2, pp. 173-197.
- ³ Noam Chomsky, World Orders Old and New (New York: Columbia University Press, 1996), 212.
- ⁴ Jack F. Matlock Jr., "Too many Arms to Twist," The New York Times OP-ED, Sunday, March 22, 1998, p 15.
- ⁵ Frost, 107.
- ⁶ Walzer, 77.
- ⁷ Walzer, 78.
- ⁸ Matlock, 15.
- ⁹ "But What About the *Next* 50 Years?" Newsday, Sunday, April 26, 1998, p. B2.
- ¹⁰ Kemp and Harkavy, 382-383.
- ¹¹ Steve Rodan, "Experts: Iran's Nuclear Papers Genuine," The Jerusalem Post, Friday, April 24, 1998.
- ¹² Christopher Walker, "Israel steps up plans for air attacks on Iran," London Times, December 9, 1997, printed in the Early Bird, Tuesday, December 9, 1997, p 12.
- ¹³ Walker, 12.
- ¹⁴ Transforming Defense National Security in the 21st Century, Report of the National Defense Panel, 1931 Jefferson Davis Highway, Arlington, VA 22022-3805.
- ¹⁵ NDP Report, ii.
- ¹⁶ "The Central Region: Secure and Stable Transition to the 21st Century," Central Region Symposium '97 Proceedings, Sheraton Grand Hotel, Tampa, FL 23-25 June 1997, 113.
- ¹⁷ Graham E. Fuller and Ian O. Lesser, "Persian Gulf Myths," Foreign Affairs May-June 1997, 43.
- ¹⁸ Graham E. Fuller and Ian O. Lesser, 44.
- ¹⁹ Paul McGeough, "US Calls the Shots in Weapons Bazaar," Sydney Morning Herald, Saturday, February 21, 1998.
- ²⁰ Actions described are based on the experiences of LtCol DeCamp, one of the authors, during his assignment to USCENTCOM in 1991.
- ²¹ Middle East Studies Program, "Security Assistance and Internal Stability: The Emerging Challenge to USCENTCOM," Central Region Symposium '97 Proceedings, Sheraton Grand Hotel, Tampa, Florida, 23-25 June 1997.

²² Dr. Anthony Cordesman, Senior Fellow, Center for Strategic and International Studies, Co-Director, Middle East Studies Program, "Security Assistance and Internal Stability: The Emerging Challenge to USCENTCOM," Central Region Symposium '97 Proceedings, Sheraton Grand Hotel, Tampa, Florida, 23-25 June 1997, 157-190.

²³ New York Times, September 23, 1991, 10.

²⁴ Ruth E. Steele, "U.S. Spending More on Aid to Israel Than on War on Drugs," Washington Report on Middle East Affairs, February/March 1996, 46.

²⁵ Carey Golberg and Marjorie Connelly, "For Better or Worse . . .," NYT, 6.

²⁶ The Honorable Lawrence Eagleburger, Keynote Address, Central Region Symposium '97 Proceedings, "The Central Region: Secure and Stable Transition to the 21st Century," Sheraton Grand Hotel, Tampa, FL 23-25 June 1997, 35.

²⁷ Charles W. Kegley, Jr., "Neo-Idealism: A Practical Matter," Ethics and International Affairs, 1988, Volume 2, 190.

²⁸ Kegley, Jr., "Neo-Idealism . . . , 192. The term "tinderbox hypothesis" was coined by James D. Morrow, "A Twist of Truth: A Reexamination of the Effects of Arms Races on the Occurrence of War," presented at the American Political Science Association Annual Meeting, Washington, D.C., 1984.

²⁹ Kegley, Jr., "Neo-Idealism . . . , 193.

³⁰ Nardin and Mapel, 81.

³¹ Stanley Hoffman, Duties Beyond Borders: On the Limits and Possibilities of Ethical International Politics (Syracuse, New York: Syracuse University Press, 1981) 230.

³² Stanley Hoffman, Duties . . . , 230.

³³ Nardin and Mapel, 219.

³⁴ Kegley, Jr., "Neo-Idealism . . . , 176.

³⁵ Kegley, Jr., "Neo-Idealism . . . , 181.

³⁶ Kegley, Jr., "Neo-Idealism . . . , 183, quoting Charles E. Osgood, An Alternative to War or Surrender (Urbana: University of Illinois Press, 1962).

³⁷ Robert W. Tucker and David C. Henderson, The Imperial Temptation: The New World Order and America's Purpose (New York: Council on Foreign Relations Press, 1992) introduction.

³⁸ Chomsky, World Orders Old and New, 212.

³⁹ Stanley Hoffman, Duties . . . , 137.

⁴⁰ Hoffman, 137.

Chapter VIII

Economic Sanctions

In our day, no nation can live in isolation. The Cuban people therefore cannot be denied the contacts with other peoples necessary for economic, social and cultural development, especially when the imposed isolation strikes the population indiscriminately, making it ever more difficult for the weakest to enjoy the bare essentials of decent living, things such as food, health and education. All can and should take practical steps to bring about changes in this regard. May nations, and especially those which share the same Christian heritage and the same language, work effectively to extend the benefits of unity and harmony, to join efforts and overcome obstacles so that the Cuban people, as the active agents of their own history, may maintain international relations which promote the common good. In this way they will be helped to overcome the suffering caused by material and moral poverty, the roots of which may be found, among other things, in unjust inequalities, in limitations to fundamental freedoms, in depersonalization and the discouragement of individuals, and in oppressive economic measures — unjust and ethically unacceptable — imposed from outside the country.

His Holiness Pope John Paul II, Farewell Address in Havana, 15 January 1998

The Pope's comments could as easily have been applied to U.S. sanctions against Iraq or Iran. U.S. sanctions against Iran may not have not caused the human suffering that those imposed on Cuba and Iraq have caused, but they have had a negative impact on the people without achieving their purpose, to change Iran's behavior. The issue bears directly on human rights and sovereignty ("active agents of their own history. . ."). Most nations agree that economic sanctions are permitted for states, in order to support collective security measures against an offending state, but the use of sanctions for other purposes is normally considered unwarranted interference in the domestic affairs of another state.¹ The very fact that the economic sanctions against Iran have not been effective makes it difficult to argue that they are

in support of collective security measures since the GCC, Turkey, Israel, Central Asian republics, Russia, China, India, Pakistan . . . indeed, the whole world, is dealing with Iran.

In January 1998, the U.S. maintained trade embargoes, import or export restrictions, or some other form of economic sanctions against seventy three countries,² one of which was Iran. Sanctions may be permissible under international law and the United Nations Charter, but, aside from the moral question, historically, they have been ineffective in achieving U.S. foreign policy objectives because they unify public opinion in the sanctioned state and divide the international community. That is exactly what has occurred with respect to U.N. sanctions against Iraq and Iran. U.N. sanctions failed to deter Saddam Hussein before and after the Gulf War, and they caused the deaths of untold numbers of innocent Iraqis. U.S. sanctions against Iran have failed to achieve their objective to modify Iran's behavior. They have also, in Richard Haas' words,

[Sanctions against Iraq and Iran]. . . have increased anti-American sentiment, threatened the future of the World Trade Organization(WTO), distracted attention from the provocative behavior of the target governments, and made Europeans less likely to work with the United States in shaping policies to contend with post-Cold war challenges."³

Sanctions are a *de facto* admission of the failure of diplomacy, not to mention the cost to the U.S. economy.⁴ If sanctions do not support collective security because the collective does not support the sanctions, then it follows that the sanctions should be characterized as "unwarranted interference."

"Economic sanctions are popular because they offer what appears to be a proportional response to challenges in which the interests at stake are less than vital."⁵ The National Security Strategy indicates that U.S. interests in the region are *vital*, and the CIA has identified Iran as the greatest challenge to our vital interests in the region; therefore, sanctions should seem a proportionate, even conservative, response to the threat. Yet, they are not perceived that way by our allies. Why? Either the interests are *not* vital, Iran is *not* the greatest challenge to our interests, vital or otherwise, or sanctions are *not* proportionate to the interests or the threat. Again, Haas comments on sanctions,

Economic sanctions are a serious instrument of foreign policy and should be employed only after consideration no less rigorous than for other forms of intervention, including the use of military force. The likely benefits of a

particular sanction to U.S. foreign policy should be greater than the anticipated costs to the U.S. government and the American economy. Moreover, the sanction's likely effect on U.S. interests should compare favorably to the projected consequences of all other options Broad sanctions should not be used as a means of expression. Foreign policy is not therapy; its purpose is not to make us feel good but to do good. The same hold for sanctions.⁶

Following the Iranian Revolution, and the seizure of the American Embassy and its staff on 4 November 1979, predictably and with good reason, the U.S. government took measures, best described as self help short of war, to ameliorate the situation. President Carter immediately suspended all shipments of U.S. military material to Iran. Against present and future claims, President Carter ordered Iranian assets in the U.S., estimated at between \$6 and \$12 billion, frozen. As an act of retorsion against Iran, he banned the purchase of Iranian oil by U.S. companies. On 7 April 1980, the U.S. broke off all diplomatic relations with Iran, embargoed all exports to Iran, began processing U.S. citizens' claims against the Iranian government, and invalidated all Iranian visas. Ten days later, the U.S. banned all Iranian imports, freed up impounded U.S. military equipment for resale, barred financial transactions with Iranians, and prohibited U.S. citizens from traveling to Iran.⁷

The sanctions were lifted in accordance with the 1981 Algiers Accord which resulted in the release of fifty-two Americans held hostage in Iran, but in 1984 President Reagan signed the Arms Export Control Act and Export Administration Act that prohibited U.S. companies from selling dual use products to Iran. In 1987, after reflagging of Kuwaiti tankers in the Gulf and tensions between U.S. and Iranian naval forces, the sanctions were ratcheted up once again. The Bush Administration relaxed sanctions at the end of the Iran-Iraq War and the release of American hostages in Lebanon, but after the Gulf War and the defeat of Iraq, the U.S. reverted to a Cold War balance of power approach to Iran policy and passed the Iran-Iraq Non-Proliferation Act of 1992. Sanctions were renewed and the U.S. increased diplomatic efforts to enlist the support of their allies to isolate Iran.

The Clinton Administration coined the term "Dual Containment," and in order to modify Iran's behavior with respect to the peace process, terrorism, and WMD, used

economic sanctions and political isolation to achieve that balance. The policy did not go far enough for Senator Alphonse D'Amato (R-NY), who on 25 January 1995 introduced legislation imposing a total embargo on trade with Iran. He followed it up in March by introducing a bill that would penalize foreign companies that do business with Iran. That national legislation alienated our friends internationally and thwarted a \$600 million oil deal between U.S. owned Conoco and the National Iranian Oil Company (NIOC) that would have marked the first time since the Iranian Revolution that a U.S. firm conducted business with Iran. It certainly would have improved economic cooperation between Iran and the U.S. which might subsequently have led to political cooperation. That did not happen.⁸

Instead, on 6 May 1995, President Clinton signed Executive Order (EO) 12959 banning U.S. trade and investment in Iran, including the trading of Iranian oil by U.S. companies and their foreign subsidiaries. On 5 August 1996, President Clinton signed the Iran-Libya Sanctions Act (ILSA). The stated purpose of ILSA was to help deny Iran revenues that could be used to finance international terrorism and obtain weapons of mass destruction. ILSA imposes sanctions on foreign companies that invest over \$40 million dollars for the development of petroleum resources in Iran. If a violation occurs, the President is to impose two out of seven possible sanctions against the violating company. These sanctions include seven major provisions: denial of Export-Import Bank assistance; denial of export licenses for exports to the violating company; prohibition on loans or credits from U.S. financial institutions of over \$10 million in any twelve month period; prohibition on designation as a primary dealer for U.S. Government debt instruments; prohibition on serving as an agent of the U.S. or as a repository for U.S. Government funds; denial of U.S. Government procurement opportunities (consistent with WTO obligations); and a ban on all or some imports of the violating company.⁹

Given the fungibility of oil and capitalism, and a small dose of contempt for *pax Americana*, it did not take long for the interdependent world to interdepend with abandon, but without the U.S.. In August 1997, Iran awarded the contract for one of eleven buy-back projects, the \$150 million Balal Offshore Oil Field, to our NAFTA buddies to the north, Canada (who coincidentally are also having a financial field day in Cuba taking

advantage of the Helms-Burton legislation), and an Indonesian firm. On 28 September 1997, Iran, France, Russia (who signed a landmark long-term economic cooperation agreement with Iran in 1989), and Malaysia negotiated a \$2 billion deal for the South Pars Gas Field. France and Malaysia had previously been awarded the Sirri Island Oil Field after Conoco was forced to withdraw from the deal. The United Kingdom and the Dutch negotiated to build a \$2.5 billion natural gas pipeline from Turkmenistan to Turkey, through Iran, and Kazakhstan is pursuing an oil pipeline project through Iran. With Russia heavily invested in Iran, Europe and Japan accounting for fifty percent of Iran's imports and forty percent of their exports, and with billions of dollars of Iranian debt repayments scheduled in the next decade,¹⁰ international capitalism trumps international cooperation on U.S. sanctions against Iran, and the U.S. is not only losing billions in opportunity costs but its strategic means are failing to achieve its policy ends.

Yogi Berra said, "If people don't want to come out to the ball park, nobody's going to stop 'em," and sure enough, despite the heroic efforts of Israel, Senator D'Amato, and U.S. diplomats to coerce our allies to support sanctions, they are not playing ball. The U.S. has had a difficult enough time enforcing sanctions against Iraq, and those, unlike Iran Sanctions, are backed by United Nations resolutions. With the exception of a few countries, most notably Israel, Great Britain, and Kuwait, the whole world was against the use of force against Iraq in February 1998. The residual consequences of the coercion that attempted unsuccessfully to enlist the support of our allies for the strike against Iraq makes similar support for our efforts against Iran less likely to be successful in the future.

"Turning the Iraqi sanctions into a punishing, no-exit program [capped by the use of force] makes it less likely that the method will win approval for the next Saddam Hussein. Before taking these decisions, the [United Nations Security] Council will have to consider the long-term effects,' a Council member said."¹¹ The U.S. strategy of "Dual Containment" borrowed on future political capital when it attacked Iraq, at the same time it framed Iran as the next rogue¹² in the gallery, almost guaranteeing that any future action to deter, prevent, or attack Iran will be unilateral.

As the U.S. framed Iran as a rogue, at least in part for our own domestic political purposes, Iran's popularly elected President, Mohammad Khatami, turns out to be a democrat whose platform centered on the rule of law and an open society. He quotes de Tocqueville, sponsors a hugely successful Organization of Islamic Conference in Teheran, seeks improved relations with his neighbors, the international community, and the U.S.; forswears terrorism and weapons of mass destruction, and what's more, he airs all his views on CNN. In the U.S., the emperor had no clothes, had no clothes.

ILSA not only fails the moral and reality tests of the ends of U.S. policy, but more importantly fails the means and consequences tests.

It is morally necessary to choose means which are not destructive of one's ends through coercion or corruption . . . the means must be proportional to the end, and to the importance of the end in the hierarchy of one's goals, and . . . one ought to choose means which do not entail costs of values greater than the cost of not using these means . . . [and] the final ingredient: a morality of self-restraint.¹³

Economic sanctions against Iran are an example of an egregious *lack* of self-restraint where moral and practical considerations have succumbed to domestic political considerations that ignore consequences beyond the politicians' quests for reelection.

President Clinton pointed out another consequence of laws that automatically impose sanctions on countries for conduct inimical to America's interests.

What always happens if you have automatic sanctions legislation is it puts enormous pressure on whoever is in the executive branch to fudge an evaluation of the facts of what is going on. And that's not what you want. What you want is to leave the president some flexibility, including the ability to impose sanctions, some flexibility with a range of appropriate reactions.¹⁴

That "fudging" is precisely what has happened when Russia, France, and others, ignored ILSA and dealt with the Iranian government in contravention of U.S. law, that coincidentally intruded on their sovereignties. Ironically, that "fudging" is good for "Constructive Conditional Engagement," and the President should continue to prevent enforcement of ILSA in the near-term to allow U.S. diplomats to magnify the magnanimity shown by President Khatami in recent months.

Clinton also cautioned against judging other countries too harshly saying, “‘It’s also important when you deal with a country to know what its historic bad dreams are,’”¹⁵ He said that America’s bad dream goes back to the Civil War. At least one of Iran’s bad dreams goes back to the Shah and U.S. interference in Iranian affairs. Something for the State Department to consider as they conduct diplomacy with Iran, which brings us to the next chapter on diplomacy, the last of the norms we will address.

Notes

¹ Frost, 110.

² Lippman, A06.

³ Richard N. Haas, "Sanctioning Madness," Foreign Affairs November/December 1997, 78.

⁴ Haas quotes a study conducted by the Institute for International Economics that in 1995, sanctions cost U.S. companies between \$15-19 billion and affected 200,000 workers.

⁵ Haas, 75.

⁶ Haas, 80.

⁷ Gerhard von Glahn, Law Among Nations An Introduction to Public International Law Fifth Edition (New York: Macmillan Publishing Company, 1986) 560.

⁸ Hooman Estalami, "A Retrospective on U.S. - Iran Trade Policy," Middle East Insight, November-December 1997, pp. 46-51.

⁹ Office of the Press Secretary, The White House, Fact Sheet: Iran-Libya Sanctions Act of 1996 (Washington, D.C.: The White House, August 5, 1996) 1. For an excellent review of Iran-related legislation and developments see also Kenneth Katzman, Foreign Affairs and National Defense Division, "Iran: Current Developments and U.S. Policy," CRS Issue Brief for Congress 93033, Updated January 9, 1998 (and periodically) on the internet at <http://thomas.loc.gov/cgi-crs/crsquery/>.

¹⁰ Estalami, 51.

¹¹ Barbara Crossette, "U.N. Discord Is Music to Iraq and a Threat to Security Council Credibility," The New York Times International, Sunday, January 4, 1998, 8.

¹² Sami G. Hajjar, "Framing a Rogue: U.S. - Iran Relations in the Gulf, Strategic Review, Fall 1997, 19-28.

¹³ Hoffman, 33.

¹⁴ Elaine Sciolino, "In Private Talk, Clinton Criticizes Laws Imposing Sanctions on Other Nations," The New York Times, Tuesday, April 28, 1998.

¹⁵ Elaine Sciolino, "In Private Talk"

Chapter IX

Diplomacy

At a time when America is able neither to dominate the world nor to withdraw from it, when it finds itself both all-powerful and totally vulnerable, it must not abandon the ideals that have accounted for its greatness. But neither must it jeopardize that greatness by fostering illusions about the extent of its reach. World leadership is inherent in America's power and values, but it does not include the privilege of pretending that America is doing other nations a kindness by associating with them, or that it has a limitless capacity to impose its will by withholding favors.¹

Henry Kissinger

Diplomacy is defined as the art and practice of conducting negotiations between nations with a skill in handling affairs without arousing hostility.² U.S. diplomacy in the Middle East has not lived up to the strictest definition of the word. Having modeled its diplomatic policy in the Persian Gulf after the post World War II structure of double containment of Germany and Japan, the U.S. seeks to contain Iraq and Iran from reemerging as regional military powers. The difference in the two philosophies is the post WWII policy was centered around economic reconstruction and development (assistance), while the present policy is designed to economically isolate Iraq and Iran through containment and sanctions (coercion). Enough evidence exists to suggest the present strategy of "Dual Containment," particularly in the case of Iran, has not been effective. In fact "Dual Containment" may have worked to create the unintended opposite effects by perpetuating the adversarial character of interstate relations in the Middle East. It is worth asking why this is so. However, a more interesting question would be what sort of diplomatic model can be crafted that will ultimately satisfy U.S. regional interests? The challenge here is to create this model anew, independent of past experiences, preconditions, and paradigms. However, "Dual Containment" has taken on a life of its own spawning the Iran-Libyan Sanctions Act which makes it all the more difficult to

initiate rapprochement with Iran. William Graham Sumner was prescient when he advised:

If you allow a political catchword to go on and grow, you will awaken some day to find it standing over you, the arbiter of your destiny, against which you are powerless, as men are powerless against delusions....What can be more contrary to sound statesmanship and common sense than to put forth an abstract assertion which has no definite relation to any interest of ours now at stake, but which has in it any number of possibilities of producing complications which we cannot foresee, but which are sure to be embarrassing when they arise!³

As a starting point, Hans Morgenthau offers nine rules of diplomacy to guide the formation of foreign policy. He is careful to stress the distinction between diplomacy and diplomacy by parliamentary procedures. Parliamentary diplomacy, he warns, tends to aggravate rather than mitigate leaving the prospect for peace dimmed rather than brightened. Three qualities [or vices] for these unfortunate results are: its publicity, its major votes, and its fragmentation of international issues.⁴ A model, using Morgenthau's "The Promise of Diplomacy: Its Nine Rules," is presented to build the framework for a cohesive U.S. policy toward Iran without compromising U.S. interests.⁵ Keeping in mind the U.S. has established its policy objectives based on Iran's actions in five key areas: its support for terrorism and subversion of GCC governments; its interest in and pursuit of WMD and its conventional military build up; its interference in the Israeli - Palestinian peace process; its potential to cause regional instability in the Persian Gulf by promoting Islamic militancy; and its spotted record on human rights. The measure of effectiveness for a cohesive U.S. diplomatic strategy is one that ultimately succeeds at marginalizing these factors. Morgenthau's nine rules are more a guide than anything else, but they do help strike a balance between the idealist approach and the realist approach, *vis-à-vis* Woodrow Wilson vs. Henry Kissinger.

MORGENTHAU'S NINE RULES

Diplomacy Must Be Divested of the Crusading Spirit

The U.S. should redefine its foreign policy in a fashion that separates the quest for "political religion" from satisfying national interests. Identifying paradigms and

determining their validity through means testing avoids the trip hazards brought on by the crusading spirit. In Chapter II, 'triple vision' was introduced as a way of viewing the world that is inclusive to all parties in the Middle East. Up to now, the U.S. can rightfully be accused of practicing 'double vision' through its preferential handling of Israel at the expense of its treatment towards Arab nations, particularly Iran and the Palestinians. This is evident in the patronizing manner the U.S. describes its objectives in the Persian Gulf by "changing the behavior of the Iranian government."⁶ In its one-sided stance critical of Iran's record on human rights, the U.S. turns its head the other way from Israel's pejorative treatment of Palestinians instead of working to get them moderate their actions.⁷ Israel in turn receives similar treatment (non-recognition) from the Arab world that it projects on the Palestinians while the U.S. appears acquiescent, standing silently by Israel's side. By understanding Iranian values, it becomes clear their interests are in self preservation through internationally accepted rules of law. What Iran sees when it looks west however, is inequity: inequity in the treatment of Palestinians and inequity in the manner the U.S. regards Iran's position as a sovereign nation by categorizing it as a 'rogue state.' Instead of "changing Iran's behavior," rephrasing U.S. objectives to "getting Iran to agree to..." would send a message undergirded by respect for Iran's sovereignty. The tone now would be of regard for Iran's values as opposed to one of forcing U.S. values on Iran. Just as U.S. involvement in the Israeli - Palestinian peace process appears to one-sided and thus invites Iranian interference, creating real equity between the Palestinians and Israel would advance stability and an openness to cooperation.

The Objectives of Foreign Policy Must Be Defined in Terms of the National Interest and Must Be Supported with Adequate Power

Given that policy objectives are derivative from and designed to satisfy the national interests, the accuracy and quality of the definition of vital and important national interests are crucial to the long term efficacy of foreign policy. That being said, U.S. policy toward Iran would best be supported if its major sources of power - military, economic, and political - were equally balanced with complementary strategies. These strategies should

ultimately forward U.S. interests however, this does not seem to be the case with "Dual Containment". U.S. military presence in the Persian Gulf serves to intimidate Iran furthering suspicion of U.S. intentions. The potent U.S. economic engine of free enterprise is denied access to potentially lucrative markets inside Iran. Domestic special interest politics clouds the truth and obviates opportunity when it comes to the U.S. relationship with Iran. This inertia successfully keeps the debate away from the attention of the American public and prevents any substantive diplomatic engagement. Consequently, the U.S. and Iran have not engaged in any meaningful dialog since the 1979 Iranian Revolution where an atmosphere of enmity has prevailed. Certainly the existence of conclusive evidence of Iran's hand in the Khobar Towers, OPM SANG, or World Trade Center attacks would precipitate massive U.S. military action, crushing any hope for rapprochement. Absent these facts, the U.S. suboptimizes its ability to pursue its regional interests by adopting a strategy of "Dual Containment." Doing so, the U.S.: separates itself from its European, Asian, and GCC allies; complicates the Israeli - Palestinian peace process; and creates a security vacuum that fosters the desire for WMD and the impetus for terrorist behavior. The U.S. should design a strategy that: demonstrates strong military presence absent the threatening posture to Iran; creates economic opportunity and infrastructure development inside Iran for its industries while securing access to oil; and promotes inclusiveness of the American public while opening political and diplomatic dialog with Tehran.

Diplomacy Must Look at the Political Scene from the Point of View of Other Nation.

Relevant questions to consider are: how will U.S. allies respond to its actions? What will Iran's reaction be? Will U.S. allies support the policy, remain neutral, or side with Iran? How will Iran see its interests challenged and what measures will they take to protect them? This is where a thorough and accurate analysis of Iran's interests will be useful in presenting options for a variety of policy objectives. Reacting to U.S. "Dual Containment," the Europeans responded with "Critical Dialog." This presented Iran with a non-complementary, two-sided approach from an allied West - the stick vs. the carrot. In the end, "Dual Containment" and "Critical Dialog" have served no one's interest.

Separating Iran from Iraq will serve to stratify the most likely threat to stability in the region. Dealing with the Israeli - Palestinian peace process in an even-handed fashion where equity is underlying premise of the process, no matter how long it takes, will serve to stabilize the region. This is especially true considering that the Arab states are closely watching the objectivity with which the West handles the peace process as a bellwether to how they can expect to be treated in future diplomatic relations.⁸ One of the unintended consequences of "Dual Containment" has been to drive Iran closer to Russia while separating the U.S. from its G7 and GCC allies.⁹ Therefore, it is in the interests of the U.S. to seek some degree of concurrence with its allies in whatever strategy it decides is appropriate to address Iran. It is just as critical to securing future U.S. interests by insisting that both Israel and the Palestinians are in full compliance with the Oslo Accords in order to establish an open and substantive diplomatic dialog with Iran. When the U.S. creates the impression of acting in a one-sided manner (whether real or not), it opens itself up to criticism from its allies that can erode support and inertia for meaningful cooperation.

Nations Must be Willing to Compromise on All Issues That Are Not Vital to Them.

The task of quantifying national interests into vital, important, and peripheral categories is cumbersome and politically tricky, yet critical to crafting cohesive diplomatic strategy. One method of means testing vital interests is to ask, "If this interest were at risk, would it challenge core American values? Is this interest worth the expense of national treasure in American lives to go to war over?" With vital interests known, they by their very nature, are protected at all costs and never compromised. There now is room to examine the intersection of U.S. national interests with Iran's. At this intersection lies the roots of a potentially cooperative framework where a mutual acknowledgment of each others interests is possible. The presumption is that it is in the interest of both nations to reach a compromise, thereby increasing the size of the pie instead of quarreling over the number of pieces gained. This concept appears all too easy where Richard Nixon provides a message of caution here, "Never give up unilaterally what could be used as a bargaining chip. Make your adversaries give something for everything

they get. Get something for every concession. Don't think you have to give tit for tat. Don't feel you have to split fifty-fifty. If he gives sixty, give him forty. Make concessions that give nothing away. Conserve your concessions."¹⁰ In the case of the U.S. engaging Iran, overtures that go to improving Iran's socio-economic conditions and infrastructure are win-win. They benefit U.S. balance of trade, but they also address some of the potentially crippling conditions inside Iran. In return, the U.S. should get Iran to work together with its regional neighbors to establish a WMD (Nuclear, Chemical, and Biological) Free Zone in the Iranian neighborhood - Israel included. This sort of agreement satisfies everyone's long term interest if used adroitly as a bargaining chip in the Israeli - Palestinian peace process. Success in this area shrinks the pool of potential terrorists and disenfranchised factions further securing U.S. regional interests.¹¹

Give Up the Shadow of Worthless Rights for the Substance of Real Advantage.

When parochialism serves as a substitute for the pursuit of a bona fide national interests, the nation is guided by narrow special interests that may not reflect its core values. The distinction between *verite de fait* and *verite de raison* is worth noting. Decisions concerning formulation of foreign policy are likely to avoid parochial traps when they are grounded by the facts and not through conjecture. Some initiatives the U.S. should consider to gain real advantage over the present set of circumstances with Iran are:

- Recognize the long term damage caused by cheap oil in terms of costs to military readiness, erosion of cohesive support from strategic allies, and costs to the U.S. economy in the balance of trade, creation of jobs, and capital investment because of lost access to the Iranian market.
- Make ending sanctions with Iran conditional on its ending terrorism - as the U.S. defines it, its progress toward creating a regional WMD Free Zone, and its agreement to work to end the Arab boycott of Israel.
- Convince Iran of the long term U.S. commitment to maintaining stability in the Persian Gulf region so it does not need WMD to protect itself from Iraq.

- Convince Iran its internal security can only be improved by increasing its own socio-economic prosperity through advanced industrial technologies and manufacturing methods that are not harmful to the environment its.
- Convince Iran that acting in positive ways to slow the decay of its natural resources will reduce the risks to exacerbating the stability of its internal security.

Never Put Yourself in a Position from Which You Cannot Retreat without Losing Face and From Which You Cannot Advance without Grave Risks.

With the clarity of hindsight one can usually discover the correct way to craft diplomatic strategy. Since seeing into the future is not a virtue that can be routinely relied upon, Henry Kissinger offers insight when conducting diplomatic relations by emphasizing the importance of one nation understanding how the perceptions of its actions influence the actions of other nations.

In the absence of a potentially dominating power, the principal nations do not view threats to the peace in the same way, nor are they willing to run the same risks in overcoming those threats they do recognize.¹²

As the recent unfolding of enforcement of weapons inspections with Iraq proved, the allies the U.S. once depended for support of its policy in the Persian Gulf stood on the sidelines not as a participant, but as a partial observer. This seems to follow the same pattern of support by U.S. allies for the Iran-Libyan Sanctions Act; a policy U.S. allies view with apparent contempt and disregard. The real danger here is the U.S. may find itself the victim of its own coercive policies to be left with its option of last resort, unilateral action, as its only option. Furthermore, demonizing Iran makes the process of rapprochement all the more difficult in the future and may needlessly cause the loss of concessions to other nations. Although time consuming and sometimes frustrating, the U.S. would be more likely to satisfy its interests in the Middle East if its diplomatic policy had the shared consent of its allies. There is also the adage, "...if you can't say something good about a person don't say anything at all." Demonizing Iran has done nothing to forward U.S. interests and may have inhibited future prospects of promoting them. It seems better to

always leave the door open for a return to cooperation than to precipitate an environment that breeds hostile competition.

Never Allow a Weak Ally to Make Decisions for You

In commenting on how nations sometimes act in the pursuit of diplomatic policy, Samuel P. Huntington advises:

Nations do not necessarily pursue their strategic interests; their strategic interests are not necessarily their best interests; and they may subordinate their best interests to parochial short-term concerns.¹³

The most egregious example of major powers acting on behalf of a smaller, weaker ally, where there existed a perceived immutable attachment between the two, was the assassination of Austrian royalty in distant Serbo-Croatia in 1914. This relatively localized event lit the fuse to one of the most catastrophic tragedies in human history. The major powers of Europe found themselves propelled into a war in which it was in none of their interests to fight, a war they did not want, and a war they did not know how to end. Had the leaders of these great powers been able to see beyond their own arrogance, they might have asked 'am I willing to sacrifice so many of my countrymen and risk my nation's ruin for the sake of this ally's state of affairs?' In 1998, the relative weight the U.S. places on the importance of Israel and Kuwait bears review. Just how vital are these nations compared to other nations in the region. Should the U.S. ask the same sort of question, 'am I willing to send my son and daughter to die solely in the defense of these nations?' Israel clearly is a close ally of the U.S., but should Israel's survival interests be U.S. vital interests? This is a contentious issue, but it is reasonable to expect the United States always put its own interests ahead of all other nations. Yet the U.S. gives the appearance of a one-sided Mid-East policy leaving itself committed to an open-ended agreement to support Israel at any cost. Continuing this indiscretion, the U.S. risks losing confidence and support from its allies as well as the possibility of its actions being misinterpreted as being threatening which could lead nations to the brink under certain conditions.

Armed Forces Are The Instrument Of Foreign Policy, Not Its Master

Carl Von Clausewitz refers to warfare as not a matter solely for kings and princes, but the province of the *remarkable trinity* of the people, the government, and the military. He goes on to say that the violence of warfare is merely the pursuit of policy, or diplomatic objectives, by other means.¹⁴ His message seems to be two fold: first, the business of diplomacy defines all objectives including the military component which is not interchangeable, and second, the American people are the ones who will ultimately judge the efficacy of their foreign policy including whether certain interests were vital or not, meaning is it worth sacrificing American lives for. Today there is an overwhelming temptation to use sophisticated weapons to demonstrate U.S. commitment to established policies. The presumption is the antiseptic use of force can be used as a quick, easy solution to very complicated problems. Consideration for the consequences of the use of these weapons, both on the actions of the opponent but also U.S. allies, may outweigh the importance of the actual application of force itself. The sophistication of modern weapon systems has an alluring temptation to use them as an extension of foreign policy, perhaps before all other forms of non-violent measures have been exhausted. Use of force vicariously for diplomatic engagement forecloses potential opportunities for cooperation where the payoff can be much higher. In the case of Iran, the U.S. military presence in the Persian Gulf is viewed as threatening. It is possible to maintain a robust military presence without imposing a threatening posture. One way for the U.S. to use its military power to balance diplomatic initiatives with Iran is to establish military-to-military contacts which could later lead to bilateral exercises. This initiative should be made on the condition that Iran modifies its position in the areas the U.S. finds concern with listed on page 141.

The Government Is The Leader Of Public Opinion, Not Its Slave

Rules one through nine are derivative in nature, meaning their logic involves a sequential path. The quality of each step sets the standard for all subsequent steps and consequently the entire model. Therefore, accurately defining the national interest and building a policy and strategy to fulfill those interests in the most pragmatic way leaves one with a cohesive, long term vision of the shape of U.S. security environment as well as

the path to get there. This requires leadership, particularly in the face of a representative government and an alert media who do not always share the same views on particular issues. A firm footing is essential to demonstrate the kind of resolve necessary to withstand the ebb and flow of public opinion and special interest group pressure with one exception: the unnecessary expenditure of national treasure (American soldiers) for a cause the American public does not see as vital. The Iran-Libyan Sanctions Act is one example of a public policy that does not forward national interests. One rightly can say, after seven years of U.S. "Dual Containment" in the Persian Gulf, the only one who has been contained is the U.S. Its executive and legislative bodies, whose responsibility is to pursue the legitimate U.S. national interests for all Americans, have been contained by the shadow government of powerful minority special interest political action committees. Congress should reexamine its position on Iran independent of the influence of powerful special interest groups and vocal minority opinions who advocate policies that are not consistent with U.S. national interests.

It seems clear that the existing U.S. policy toward Iran has not been effective in "modifying their behavior." Alexander George asserts that this basic logic is presumed to be shared for coercion to achieve its desired effects. That is, the intended adversary will respond according to the same set of values as the coercing power in a way presumed to be a rational reaction; "if someone did that to us, we would respond in this way."¹⁵ He goes on to say,

....if the coercing power pursues ambitious objectives that go beyond its own vital or important interests, and if its demands infringe on vital or important interests of the adversary, then the asymmetry of interests and balance of motivation will favor the adversary and make successful application of coercive diplomacy much more difficult.¹⁶

It is apparent that not only must U.S. policy in the Middle East satisfy its own interests, but it should, whenever possible, be recognized as credible and avoid encroachment on other nation's vital and important interests.

The success of our diplomacy has always depended, and will continue to depend, on its inherent honesty and openness of purpose and on the forthrightness with which it is carried out. Deprive us of that, and we are deprived of our strongest armor and effective weapon. If this is a limitation, it is one that reflects no discredit on us. We may accept it in

good conscience, for in national as in personal affairs the acceptance of one's limitations is surely one of the first marks of a true morality.¹⁷

CONSTRUCTIVE ENGAGEMENT AND CONDITIONS

The U.S. should adopt a balanced diplomatic strategy toward Iran that is complemented by its military, political, and economic components of power. While the U.S. must, for the time, maintain a robust military presence in the region to contain Iraq, it can do so without appearing imposing to Iran. The best first step to this initiative would be to establish military-to-military relations with Iran, or include Iran in a benign Persian Gulf military exercise that the U.S. participates in with its GCC allies.

The political component of "Constructive Conditional Engagement" should start by first, repealing the Iran-Libyan Sanctions Act and second, officially separating Iraq from Iran by terminating "Dual Containment" as stated policy. Keeping these policies in force only serves to make the U.S. appear inflexible and does not serve its interests. At the same time, the U.S. must apply leverage on Israel to get them to first, agree to full compliance with the Oslo Accords and second, agree to make positive changes to their treatment of Palestinians particularly in the areas of *habeas corpus*, employment, education, and restrictions on movement throughout Israel. It is also crucial for the U.S. to consult Russia, European and Asian allies, and Japan on the details of its strategy of "Constructive Conditional Engagement" with respect to Iran. Working to accommodate their concerns, where feasible, will improve chances of "Constructive Conditional Engagement's" successes especially when multilateral support is necessary.

A policy of "Constructive Conditional Engagement" should open Iran to the U.S. industrial complex for investment, trade, and consultation. This not only furthers opportunities to secure U.S. interests in the region, it will work to head off the internal security crisis looming on Iran's horizon.

Before "Constructive Conditional Engagement" can become a reality, Iran must agree to abide by these five conditions. First, Iran must actively take the lead in the Persian Gulf to work to establish a regional Weapons of Mass Destruction Free Zone. This agreement should be one where all signatories agree not to possess, acquire, manufacture, develop, experiment with, or transfer any type of nuclear, chemical, or

biological weapon or component technology that comprises these weapons. Second, Iran must agree to end its boycott of Israel and work with the Palestinians to reach a peaceful settlement in the region. Third, Iran must agree to take active measures to thwart terrorists and acts of terrorism by ending its support for Hamas, the PIJ, and Hizballah. Fourth, Iran must agree to work with its GCC neighbors to resolve differences and to condemn acts of subversion and violence by Islamic militant organizations. Fifth, Iran must agree to make positive improvements to its human rights record.

Notes

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- ⁴ Hans J. Morgenthau, revised by Kenneth W. Thompson, Politics Among Nations: The Struggle for Power and Peace, (New York: McGraw-Hill, Inc.) 1985, p. 375.
- ⁵ Morgenthau, pp. 373-390.
- ⁶ White House, A National Security Strategy for a New Century, May 1997, p. 27.
- ⁷ U.S. Department of State, Israel and the Occupied Territories Report on Human Rights Practices for 1997, Bureau of Democracy, Human Rights, and Labor, January 30, 1998. This report sights the abusive the treatment of Israeli Arabs and Palestinians at the hands of the Israeli government.
- ⁸ Richard N. Haas, "The United States, Europe, and the Middle East Peace Process," Allies Divided: Transatlantic Policies for the Greater Middle East, (Cambridge, MA and London: The MIT Press), 1997. The author presents a discussion of the consequences to the failure to reach a Mid-East peace settlement.
- ⁹ Zbigniew Brzezinski, Brent Scowcroft, and Richard Murphy, "Differentiated Containment," Foreign Affairs, May/June 1997, p. 28.
- ¹⁰ James C. Humes, Nixon's Ten Commandments of Statecraft, (New York: Scribner), 1997, p. 91.
- ¹¹ Robert Satloff, "America, Europe, and the Middle East in the 1990s: Interests and Policies," Allies Divided: Transatlantic Policies for the Greater Middle East, (Cambridge, MA and London: The MIT Press), 1997, p. 15.
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- ¹³ Samuel P. Huntington, "America's Changing Interests," Survival, Vol. XXXIII, No. 1, January/February 1991, p. 14.
- ¹⁴ Harry G. Summers, Jr., The New World Strategy, (New York: Touchstone), 1995, p. 209; and Carl von Clausewitz, On War, edited and translated by Michael Howard and Peter Paret, (Princeton: Princeton University Press), 1976, p. 89.
- ¹⁵ Alexander L. George, Forceful Persuasion, (Washington, D.C.: Endowment of the United States Institute of Peace), 1991, p. 13.
- ¹⁶ George, p. 13.
- ¹⁷ George F. Kennan, At Century's Ending, (New York/London: W.W. Norton & Co.), 1996, p. 279.

Chapter X

Conclusion

Naboth the Jezreelite had a vineyard in Jezreel, beside the palace of King Ahab of Samaria. Ahab said to Naboth, 'Give me your vineyard, so that I may have it for a vegetable garden, because it is near my house . . .' But Naboth said to Ahab, 'The Lord forbid that I should give you my ancestral inheritance'

1 Kings 21: 1-4

If the story of Naboth's Vineyard were scripted as a play today, and countries were cast as characters, the country of origin of the casting director would make a world of difference in who plays whom. The hypothetical casting dilemma is instructive in helping us to appreciate the complexities of creating and implementing holistic policy to achieve peace and stability in a geostrategically important yet politically volatile region. Regarding U.S. - Iran relations, one thing is for certain, undifferentiated "Dual Containment" of Iraq and Iran is not working with respect to Iran, and the U.S. needs to change its policy.

We have recommended "Constructive Conditional Engagement," to replace "Dual Containment." "Constructive Conditional Engagement" blends realism and idealism, order and justice, pragmatism and principle. It leans toward the latter in each case because we *can* in the wake of the Cold War and because our values tell us we *should*. We believe that the circumstances under which nations cooperate are magnified when we wean ourselves off *realpolitik*, where *is* determines *ought*, and embrace neo-idealism, by returning to our core values, where *ought* determines *is*. Our interests, we believe will follow where our values lead, and we believe our values, in common with Iran, will lead to regional peace and stability, our mutual objective. To describe "Constructive Conditional Engagement", we used the model of a monument (Figure X-1), and in conclusion we will summarize, key elements of the prescriptive policy, "Constructive Conditional Engagement."

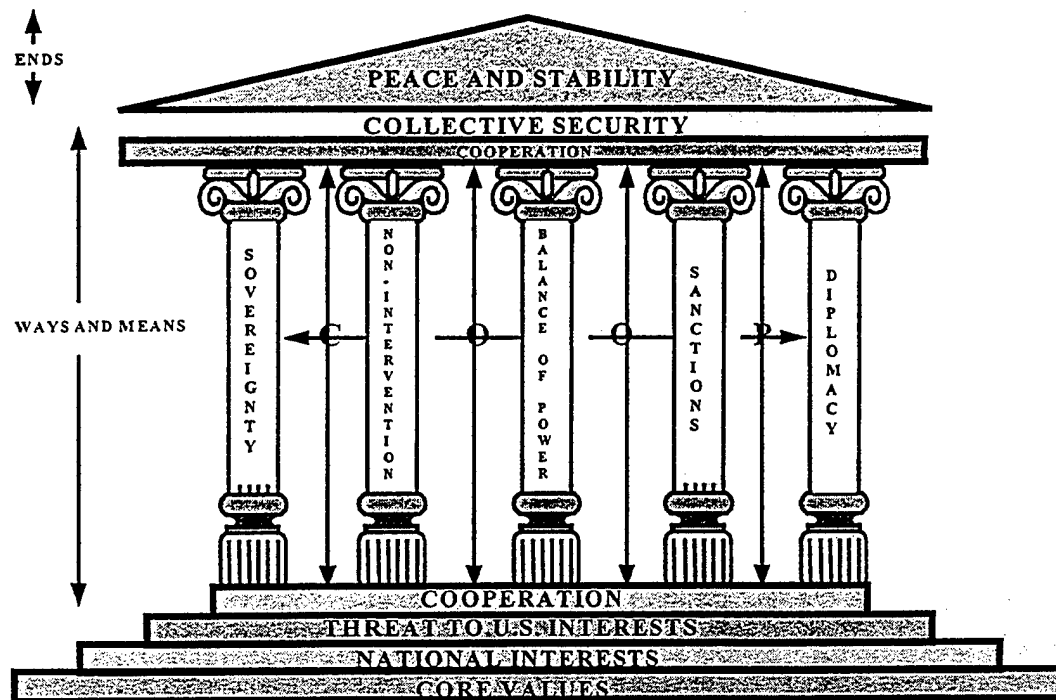


Figure X-1 - "Constructive Conditional Engagement"

THE ROOTS OF "CONSTRUCTIVE CONDITIONAL ENGAGEMENT"

Patriotism uncovers common core religious values (love of God, reverence for life, "Do unto others . . .," solidarity, non-violence, equality, fairness, truthfulness . . .) and common secular values (democracy, the rule of law, justice, order, liberty, individual freedoms . . .) which form the bedrock of "Constructive Conditional Engagement". These values constitute a global ethic which coalesces in the area of the confluence of the circles representing the three major religious traditions practiced in the region: Christianity, Judaism, and Islam, allowing us to see regional challenges with what Karen Armstrong calls "triple vision" (Figure X-2). Once we agree on common values, pragmatic common interests follow. These include, *inter alia*, the desire to get oil to market at reasonable prices, free trade, access to markets, freedom of the seas,

containment of Iraq, protection of our citizens, and so on. Achieving these objectives leads to prosperity, which assures the well-being of our peoples, which sustains life

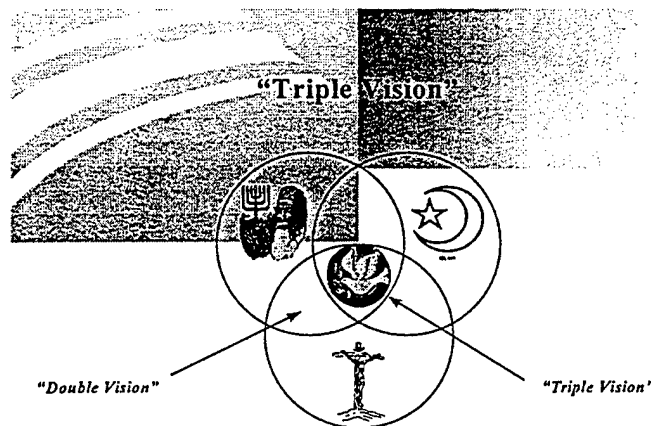


Figure X-2 - "Triple Vision"

and our way of life, which fosters cooperation and ensures peace and stability in the region. Peace and stability permit international commerce that increases prosperity.. The steadfast foundation of the system stabilizes the pillars which represent selected norms of international relations. These in turn support the roof which represents our overarching objective for regional peace and stability. The roof, in turn, protects the pillars and the base. The model in life is self sustaining, three dimensional, and dynamic.

In terms of prescription, the roots of our policy call for:

- Mutual reverence, respect, and understanding of one anothers' religious, cultural, and political traditions. Both nations must dispense with rhetoric that demonizes any of the people or traditions.
- Revocation of sanctions, "Radio Free Iran," and \$20 million for covert operations against the Iranian Government.
- Graduated rapprochement with Iran, including initiation of political and diplomatic dialogue, exchange of clergy, academics, athletes.
- Universal application of conditions and incentives in the region, to include the Israelis and Palestinians.

- Renewed efforts to achieve a just peace between Israel and the Palestinians.

Unfortunately, not all nations cooperate, so we must account for the threat that Iran poses to U.S. vital interests .

THE THREAT

Unfortunately, Saddam Hussein's legacy will be that deterrence is less effective than advertised, after the Cold War and the Gulf War, despite the awesome destructive power of weapons of mass destruction, so we must account for the threat and always be prepared to fight for our values and interests. The Iranian threat to U.S. national values and interests lies primarily in its quest for nuclear weapons and missiles. Even as the U.S. reciprocates cooperation with Iran, defections in these two areas will result in reciprocal defections antithetical to our mutual values and interests. The U.S. must focus on reducing the political reasons for Iran's WMD procurement; nevertheless, these two conditions remain constant.

In terms of prescription, the threat calls for:

- Accurate and timely intelligence.
- Conventional and WMD arms control including establishment of a Nuclear Free Zone in the Middle East.
- Maintain economic and diplomatic pressure on Russia, China, and others who would sell nuclear weapons and missiles to Iran.
- Discrete but capable U.S. military presence in the Persian Gulf and enhanced expeditionary capability. Conduct a complete review of security assistance, and a thorough review of Foreign Military Sales (FMS) cases and a reduced military "footprint" in the region, *after* the Iraqi Crisis is resolved. Interagency Working Group (IWG) review of theater policy and strategy. Increased military Confidence Building Measures (CBMs) between the Gulf Cooperation Council (GCC) and Iran.
- Establish a Theater Missile Defense System.
- Development of a responsibility sharing regime for defense of the Persian Gulf with our regional and extra-regional partners.

- Cooperation on peaceful uses of nuclear power.

The threat is diminished when it is wedged between common values and interests and cooperation.

COOPERATION

A global ethic of shared values and a pragmatic assessment of common interests tempers the threat and strengthens cooperation. It is a secular Golden Rule. Cooperation is to the system as central heat or air conditioning is to a house. It flows in every direction, and, in our interdependent world, cooperation is an imperative, not an indulgence. It is gradual and reciprocal, TIT for TAT. The U.S. has an opportunity to respond to President Khatami's overtures for *rapprochement* with magnanimity to reaffirm its values; break out of the "Prisoner's Dilemma," and the security dilemma; make the future more important relative to the present; change the payoffs; and enlarge the shadow of the future in keeping with ethical norms of international relations to achieve peace and stability in the Gulf region. Cooperation accumulates over time just as defections do, and the path effects of present policies affect future negotiations. Conditionality and incentives must be applied fairly and universally throughout the region, because the world at large makes linkages that must be considered by policy makers. Cooperation sits on top of common values and interests and reciprocity holds the threat in check. Cooperation is self-feeding at the same time it sustains the foundation and the pillars. Values-based and interests-oriented, cooperation is the glue that holds the house together.

"Constructive Conditional Engagement," is consistent with cooperation theory. First, "constructive" refers to the end of our decades-long mutual defection and the beginning of cooperation to construct, or more appropriately, *reconstruct* trust between our two nations based on common values and interests by means of settled norms of international relations. Next, "conditional" refers to factors established to govern the conduct of both nations. Current conditions need to be reviewed and revised; nevertheless, conditionality, relative to the threat, establishes a baseline for reciprocity of both cooperation and defection, and imposes certain restraints on all parties as they

pursue their diverse interests in the region. Finally, "engagement" refers to the central imperative of the policy to establish and maintain channels of communication, which should remain open at all times and serve to lessen misunderstandings that could lead to conflict.

In terms of prescription, cooperation calls for:

- Cooperation (Economic, Military, Informational, Cultural, and Diplomatic,) up front; Rapprochement with Iran based on cooperation theory and Charles E. Osgood's "GRIT" (Graduated and Reciprocated Initiatives in Tension Reduction) formula.

Cooperate on little things first; big things will follow. Reciprocate defections.

- Confidence Building Measures (CBMs).
- Develop and pursue arms control and nonproliferation initiatives.
- Develop and initiate exchange programs to make contacts more frequent and durable.
- Universal application of conditions and incentives in the region, to include the Israelis and Palestinians.

Cooperation, based on common values and interests, and the threat, supports the pillars, which represent the ethical norms of international relations, to which we now turn. While cooperation is the centerpiece of our policy prescriptions, it is supported by measures identified during our examination of selected norms of international behavior, the ways and means the U.S. will achieve its interests. We will summarize the pillars together as one.

NORMS OF INTERNATIONAL RELATIONS (SOVEREIGNTY, NON-INTERVENTION, BALANCE OF POWER, SANCTIONS, DIPLOMACY)

While sovereignty of the people is eroding in the U.S., Iran, and Israel; sovereignty in the traditional sense is alive and well in the world, as was demonstrated during the Iraqi crisis in late 1997 and early 1998 when, in the absence of an Iraqi incursion into Kuwait, there was no international or multilateral consensus for intervention, and international diplomacy averted unilateral action by the U.S. against

Iraq. The central question that the Iraqi crisis raises for the future with respect to Iran is whether one can justify intervention to prevent them from procuring weapons of mass destruction or preempt their use. We adopted J. Bryan Hehir's just intervention formula, based on just war theory, as a framework for future policy decisions relating to intervention (Figure X-3).

“Just Intervention Theory”

- **Presumption Against the Use of Force**
- **Specified Exceptions Based on Moral Criteria**
 - **Why (For What Purpose) Can Force Be Used? (*Jus ad Bellum*)**
 - Defend Life, Human Rights, Political Order
 - **When (Under What Conditions) Can Force Be Used? (*Jus ad Bellum*)**
 - Right Intention, Proper Authority, Last Resort, Moral Possibility of Success, Proportionality
 - **How (By What Means) Can Force Be Used? (*Jus in Bello*)**
- **Adaptation to Intervention**
 - Maintain the Presumption Against the Use of Force
 - Expand the Criteria of Just Cause for Intervention (Beyond Genocide to include non-proliferation)
 - Restrict the Authority of States for Unilateral Intervention
 - Enforce a Demanding Standard of the Means Test

Figure X-3 - “Just Intervention Theory”

While Hehir expands the criteria for intervention, he upholds the norm of non-intervention, and restricts unilateral intervention in the case of prevention or preemption as well as applying a rigorous means test to the intervenor. In practical terms, Hehir's formula places greater emphasis on international and regional diplomacy. It also implies a balance between justice and order, but an order that abandons Bismarckian balance-of-power politics for equilibrium sake in favor of cooperative collective security.

U.S. sanctions against Iran have not worked, and there seems to be increasing international moral concern about UN sanctions against Iraq, with implications for their future enforcement. Again, these practical considerations place greater emphasis on

shared values, common interests, collective cooperation, multilateral intervention, and diplomacy at the international and regional levels.

The linkage between U.S - Iran relations and Middle East peace is stark. Palestinian self-determination is essential to cooperation in the region and the world. Sovereignty of the people, subjugated by special interests, holds U.S. policy hostage. The U.S., Iran, and Israel must address these domestic issues to reduce their impacts on policy, at the expense of our shared values and common long-term interests.

In terms of prescription, in addition to all of the above, the norms of our policy call for:

- Pressure the Parties to Peace, Israel and the Palestinian Authority, through the U.N. to make peace.

- Initiate U.N. promotion of a "Charter of the Gulf" along the lines of the Helsinki Charter, whereby the U.N. would help to negotiate, monitor, and verify Confidence Building Measures (CBMs).

- Work through the U.N. to establish an Arms Control Regime and a Nuclear Free Zone in the Middle East. Encourage our GCC allies to invite Iran to participate in the Arms Control and Regional Security (ACRS) talks begun in 1992.

- All powers should abide by the Universal Declaration of Human Rights.
- Vote for Palestinian Self-Determination in the Security Council and stop vetoing U.N. resolutions condemning Israel as an Occupying Power and other violations of international law.

- Impartial universality in applying conditions and incentives in the region, to include the Israelis and Palestinians.

- Condition the U.S. "Special Relationship" with Israel based on their compliance with U.N. resolutions and the Oslo Accords.

- Encourage the U.N. to establish an inclusive regional organization. Until such time as it is established, Encourage the GCC to participate fully in the Organization of Islamic Conference headed by President Khatami.

- Publicly announce abandonment of "Dual Containment," as U.S. Policy with regard to Iran and announce and articulate a new policy.

- Restore diplomatic relations with Iran.
- Revoke ILSA, "Radio Free Iran, and the \$20 million allocated for covert operations against the Iranian Government.
- Develop an education program for diplomats, soldiers, civilians, and the American people on Iranian and Middle East issues.
- Establish an Interagency Working Group (IWG) to review and revise U.S. policy and strategy in the Middle East.
- Reduce and reshape our military footprint in the Gulf once the Iraqi Crisis is resolved.
- Postpone further expansion of NATO to obtain Russian cooperation on stemming the flow of WMD to Iran. Tie China's MFN status to the same cooperation.
- Establish U.S. - Iran interagency and interdisciplinary exchange programs.
- Encourage the GCC to develop military-to-military and political-military bilateral and multilateral relations with Iran.
- All powers should condemn and forswear the use of terror or WMD to achieve their interests.
- All powers should exercise self restraint in terms of military, economic, and cultural actions that increase defections and could lead to war.
- Communicate, cooperate, and reciprocate.

Pope John Paul II, in his address to the Fiftieth General Assembly of the United Nations Organization, on October 5, 1995, said,

Hope and trust are the premise of responsible activity and are nurtured in that inner sanctuary of conscience where 'man is alone with God' and he thus perceives that he is not alone amid the enigmas of existence, for he is surrounded by the love of the Creator! . . . Whatever diminishes man - whatever shortens the horizon of man's aspiration to goodness - harms the cause of freedom We must overcome our fear of the future . . . together. The 'answer' to that fear is neither coercion nor repression, nor the imposition of one social 'model' over another . . . The answer to the fear which darkens human existence at the end of the twentieth century is the common effort to build the civilization of love, founded on the universal values of peace, solidarity, justice, and liberty. And the 'soul' of

the civilization of love is the culture of freedom: the freedom of individuals and the freedom of nations, lived in self-giving solidarity and responsibility.¹

In the cooperative spirit of the inspired words of John Paul, our policy of "Constructive Conditional Engagement" attempts to reconcile morality and foreign policy as it applies to U.S. - Iran relations, in the interests of peace. If this paper causes policy makers to pause and make a moral calculus in shaping policy, it will have served its purpose.

Notes

¹ His Holiness Pope John Paul II, "Address to the Fiftieth General Assembly of the United Nations Organization," October 5, 1995, New York, 8.

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