

USAWC STRATEGY RESEARCH PROJECT

WHAT SHOULD BE UNITED STATES POLICY FOR IRAN?

by

Colonel David M. King
United States Army

Dr. Wallace Terrill
Project Advisor

This SRP is submitted in partial fulfillment of the requirements of the Master of Strategic Studies Degree. The views expressed in this student academic research paper are those of the author and do not reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government.

U.S. Army War College
CARLISLE BARRACKS, PENNSYLVANIA 17013

Report Documentation Page				Form Approved OMB No. 0704-0188	
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE 03 MAY 2004		2. REPORT TYPE		3. DATES COVERED -	
4. TITLE AND SUBTITLE What Should be United States Policy for Iran?				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S) David King				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) U.S. Army War College, Carlisle Barracks, Carlisle, PA, 17013-5050				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT See attached file.					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES 28	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

ABSTRACT

AUTHOR: COL David M. King

TITLE: What Should be United States Policy for Iran?

FORMAT: Strategy Research Project

DATE: 19 March 2004 PAGES: 28 CLASSIFICATION: Unclassified

In his January 2002 State of the Union address to Congress and the American people, President George W. Bush named North Korea, Iraq, and Iran as comprising an "Axis of Evil" that threatens world peace through the sponsorship of terrorism and the pursuit of weapons of mass destruction. From 1991 to 2003, the United States attempted to pursue a policy of dual containment of Iran and Iraq. The containment policy did not prevent Iran from developing nuclear technology or sponsoring terrorist groups. Iran is neither deterred by American military power nor persuaded by economic sanctions. The overthrow of Saddam Hussein in Iraq has created an occasion to reconsider policy for Iran. Possible policy options include containment, engagement, disengagement, or preventive war. Neither disengagement nor preventive war are attractive, and engagement is problematic given Iran's internal political situation. Therefore, a new approach to containment appears to be the best option. During the Cold War, containment of the Soviet Union was based on the belief that the Soviet Union, if unable to expand, would collapse from its own internal contradictions. Iran, too, is beset by internal contradictions inherent to the mixing of politics and religion. The United States may encourage collapse of Islamic government in Iran if it can establish a stable democratic government in Iraq that is founded on Islamic principles but not controlled by Islamic clergy.

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WHAT SHOULD BE UNITED STATES POLICY FOR IRAN?

In his January 2002 State of the Union address to Congress and the American people, President George W. Bush named North Korea, Iraq, and Iran as comprising an "Axis of Evil" that threatens world peace through the sponsorship of terrorism and the pursuit of weapons of mass destruction. Since then, the United States has invaded and occupied Iraq, transforming that country into an entirely different sort of problem. Meanwhile, both North Korea and Iran appear to be continuing their previous policies, including efforts to develop nuclear weapons. The United States is attempting to respond to the North Korean challenge by seeking a regional solution in cooperation with China, Japan, and South Korea. The United States has attempted to deal with Iran by pursuing a policy of containment built around economic sanctions. This policy has not prevented Iran from developing nuclear technology or sponsoring terrorist groups. Iran is neither deterred by American military power nor persuaded by economic sanctions. The United States needs a bigger stick or a bigger carrot, or both.

Containment can be an effective policy if the United States includes efforts to establish and maintain constructive dialogue, avoids undue conflict, and exercises patience. Like the Soviet Union, Iran has internal contradictions that will eventually lead to internal change. Although the United States must maintain the capability for a credible military response to Iranian nuclear ambitions, to the extent possible the United States should pursue a policy that will allow it to establish friendly relations with Iran when change inevitably comes.

UNITED STATES INTERESTS

United States interests in regard to Iran include access to oil, security of the United States and its allies from terrorism, enforcement of the Nuclear Nonproliferation Treaty, and promotion of human rights.¹ Iran currently ranks as the world's second largest oil producer, after Saudi Arabia, and holds 9% of the world's oil reserves.² Additionally, Iran is capable of interdicting transport of oil through the Persian Gulf and could potentially cut off most oil exports from Iraq, Kuwait, Saudi Arabia, and the Gulf States. Furthermore, Iran's geographic location and well-developed pipeline infrastructure make it a potentially important gateway to the huge oil reserves of the Caucasus and Caspian Sea Region. Access to Caucasus and Caspian Sea oil will become a vital concern to the United States as Persian Gulf and Arabian Peninsula petroleum reserves are used up.³

The United States has long charged Iran with being a state sponsor of terrorism. These charges were the basis for President Bush's inclusion of Iran as a member of the "Axis of Evil."

Specifically, Iran is charged with sponsoring the Hezbollah organization in Lebanon as well as supporting other organizations such as Hamas that seek to sabotage the Middle East peace process. Additionally, Iran is accused of sending agents to assassinate and intimidate exiled dissidents in Europe.⁴

The United States has also accused Iran of working to develop nuclear weapons and the means to deliver them. Although Iran claims its nuclear program is for peaceful purposes, the United States suspects that the true aim of the program is to develop atomic weapons.⁵ In February 2003, the International Atomic Energy Association revealed that Iran had secretly built facilities that could be used to produce enriched uranium, and in August 2003 the IAEA leaked a report that it had discovered traces of enriched uranium at two of these facilities. Although Iran plausibly claims its equipment must have been already contaminated with enriched uranium when it was delivered, the possibility that Iran has begun enriching uranium for weapons use is equally plausible.⁶ Iran's secrecy and deception support suspicions that it intends to build a nuclear weapon. In late 2003 and early 2004, IAEA investigators discovered centrifuges and nuclear materials that Iran had previously denied having.

In addition to possibly developing nuclear weapons, Iran has developed the capability to produce a wide range of chemical weapons, including nerve, blister, and blood agents. Iran has also conducted research into microtoxins and other biological agents.⁷ Iran has also developed means to deliver nuclear and chemical weapons. Following the Iran-Iraq war (1980-1989), Iran began a program to develop long range ballistic missiles capable of reaching Israel as well as targets in neighboring Arab countries. The Shahab-3, developed with North Korean assistance, can carry a 1,000kg warhead to a maximum range of 1,300 kilometers. Iran began fielding the Shahab-3 in July 2003.⁸

Iran's human rights record remains poor, according to the U.S. Department of State, Human Rights Watch, and other groups. Iran is accused of a range of abuses including torture, public executions, repression of religious freedoms, jailing of political dissenters, and other civil liberties abuses.⁹

THE POLICY OF CONTAINMENT

Although the United States has a positive interest in obtaining access to Iranian oil, it has mostly pursued the negative aims of controlling Iran's objectionable behavior. The current relationship between the United States and Iran was established following the 1979 revolution, when Iranian students stormed the United States Embassy in Iran and took hostages with the tacit support of Ayatollah Ruhollah Khomeini's Islamic government. The United States

responded by freezing Iranian assets in U.S. financial institutions. The hostage crisis was highlighted in Iran by virulent anti-U.S. propaganda and mass demonstrations in which the United States was excoriated as the Great Satan. The United States responded with reciprocal hostility and a failed rescue attempt. Although the hostages were released after 444 days, the United States continued its economic sanctions. The United States imposed additional sanctions in 1984 in response to perceived Iranian involvement in terrorist activity in Lebanon as well as reports that Iran and Iraq were using chemical weapons in against each other.¹⁰

From 1979 to 1990, the United States supported Iraq as a counterbalance to Iran. After the 1991 Persian Gulf War, the United States promulgated a policy of “Dual Containment” of both Iran and Iraq. Harsh economic sanctions against both states were intended to economically isolate them and to persuade them to halt activity the United States considered objectionable. The policy addressed both countries even though Iran and Iraq were hostile to one another and in no way formed a single entity. Eventually, the policy was clarified to differentiate U.S. goals. Of key importance, the United States sought the overthrow of Saddam Hussein’s regime in Iraq, but only demanded modifications to the behavior of the Iranian regime.¹¹

With the overthrow of the Iraqi regime, the policy of containing Iran continues, but it has not been notably successful. Iran has not significantly modified its behavior as a result of U.S. sanctions. To the contrary, Iran has increased its efforts to develop a nuclear program, including activities that appear to aim at development of nuclear weapons.

Critics of the United States’ containment policy have noted numerous weaknesses. T. Clifton Morgan, Dina Al-Sowayal, and Carl Rhodes, studied the policy in the late 1990s and concluded that it was doomed to failure from the start. Although sanctions have hurt Iran’s economy and people, they have not inflicted sufficient pain on Iranian decision makers to cause them to revise their policies.¹² Stephen Pelletiere of the Army War College’s Strategic Studies Institute compared the Dual Containment policy to the U.S. cold war strategy for containing the Soviet Union and concluded George Kennan would be horrified. Kennan’s concept for containment called for the U.S. and the U.S.S.R. to respect each other’s spheres of interest. The U.S. dual containment policy lacked a concept of balance—it was all take and no give, demanding that Iran and Iraq accede to U.S. demands or face an endless embargo. According to Pelletiere, this policy risked creating the very condition it was supposed to be trying to avoid—that is, destabilization of the Persian Gulf region.¹³ Another cold war document, NSC-68, which laid out the strategy of containment as U.S. policy in 1950, noted that for containment to succeed, it was necessary to maintain open channels for negotiation. A diplomatic freeze

would raise tensions while making it more difficult for the Soviet Union to adjust its behavior.¹⁴ Exactly such a diplomatic freeze exists between the U.S. and Iran.

Pelletiere also noted that successful economic sanctions required the cooperation of other nations, in particular the members of the European Union. EU members complained that U.S. efforts to enforce its sanctions were unwonted interference in their affairs. Backed by UN resolutions, the U.S. was able to gain EU and Russian cooperation for sanctions against Iraq, but Iran was another matter. By mid-1998, the U.S. was forced to back away from trying to press sanctions against Iran.¹⁵ However, easing restrictions on Iran while maintaining pressure on Iraq created an imbalance in the Gulf region. Iraq was traditionally the regional counterbalance to Iran and a buffer between Iran and the Arab states along the Persian Gulf. The rulers of the Arab sheikhdoms in the Gulf felt threatened by Iran. Pelletiere suggested (in 1999) that there was little hope for an improvement in the situation short of a direct American attempt to overthrow the Iraqi leadership.¹⁶ Since that is exactly what has occurred, the Gulf oil sheikhs may be reassured, if the U.S. will now assume Iraq's former role in frustrating Iran's regional ambitions. In fact, with the removal of the Iraqi regime, containment is no longer "dual," and the U.S. has an excellent occasion to reconsider its policy toward Iran.

ALTERNATIVE POLICIES

The United States has several options for dealing with Iran. Broadly, they are containment, engagement, disengagement, and preventive war. Containment is the current policy, and it is not working. Economic sanctions imposed after the 1979 Revolution have had little influence on Iranian policy. The hostile relationship between the U.S. and Iran provides little opening for diplomacy. The United States has pursued informational means of influencing Iranian behavior, with little apparent effect. Nor has the United States presented an effective military deterrent to objectionable Iranian behavior. Although the United States is the world's premier military power, it does not appear prepared for military operations against Iran. The Bush Administration has not mobilized public or international support for major military operations against Iran, and the United States military—particularly the Army—may be already overcommitted.¹⁷ The threat of major military operations against Iran therefore does not appear to be imminent and therefore does not represent a credible deterrent to Iranian policy. In fact, it may have the opposite effect of encouraging Iran to hasten its nuclear program in order to develop nuclear weapons before the United States is ready to attack.

ENGAGEMENT AS A POLICY OPTION

The first alternative to containment is engagement. Rather than confronting Iran with unrelenting hostility, the U.S. could try to reach out to Iran and try to establish dialogue with the relatively moderate government of President Mohammed Khatami. Part of this approach would include easing or elimination of economic sanctions. Ideally, opening diplomatic channels and easing economic sanctions would strengthen Khatami's moderates in their internal struggle with the hard line clerics who control Iran's judiciary and security apparatus. Eventually, this could lead to the opening of Iranian society, a lessening of hostility between Iran and the United States, and improved stability in the region. Engagement might place the U.S. in a position to exercise influence on Iranian policies such as its pursuit of nuclear weapons. Additionally, opening relations with Iran would ease U.S. companies' access to Iran's oil resources.

Inviting as it may sound in theory, there are serious difficulties with a policy of engagement. First, the so-called "moderates" in Iran's government are moderate only in comparison to the extremists who control the judiciary and security apparatus. Khatami and his supporters, while they have pursued modest liberalization in Iran, remain suspicious of the U.S. Like most Iranians, they associate the United States with the hated regime of the late Shah. And like most Muslims, they associate the United States with the despised Israelis.¹⁸ Iran does not recognize Israel's right to exist and continues to support Hamas and its efforts to sabotage the Middle East peace process.¹⁹ Iran's anti-Israeli policies reflect not just the extremists' views, but those of most Iranians. It would be therefore extremely difficult for Iran to forsake these policies or to warmly embrace Israel's primary sponsor.²⁰ Iranian support for rapprochement with the U.S. suffered a strong setback following President Bush's "Axis of Evil" speech, which triggered massive demonstrations in Iran.²¹

It would also be difficult for Iran to give up some of the practices that earn it the condemnation of Western human rights groups. Iran regards public executions and mutilations as expressions of Islamic law. Efforts of the Shah to liberalize Iranian society—including especially the emancipation of women—were among the bases of the cultural backlash that led to his overthrow.²²

A more important obstacle to establishing a productive relationship with Khatami is that he does not appear to have much if any ability to control events. Although Khatami won an impressive 77% of the vote in the June 2001 elections, he and his followers were able to make only modest reforms. The Council of Guardians, an unelected body controlled by extremely conservative clerics allied to Supreme Leader Khamene'i, has the right to vet and veto all bills, and has used this power to squash nearly all significant reformist legislation. The result has

been a growing sense of frustration and resignation among supporters of reform. The ineffectiveness of the reformers has generated widespread apathy among Iranians.²³ In the February 2004 elections, the Council of Guardians disqualified some 2,400 reformist candidates from the parliamentary elections. Reformers responded by boycotting the elections. Conservative candidates won a “landslide” victory, but the 28% voter turnout both undermined the legitimacy of the election and highlighted the disillusionment of Iranian voters with the Islamic government.²⁴

Implementing a policy of engagement would face difficulties from within the U.S. as well. Although U.S. oil companies may stand to gain from access to Iran, and through Iran to the Caspian region, there are also strong anti-Iranian constituencies in the United States. In addition to Neoconservatives who have a strong voice in the Bush administration, there is a passionate pro-sanction faction in Congress. The pro-sanction faction is relatively small but is more vocal than the anti-sanction and neutral factions, and therefore carries disproportionate weight.²⁵

OTHER OPTIONS: DISENGAGEMENT AND PREVENTIVE WAR

The second alternative to containment is disengagement. This is essentially the policy recommended by Pelletiere (before the overthrow of Saddam Hussein). Pelletiere postulated that Iranian and Iraqi oil was not critically important to the U.S., which could obtain sufficient oil from Saudi Arabia and the Gulf oil sheikhdoms. He counted Iran and Iraq as peripheral interests that should be left to cancel each other out.²⁶ His recommendations have since been overcome by events—for the near term the U.S. cannot disengage from Iraq, and therefore must also deal with Iraq’s neighbor Iran. However, since economic sanctions have proven ineffective and the potential for engagement is uncertain, a *de facto* disengagement could result, and might be no worse a policy than containment.

The third alternative to containment is preventative war, probably presented as preemptive. This is the solution arrived at for Iraq, and some have suggested it would solve the Iranian problem as well.²⁷ President Bush’s National Security Strategy declares the willingness of the United States to engage in pre-emptive war, and we demonstrated in Afghanistan and Iraq that we were not bluffing.²⁸ A June 2003 Washington Post-ABC News Poll indicated a majority of Americans (56%) would support military action to prevent Iran from developing nuclear weapons.²⁹ However, Iran is a much more difficult problem than Iraq. It is four times larger in area, and its army is likely to be better motivated than was Iraq’s. Furthermore, no one would suggest that the Iranians would welcome Americans as liberators. As noted earlier, the

United States Army has its hands full with the occupation of Iraq and would find it difficult to generate forces necessary for a ground invasion—especially if the U.S. wanted to keep something in reserve to deal with potential North Korean mischief. Nor would it be likely that the U.S. could generate much international support for an invasion of Iran. U.S. claims of an imminent nuclear threat would meet with profound skepticism after the U.S. failed to find Saddam Hussein's supposed weapons of mass destruction.

Although a ground invasion appears too difficult, the U.S. is fully capable of conducting air strikes against Iran's nuclear facilities, as Israel did at Osirak in 1981. Israel is also capable of conducting such an operation, especially with U.S. support. The U.S. might prefer to let Israel do it, in order to deflect some of the outrage that would be bound to follow, however persuasive the evidence of Iranian intent. Even if the U.S. was not directly involved, a military strike against an Iranian site would engender tremendous hostility and would make rapprochement with Iran all but impossible. Furthermore, any element in the Iranian government that had begun to establish contacts with the U.S. would probably face severe consequences. That said, the hostility of the Iranian people would be preferable to allowing Iran to possess nuclear weapons.

Although the four broad courses of action for dealing with Iran are presented individually, they are not all mutually exclusive. The U.S. could, for instance, pursue a graduated policy that moves from current economic sanctions toward engagement and free trade, if it can be achieved. The current containment policy is not working, and sanctions generate ill will with no corresponding benefit to the U.S., so there is little value in maintaining them. Engagement depends on the ability of moderate Iranians to respond positively, which is doubtful, but still worth seeking. Experience so far suggests that U.S. and Iranian values and interests are too far apart to admit compromise that fully satisfies both nations, and even the most idealistic and optimistic policy of engagement cannot rule out the use of military force if necessary to prevent Iran from obtaining nuclear weapons.

CONTAINMENT RECONSIDERED

The United States' Cold War containment policy toward the Soviet Union originated as a coherent policy with George Kennan in 1946. In his famous Long Telegram, Kennan argued that if the Soviet Union was prevented from expanding its influence, it would eventually collapse of its own "internal contradictions." The collapse did not come until nearly 45 years later, but it came. Containment is a policy that requires patience.

Given patience, are there "internal contradictions" in the Iranian regime that will lead to its collapse? The answer is yes, and the United States may be in a position to create conditions

that will highlight the contradictions. The contradictions have to do with competing Shi'a philosophies about the proper role of religious leaders in government. The current stagnation in Iranian government reflects the contradiction. The Shi'a community in Iraq may become a model of how to overcome the contradiction.

TWO VIEWS OF THE ROLE OF SHI'A RELIGIOUS LEADERS IN GOVERNMENT

The Islamic Republic of Iran represents a departure from the traditional role of Shi'a clerics in government. Traditionally, Shi'a religious scholars, or *mujtahid*, have abstained from government. Ayatollah Ruhollah Khomeini turned this tradition on its head, asserting that the *mujtahid* have a duty to establish and lead an Islamic government.

The Shi'as split from Sunni Islam when Mohammed's son-in-law Ali was thrice passed over as Caliph, or successor to Mohammed. Ali finally was chosen as Caliph in 656 CE, but five years later he was assassinated at Kufa, Iraq. Ali's tomb was built a few miles west of Kufa, and the town of Najaf grew up around it.³⁰ After the martyrdom of Ali's son Hussein at Karbala in 680, the Shi'as evolved from partisans of Ali's claim to the Caliphate into a religious minority, often oppressed for their beliefs.³¹ Although the Shi'as never regained the Caliphate and political leadership of Islam, they continued to follow successive Imams, chosen from the descendants of Mohammed. Different Shi'a sects split over who the true Imams were, with the largest sect (the "Twelvers") holding that there were eleven true Imams, beginning with Ali. When the Caliphs martyred the eleventh Imam, his son, the twelfth Imam was miraculously hidden away, someday to return as the Mahdi, a messianic figure who will reestablish rightly guided leadership of the Islamic world.

In the absence of the Twelfth Imam, the Shi'a Ulama (religious establishment) became scholars and spiritual advisors, interpreting Islamic law but generally abstaining from politics. Abstinence from politics was at least partly a matter of necessity—early Shi'a rebellions turned out badly, forcing the Shi'a minority to turn inward. Under the circumstances, the Shi'as adopted the view that the Ulama should not seek political power, but rather should concentrate on interpreting Islamic law to guide individuals in their day-to-day lives.³² In part, the Ulama justified this stance by noting that politics involves deceit and compromise, and the Ulama would taint itself by becoming involved.

The role of the *mujtahid* was *ijtihad*—the determination of legal judgment in matters of religion.³³ "Islam" means submission—submission to the will of God, but also submission to a set of social rules, laid out in the Quran, that govern daily life. Islam is much more prescriptive than other religions about how its adherents should live, prescribing definite laws for every

major human activity.³⁴ However, the Quran cannot address every possible human activity or situation, and therefore it must be supplemented by other sources of Islamic doctrine. These include the example set by the Prophet's own actions and interpretations by religious scholars. Shi'a scholars studied the Quran and the life of the Prophet to develop a body of Islamic law.

Religious scholars in the leading Shi'a centers gathered in seminaries to study and interpret Islamic law. For centuries, central Iraq—Najaf, Karbala, and Hilla—was the center of the Shi'a faith. Even after Shi'a Islam became the state religion of Persia in 1501 and the Shahs of Persia appointed themselves guardians of the Shi'a faith, central Iraq remained the center of Shi'a learning. However, in the 20th Century, the Hawza at Qom, Iran, gained in prominence under the leadership of Grand Ayatollah Abd al-Karim Ha'eri Yazdi. In part, Qom gained by the suppression of Iraqi Shi'as in the 1920's during the British Mandate period, one of several efforts to suppress Iraqi Shi'as during the 20th Century.³⁵

One of Ayatollah Ha'eri's students was Khomeini, who continued to live and study in Qom after Ha'eri's death in 1937.³⁶ After he was exiled from Iran in 1963 by Shah Mohammed Reza Palahvi, Ayatollah Khomeini lived in Najaf for 13 years, until Saddam Hussein deported him at the request of the Shah. In 1970, while in Najaf, Khomeini gave a series of seminal lectures in which he decried the Shi'a clerics who sat about discussing the esoteric points of the law while refusing to take action to see that the law was applied.³⁷ Khomeini denied that becoming involved in politics would taint the Ulama. Guided by Islamic principles, a just government would dispense with what he called "satanic politics."³⁸ Rather than being the realm of deceit and compromise, politics in an Islamic government would be based on truth and firm adherence to Islamic law. "The politics I am talking about is the politics of our country," he wrote. "It is a perfect form of politics that the Prophet of Islam and our leaders in Islam practiced. They came to guide people and lead them to their real interest. Politics is meant to guide people and take into account all the interests of society and man."³⁹

Khomeini argued that Islamic government was not merely allowable, but was the duty of Muslims. He rejected other bases of government, such as hereditary rule or rule by force. Even the most democratic government was unjust if it was not under the rulership of a *faqih*, or Shi'a jurisprudent.⁴⁰ Khomeini's criticisms of un-Islamic (and therefore unjust) government were aimed primarily at the Shah of Iran and made him a rallying point for opponents of the regime. After the overthrow of the Shah in 1979, Khomeini's followers established the Islamic Republic of Iran based on Khomeini's principles, with Khomeini himself installed as supreme leader.

ISLAMIC GOVERNMENT IN IRAN

Under the new constitution adopted after the fall of the Shah, Iran's government consists of a Supreme Leader, or *Rahbar*, an executive branch under an elected president, an elected legislature, an assembly of experts, a guardian council, and a judiciary consisting of scholars trained in Shi'a jurisprudence.

The Supreme Leader is a "just and pious jurist" selected by the Assembly of Experts as best qualified to lead the nation. Khomeini himself was first to serve in this role, and he designated his aide Ali Khamene'i to succeed him. Khamene'i was selected (and after Khomeini's death, duly confirmed by the Assembly of Experts) based on his loyalty to Khomeini's ideals, rather than his credentials as a Shi'a jurisprudent.⁴¹ Khamene'i was promoted from *hojat al Islam* to *ayatollah* only just before becoming Supreme Leader; he has yet to rise to the rank of Grand Ayatollah.⁴² The senior Iranian *ayatollah* at the time of the succession was Grand Ayatollah Hossein Ali Montazeri, whose commitment to Islamic government was suspect.⁴³

The Supreme Leader appoints the members of the Council of Guardians, chief judges of the judicial branch, and commanders of the military and the Pasdaran, or Revolutionary Guards. He also approves all candidates for the Presidency.⁴⁴ He is *de facto* commander in chief of all military forces and controls the state security forces.

The Assembly of Experts is directly elected for eight years (1990, 1998, 2006, etc) from among candidates approved by the Council of Guardians. Its role is to appoint, oversee, and if necessary dismiss the Supreme Leader. Since the Supreme Leader effectively controls its membership, the Assembly's first role is the only one of significance.⁴⁵

The President of Iran is directly elected for four years (1993, 1997, 2001, 2005, etc). He is the head of the executive branch and presides over the cabinet. The legislature is called the *Majlis-e Shora-ye Islamic* (Islamic Consultative Assembly) or simply *Majlis*. It is made up of 270 representatives chosen by district in direct elections to serve for four years (1992, 1996, 2000, 2004, etc). Five seats are reserved for religious minorities: one each for the Jews, Zoroastrians, and Assyrian Christians, and two for Armenians. The remaining 265 seats are reserved for representatives who have a deep belief in Islam. The Majlis debates bills placed before it by the government or at least 15 members, approves treaties, confirms cabinet members, and may authorize martial law for up to 30 days.⁴⁶ The elected President and Legislature give Iranian government the appearance of democratic form, but power rests neither in the President nor in the Majlis.

The Guardian Council, together with the Supreme Leader, is the real power in Iranian government. The Council of Guardians consists of twelve trained Shi'a jurists, six appointed by the Supreme Leader and six appointed by the Chief of the Judiciary (who is himself appointed by the Supreme Leader). The Council is answerable only to the Supreme Leader. The Council has final approval (or veto) of all legislation passed by the Majlis. The council also vets candidates for the Majlis and can disqualify any candidate whose religious credentials it finds inadequate.

CHALLENGES TO ISLAMIC GOVERNMENT

The Islamic Government in Iran has not been a tremendous success. Khomeini's "perfect politics," free of dispute and compromise, have led to a stagnant and unresponsive government. The reform movement led by President Mohammed Khatami has accomplished little, stymied by the vetoes of the conservative jurists on the Council of Guardians. In the February 2004 elections, the Council of Guardians disqualified some 2,400 reformist candidates from the parliamentary elections. Reformers responded by boycotting the elections. Conservative candidates won a "landslide" victory, but the 28% voter turnout both undermined the legitimacy of the election and highlighted the disillusionment of Iranian voters with the Islamic government.⁴⁷

Government has effectively been left in the hands of the Council of Guardians and the Supreme Leader, appointed leaders who are not accountable to the Iranian people. New ideas are vetoed. Debate is suppressed. The learned scholars of the Council can provide detailed rulings on how long after menstruation a woman is considered unclean, but the scholars know little about economics or finance. As Ayatollah Montazeri pointed out, the mullahs "don't know anything about economics or politics"⁴⁸ Under the reign of the mullahs, unemployment is high and 40% of the people live below the poverty line.⁴⁹ Iranian citizens are disillusioned and apathetic. They do not like the government they have, but they see little means of improving it. Some observers have suggested that Iran is ready for a new revolution, but too many citizens remember the last revolution's upheavals and see little gain from it. They have no enthusiasm yet for another one.⁵⁰ Even the 70% of the population that is under 30 and has no memory of the Islamic Revolution seem to have no taste for a violent response to the current situation.⁵¹ They have no Ayatollah Khomeini to inspire and lead them and no alternative model for a better government.

Many in Iran have begun to question the validity of clerical rule. In 1997, Ayatollah Montazeri, Iran's senior ayatollah, rejected the absolute power of the *Rahbar* on the grounds

that Islam forbids the supremacy of fallible humans.⁵² Others followed Montazeri's example, and even in the seminaries of Qom students openly questioned the role of religious leaders in government. Ordinary Iranians also have complained, bringing back the traditional argument that mixing politics and religion degrades religion without improving politics.⁵³

AYATOLLAH SISTANI ON THE ROLE OF RELIGION IN GOVERNMENT

The traditional Shi'a view on the role of religion in government is embodied in the teaching of Grand Ayatollah Ali al-Husseini Sistani of Najaf, Iraq. Ayatollah Sistani is the senior Ayatollah in Iraq. He is considered the prime *marja*, or source of emulation, for Shi'as everywhere.⁵⁴ Ayatollah Sistani has caused some concern for the U.S.-led Coalition Provisional Authority by rejecting the CPA's plans to implement a new Iraqi government whose members will be chosen by caucuses rather than by elections. "We want free elections and not appointments," Sistani wrote in the Iraqi daily newspaper *Al-Zaman*. "Each Iraqi must have the right to vote for whomever they trust and want to represent them in the future assembly."⁵⁵

Sistani has long adhered to the traditional and conservative view of the Shi'a clergy's role in government. Government should be designed according to Islamic principles, but he opposes creation of an Islamic government such as that of Iran. During Saddam Hussein's regime, the quietist philosophy was necessary for survival—Saddam killed Sistani's activist predecessors Grand Ayatollahs Muhammed Baqir al-Sadr and Muhammed Sadiq al-Sadr. With Saddam gone, some Shi'a clergy—Muqtada al-Sadr, son of Muhammed Sadiq al-Sadr, is a notable example—have pushed for a more activist role, and Sistani himself has gradually become more willing to assert himself in political matters.⁵⁶ However, Sistani continues to declare support for separation of the clergy from politics. In an interview with the German news magazine *Der Spiegel*, Sistani declared, "Shiite clerics [in Iraq] subscribe to the view that religious scholars should neither be involved with political questions nor assume government offices."⁵⁷

Does Sistani's position have any relevance to Iran? Like many of Iraq's Shi'a scholars, Sistani was born in Iran. He grew up in Mashhad and as a young man studied in Qom before moving to Najaf in 1952.⁵⁸ The movement of ideas and scholars between Najaf and Qom is not unusual. During Saddam's reign, the number of students at Najaf declined from several thousand to a few hundred as the center of Shi'a learning shifted from to Qom. With the fall of Saddam, new students are flocking back to Najaf.⁵⁹ Some will later return to Iran.

WHAT SHOULD BE THE U.S. POLICY FOR IRAN?

The best policy for the United States to pursue toward Iran is containment, but a form of containment much different from the ineffectual and possibly immoral economic sanctions that the U.S. has maintained since 1984. As in the contest with the Soviet Union during the second half of the 20th Century, the United States should seek to triumph over Iran on the basis of the superior attractiveness of its ideas. This strategy requires two elements, as Paul Nitze argued in NSC-68: military strength and open diplomatic channels. The United States must sustain adequate military strength to respond if necessary to Iranian nuclear weapons development. The U.S. must also be capable of responding to major threats to its interests, including sponsorship of terrorists that may attack the United States.

The United States must try to avoid a diplomatic freeze. Russia, the EU, and other nations have expressed beliefs that Iran is susceptible to engagement. Unlike the U.S., the U.K. maintains diplomatic relations with Tehran in the hope of promoting reforms.⁶⁰ Engagement may be more difficult for the U.S. Meaningful engagement with Iranian “moderates” may not be a viable option, and the conservatives who hold real power may have little interest in warming relations. If so, the United States should seek other means of building contacts. One is economic: the United States should give up its ineffectual economic sanctions. Not only are the sanctions possibly immoral, they also inhibit the establishment of informal business relationships that could facilitate stronger ties. The United States should continue to support activities of the IAEA to monitor Iran’s nuclear activities. Rather than shunning European states that maintain ties with Iran, the United States should encourage such ties as a possible means of communicating by proxy with Iran’s leaders.

In addition, the United States should set an example in its solution to the Iraq situation. If the United States can bring about a democratic constitutional government in Iraq whose legitimacy is accepted by Iraqi Shi’as, Sunni Arabs, and Kurds, it will not only promote a stable and friendly Iraq, but also will provide an example that may influence the future of Iran’s Islamic government. The legitimacy of the new Iraqi government is of paramount importance. Iraqis will not accept returned exiles such as Ahmed Chalabi, who fled Iraq in 1958 and is widely seen as an opportunist and charlatan.⁶¹ Any government that does not have the support of the Najaf Hawza will be rejected by most of Iraq’s Shi’a majority.⁶² On the other hand, a democratic and progressive Iraqi government, established according to Islamic principles but not dominated by the Islamic clergy, will provide a positive model for Iran to emulate.

The United States should not become unduly concerned with Iranian offenses that do not directly affect U.S. vital and important interests, or at least the U.S. response should be

proportional to the level of the threat. Iranian support to Hamas, for example, should not cause a large reaction from the U.S.—although Israel may react quite strongly. On the other hand, the U.S. must be prepared to respond forcibly to offenses that do affect vital and important interests—including military action if necessary to prevent Iran from developing nuclear weapons. Part of the U.S. range of responses must include diplomatic responses, which requires that the United States must open diplomatic channels—that is, it must engage Iran. Although this may entail a risk of backlash against Iranian elements that are friendliest to the U.S. and its values, it is worth the gamble. The U.S. occupation of Iraq and Afghanistan creates possibilities for both conflict and cooperation with Iran. The U.S. should exploit the opportunities presented. The possibility of Iranian participation in the rebuilding of Iraq should be extended as an incentive to positive engagement and cooperation.

Eventually, Iran's internal situation is likely to stabilize at a point that accommodates the aspirations of the majority of its people. The United States should pursue a policy, consistent with protecting vital and important interests, that will allow for friendly and constructive relations with Iran when that future arrives.

WORD COUNT= 5,980

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