



UNITED STATES INSTITUTE OF PEACE www.usip.org

SPECIAL REPORT

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ABOUT THE REPORT

The United States Institute of Peace is sponsoring a book-length study of Iranian negotiating style as part of the Institute's ongoing Cross-Cultural Negotiation Project. This project develops and transmits useful knowledge for negotiating with foreign counterparts on matters affecting the prevention and management of international conflicts. Specifically, the project is designed to help professional negotiators better understand the negotiating behavior of their counterparts and thereby achieve mutually satisfactory political solutions to issues that might otherwise escalate into confrontation.

This report is a part of that project. The result of interviews with academics and practitioners and of historical research, it is intended as a brief "how to" guide for American negotiators dealing with counterparts from the Islamic Republic of Iran.

The need for guidance such as this report offers is acute. Iran and the United States have been in a confrontation—a state of "no war, no peace"—since 1979. There have been no diplomatic relations between the two countries since April 1980, and what contacts have occurred have usually been unofficial or covert or have had very limited agendas.

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The views expressed in this report do not necessarily reflect the views of the United States Institute of Peace, which does not advocate specific policy positions.

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John W. Limbert

Negotiating with the Islamic Republic of Iran

Raising the Chances for Success—Fifteen Points to Remember

Summary

- Both Iranian and American sides come to the negotiating table burdened with years of accumulated grievances and suspicions. Their recent history has led both sides to assume the worst about the other and to see it as infinitely devious, hostile, and duplicitous. Yet, while talking to Iran may sometimes be difficult and unpleasant, it is also worth doing and may help both sides to find common interests lurking behind walls of hostility and distrust.
- To enhance the prospects of a fruitful encounter, American officials should pay attention to a variety of traits that their Iranian counterparts are likely to demonstrate. Although some of these characteristics might make productive negotiation difficult, American negotiators should remain patient and focused on the issues under discussion.
- Iranian negotiators may base their arguments on an abstract ideal of "justice" instead of defined legal obligations. This distrust of legalistic argument springs from the belief held by many Iranians that the great powers have long manipulated international law and the international system to take advantage of weaker countries. The American negotiator should, therefore, look for unambiguous, mutually agreeable criteria that both define ideals of justice and avoid legal jargon.
- The combination of Iran's great imperial past and its weakness in the last three hundred years has created a gap between rhetoric and reality. Yet, while history certainly matters to Iranians, they will on occasion bury the past to reach an agreement, especially if that agreement serves a larger interest.
- There are parallel governing structures within the Islamic Republic, making it difficult but also important for American negotiators to be sure they are talking to the

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***Talking to Iran may be difficult
and perhaps unpleasant.***

right people. The factionalization of the Iranian political system can make Iranian negotiators reluctant to reach an agreement lest they become vulnerable to charges of “selling out” to foreigners.

- Grand gestures may overshadow the substance of issues under negotiation, and American negotiators need to be able to distinguish substance from political theater.
- Iranians feel that they have often been treated as fools in political contacts, and they will be very sensitive to American attitudes. If they sense that the American side considers them irrational and unreasonable, they are likely to react in exactly that way. American negotiators should thus treat their Iranian counterparts with professional respect and not lecture them on what is in Iran’s national interest.
- The Islamic Republic believes itself surrounded by hostile American, Arab, Turkish, and Sunni forces, all determined to bring about its downfall. Conspiracy theories are very popular, and events such as the 1979 Islamic Revolution and the Iran-Iraq War are often considered the outcome of great power plots.
- If an American negotiator senses that the Iranians are overplaying a hand and pushing a momentary advantage beyond its value, the best response is to ask, “On what basis are you asking for that?” and to insist that the Iranian side come up with some understandable basis for its position. Mediation or arbitration by an impartial body can sometimes help to counter what appear to be unreasonable demands.
- What works in any negotiation—preparation, knowing each side’s best alternative to a negotiated agreement (BATNA), building relationships, and understanding underlying interests—will work in negotiations with Iranians. What can undermine any negotiation—such as ill-advised public statements—can also compromise negotiations with Iranians.

Introduction

The Baghdad meetings between Ambassadors Ryan Crocker and Hassan Kazemi-Qomi in May and July of 2007 marked the first official bilateral American-Iranian contacts since relations were formally broken during the U.S. embassy hostage crisis in April 1980. Previous contacts, productive or not, had been indirect, clandestine, or part of some multilateral framework. Earlier attempts to establish official dialogue had foundered on pervading suspicions and the view that “now is not the time” and “if they want to talk, then they must be up to something.”

Like adolescents dealing with a prom invitation, when one side came forward, the other pulled back. In 1998–99, for example, Tehran—politically hobbled by internal dispute—rejected Secretary of State Madeleine Albright’s offer to discuss, without preconditions, a “roadmap to better relations.” In 2003, the United States ignored an Iranian proposal—transmitted through the Swiss embassy in Tehran—to open discussions on all outstanding issues, including a broader Middle East settlement. It is ironic that the United States ignored such an approach after it had insisted, in the aftermath of the 1986 Iran-Contra fiasco, that it would talk to Iran only through the “official” channel of the Swiss protecting power. By all accounts, that 2003 decision came from the illusory euphoria of an easy military victory in Iraq and the view, popular with some in Washington at the time, that “real men go to Tehran [in tanks].”

Talking to Iran may be difficult and perhaps unpleasant. There are, however, some points that are worth remembering and that might help avoid some of the missteps that have doomed previous attempts to hold conversations. Many of these points will be obvious to those with experience in negotiation and to those who have dealt with the Middle East in general and Iran in particular. In the case of Iran, however, the U.S. government has lost its cadre of expertise. Through the 1980s and 1990s it did not train Persian speak-

ers, and eventually those with language and country experience aged and retired, leaving a gap that, with the best will in the world, will take at least a decade to fill. Ambassador Crocker, for example, must be among the last active-duty American diplomats who served in Iran.

Creating such a well-prepared cadre will take time. Training someone to a level of professional speaking and reading proficiency in Persian—a process that experts believe requires at least nine months of full-time study—is just the beginning of the process. Understanding nuances, historical references, cultural and class views, and other subtleties will take much longer, ideally through personal immersion in an Iranian social context. Yet without at least some understanding of these facets of the Iranian mindset, the American negotiator's task will be much harder.

On the other side, few Iranian counterparts are likely to have much understanding of the United States. Iran's cadre of U.S.-educated technocrats has aged and a new generation of Iranians from a different social background has come to occupy key posts. Even those Iranians who lived and studied in the United States often did so at a fairly advanced age (most were graduate students) and lived—like many American expatriates in Iran—in an environment unaffected by and remote from the main currents of American life. Although the Islamic Revolution and the subsequent turmoil brought hundreds of thousands of Iranians to the United States, there are fewer and fewer people inside Iran who have had any direct contact with America and Americans.

Many in power in Iran today have gained their positions by riding waves of anti-American sentiment. Many leaders of the Islamic Republic see the power of American popular culture as a direct threat to the austere strictures of the dominant ideology and, as such, a threat to the current leaders' control of the state. Ayatollah Khomeini once said that he did not fear America's ships and armies; America's most terrifying weapon, he asserted, was its popular culture, with its power to mislead Iran's young people and to turn them away from the true path of religion and revolution. The earlier flows of students, tourists, business visitors, and others from Iran to the United States have become a trickle. Iranians' views of the United States are likely to be highly distorted either by the Islamic Republic's official hate machine or by an idealized picture coming from Iranians' dislike for their own government. According to this latter view, "if this government says America is the root of all evil, then America must be the source of all that is beneficent."

Following the suggestions listed below will help but will not guarantee the success of a negotiation. Expertise and a few helpful hints by themselves will not always overcome the formidable barriers to that success. Festering resentments, perceived grievances, and suspicions run deep on both sides, so that negotiations by the most skilled and experienced parties may still fail—or at least not achieve what is hoped for. The key to progress is keeping expectations realistic. One or two negotiating sessions are not going to make people forget the real or imagined humiliations of the past. For in the near term, the American side is no more likely to overlook the wounds of the 1979–81 hostage crisis than is the Iranian side likely to put aside the memories of the 1953 CIA-sponsored coup against the Mossadegh regime.

Some of the points listed below are basic negotiation techniques and would apply in negotiations with almost any state counterpart, not just the Islamic Republic. Such principles, however, deserve special emphasis in the Iranian case, because of the deep and mutual mistrust that has existed between the two countries since 1979. In the case of Iran, there is no reservoir of goodwill that a negotiator can tap to overcome difficulties of process or substance. Since relations were formally broken in 1980, there has been an almost complete lack of official, bilateral contact. That estrangement has deprived Americans of face-to-face negotiating experience and has left the field mostly to the speculators, the professional pundits, and those pursuing personal or political agendas. Lacking firsthand knowledge and serious analysis, we are often left with distorted stereotypes about Iranians' basic "irrationality and egoism" and with sweeping statements such as "Iranians hate negotiations."¹

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Of course, today the setting for American-Iranian negotiations is unpromising and the chances of success are uncertain. Yet if there is mutual interest in coming to the table—as there was in 2001–02 about Afghanistan and there should be today about Iraq—then the recommendations below may just raise the chances of a productive negotiating encounter from none to at least slim.

Fifteen Points to Remember

1. Negotiating with Iran—hard as it may be—is worth doing. After twenty-eight years of uninterrupted Iranian-American hostility, some American observers argue that the Iranian regime is so evil, so irrational, and so mendacious that there is nothing to gain from negotiations except more sterile rhetoric, absurd accusations, and blatant untruths. In this view, if the Islamic Republic today is, in some ways, the equivalent of Nazi Germany in 1938, then negotiating with such a regime ignores its true nature and will only give it a legitimacy it does not deserve.² These observers claim that this member of the axis of evil is a worthy target only for regime change, or that, at a minimum, Iran must “change its behavior”—that is, do all that we demand of it—before any kind of discourse can begin. In this analysis, the regime in Tehran is beyond the pale. It is so brutal, benighted, and paranoid that there is no point in opening a dialogue unless its only subject is the terms of Iran’s surrender.

The problem with this Manichean view—regarding Iran as a manifestation of pure evil—is that it is likely to become a self-fulfilling prophecy. When we approach the Iranians (or any counterpart in a negotiation) as though they are the malevolent beings described above, they will quickly perceive how we look at them and adapt their tactics accordingly. Approach Iranians as irrational, dissimulating cheats, and they are quite likely to fulfill those expectations. This dark view of Iran and Iranians also ignores the possibility that negotiating could be one method of changing what has been a twenty-eight-year destructive U.S.-Iranian relationship of mutual grievance, hostility, and suspicion into something more productive. During that period, mutual recrimination, name-calling, finger-pointing, posturing, and sermonizing have had few results. The Islamic Republic still exists, remains hostile and suspicious, and has recently reminded us of its antagonism by the high-profile arrests of Iranian-Americans whose mission was to encourage Iranian-American dialogue and scholarly research. The United States, for its part, has imposed more and more sanctions, encouraged others to do likewise, and issued barely veiled threats of military action.

The point is that the United States should be talking to the Islamic Republic not because doing so is easy or even likely to produce immediate and positive results, but because both sides might find significant common interests in doing so. Talking, hard and disagreeable as it might be, is likely to be more productive than continuing twenty-eight years of noisy and sometimes violent confrontation. We should have no illusions. Discussions with the Islamic Republic are unlikely to produce in the short run the kind of productive outcomes we might wish for. Iran is not going to “change its behavior” immediately and stop all of its misdeeds in the areas of terrorism, Middle East peace, human rights, and nuclear development. Yet serious negotiations may elicit areas of common interest that lurk behind walls of hostility and distrust.

2. Establish objective criteria free of legalisms. Closely reasoned legal arguments may have their place in a negotiation, but for the most part they will not impress the Iranian side. This feature of Iranian negotiating style long predates the Islamic Republic. In February 1946, for example, Iranian Prime Minister Ahmad Qavam, meeting with Stalin on the sensitive issue of Soviet military units remaining on Iranian soil after World War II, deliberately avoided arguing the legalisms of the 1921 Soviet-Iranian friendship treaty, which gave the USSR the right to intervene in Iran under certain conditions, and referred to Soviet withdrawal as a matter of equity and friendship between the two countries.

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The Islamic Republic has had a contentious relationship with the law and legal issues. In its earliest years, the new authorities took drastic steps to eradicate the European-based legal system it had inherited from the Pahlavi era (1925–79) and attempted to replace it with something the new rulers believed was in accordance with Shia religious law. The new regime also undertook a wholesale purge of judges, lawyers, and prosecutors—especially women—and replaced them with clerics who were supposed to establish an “Islamic” and “revolutionary” legal system. The regime also sacked many members of the Iranian Foreign Service, who traditionally had brought strong legal qualifications to their work.

In such a setting, it is vital—although sometimes difficult—to establish what experts call “objective criteria” in a negotiation. The Islamic Republic, particularly in its most revolutionary and ideological moods, has often regarded what others call “international law” as a pretext for foreigners to cheat Iranians out of their rights. One expert, writing of “the historical distrust Iranians had for Western legalism,” asks rhetorically, “Had treaty after treaty not proved that international law was simply a political device to ensure Western control?”³ The test of an action, therefore, is not whether it conforms to some abstract notion of legality, but whether it can be presented as a victory for Islam and for Iran. Such criteria, of course, are subjective and ambiguous, and one group’s victory is often presented as another group’s betrayal.

The negotiator, therefore, should look for unambiguous, mutually agreeable standards that avoid legal jargon and technicalities. Legal arguments will often carry less weight with Iranians than with Americans. For the American side in a transaction, maintaining the integrity of the *process*—grounded on legal principles—is often crucial. For the Iranian side, that process is seen only as a means or an obstacle to achieving an all-important result. An Iranian visa applicant, for example, will probably have little interest in upholding the integrity of American immigration law. He or she will show genuine confusion if a visa officer protests indignantly (“You lied to me!”) on discovering that the applicant lied.

There is an important distinction here. A lack of interest in points of law may at first suggest that the Iranian side is taking an emotional, subjective view of an issue while ignoring logic and objective factors. The reality is not so simple. The emotional factors may be important, but the true motives of the Iranian side in a negotiation will sometimes be difficult to comprehend. Those motives may include a mixture of the political, personal, financial, and ideological. The outsider, lacking clear insight into these motivations, should be wary of taking refuge in the oversimplified and time-honored view of Iranians as emotional and incomprehensible (as opposed to “rational” Westerners). In so doing, one risks creating a self-fulfilling prophecy. Treated as irrational, the Iranian side in a negotiation is likely to become so.

3. The past matters: Be aware of Iran’s historical greatness, its recent weakness, and its grievances from decades or centuries earlier. Iranians know well that in pre-Islamic times their country was a world power, ruled a large empire, and on several occasions defeated even the mighty armies of Rome. The Iranian plateau is covered with reminders of Iran’s ancient glory, even if popular memory now associates those pre-Islamic monuments with mythological heroes such as Jamshid and Rostam rather than long-forgotten historical kings such as Cyrus and Darius. In more recent times—until the eighteenth century—Iran rivaled the neighboring Ottoman and Mogul Empires and could deal with the West on equal terms.

Beginning in the 1700s, however, Iran lost its great power status. It progressively surrendered territory and influence to outsiders, notably to Britain, Russia, and (later) the United States. The nineteenth century saw multiple humiliations for Iran: bankruptcy, military defeats, and losses of territory and authority in Afghanistan, Central Asia, and Transcaucasia. Foreigners gained control of Iran’s finances and oil resources and even its security forces. Iran avoided overt colonial status only because British-Russian rivalry kept the country feeble but nominally independent. In the twentieth century, foreign powers

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formally divided Iran into spheres of influence (in the Anglo-Russian treaty of 1907), occupied the country (during both world wars), backed provincial separatist movements (in 1945–46), and frustrated Iranians' attempts to gain control of their own destiny by suppressing the Constitutional Movement (in 1906–11) and by overthrowing Prime Minister Mohammad Mossadegh's nationalist government (in 1953).

History, or at least some version of it, will be very much alive for Iranian counterparts. Iranians, like all of us, are captives of their history. In their case, however, that history is a very long and tragic one. What Iranians remember is likely to be some disastrous event that in the retelling has grown and transformed itself into near mythology. With such memories, suggesting that the Iranian interlocutor "forget the past" or "move on" is unlikely to meet with much success or response beyond puzzlement or hostility.

The Iranian side may never mention history explicitly (unlike Israeli Prime Minister Menachem Begin, whose one-hour meetings famously began with thirty minutes of Old Testament and twenty minutes of Holocaust, or Yasir Arafat, who loved to dwell on past injustices to the Palestinians to the exclusion of anything else). Depending on the Iranian negotiator's cultural orientation, however, one or more of the following events will have shaped his approach to the issue under discussion:

- the civil wars of early Islamic history, climaxing in the martyrdom of the prophet's grandson, Imam Hossein b. Ali, at Karbala in 680 CE;
- the Arab invasion and defeat of Iran's pre-Islamic Sassanian Empire in the seventh century CE;
- the constitutional revolution and its failure, 1906–11;
- the tripartite Allied (British, Soviet, and American) occupation of Iran, 1941–45;
- the foreign-backed separatist movements in Azerbaijan and Kurdistan, 1945–46;
- the overthrow of Prime Minister Mossadegh and the restoration of the Shah, 1953;
- the Islamic Revolution of 1978–79 and its bloody aftermath, including the Iran-Iraq War of 1980–88;
- the United States and others siding with Iraq during the Iran-Iraq War, and the downing of an Iranian civilian airliner by the USS *Vincennes* in July 1988.

Most of these events ended badly for Iranians (or at least for some Iranians) and have created a profound sense of national victimization and grievance that can still pollute the Iranian political atmosphere. Even where the events, in the view of some individuals, did not end badly, the lesson that Iranians often draw from their history is one of "us alone against a hostile world." As a result, Iranian counterparts may come to a negotiation with a view of their nation's history that has too often featured defeat, tragedy, victimization, and betrayal.

Can Iranian negotiators ever bury the past? Of course they can, if doing so serves some larger interest. As one observer recently noted, the Iranians, in an effort to mend fences with their Arab neighbors, appear willing to overlook the fact that Saudi Arabia and most of the Persian Gulf states were strong financial and logistical backers of Saddam Hussein's Iraq throughout the course of the bloody 1980–88 war. The Iranian side could always bring up that history again, but for the moment the need to normalize relations with those Arab states dictates putting aside (if not forgetting) historical grievances.

4. Choose intermediaries with great care. In any negotiation, and especially in the absence of formal American-Iranian diplomatic relations, a trusted and skilled intermediary can be very useful. The Algerians—to whom each side could talk without making an apparent concession to the other—played such a positive role in the 1980–81 negotiations between the United States and Iran to end the U.S. embassy hostage crisis.

In contrast to such official, respectable intermediaries, the last twenty-eight years of American-Iranian contact have featured numerous self-appointed individuals and groups who will act on their own initiative from more questionable motives. As long as there are no official bilateral U.S.-Iranian relations, there will be no shortage of persons volunteer-

The lesson that Iranians often draw from their history is one of "us alone against a hostile world."

ing their services as channels to this or that influential person within the murky Iranian political universe. Everything about such persons and their claims, however, should be suspect: their contacts, their motives, their veracity, and their ability to deliver.

Such would-be intermediaries, however, know they have an American audience and often exploit it skillfully. They can play on the absence of official contact and on the known political leanings of their American listeners, tell them what they want to hear, and attempt to convince them, for example, that

- Iranians are seething with discontent and are ready to make a new revolution with outside support (especially financial) and encouragement;
- a particular ethnic group (e.g., Kurds or Azeris) or region (e.g., Baluchistan) is ready, with outside support, to make trouble for the central government;
- most Iranians would welcome American efforts to overthrow the Islamic Republic, even by force if necessary;
- the leaders of the Islamic Republic are ready to moderate their policies and require only a “gesture” from the United States to show support for policies of some (imaginary) moderate Iranian faction.

U.S.-Iranian relations are littered with the wreckage of ill-judged attempts to use such intermediaries. The lawyers Christian Bourguet and Hector Villalon were doing a profitable business with Iran when they offered their services as intermediaries during the 1979–81 hostage crisis. Eventually their efforts led nowhere because their Iranian contacts had no power beyond the doors of their own offices. The notorious wheeler-dealer Manouchehr Ghorbanifarr—teamed up with NSC staffer Oliver North—almost brought down an American president (Ronald Reagan) by manipulating and misrepresenting the views of all sides during the notorious arms-for-hostages deal of 1985. Despite Ghorbanifarr’s well-documented shortcomings as an intermediary, some American officials continued to deal with him as late as 2002.

Such persons should be dealt with warily, if at all. They can and will drag their American contacts into the middle of Iranian political swamps and use them to gain respectability and further their own political and financial fortunes. We should be especially wary if such intermediaries claim disinterested or humanitarian motives and declare, “Of course I want nothing for myself. I just want to be of service to both countries.” Any variation of the above statement is a clear warning to stay away.

5. Talk to the right people. The unique and opaque structure of the Islamic Republic—with duplicating and conflicting authorities in a world of contentious and arcane internal politics—can make it very difficult to understand exactly who has authority and responsibility to reach agreements in any given area. The conventional wisdom, in dealing with the Islamic Republic, is “Everyone is in charge; no one is in charge.” Rarely will the other side in any negotiation, however, announce that he or she is not authorized to make an agreement or does not have the power to carry out a commitment. That unpleasant news usually arrives only after one believes s/he has reached a deal.

The tempting explanation for such a breakdown may be “Oriental duplicity,” but the reality is that one has probably been negotiating with the wrong people. The American negotiator should remember that there are parallel and sometimes competing governing structures within the Islamic Republic. There is a “republican” system, with a written constitution, a presidency, ministers, a parliament, and popular elections. Such a system is familiar to us and resembles, at least in appearance, parliamentary and presidential systems in other countries. In this system, titles more or less reflect responsibilities, and fundamental laws will limit terms of office and establish mechanisms for accountability. The Iranian parliament, for example, must confirm nominated ministers and can also dismiss them by votes of no-confidence.

Alongside this republican system, however, there exists a second, “revolutionary” or “theocratic” structure that operates very differently and with substantial independence

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from the formal governmental structure. Controlling this system is a group of about twenty-five individuals, members of an elite inner circle who, with varying titles, have held the reins of power in the Islamic Republic since its beginnings in 1979.⁴ This system evolved from the chaotic events of 1979–80, when the existing civil administration, police, and military had collapsed and the new regime found itself in a struggle for power with ethnic separatists, armed militias, and dissidents from across the political spectrum. Distrusting those civil and military institutions it inherited from the monarchy, the victors of the revolution created new structures, such as the Revolutionary Guards (Iranian Revolutionary Guard Corps [IRGC]) as a private security force, the revolutionary courts to administer summary justice, and the *Ansar-e-Hezbollah* (literally, “the supporters of the Party of God”) to be the enforcers and goon squads assigned to intimidate opponents and fight the vicious street battles of the time against nationalists, Marxists, and the hated liberals.

In the provinces, governors (employees of the Interior Ministry) found themselves overshadowed by the local “imam’s representative” and Friday prayer leader (who was often the same person). During the Iran-Iraq War, the IRGC, was organized into major front-line units, eclipsing the role of the regular military. In the March–April 2007 crisis over detained British military personnel, it was clear that the IRGC’s maritime units—not the Iranian navy—were the forces involved. Throughout this crisis, the role of the “official” Iranian government remained ambiguous.

6. Understand that the Islamic Republic’s priority is survival. Rightly or wrongly, Iran’s leaders see themselves surrounded by enemies seeking the Islamic Republic’s overthrow. They see American military forces in Afghanistan, Iraq, Turkey, and the Persian Gulf; they see hostile Sunnis in Saudi Arabia, Afghanistan, Pakistan, and elsewhere; they see hostile Arabs to the south and west; they see hostile Turkic peoples to the west and north; they see nuclear-armed states in India, Pakistan, and Israel; and they see hostile Azeri irredentists to the north and Kurdish separatists to the west. When these leaders hear terms like “regime change” and “axis of evil,” such rhetoric confirms what they already suspect: that the United States is determined to overthrow the Islamic Republic, using subversion if possible and force if necessary.

Under these conditions, the leaders of Iran will do what they believe they must do to ensure their regime’s survival. With survival at stake, they will vacillate between extremes of concession and brutality. Near the end of the Iran-Iraq War, in June 1988, for example, they suddenly executed hundreds of political prisoners—some of whom had already served their sentences—for reasons still unclear. Although willing to sacrifice thousands of their country’s young men in the swamps of Khuzestan and southern Iraq during the 1980–88 war, Iran’s leaders were not ready to sacrifice themselves and their positions. In August 1988 they thus accepted a humiliating peace deal with Iraq when they realized further fighting threatened to bring down the entire Islamic Republic. They will make alliances with the non-Islamic (Armenia), anti-Islamic (Russia), and godless (North Korea) at the expense of their fellow Muslims in Azerbaijan and Chechnya. They allied themselves with Libya’s Muammar Qaddafi and overlooked his role in eliminating Lebanese Shia leader Imam Musa Sadr. They will support terrorist groups and operations to eliminate dissidents abroad. Believing Iran vulnerable to a Czech-style “Velvet Revolution,” they will lash out and arrest, imprison, harass, and murder domestic opponents, including women, harmless dissidents, and intellectuals whom they somehow see as a threat. Then, when driven to the wall, they will make sudden reversals of policy, as they did when, despite their earlier defiant statements, they accepted a cease-fire with Iraq in 1988.

Facing this suspicious view of the world from his or her Iranian counterpart, the American negotiator has both a problem and an opportunity. On the negative side, the American negotiator will encounter a wall of suspicion and mistrust from an Iranian counterpart who assumes that America’s ultimate purpose in dealing with Iran is to destroy the Islamic Republic. On the positive side, a negotiation can progress well if one can convince or reassure the Iranian side that its agreement to an action will not destabilize the Islamic

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Republic and may, in fact, help it survive. Tehran's cooperation with the United States during the 2001–02 negotiations on Afghanistan is a case in point. At that time, the Iranians knew very well how they would benefit from the downfall of the Taliban and from its replacement by a government that did not subscribe to a radical anti-Shia and anti-Iranian ideology. Similar considerations should apply in the case of Iraq, where the Islamic Republic, in the interest of its own survival, shares the American aversion to a divided Iraq, an Iraq dominated by Sunni extremists, or an Iraq under a new version of Saddam Hussein.

7. Let the Iranians define what is in their national interest. Iranians do not appreciate hearing lectures from others on what is logical and what is in *their* (i.e., Iranians') self-interest. Misreading Iranian interests has led to serious problems in the past, as when, for example, American policymakers in 1979 assumed that Iran's basic economic and security interests would limit the new regime's anti-American actions to rhetoric and symbolism. Such an analysis may have been correct as far as it went, but it failed to consider the interests of subgroups and factions in provoking a confrontation and sabotaging any possibility of a normal relationship between the United States and the new government in Tehran. In 1979–80, such groups ridiculed the whole idea of "national interest" and, by creating an atmosphere of hysteria and fear, ensured the ultimate victory of radical, absolutist religious factions in the revolutionary coalition over their nationalist and leftist rivals.

The Iranian representative in a negotiation knows very well what serves his national, partisan, family, and personal interests. Such interests may differ from—and may even contradict—what an outsider, largely unaware of the factional infighting in progress, decides is in Iran's "national interest," a concept that has been enormously suspect since the 1979 revolution.⁵

The same consideration applies to logic and illogic. An American negotiator should be wary of seeing himself or herself as the only logical side at the table and of dismissing the Iranian as the illogical and emotional party. As noted earlier, viewing the Iranian side as irrational can become a self-fulfilling prophecy. In many cases, however, the Iranian side is using a logic that the American side cannot penetrate—a logic perhaps dictated by an instinct for personal survival and by political and social forces poorly understood by outsiders.

8. Understand the Iranian BATNA: Expect actions that may appear (to you) self-destructive. American negotiators should never convince themselves, "The Iranians will never be so foolish as to do *x*." In the past, that statement has often been a guarantee that they will do precisely *x*, driven not by foolishness, but, as noted above, by a logic that the outside observer does not understand. In commercial dealings, for example, informants often report that Iranians are willing to sabotage an entire deal rather than make some minor concession. Some experts say that Iran's refusal to negotiate seriously with foreign partners on oil and natural gas contracts has stopped crucial investments and has damaged that sector's ability to maintain long-term supply and revenues.

In negotiation with Iranians, as in all negotiations, it is vital to be aware of the other side's best alternative to a negotiated agreement, or BATNA,⁶ as well as one's own. The Iranian BATNA may be difficult to predict. In some cases, the Iranian counterpart may be afraid to make any agreement lest he come under criticism from political adversaries at home for "selling out" to the foreigner. Some historians, for example, argue that Prime Minister Mossadegh rejected compromise settlements of the 1951–53 Anglo-Iranian oil nationalization dispute out of fear that his domestic political opponents would accuse him of surrendering to foreign interests. Such an analysis maintains, in effect, that Iranian domestic politics forced Mossadegh into taking self-destructive actions.

In other cases, the Iranian negotiator may not have the power to make any reasonable agreement, and the negotiation may become an exercise in futility. He may also, in a commercial negotiation, for example, be seeking a bribe, either for himself or on behalf of a

An American negotiator should be wary of seeing himself or herself as the only logical side at the table and of dismissing the Iranian as the illogical and emotional party.

patron, to close the deal. Finally, he may be what the Iranians call *mard-e-rendi*, someone who outsmarts himself though pursuing short-term gain with a single-mindedness that blinds him to larger issues at stake. Iranians often impute this kind of behavior to others on whom they look down. Asked about this trait, a senior Iranian official complained to me that being *mard-e-rendi* (sometimes made stronger and called *khar* [donkey] *mard-e-rendi*) was an annoying characteristic of Indians and Pakistanis!

9. Give your Iranian counterparts credit for intelligence. Iranians have a long history of being treated as simple-minded and as incapable of drawing obvious conclusions from available evidence. When Britain and Russia, for example, signed the treaty that divided Persia into spheres of influence in 1907, the preamble to their agreement stated that both parties pledged to respect Persian independence and territorial integrity. As one contemporary British observer put it, “Such statements are a sure sign that a country is about to lose both its territorial integrity and its independence.” In October 1979 the American administration thought it could somehow placate Iranian public opinion by announcing that the United States was admitting the deposed Shah for medical treatment and for purely humanitarian reasons. The American people may have accepted such a statement. Given the history of Iranian-American relations, however, no Iranian cognizant of that history would have believed it. The statement, rather than reassure its Iranian audience, insulted its intelligence and seemed to confirm what many, in the highly charged atmosphere of late 1979, already suspected: that the United States was plotting against the revolution and was looking to restage the events of 1953.

In a similar way, most Iranians were perceptive enough to see the reality behind Mohammad Reza Shah’s pretensions to power. They saw the regime’s flashy parades, expensive military hardware, uniforms, statues, and ceremonies for what they were—the ornate exterior of a hollow shell. They understood the empty reality behind the monarchy’s showy exterior, and understood the profound insecurity lying just below the surface.

Although the Shah was skilled at deceiving outsiders, he found it difficult to deceive his own people, who knew he owed his position to foreign backing and that he depended on continued foreign support to stay in power. The extent of that dependence became obvious in 1964, when the United States pressured the Shah and his submissive parliament into accepting changes in the existing American-Iranian Status of Forces Agreement (SOFA), expanding the number of resident American military advisers (and their family members) enjoying immunity from Iranian legal jurisdiction. At the time, the United States presented the change as no more than a “technical adjustment” to the existing agreement. To most Iranians, however, the new agreement was just further evidence of their country’s degradation and of the Shah’s complete subjugation of Iranian pride and sovereignty to the will of the Americans. Even the obedient parliament had great difficulty swallowing this particular humiliation.⁷

Lacking diplomatic expertise and a well-trained cadre of support staff, the Iranian side rarely will be equipped with facts, figures, maps, and precedents with which to make its case.

10. Expect a case based on vague and uncertain claims. Lacking diplomatic expertise and a well-trained cadre of support staff, the Iranian side rarely will be equipped with facts, figures, maps, and precedents with which to make its case. It is likely to rely on ill-defined historical claims or on appeals to “justice” (see point 13 below). Although some observers have noted the Iranian elite’s ability to reproduce itself despite political turmoil, the Islamic Republic has yet to recover from the policies and purges of its early years. At that time, the new regime openly distrusted its experts, whom it saw as insufficiently ideological (*maktabi*), and deliberately encouraged much of the country’s intelligentsia—unable to adapt to the nation’s new and harsh social realities under a theocratic system—to emigrate. What remained were slogans, a cultural revolution, and a lingering mistrust of intellectuals and technocrats as representing alien, decadent, and “non-Islamic” values.

The Islamic Republic associated technical expertise with the old regime. In October 1979, for example, one heard the cry at rallies, “As for those carping intellectuals, we will break their pens!” (or their legs, depending on the translation of the Persian *qalam*). The

new, revolutionary regime preferred to put ideologues in charge of ministries, where true belief in the new theocracy outweighed training and qualifications. The result was a social and cultural revolution in which a generation of inexperienced “new men” took positions of influence and marginalized those tainted by travel, foreign education, and association with the old regime. The Islamic Republic quickly purged the Iranian foreign ministry, for example, of its experienced professionals, and replaced them with inexperienced radicals, including those who had learned their diplomacy by capturing and holding the staff of the U.S. embassy in 1979–81.

11. Expect grandstanding, political theater, and flamboyant gestures. Much of what happens in Iran’s political life includes a large element of theater. During the 1980–88 Iran-Iraq War, for example, the media would show ordinary citizens donating jewelry and other valuables for the war and mothers saying how happy they were to have their sons martyred for the cause. During political conflict, partisans will parade purportedly martyred bodies through the streets in noisy processions in order to stir up pride and anger. The mourning ceremonies marking the holiest days of Shia Islam often feature music, chanting, costumes, animals, and elaborate displays. When students seized the U.S. embassy in November 1979, they saw themselves making a “gesture” against the United States without much thought about consequences or what came next. When President Ahmadinezhad announced the release of the British military captives in April 2007, he described the action as a “gesture of friendship” to the British people.

In such a setting, the appearance and the grand gesture can replace substance, and the American negotiator needs to sort out which is which. The equivalent of bumper stickers can replace policy. Iran’s political discourse often features fiery rhetoric, slogans, and words like “never,” “to the death,” and “not one inch.” Even the feeble and bankrupt Qajar monarchs of the nineteenth century, while presiding over their country’s collapse, portrayed themselves as mighty conquerors and heirs to the great Iranian kings of history and mythology with titles such as “he to whom the world directs its prayers” (*qebleh-ye-alam*). During the conflicts of the early twentieth century, fiery telegrams and petitions flew around the country as citizens pledged to defend the new Iranian constitution to the death. When matters got difficult, however, the thousands of would-be defenders of the constitution weighed their options and made themselves scarce, joining what Iranians call the “party of the winds” (*hezb-e-baad*).

Khomeini himself was a master of defiant rhetoric. During the 1979–81 hostage crisis, his memorable statement, “America can’t do a damn thing” (a polite translation of a much cruder Persian original), immediately appeared on hundreds of walls and banners throughout the country. In 1981, in a fit of anti-British piqué, the Iranians renamed Churchill Avenue near the British embassy for martyr Bobby Sands, the IRA operative who had starved himself to death in a British prison. In an ironic sequel to that incident, a British reporter in Tehran in 2007 describes having a meal at the “Bobby Sands Snack Bar” near the British embassy.

Such rhetorical gestures and flourishes can sometimes become policy and lock the Iranians into uncomfortable and even self-destructive positions. The slogan “War, war, until victory” meant that thousands of Iranians became victims of their leaders’ rhetoric and died pursuing a pointless conflict with Iraq after Tehran rejected the opportunity for a favorable settlement in 1982. In the late-1980s, as revolutionary fervor cooled, the reminder, “Don’t forget ‘Death of America’” would appear on Tehran walls, a tacit admission of the end of revolutionary enthusiasm. The Islamic Republic spent years untangling itself from the effects of Khomeini’s 1989 famous ruling ordering the death of the British writer Salman Rushdie for the heretical views expressed in his novel *The Satanic Verses*.

12. Remember that power is respected, weakness despised. Iranians may fear Aesop’s merciless King Stork, but they detest quiescent King Log. A recurring theme of Iranian history is the respect accorded strong leaders—even bloodthirsty ones—who are able to check the powerful centrifugal forces in the society. Public order has always been very pre-

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carious in Iran, and a powerful ruler is seen as the only safeguard against the anarchy that is always lurking in the wings. Iran has seen recurring social and economic collapse when there is no strong ruler in charge. Tribes, ethnic groups, the clergy, urban mobs, external enemies, and opportunistic politicians are always ready to challenge current authorities. The pious, weak, and ineffective last ruler of the Safavid dynasty (1500–1722), Shah Sultan Hussein (1694–1722), is still Iranians’ proverbial King Log, the feeble leader who brings the country to ruin and collapse. The contrast is the seventh-century Caliph Omar, who, although hated by Shia Muslims as a usurper, earns grudging admiration as a strong, harsh, decisive, and effective ruler. Both of these rulers’ names have entered the common language as symbols of weak and strong leadership.

Connected to the above is another recurring theme of Iranian history: leadership is always personal and always charismatic. Ayatollah Khomeini drew a huge personal following when he was seen as a savior of Iran and Islam. Although some convinced themselves he would withdraw to his mosque to teach and study after the victory of the revolutionary forces in February 1979, the realities of Iran’s political culture meant that he could never leave to others the business of governing. As long as he was alive, he remained the final authority, and no one—not a president, a prime minister, or anyone else—could exercise any meaningful power. In such an environment, American attempts in 1979 to deal with revolutionary Iran through the nationalist technocrats of the Provisional Government were doomed to failure; soon it became obvious that the real power in Iran did not lie with officials carrying ministerial titles.

Similarly, after the moderate and scholarly Mohammad Khatami became president of Iran in 1997, many Iranians saw him as their country’s savior after the years of postrevolutionary austerity and violence. When President Khatami proved unable to fulfill those high expectations, his prestige plummeted as Iranians felt that they had been deceived into electing a new version of Shah Sultan Hussein. By the end of his second term in 2005, many Iranians dismissed not only Khatami but the entire reform movement as a collection of feckless, squabbling intellectuals who were no match for those tough ideologues who had cut their teeth in the street battles, political infighting, and gang warfare of the 1980s and 1990s.

The Iranian respect for power does not mean that an American negotiator can rely on threats and intimidation to make his or her case. That respect means only that the Iranian side will well understand the multiple pressures—internal and external—that impel them to accept or reject a particular offer. In response to an American proposal, the Iranian side will calculate—rightly or wrongly—how much pressure (of all kinds) lies behind the proposal, and that degree of pressure will become part of the calculation of response.⁸

13. Understand that justice, often in a harsh version, in the abstract is extremely important. From ancient times Iranian history has abounded in references to *daad* and *adl*, two words for “justice,” both closely associated with *din* (religion). Shia Islam even adds divine justice (*adl*), along with the imamate, to the three fundamental elements of religion—divine unity, prophethood, and resurrection—that it shares with Sunni Islam.

In a negotiation, the Iranian side may therefore frame its demands, not in specific or quantitative terms but in terms that claim, “All we are seeking is justice” or “We want our rights.” For Ayatollah Khomeini, for example, such justice meant assigning blame and punishing the guilty party in a dispute. In this spirit, he once told a visiting Non-Aligned Movement team seeking to mediate a settlement to the Iran-Iraq War that its true “mediation” mission was to visit both Iran and Iraq, examine what had happened, and determine which of the warring parties had right and justice on its side. “If we are wrong, then condemn us. But if they are wrong, then condemn them. *Justice demands you do this*” (author’s emphasis).⁹

Justice in the Iranian context can be harsh and not always tempered by mercy. The Persian proverb says, *Zolm bessaviyeh adl ast*, “Injustice equally applied equals justice.” With a fragile society, a violent history, and foreign and domestic enemies always ready to take advantage of weakness, many Iranians believe that justice should be quick, decisive,

Justice in the Iranian context can be harsh and not always tempered by mercy.

and visible. After the victory of the 1979 revolution, for example, there was little interest among the victors in long and carefully prepared trials for the vanquished. Despite an international outcry against the rapid verdicts and procedural shortcuts of the revolutionary courts, “justice”—in that context—demanded swift and visible punishment of the guilty (or even the innocent). A nationalist minister in the Iranian provisional government of 1979 rejected the American chargé’s argument that the summary justice and verdicts of the revolutionary courts were harming Iran’s image. The minister replied, “If we had had faster trials and more executions in 1953, then maybe the CIA couldn’t have overthrown Mossadegh.”¹⁰

14. Remember that conspiracy theories have great currency—and are sometimes true. Iranians seem unable to accept simple and straightforward explanations of events. The complex account is preferred, if only because it is more interesting and creative. Behind the surface of events, Iranians often see hidden hands pulling strings and manipulating the world to some subtle and malevolent purpose. To some royalist Iranians, for example, Iran’s 1978–79 Islamic Revolution was the product of foreign conspiracies to remove a Shah who had become too powerful and too independent-minded for the taste of his Western friends. According to one version of this theory, President Carter and his allies no longer saw the Shah as a reliable buffer against Soviet expansion and sought to replace him with a “green belt” of Islamic regimes, which could better resist the godless Communists.

While some of the conspiracy theories may appear absurd, behind them lies a deeper reality. Iranians have often been subject to historical forces out of their control or comprehension, whether in the form of brutal Mongols in the thirteenth century or of manipulative British and Russians in the nineteenth and twentieth. These forces were never benevolent and were willing to use violence, terror, bribery, and subversion—including recruiting Iranian agents—in pursuing of their ends and in destroying Iranians’ attempts to control their own destiny.

The model of modern conspiracies turned out to be true. The CIA did manipulate and bribe Iranians to bring about the downfall of the nationalist Prime Minister Mossadegh in August 1953. Although historians still argue about the details of what happened during those events, no one disputes that the CIA played a central role in toppling the popular prime minister and restoring the weakened Pahlavi monarch. Given that history, it was hardly surprising that twenty-six years later Iranians found it hard to accept the American explanation that in October 1979 the exiled Mohammad Reza Shah was coming to the United States “only for medical treatment.” In the hysterical postrevolutionary atmosphere of 1979 and in the prevailing chaos inside Iran, those Iranians predisposed to seeing conspiracies could easily find signs of a new U.S.-sponsored plot to create instability, restage the events of 1953, and undo the revolution.

15. Expect hands to be overplayed. The Iranian side may push a small or momentary advantage to a point beyond calculations of gain and loss. Many Iranians attach a negative connotation to the adjective *hesabgar* (calculating), which implies that someone is willing to sacrifice principles, friendships, or feelings for material gain. At times of political stress, Iranians can appear to discard calculation of advantage and disadvantage and become captives of unrealistic, rigid positions and extremist rhetoric.

During the 1979–81 hostage crisis, for example, the Islamic Republic felt that possession of the American embassy staff gave it an advantage over a U.S. government determined to destroy the revolutionary regime and replace it with either a restored monarchy or something else more friendly to American interests. Rather than calculate their country’s long-term interests—which would have demanded a quick end to the crisis and would have reinforced the international credentials of the new Islamic Republic—the country’s leaders, bolstered by mass demonstrations of support for the students’ action, felt themselves able (or perhaps compelled) to defy the world. Many of the former hostage-takers have since said that they lost control over events and have justified their action as

Iranians often see hidden hands pulling strings and manipulating the world to some subtle and malevolent purpose.

a product of the “revolutionary fury” that gripped Iran in those days. It is worth noting, however, that during the anti-Shah disturbances of 1978–79, the revolutionaries were usually very careful to avoid targeting foreigners. At that time, at least, they knew the value of favorable press in Europe and the United States—a press that could enlist world opinion on their side.

After capturing American personnel, Iran pushed its temporary advantage to an extent that eventually cost hundreds of thousands of Iranian lives and almost destroyed the country. When Saddam Hussein’s Iraqi forces attacked Iran in September 1980, Tehran found itself, thanks to having overplayed its hand and alienated potential supporters, with very few friends willing to admit that, in all fairness, Iran was in this case the victim and Iraq the aggressor. In 1982, after Iranian forces won a major victory and expelled the Iraqis from the port at Khorramshahr, Saddam offered Iran a peace based on the status quo ante. Urged on by Imam Khomeini’s rhetoric, however, the Iranian side felt it could press its momentary advantage to bring about the final defeat of its enemy. The results were six more years of carnage, poison gas warfare, and, finally, a humiliating acceptance of a UN-brokered cease-fire in 1988.

In such a setting it is crucial for the American negotiator to be patient, remain focused on the issues under discussion, and not be drawn into debating deadends. If one sees the other side is overplaying its hand, the best response is to ask, “Please explain why are you demanding this?” “On what basis are you asking for that?” “How did you come to that figure?” In such a setting, establishing objective criteria that both sides can accept will be vital. Sometimes mediation or arbitration by an impartial body (such as the Hague Tribunal for adjudicating financial claims) can be a useful mechanism to counter what may appear to be unreasonable demands. In late 1980, when Deputy Secretary of State Warren Christopher received a message from the Iranians that tripled their monetary demands for the release of the American hostages to \$24 billion, he persevered in the negotiations and eventually those demands were dropped.¹¹

No Sure Thing

What works in any negotiation—being prepared, building relationships, exercising patience, knowing both one’s own and the other side’s BATNA, understanding the other side’s real interests, among other things—can work in negotiations with the Islamic Republic.

What works in any negotiation—being prepared, building relationships, exercising patience, knowing both one’s own and the other side’s BATNA, understanding the other side’s real interests, among other things—can work in negotiations with the Islamic Republic. Such was the experience of Americans and Iranians in 2001–02 during negotiations over Afghanistan following the fall of the Taliban. Both sides have described the other as professional, businesslike, and, most important, free of the negative preconceptions that have sabotaged many attempts at dialogue.

The negotiators who apply the above principles *can* reach an agreement—but they may not. Even the above guidelines are no guarantee of productive contacts.¹² As noted, both Americans and Iranians too often arrive at the negotiating table burdened with preconceptions, grievances, ignorance, resentment, and the opinion—based on a special reading of history—that the other side is deceptive, infinitely crafty, and will, in the end, reveal its true nature in hostility, treachery, and lies.

The first thing to do is to define carefully what is “successful” and “productive” in a negotiation. Of course the American side would like to see the Islamic Republic end its suspicious nuclear program, cease supporting terrorist movements, announce its backing for a negotiated Middle East peace settlement, end its supply of deadly weapons to Iraqi militias, and treat its own people, particularly its women, with decency. For the Iranian side, the ideal outcome is that the United States lifts economic sanctions, stops supporting Iranian dissidents, ends talk of “regime change,” and removes the Islamic Republic from the American government’s list of state sponsors of terrorism.

Such happy outcomes, however, will not be the result of at least the first, second, or even third meetings. Expectations for productive results in these initial meetings should

be more modest: recognition of potential common interests—in Iraq or Afghanistan, for example—and the fact that it is worthwhile to sit at the table for discussions free of accumulated rancor and rhetoric. Given the unfortunate history of the U.S.-Iranian relationship for the past twenty-eight years, such discussions would represent a major step forward. In the current climate, it would be more than fair to describe such negotiations, whatever their immediate outcome, as productive.

Notes

1. See David Ignatius, "Countering Iran's Distrust," *Washington Post*, May 27, 2007, B7.
2. Such is the view of Norman Podhoretz, as expressed on PBS's *News Hour*, October 29, 2007.
3. See Ali Ansari, *Confronting Iran: The Failure of American Foreign Policy and the Next Great Crisis in the Middle East* (New York: Basic Books, 2006), 203.
4. For further discussion of this elite, see John Limbert, *Iran: At War with History* (Boulder, Colo.: Westview Press, 1987), 145–49.
5. Iranian opponents of President Ahmadinezhad, for example, criticize him for goading the Western countries in a way that does not serve Iran's national interests. For his part, Ahmadinezhad might compare his rhetoric to earlier statements by Imam Khomeini in which he subordinated national interest to pan-Islamic ideals.
6. The term was coined by Roger Fisher and William Ury in *Getting to Yes: Negotiating Agreement without Giving In* (Boston: Houghton Mifflin, 1981).
7. Ayatollah Khomeini established his nationalist credentials with Iranians by his outspoken opposition to this agreement. His blunt criticism of the SOFA led to the Shah's sending him into exile, where he remained until early 1979.
8. There is an often-quoted statement (of uncertain origin) that says, "Iranians will never give in to pressure. They will give in only to a lot of pressure."
9. Cited in Limbert, *Iran: At War with History*, 141.
10. Author's memory of Laingen-Foruhar meeting, Tehran, October 1979.
11. Warren Christopher, "Welcome to the Bazaar," *Los Angeles Times*, June 13, 2006.
12. Even that master of negotiation Professor Roger Fisher (the author of *Getting to Yes*) admitted to his Harvard Law School class in January 1992 that his contacts with Iranian senior officials during the crisis were fruitless.

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