



Hirsh: A Failed Shot at Peace With Iran?

A document obtained by NEWSWEEK suggests the Bush team had a shot at meaningful diplomacy with Iran in 2003. What happened—and how the hardliners may be courting war.

WEB-EXCLUSIVE COMMENTARY

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Newsweek

Updated: 3:16 p.m. ET Feb 8, 2007

Feb. 8, 2007 - Did the Bush administration pass up a chance for meaningful diplomacy with Iran before its radical president, Mahmoud Ahmadinejad, took over? The question has taken on particular urgency in recent days, as the Bush administration has appeared to lay the legal groundwork for war, even while denying it has any intention of attacking Iran. On Jan. 10, in his speech to the nation announcing his "surge" plan for Iraq, Bush declared that "Iran is providing material support for attacks on American troops." Such a statement is considered a traditional justification for war under international law. And The Washington Post recently reported that the president has given orders allowing U.S. troops in Iraq to capture or kill suspect Iranian operatives. Then, last week, Under Secretary of State Nicholas Burns, speaking on National Public Radio, invoked **Article 51 of the U.N. Charter**, which has been used by member states in the past to justify unilateral military action. At the same time the president is moving more U.S. naval forces to the Persian Gulf.

In the view of some critics, who include former senior members of the administration, the Bush team may believe that war with a clerical regime they consider to be illegitimate and dangerous is still likely, or even inevitable. But Bush and his senior aides, recognizing they have little public or allied support, seem to be putting in place a policy that incites the Iranians to act first, these critics say. They compare the current Iran policy to past pretexts for war that later proved ill-founded, like the Gulf of Tonkin resolution authorizing large-scale military intervention in Vietnam. The Bush administration intends "to be as provocative as possible and make the Iranians do something they would be forced to retaliate for," says Hillary Mann, the former director for Iran and Persian Gulf Affairs on the National Security Council under Condoleezza Rice during Bush's first term. "When they state that the Iranians are building support networks to kill U.S. soldiers—I mean, I went to Harvard Law School, and that's a *casus belli*. Nick Burns recently invoked Article 51 of U.N. charter. That's the right to self-defense. That means you don't need another U.N. Security Council resolution to go to war."

Burns, in an interview with NEWSWEEK on Thursday, said his invocation of Article 51 was not directed toward justifying war in any way, but was merely a general statement of any state's right to self-defense. "We are not planning offensive military operations against Iran. We are definitely on a diplomatic path," he said. "I do not believe that military conflict with Iran is inevitable or desirable."

Secretary of State Rice has also vehemently denied that the administration is looking for a way to go to war. In congressional testimony on Wednesday, she repeated that "the president [has] made very clear that we're not planning or intending an attack on Iran." She added: "When we have a carrier strike group into the gulf, or provide PAC-3 [the latest version of the Patriot antimissile system], which is a defensive system, it's simply to demonstrate that the United States remains determined to defend its interests in the gulf and the interests of its allies." Some defenders of the Bush "realignment" plan toward Iran—in which the administration is seeking to get friendly Sunni Arab states and Israel, along with Europe, Russia and Asia, to form a united front and isolate Tehran—say it has begun to work. They point to fresh signals from the Iranian government that it may be willing to talk. "All across the region, the aggressors are stepping back," a Western diplomat in Washington told NEWSWEEK.

Still, "not planning or intending an attack" isn't exactly the same thing as embracing diplomacy with Tehran. In fact, Bush has specifically rejected that idea unless Iran acts first to suspend its uranium-enrichment program. Mann, as well as former senior administration officials such as former secretary of State Colin Powell and his then-top deputy, Richard Armitage, say the president has ignored or played down a number of opportunities to negotiate—especially in the era before Ahmadinejad was elected in 2005. As Powell told NEWSWEEK in an interview this week: "You can't negotiate when you tell the other side, 'Give us what a negotiation would produce before the negotiations start.'"

Rice was asked again this week about a dramatic opening for such a negotiation that took place in late April and May of 2003, when Iranian officials, using their regular Swiss intermediary, faxed a two-page proposal for comprehensive talks to the State Department. **According to the document**, a copy of which was obtained by NEWSWEEK, Tehran plainly laid out the two countries' "aims" and proposed "steps" to resolve them "in mutual respect." The document, believed to reflect the views of Iran's president at the time, the moderate Mohammad Khatami, proposes negotiations on most of the main outstanding issues of interest to Washington—including Iran's nuclear program, its support for Hizbullah and Hamas and terrorism in general, and stabilizing Iraq. Some officials who saw the proposal at the time, including Hillary Mann and her husband, Flynt Leverett, the former National Security Council (NSC) senior director for Mideast under Rice, have angrily criticized Rice and the administration for not taking it seriously.

Asked about that proposal in House testimony this week, Rice fudged. Democratic Rep. Robert Wexler queried her on it during a hearing Wednesday, though he mistakenly summed up its contents by suggesting that it proposed the "acceptance" of Israel (the document doesn't say that explicitly, though it does refer to a "two-state approach" to the Palestinian conflict). Rice's initial reply: "I just don't remember ever seeing any such thing." Wexler asked her again, "So you did not see that supposed fax?" Rice said: "I just have to tell you that perhaps somebody saw something of the like, but I can tell you I would have noticed if the Iranians had offered to recognize Israel." Then she added: "I don't know what Flynt Leverett's talking about, quite frankly. Maybe I should ask him when he came to me and said, 'We have a proposal from Iran and we really ought to take it.' I have read about this so-called proposal from Iran. We had people who said, 'The Iranians want to talk to you,' lots of people who said, 'The Iranians want to talk to you.'" Asked about her comments later by NEWSWEEK, Leverett shot back: "If I had been in such a position I certainly would have done that. The two people who were in that position then were Elliott Abrams and Zai Khalilzad." A spokeswoman for Abrams, who is currently the deputy national-security adviser for democracy promotion—but was then in charge of Mideast affairs—told NEWSWEEK on Thursday: "He has absolutely no recollection of getting any sort of fax at all." (Khalilzad, soon to be the next ambassador to the U.N., was traveling abroad as special envoy to Afghanistan at the time, and is unlikely to have been in Washington when the fax came through.)

Such a proposal did find its way to the State Department in 2003, via Swiss ambassador Tim Guldemann. But a lot of questions remain about its origins and importance. Iranian officials insist that the document began as a U.S. trial balloon, possibly developed out of the office of former deputy secretary of State Armitage. But Armitage, in an interview this week, said he had nothing to do with creating

the document and saw it for the first time as an Iranian fax. At the time, Armitage said, he thought it might have represented some creative diplomacy by Guldemann (who would not comment on the proposal to NEWSWEEK). "We couldn't determine what was the Iranians' and what was the Swiss ambassador's," Armitage said. His impression at the time was that the Iranians "were trying to put too much on the table," Armitage added.

However, Powell's former chief of staff, Larry Wilkerson, said in an e-mail that it was a significant proposal for beginning "meaningful talks" between the U.S. and Iran. Wilkerson added that it "was a non-starter so long as [Dick] Cheney was VP and the principal influence on Bush." The hardline vice president has long been known as an opponent of diplomatic engagement. Mann and Leverett say it was a historic missed opportunity. "I don't care if it originally came from Mars," says Mann. "If the Iranians said it was fully vetted and cleared, then it could have been as important" as the two-page document that Richard Nixon and Henry Kissinger received from Beijing in 1971, indicating Mao Zedong's interest in talks.

Mann says Bush and other senior officials, including Cheney and former Defense secretary Donald Rumsfeld, were simply not interested in broad-based talks with Iran. "I think the president does believe the Iranian government is fundamentally illegitimate, and as long as Iran stays that way there will never be the freedom that needs to be brought to the Middle East," Mann said. "I attended meeting after meeting on Iran for years. This was the tenor of the discussions, that the Iranian government was shaky, a ripe apple on the tree.... And I don't think war fever has ever abated."

Others also continue to question the administration's commitment to real negotiation with Tehran—even if its nuclear concerns are met. "If there is a coherent strategy in place to deal with Iran, I'd like to hear more about it," Democratic Sen. Joe Biden, chairman of the Senate Foreign Relations Committee, told Rice at another hearing on Thursday. "Maybe the strategy is this: by increasing pressure on Iran across the board, we put Tehran on the defensive and strengthen our hands in any future negotiations. That makes sense—provided we're serious about talking."

We may know soon. A senior administration official says that, after four months of silence, the chief Iranian nuclear negotiator, Ali Larijani, is expected to meet within days in Munich with his European counterpart, Javier Solana, who is representing Germany, France and Great Britain in talks backed by the United States. Says Burns: "We have the sense that there's a turbulent environment inside Iran itself. There's a great deal of opposition to Ahmadinejad's failed policies, and a lot of Iranians seem to understand that they're being isolated." We can only hope that if a conversation starts, both sides listen.

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