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Foreword

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FOREWORD

The U.S.-Iranian relationship has perplexed and frustrated foreign policy decision makers, analysts, and academics for much of the last century. Saber rattling, allegations of oppressive and unfair sanctions, propaganda and covert action fill scholarly papers, newspaper articles and editorials, and academic gatherings on the dynamic between the two states.

On September 28, 2013 U.S. President Barack Obama placed a telephone call to the newly elected President of the Islamic Republic of Iran, Hassan Rouhani. This was the first direct conversation between the leaders of the two countries since the Iranian Revolution of 1979. The call lasted less than 20 minutes, yet its impact may challenge the current narrative and alter the nature of the relationship between the two countries—and in the process, reshape the contours of international order.

By focusing its symposium¹ and related issue on Iran, the *Penn State Journal of Law & International Affairs* seeks to reshape the public discussion on how the current U.S.-Iranian relationship will affect the international order in the future—and to do so in a way that challenges conventional debates over Iran's nuclear capabilities and aspirations. While the relationship between the two states encompasses a multitude of components and facets, the nuclear lens provides a launch point for examining that debate and the larger structural forces it implicates.

¹ The annual symposium of the *Penn State Journal of Law & International Affairs* was held on February 15, 2013 at Penn State's Dickinson School of Law and School of International Affairs. Video of the symposium is available at http://law.psu.edu/academics/journals/law_and_international_affairs/lectures_and_symposia.

In the time since the February 2013 symposium, the public discussion has evolved and an opportunity now exists to re-consider the U.S.-Iranian relationship. The essays in this issue do so without succumbing to the usual political frames and offer pragmatic suggestions rooted in an understanding of history, international law, and the demands of those in office.

In the opening essay, [Flynt Leverett](#) questions the sustainability of the U.S.'s current policy toward Iran, and its compatibility with the material and social realities facing many Middle Eastern publics. He urges U.S. officials to consider anew, and unencumbered by the axis of evil narrative, why Iran may want to pursue nuclear technology. In the conclusion of his essay, Leverett ponders whether recent rejections by the U.S. Congress and U.S. public of the use of force in Syria evince a more significant shift – and he calls on government officials to engage in a “substantial strategic revision” of the U.S.-Iranian relationship

In the companion essays that follow, [Daniel Joyner](#) and [Richard Butler](#) explore how current—often competing—interpretations of the Nuclear Nonproliferation Treaty (NPT) will impact its future viability. Joyner examines the history of Iran's compliance (or noncompliance) with the NPT and the related safeguard agreements by adopting the lens of the Western arguments and then inverting the lens to show the Iranian response. This device demonstrates how competing interpretations affect the efficacy of the NPT enforcement regime. In his essay on interpretative impact, Butler exhorts policymakers to return their focus to the historical purpose for the NPT: to create a world without nuclear weapons.

The companion essays from [Mary Ellen O'Connell](#) and [Reyam El Molla](#) and [James Houck](#) examine the appropriate role for the use of force doctrine in constraining state behavior, particularly with regard to the prospective use of force, by the United States or others, against Iranian nuclear targets. In his essay, Houck imagines a contemporary letter exchange between U.S. Secretary of State John Kerry and Iranian Foreign Minister Mohammad Javad Zarif, and explores the continuing influence of the *Caroline* doctrine on disputes over the justified use of force under international law. O'Connell and

El Molla challenge the assumption, implicit in many current discussions of Iran's nuclear program, that states have a right to use military force to end that program. Their article defends the primacy of the U.N. Charter and explores why an attack on Iranian facilities would violate international law, and do irreparable damage to the global legal order.

In the concluding essay, [Hillary Mann Leverett](#) posits that the U.S.'s greatest strategic challenge is to extricate its foreign policy from a quest for hegemonic dominance in the Middle East and other critical areas of the world. She argues that Iran represents an essential proof point for resetting American foreign policy on a more productive and realistic trajectory, and offers guidance on achieving such a reset.

The mission of the [Penn State Journal of Law & International Affairs](#) is to provide a forum for engaged conversations between scholars and policymakers to examine the most pressing and complex international problems and trends. The U.S.-Iranian relationship has occupied this category for much of the last quarter century. There now exists an opportunity to reconsider this label, and reframe the relationship. In his presentation at the recent October 2013 negotiations in Geneva, Iranian Foreign Minister, Mohammad Javad Zarif called for "an end to an unnecessary crisis and a start for new horizons."² The essays in this issue reflect that call and provide the insights needed to transform the U.S.-Iranian relationship from one of distrust and hyperbole to one of mutual respect and engaged exchange.

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² Michael Gordon and Thomas Erdbrink, *Iran Presents Nuclear Plan to Big Powers*, N.Y. TIMES, October 16, 2013, at A4, <http://www.nytimes.com/2013/10/16/world/middleeast/in-new-nuclear-talks-technological-gains-by-iran-poses-challenges-to-the-west.html? r=0>.