Ground Rules for Improving the Soviet-U.S. Negotiating Climate

By Vadim Sobakin and Roger Fisher

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We have spent six days this spring working with some of our colleagues in Moscow on ways to reduce the risk of nuclear war. No topic was more basic than trying to define "good relations" between the Soviet Union and the United States. With a recently reelected President in Washington and a new General Secretary in Moscow, our countries face an unquestionable opportunity to build the kind of working relationship that will best serve both nations' interests. It is comparatively easy for countries that have similar views to have good relations. But the Soviet Union and the United States have serious differences—differences in interests, values, goals and perceptions. And our differences are greatly exacerbated by the overwhelming military force that each side brings to bear on the relationship. Mutual fears contaminate the atmosphere.

Despite these differences—in fact, because of them—it is important that our two governments have a good working relationship. The greater our differences on matters of substance, the more important it is that we have an effective process for dealing with them. More than any other two countries in the world, our goverments will benefit from a pattern of interactive behavior that is conducive to successful joint problem-solving.

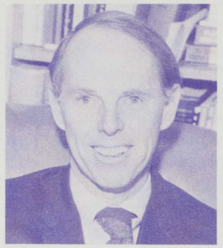
The kind of professional negotiating relationship that we need will not be enhanced either by pretending that important differences do not exist or by refusing to work together to deal with them. In our discussions we identified seven critical elements of a good working relationship:

—Mutual acceptance. Despite fundamental differences, each government needs to accept the other as an equal and legitimate negotiating partner with equal rights and legitimate interests. Beyond peaceful co-existence and respect for international law, and beyond non-interference in the internal affairs of others, we will each benefit from mutual respect for the other's opinions, perceptions, and right to hold beliefs that differ from ours.

Such acceptance and respect do not mean that either side accepts the views and conduct of the other as right. But to the extent that we compete, it should be in the realm of ideas and by peaceful means. Any ideological competition should rest on an acceptance of those who differ as fellow human beings with equal rights.

—Mutual understanding. It is hard to solve a problem without understanding what the problem is. In negotiating practical problems, real conflicts are made far more difficult by a failure to understand how differently people see things. In negotiating a good working relationship, it is equally important to try to understand, as empathetically as possible, the perceptions, concerns, and goals of the other.

—A "demilitarized" relationship. If ideas are to be exchanged and problems solved on their merits, neither side should attempt to coerce the other through military posturing. Neither side can hope to win a major war with the



Professor Roger Fisher

other, nor is it wise to try to exert pressure by being more willing to risk nuclear disaster. Neither side should try to make itself more secure by making the other less so. We are all in the same boat. The other side's security is a necessary condition of our own.

—Effective communication, Mutual understanding requires good communication. The world public is a constituency to which all leaders owe a responsibility and it should be kept informed. Yet clear communication is helped to the extent that officials talk privately with each other rather than perform for world and national public opinion. In addition to public statements, extensive private communication is needed. This need for private discussion should be respected by the media.

—Reliability. Good working relations are impossible without a reasonable measure of trust and confidence. Trust is a valuable and fragile commodity. Being predictable in one's behavior requires at a minimum the honoring in good faith of commitments. Full disclosure is neither required nor to be expected. Yet a high degree of candor and honesty is an essential ingredient of a good negotiating relationship. Trust will be enhanced if each government works on what it can do to make itself more trustworthy in the eyes of the other.

—Consultation. If negotiations are to succeed, the practice should be to listen to the other side before making one's own decision. Consulting before deciding demonstrates respect for the other's views and improves the chance of reaching a wise decision.

This suggests that the traditional practice of opening negotiations by setting forth a "firm position" may not be wise. It might be far better for the parties to have some pre-negotiation sessions of experts to clarify interests, generate alternative standards of fairness and equality, and produce a framework for possible agreement—a framework into which each country could fit its ideas.

—Building on common interests. The Soviet Union and the United States are not simply competitors. We share a wide range of common interests—avoiding nuclear war, improving the quality of life for all, and solving global problems of hunger, poverty, health and economic development. With a good working relationship we can work together to serve and advance these shared interests.

We have not emphasized our many serious differences because the contrast between peace and war lies not in the extent of those differences, but rather in the way we deal with them.

American Specialists Consider Soviet Human Rights Performance

Formed by the American Committee on East-West Accord in April 1984, the American Specialists on the Soviet Union are academic and business leaders whose career experience equips them to appreciate, and to convey to U.S. policy makers, the probable bases for Soviet action in fields of concern to the United States. On average, a meeting in Washington is held every month. The discussions are recorded in summary minutes approved by the participants.

The American Specialists on the Soviet Union met on May 7 with their first Congressional party caucus, this one the House Democrats. (Comparable meetings have been proposed to the House Republican Conference, the Senate Republican Conference, and the Senate Democratic Policy Committee; most Congressional meetings are bipartisan in nature.) They presented copies of the project's briefing papers and engaged their hosts in an informal discussion of the prospects for human rights in the Soviet Union. Congressman Steny Hoyer, who was on the eve of departure to Ottawa as House co-chairman of the U.S. delegation to a Helsinki Accords Review Conference, presided over the discussion. After questions and comments, Caucus chairman Richard Gephardt expressed appreciation for the timely and informative nature of the occasion. He undertook to advise Caucus members of the availability of the Specialists' briefing handbook, and to encourage them to attend and participate in future such meetings.

Presentation

The Specialists opened with a review of their discussion of this subject last December, with senior Soviet analysts and policy makers in the Department of State. As a threshhold matter, they had been invited on that occasion to advise whether there was any point in seeking to understand Soviet actions and attitudes, as opposed to bringing geopolitical pressure to bear for the modification of Soviet behavior. The principal answer suggested by the Specialists, seconded three days later in a speech by the Secretary of State, had been that power and diplomacy must go together if either is to be effective—and diplomacy presupposes at least a broad understanding of Soviet political culture.

The main points of Specialist consensus on Soviet human rights performance, as an expression of that political culture, were briefly summarized:

(1) Three classes of internal Soviet unrest must be distinguished: nationalistic on the Solzhenitsyn model (widespread but muted); liberal and intellectual on the Sakharov model (articulate but narrow); and concerns of the populace at large.

(2) Western influence on Soviet human-rights performance has varied: The Helsinki process keeps it in the spotlight; overt linkage of the Jackson-Vanik variety has probably been less successful than high-level private assertion of American public opinion.

(3) Most Specialists would hold that relaxation of U.S.-Soviet international tensions will have to precede relaxation of internal police controls, rather than the other way around.

Professors Robert Tucker and Ellen Mickiewicz followed this recapitulation by focusing on a few key points, as follows: Just as there are major and quite probably irreconcilable differences between the U.S. and Soviet cultures, so there are wide differences of meaning and interpretation for the term "human rights." In America the phrase derives from our Declaration of Independence ("certain inalienable rights") and connotes political freedom from the despotic authority of government. In the USSR the meaning comes closer to what we would call economic entitlements, *i.e.*, the "right" to affordable housing and education and health care, all dispensed by the state. The Soviets feel in this framework that they are at liberty to criticize the record of the United States.

Resistance to that view can of course be observed within the Soviet Union, among elements of the populace who want to be free from arbitrary, bureaucratic, or mediocre governmental constraints. No dissent was possible under Stalin, but Khruschev opened the door through partial reforms, and Brezhnev and successors have not re-closed it. Hence the various faces of Soviet dissidence—embracing religious, peace-activist, trade-union, emigration, feminist, and even right-wing extremist elements—all of which started up in the 1960's and remain active today.

The prospects are for continuing tension between dissi-

L-R: Congressmen Richard Gephardt (in shirsleeves), Charles Hayes, and William Hughes listen to interchange between Professor Ellen Mickiewicz and American Committee moderator Roland Homet, as Congressman Steny Hoyer and Professor Robert Tucker attend.