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Akron Law Review

THE IRANIAN CRISIS: WHO SHOULD DO WHAT?

AN ADDRESS* BY ROGER FISHER**

THANK YOU. It is good to be here. I will try to do my duty to Law Day as well as talk about Iran.

Those of us in the conflict business — particularly the international conflict business — have hold of a growth industry; we have something really going for us. Each year around the first of May, we look to the law; we remind ourselves about it. As an international lawyer I often hear rather skeptical comments, not just from students, but also from diplomats, generals, and bureaucrats. They see the international troubles of the world. They look at Iran and Afghanistan, at the Arab-Israeli conflict, at what's going on in South Africa and elsewhere, and, knowing that I am an international lawyer who is trying to make the world work a little better, they are likely to say, "Boy oh boy, do *you* have a problem." When I hear that phrase or something like it, I am reminded of an incident that occurred in World War II.

I was a weather reconnaissance observer in a B-17, a four-engine "flying fortress." We had lost an engine which had been replaced in Newfoundland. It was on a beautiful day that we were testing that new engine. The pilot, who was somewhat of a clown, took us up to some fourteen thousand feet and, just for a lark, feathered the other three engines to see how the new one would do by itself. That wasn't so bad because a B-17, empty and stripped down, could fly for a while on one engine, but then, to make the joke a little more fun, he feathered the fourth engine. For a brief moment we were suspended in silence with all four propellers stationary. As the flying fortress glided (something like a rock) toward the hills of Newfoundland, the pilot quickly pushed the button to unfeather the propeller (to put the blades back into the wind) in order to start the engine. At that point and only then did he remember that in order to unfeather a propeller you needed power, and that in order to have power you had to have at least one engine going. As the plane zoomed lower and lower, and as we were buckling on our parachutes, the co-pilot burst out laughing. He turned to the pilot and said, "Boy oh boy, have *you* got a problem."

*This address was delivered in observance of Law Day at E.J. Thomas Performing Arts Hall on the campus of the University of Akron, April 28, 1980.

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When people talk about international law that way I think that we are like the crew of that B-17. We are in this together. If international law doesn't work, we are all in for a crash landing.

Those of us who are primarily concerned with international law tend to hold onto our rules as some theologians hold onto the Ten Commandments, saying, "We must preserve these for future generations. If only people had sense they would follow these rules." As international lawyers we tend to say to the States of the world: "You ought to comply with international law. You are naughty if you do not comply with these rules." That approach does not work; we are not likely to get very far simply by lecturing statesmen and telling them to be good.

Let me share with you the kind of advice I give to a government. Last week I talked with people in the Pentagon, in the White House and in the State Department about international law. I did not tell them they were naughty (although some of them are); I tried a somewhat different angle. The basic message is that law, particularly international law, is best understood not as a restraint on behavior that keeps a government from doing what it wants to do in furtherance of its national interests. Rather law is best seen as a set of tools for advancing those interests; for helping a government get what it wants. Law is not saying, "You can't do it"; rather it is saying, "Here is a way that will help you do it better."

Let me clarify that proposition. I will try to illustrate it with the current situation vis-a-vis Iran.

If law is going to serve our purposes, we have to know what those purposes are. A statesman is like a poker player. Suppose you showed up in New Guinea and wanted to play a poker game. You are not quite sure of the rules, but you have three kinds of interests. Your first interest is to win the hand. You want what you want when you want it; you want victory. Your second interest is to be in a good position for future hands. You do not want to lose all your chips on one hand, and you do not want to ruin your reputation. You want to have a certain amount of clout that can be used in future events. A poker player, like a statesman in Iran or Afghanistan or in the United States wants to have the ability to influence the future; he wants power. Then, whether he thinks about it or not, that poker player has a third interest. He does not want too much disruption. All his winnings—all his chips—won't amount to much if someone kicks over the table and sets the house on fire. He wants peace. These three interests, victory, power, and peace, are omnipresent. You cannot say, "I want only one," or "One comes first" and ignore the others. The thing that makes international problems difficult, and makes our own problems difficult, is that we have to worry about all three all the time.

want to get the hostages back. No. If that was our primary purpose we could have achieved it within a day or two. The President could have kidnapped the Shah, put him in a strait jacket—perhaps added Henry Kissinger in a strait jacket—and with the two of them, could almost certainly have negotiated a swap for all the hostages. No. We were not about to give the Iranian students what they wanted because we had two other interests. One was the interest in international order—in peace. We were also concerned about the reputation of the United States. We did not want to go crawling on our knees saying, “Please give us our citizens back.”

Our first interest was in the rules of the game: not to have diplomats seized and held for extortion. Our second was in the reputation of the United States, our power. Third, consistent with those interests, we wanted to get the hostages back. The hostages are there today because we value principles more highly than their return. Countries sometimes forget that. The media sometimes makes it hard for us to remember what we are trying to do.

Now with each of these three kinds of interests we can use the law in two ways. The law can help us formulate what it is we are trying to do, and the law can help us do it. The law can help us pursue our purpose as well as clarify what that purpose is. The first and most important use is to help us understand what we are really trying to do, to help us clarify our interests. Law can help a statesman; it can help any of us clarify our interests. Nothing condemns us to failure as certainly as formulating an unattainable objective. The key to success is to formulate a goal that we can attain.

Let's look at the peace objective. In Iran what is our peace objective? International order. What do we really mean by that? It is too late to avoid the damage. Clearly the embassy was sacked and hostages (American diplomatic and consular persons) were seized. We cannot undo that. In domestic law when governments break the law, what do we want to have happen? What do we mean by “respect for the law” after Congress has passed an unconstitutional statute or after an Ohio policeman has broken into and entered a pawnshop without a search warrant? At that point, what is our goal? We cannot undo the damage that has been done.

The law helps. It suggests to us that we do not *punish* Congress for passing unconstitutional statutes. The federal government does not even bomb Ohio when it violates the Constitution. We rarely take military action. When we are dealing with governments, we do not rely on punishment. Essentially we say, “Do better tomorrow.” We try to get a cease-and-desist order, a restraining order, or enjoin an officer from doing something again. When a policeman has acted unlawfully we say, “You may not profit from that activity; if you illegally seized evidence you may not use that to get

a conviction." We adopt a forward-looking objective. We do not try to punish states or to teach them a lesson not to pass unconstitutional statutes. We do not say, "Hey, we are going to take punitive action against you until you stop passing unconstitutional statutes." We just say, "Straighten up and fly right in the future."

In Iran our basic peace objective, international order, is to see that extortion does not work. It is to see that the holding of diplomats does not successfully produce things which they could not have gotten by legal means. We do not want to yield to blackmail. There is a virtue in forming our objective that way. If we say that our "peace purpose" in the Iranian case is to see that they do not succeed by coercing us, that is a fine purpose because it leaves success in our hands. They are trying to coerce us and we can say, "No you can't." We can have our way as long as we do not yield to blackmail. On that issue we can decide. And on that issue the world is with us.

One of my former students, the Bolivian Ambassador to the United Nations, turned out to be the President of the Security Council in November, when the hostages were seized. I spent two or three days in New York. It was great to see how many diplomats agreed that diplomats should not be taken as hostages. You have never seen such unanimity of opinion. The Soviet ambassador, the Chinese ambassador, Third World ambassadors and United States diplomats were all agreeing that if there is one thing that is outrageous, it is to seize diplomats and hold them as hostages. Further, the Iranian students not only picked on diplomats, but their demand was to return a head of state. There is one thing heads of states agree upon. All heads of state are future former heads of state; they think it is a bad idea to send former heads of state back for punishment.

In November, we thus had the world with us. We were relying on principle. We were strong in moral stance and we were dividing the Iranians. They were dubious as to whether they were doing the right thing. In principle, Iranians were opposed to holding political prisoners. Islamic friends were asking them if they did not know that the prophet once said to a man, "I could kill you for what you have done, but you are an emissary. Therefore, you may go free." That story is well known in Islamic tradition. Many Iranians worried about what they were doing. So as long as our objective was to see that there was no profiting from extortion or blackmail, we were in a strong position. Unfortunately, we have tended to move away from the peace objective to the victory objective. We have moved away from the question "Can they coerce us?" where the answer was in our pocket, to the objective "Can we coerce them?" They now hold the answer in their pocket. We have given them the power to decide.

to teach somebody a lesson. It is extremely difficult to teach governments lessons: Try teaching Alabama or the Ohio state governor a lesson; try to teach North Viet Nam a lesson; try to teach the United States a lesson. We tried in Viet Nam to teach lessons. It was a very expensive exercise, and it is not clear that either side learned much from the process.

Regarding our second objective, having power, can law help us formulate what it is we wish to obtain? Here we are concerned with reputation. In the Iranian case we are not going to end up with more planes or tanks; we are concerned with how we look as a country. If we do not pay attention to law, we are likely to adopt a stance illustrated recently by Mr. Safire in the *New York Times* or Dr. Brzezinski in his television performance on Sunday. Each saw the critical aspect of our reputation as being to look tough—to have the reputation of being harsh and ruthless: “Boy, are we military; don’t mess with us.”

We can do that. I was in Europe at the time of the *Mayaguez* incident. Cambodians detained the *Mayaguez* and its crew. President Ford and Mr. Kissinger decided to use the occasion to prove how tough we were. They attacked the wrong island (the crew wasn’t on that island) and a helicopter crash killed more than twenty Americans. The United States had no effective communications with Cambodia; the attack was launched after Cambodians had told the crew they were free to go. We were trying to show the world we were tough; we looked incompetent.

The President’s action was popular in Kansas, maybe in Akron; but we were doing this to convince our foreign friends, and it did not go over very well in Europe. I was driving that week from Rome to London and read the Swiss, French, and London papers. Our friends, the conservative papers (*Le Monde*, *The London Times*) were saying, “Don’t judge the United States by this incident. This is an aberration. They will never do it again. They are not usually this irresponsible; they usually behave much better. They certainly wouldn’t do it in Europe; don’t be frightened; they are not really trigger-happy. We must stand by them. They just lost a war in Viet Nam. We have to be very understanding and tolerant; please ignore what they are doing in Cambodia; it doesn’t really represent the United States.” Our left-wing friends, of course, were saying, “This is what you expect from a super power run amuck.” And we were supposedly doing this to win friends abroad.

I do not think that the reputation of looking tough is what we really want. We do not want to look just as ruthless as the Soviet Union. The battle for the world is largely a battle for ideas. The Soviets are peddling the very attractive doctrine of Marx: “from each according to his ability; to each according to his needs.” The truth is that they cannot deliver the goods; the truth is that the Soviet Union is a highly controlled military

society. Those who want us to look equally tough would have us look like Stalin. I would rather look like Thomas Jefferson; less like Attila the Hun and more like Lincoln. Anyway, we aren't very good at looking ruthless. It turns out that when we do something, we don't like being that bloody. In Viet Nam we didn't like photographs of children burned by napalm. We didn't like military reports of destroying villages in order to save them. We are not very good at being that nasty. We shouldn't try to compete in that league. Let's let the Soviet Union win the reputation for being the most brutal.

Law helps us understand what we really want to be like. We have a government under law, freedom under law. The quality that makes this society an ideal, a goal for many in the world, is our law. Freedom, constitutional rights, human rights and liberty—that's why people want to be with us in this country. That's why they come. It is not because our government is tougher or nastier; it is because we are better. If that is the kind of reputation we want at home, if that is the kind of reputation that appeals to ourselves, it is also a reputation that appeals to others in the world. We can be lawful. Here again it is in our power to decide. We cannot prove that we are more powerful, more brutal, than any other country, but we can prove that we respect principles. We can succeed in showing our respect for international law. That is up to us. If we formulate our objective that way, we have a chance.

Our third objective, of course, is victory, to win. How should we formulate "win"? We want the hostages released. Is there anything more than that? Yes, we do not want Iran under Soviet domination. We want the Islamic world to be at least neutral and not to be anti-American, not to be aligned against us. We would like Iranian oil production up; we would like the Iranian society to function successfully, to have their economy and politics work. In short, victory for us is not just an adversarial triumph.

In fact, if the attempted rescue operation had worked and somehow, miraculously, the United States had extracted fifty-three Americans from Tehran, what would our relations have been with Iran? Would Iranians have come back the next day and said, "Now let's do business," or would they in response have invited in the Soviet Union? Would we have alienated that major country on the Persian Gulf? Would we, by humiliating them in that way have driven them to take anti-American positions? The concept of "win" is one we have to look at carefully. Victory for us on this fragile planet is not just adversarial triumph; it is not just putting somebody else down. To some extent we are married to our neighbors, all the other countries on the globe. In that context we have to examine what winning means.

About fifteen years ago I was playing frisbee with my son in Hyde Park in London. We were playing catch. Apparently, no one in London

had ever seen a frisbee. A group of Englishmen gathered to watch this strange sport as we sailed the frisbee back and forth. Finally one Homburg-clad Britisher came over and said, "Sorry to bother you. I've been watching you a quarter-hour. Who's *winning*?" The Britisher knew that sports are win-lose; they are all zero-sum games. Some of us still think international affairs are that way. I wish I had been quicker that day in Hyde Park and ask him if he were married. If he had said yes, I would have asked, "Who's winning?" If you ask that question about a relationship, you are not doing very well.

Winning in the Iranian case does not just mean extracting the hostages; it means having things work out. It means solving their problems as well as our own. It implies both the release of the hostages and a solution that's just for the Iranians, a solution where they also get what they are entitled to—no more than that, but they do get what they are entitled to. It is not just putting them down.

It is a British legal tradition that "The Crown wins every case in which justice is done." The same is true internationally for us. We win if justice is done. We do not win by imposing an injustice.

Those are our goals. Law helps formulate each of them in ways that make them more obtainable and more clearly understood. Law thus serves our own interests, not just by restraining our behavior, but by helping us understand what we are trying to do.

When it comes to pursuing our goals, again the law may help. There are three kinds of ways we can pursue our objectives. One is by changing the world's attitudes, its perception, its knowledge, by proving something or by setting a good precedent. Essentially we are affecting what people think. We are not trying to produce an immediate decision, but just to affect how others think. I call that *education*.

The second way a country can pursue its objectives internationally is through the exerting of *influence*. Again we are affecting people's heads, but this time we want them to make a decision. We want them to decide something they have not yet decided.

The third way is *self-help*. We go out there and do it ourselves, physically.

All three methods are relevant to the Iranian case. Let me illustrate that. So far as the international-order objective is concerned, clearly we cannot do that with hardware. We cannot go out and physically make the world work better with tanks and helicopters. One way to make the world work better is through "education," set a good precedent, give people an idea, have people use their heads. How can law help us obtain this in-

ternational objective? Law can help us obtain this objective by our recognizing law as a standard which limits what we do. It is a standard of justice. As I say, we want justice. Our notion of victory is justice for both sides. Recognizing that, we can begin to have a standard for what Iran gets and for what we get. Both should be determined not by coercion, but by law.

We are going to have to negotiate in some form with the Iranians. In fact, we are negotiating now, but rather crudely, as though we were using smoke signals in a high wind. At some point we are going to have to recognize that there are two problems. There is our problem and there is their problem. Once we sit down side by side to solve both problems, I am sure we can do it.

Sitting down side by side to solve both problems means that we have to have some standard for a solution. If they say, "Please give us the Shah, please take all the money that was taken by the Shah and return it to us, please help set up a kangaroo court to try the Shah, please do this and please do that," we have to know how much to do and how much not to do. The best standard we can have in that context is law. If we do not adopt a legal standard, then anything we do is simply coerced from us and we are paying blackmail. On the contrary, we should emphasize law. We should say, "All right, we will give you whatever you would be legally entitled to without the hostages. You get nothing extra for them. The occasion of your taking the hostages provides the occasion for our getting together, but you get nothing extra for them. In fact, what you get is going to be months later than it would have been."

With Iran, we are essentially in what I call a "parent's dilemma." Maybe enough of you are parents to know that when a small child smashes a crystal vase and says, "I want my supper now," you've got a problem on your hands. You cannot give him his supper right now, but neither can you starve him to death. It is in the parent's interest to get the child fed at some point, and the question is what to feed him and when. The advice is standard. For punishment, send him to his room until supper time or maybe a little bit later; then make sure he gets nothing extra for supper that he wouldn't have had anyway. If it is cold cereal with spinach, (perhaps a little bit colder than it might have been), fine. But you can't say, "I won't give you anything," or that, "I am terribly sorry; you win; you get supper." We're saying, "No you get nothing extra for smashing the crystal vase; nothing extra for that; you just get what you would have gotten anyway."

Similarly, we should tell Iran, "You have had six months punishment. Now you get nothing extra for seizing hostages. You get what you would have gotten if you had asked for it. We will cooperate in tracing funds

that belong to the government. The courts are open. We will unfreeze the trade that wouldn't have been frozen if you hadn't done this. We will remove the sanctions, buy the oil we would have bought earlier, nothing else. You are not being rewarded for your bad behavior." Law as a standard permits us to govern what we are doing. It lets us give something without giving too much. If we do not have that standard we are stuck.

As for our reputation, clearly we want the reputation of being law-abiding: we pay attention to the law. The United States admirably went to the Security Council and to the International Court of Justice. The court issued an interim order (I should say technically, indicated provisional measures) and the final decision of the case of *The United States v. Iran* is expected to come down about the 25th of May, in which presumably Iran will be held governmentally liable for having supported what the students did in smashing the embassy and holding hostages.¹ The interim order asked Iran to release the hostages, and the interim order, in paragraph B, said neither side should take any action which might aggravate tension in the area. The United States is now trampling on its reputation for law-abidance a little bit by ignoring that part of the order of the court.

Our lawyer stood up in court two weeks or so ago and said that the court had ordered that we not increase "tension," but, what we are doing is increasing "pressure." Therefore we are complying with the order. I do not think it is a very plausible argument to say that when under an order not to aggravate tension we can threaten military action and increase sanctions consistent with that order. We have another theory: that we do not have to comply with the order as long as Iran is not complying with the order. That argument is weakened by the fact that Paragraph A said that Iran should release the hostages and Paragraph B said that if they did not, then pending the release, both sides should refrain from tension-producing action. It is hard to say that Paragraph B does not continue to apply—despite Iran's defiance of Paragraph A.

We also damage our reputation for being a law-abiding country by unilaterally engaging in military operations of the kind we did with our rescue attempt. There is a case that could be made for it. My international law class tomorrow afternoon will discuss self-defense. Under the United Nations Charter we undertook to make no use of force, except in self-defense in response to an armed attack. Can we wait six months and say that we are now responding in self-defense against their armed attack and that our means are appropriate? I would think that if that question were

¹ On May 24, 1980, the International Court of Justice, in a unanimous decision, held that Iran was in violation of international law by continuing to hold the hostages, and in a near-unanimous one, "ordered the immediate release of all American hostages held in Iran, told the Iranians not to put any of them on trial and ruled that Iran was liable for reparations." *New York Times*, May 25, 1980, § 1, at col. 6, at 10, col. 2.

submitted to the International Court of Justice, we would lose. Basically, law can help us but we have got to pay attention to the law if we want the kind of reputation of which we and other countries are proud.

Turning to our goal of victory, we tried last week to get this by self-help. We tried going in with helicopters and planes. It was difficult, and we failed. It is hard for us to judge how likely it may have seemed to those who were in on it, but I am afraid that they were all committed to the project. I have seen a series of such "self-help" failures: we failed in the attempt to get prisoners out of North Viet Nam, we failed in the *Mayaguez*, we failed in the Bay of Pigs. Now we have failed again.

Those like the United States who are rich and powerful tend to believe that there is a military solution for every problem: that if only we have the will and are prepared to pay the price, we can solve every problem by military means. Fortunately or unfortunately, it is not so. We cannot make the world work with military hardware. We cannot pump oil with tactical nuclear weapons. It cannot be done. We have got to work with people. You know that in your family, with your spouse and your children, in a village or town or city or country. You can't go around and make things work by just being tough. The same is true around the world; there are very few things you can do simply by self-help, by physically doing it. We are back to influence. The only way we can now get the hostages out of Iran (part of the victory we want) is to influence the decision they are going to make.

Put yourself in the shoes of a student militant, either in November, or a week ago. Suppose one student says, "Hell, this is getting nowhere. Let's release the hostages; this serving three meals a day and guarding fifty people twenty-four hours a day is beginning to wear. We have had the publicity, the TV cameras are no longer giving us the time of day. Let's let them go." How would you answer? Wouldn't you say, "Well maybe, but first what is going to happen to us when we do let the hostages go? What is the United States going to do? Are they going to punish us?" In January, President Carter said that releasing the hostages would not wipe the slate clean. The Pentagon has said that they have a number of options, some of which could be carried out as punitive measures after the hostages are released. I can tell you that in Tehran every student knows that the United States has some punitive military options. They fear that as soon as the hostages are let go and we are no longer worried about their lives we will then take punitive action.

If we want to influence Iranians, we have to look at the choice the way they see it. Construct a balance sheet. From their point of view, it must look something like this:

IRAN'S CHOICE

If we release the hostages:

-
- We look weak.
 - We back down to the United States.
 - We get nothing.
 - The U.S. may take punitive action against us.

If we hold the hostages:

- + We look strong.
 - + We stand up to the United States.
 - + We get TV coverage.
 - + We may get the Shah or at least some of his money.
 - Sanctions continue.
- BUT:**
- + We can always negotiate *some* kind of a deal.
 - + We keep our options open.

Who is irrational? It is those Americans who think it makes no sense for Iranians to hold the hostages. It may have been a bad idea at the beginning, but once they took the hostages it makes no sense to them to release them until they have some assurance about what is going to happen.

Sanctions are wholly ineffective except in contrast with something better. If we say, "As long as you hold them you get hurt," we then have to say, "If you let them go, better things will happen." For example: "We will accept the revolution; sanctions will stop; funds are going to be unfrozen; we will cooperate in dealing with claims; we may help you locate some money if the Shah really took some (at least you will have access to the courts); and we will stop harassing Iranian students." Whatever it is, we are going to do some things for them, with them, or at them, after the hostages are released, things which presumably are more attractive than sanctions. The most powerful thing we can do to influence Iran today is to identify what those things are, and to try to convince them credibly that in fact that is what is going to happen.

We notice how poor *their* credibility is. They have a separation of powers that beats our own. We are upset when President Bani-Sadr makes an agreement that is overruled by Khomeini. But we ought to be a little more sympathetic. Remember that President Carter signed the SALT Treaty only to have it held up by the Senate. We should understand. We are accustomed to dealing with nice attractive dictators like President Sadat and King Hussein. We like dealing with one man rulers. We make an agreement and there it is. It is all done. But the rest of the world has to deal with us. They make an agreement with the State Department only to discover that Congress won't appropriate the money, or the President says no, or we have an election coming up, or the newspapers are on their

necks. Well, Iran is like the United States only more so. We have to be somewhat tolerant of their problems.

Our credibility with them is also very bad. They do not believe a word we say. Last week's rescue attempt will do nothing to improve that credibility.

We are going to have a tough time wrapping a package up. It is going to challenge us lawyers to work out a deal. My current suggestion is that we wrap the package up and make a commitment to the Secretary General. We say, "Okay, we are authorized to tell you that upon release of the hostages, the following things will happen: 1, 2, 3, 4, 5. We reserve the right to withdraw this commitment after consultation with you, but in the meantime it is on the table." Let the Iranians have a simple yes-no decision. Then their internal divisions become their problem, not ours. Let's let them figure out how to say yes, knowing with some confidence what will happen if they do.

In all these ways, law is a tool to help us accomplish our task. But to make it work we need public understanding. We need lawyers who are prepared to see both sides of a case. We need citizens who are able to understand our long-term interest in keeping the game going and in not having the table kicked over, as well as our short-term interest in winning this particular hand. I think it is worthwhile on Law Day to come back and say that this is not just matter for lawyers, it is a matter for all of us.

Now something like thirty minutes ago, I left you rapidly descending from fourteen thousand feet in a B-17 over Newfoundland. I owe you an explanation. We didn't crash. I wasn't killed. While the co-pilot was laughing at the pilot's problem, somebody else did something. Back behind the bomb bay we had a buck sergeant flight engineer who remembered that we had a putt-putt generator to use if we landed in Northern Greenland where there was no plug-in electric power to start the engines. While we were getting our 'chutes on, he went back, wrapped the rope around the fly wheel, tickled the carburetor, adjusted it, and got the generator started. Before any of us had jumped out, we had power on the plane and with power the pilot was able to unfeather the engine. It was not the pilot's solution, not the co-pilot's solution. Somebody who didn't think about whose job it was made the crucial difference.

Making international law work, making sense out of our relations with Iran, helping the public understand the need for balancing international order and nationalism is not just the Secretary of State's job; it is not just the President's job; it is not just a job for those in office; it is a job for all of us. Anyone can make a difference. Different people can make a difference at different times. Any of you can make a difference. And if you do, then instead of saying, "Boy, have *you* got a problem," we can all say, "Boy, have *we* got an opportunity."