Negotiating Terrorism:
Making the Pen Mightier than the Sword

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Outline

• Historical context of negotiating with terrorists
• Research question & key argument
• Defining terrorism
• Terrorism Negotiation Framework
• Irish Republican Army
• Liberation Tigers of Tamil Eelam
• Islamic State
• Findings and recommendations
Historical Context of Negotiating with Terrorists

• **Non-negotiation Orthodoxy**
  • Negotiations reward violent behaviour, encourage further terrorism;
  • Negotiations grant legitimacy; and
  • Terrorist demands are unattainable

• **Merits of Negotiating with Terrorists**
  • Cheaper – financially, politically, economically, temporally, psychologically
  • Addresses root causes of terrorism
  • Influence terrorists’ behaviour
Research Question & Key Argument

• Research Question
  • Why is it so hard to negotiate with terrorists?
  • Can the success rate of terrorism negotiations be improved?

• Key Argument
  • Terrorism negotiations as a more dominant counter-terror strategy
  • Dismissing negotiations is counterproductive
Defining Terrorism

• No universal definition of terrorism

• Terrorism is a label
  • Results in subjective counter-terrorism measures

• Need to change understandings of terrorism
  • Classify terrorists according to utility of violence
  • Remove subjective language
Terrorism Negotiation Framework

Figure 1: Framework for Official Terrorism Negotiations

The closer negotiation variables are to the centre of the Framework, the greater the probability that it will contribute towards successful negotiations.
Irish Republican Army (Northern Ireland)

Figure 2: Terrorism Negotiation Framework for the Irish Republican Army case study

Green = success variables
Red = impediment variables
Liberation Tigers of Tamil Eelam (Sri Lanka)

Figure 3: Terrorism Negotiation Framework for the Liberation Tigers of Tamil Eelam case study

Green = success variables
Red = impediment variables
Islamic State (Iraq and Syria)

Figure 4: Terrorism Negotiation Framework for the Islamic State case study

**Green** = success variables
**Blue** = variables to be encouraged
**Red** = impediment variables
Findings & Recommendations

1. Certain negotiation variables are more or less likely to result in successful negotiated outcomes.
2. The relevance and impact of these variables depends on the purpose of negotiations.
3. The Terrorism Negotiation Framework facilitates identification, and succinct comparative analysis, of these variables.
4. The current understanding of terrorism limits negotiations’ effectiveness as a counter-terrorism instrument.
5. Re-framing terrorism can increase negotiations’ applicability and success rate.
6. Anti-terror legislation should be reformed to decriminalise behaviour that facilitates terrorism negotiations.
7. Traditional approaches to negotiating are less likely to be effective in terrorism situations as they often manifest as zero-sum games.
8. The international community should transform its understanding of negotiations and embrace integrative negotiation practices that facilitate win-win outcomes.
References

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Synopsis: Negotiating Terrorism – Making the Pen Mightier than the Sword

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Following the September 11, 2001 attacks, then-President George W Bush proclaimed that ‘[e]very nation in every region now as a decision to make. Either you are with us, or you are with the terrorists.’ This statement fuelled the still-prevailing orthodoxy that “we do not, and cannot, negotiate with terrorists”. Despite the prominence of military counter-terrorism efforts, the international community has not only failed to end terrorism, but has further witnessed its increased rise and spread.

The primary justifications for not negotiating with terrorists allege that it grants legitimacy, rewards violent behaviour and encourages further terrorism, and that terrorist demands are unattainable. However, the premise for non-negotiation discourse is flawed. The rise in terrorism evidences that the use of force, negative sanctions, and coercion are not effective at deterring terrorism. Policy makers are employing a traditional, and out-dated, understanding of negotiations as the making of concessions. Moreover, it is financially, politically, economically, temporally, and psychologically, more expensive to use force than to engage in negotiations. Further, the non-negotiation orthodoxy ignores negotiations’ unique benefits. Negotiations address the root causes of terrorism through addressing underlying interests and grievances. This reduces the need for pursuing further violence, and is more likely to produce lasting results. Negotiations also enable States to influence terrorists’ behaviours.

As a result, States routinely engage in negotiations with terrorists, despite their official policies of non-negotiation. This led to the key argument that terrorism negotiations should be a more dominant counter-terrorism strategy, and that dismissing negotiations as a diplomatic tool is counterproductive. Terrorism negotiations can succeed under much wider circumstances than prevailing belief contends.
Despite its prominence, the international community still has not reached a universal definition of terrorism. As a result, “terrorism” is applied arbitrarily, labelling terrorists according to society’s political whims. This makes the distinction between terrorism, insurgencies, self-determination, guerrilla warfare, resistance movements, and criminal acts subjective.

Terrorism’s distinctive characteristic is the way violence is used, rather than the objectives it is used for. Consequently, re-framing terrorism according to terrorists’ utility of violence minimises subjective counter-terrorism responses.

I created the Terrorism Negotiation Framework to identify and assess variables that are likely to beneficially, or detrimentally, affect terrorism negotiations. The Terrorism Negotiation Framework maps negotiation variables across five sectors; who to negotiate with, what to negotiate about, when to engage in negotiations, where to perform negotiations, and how to conduct negotiations. The closer each variable is to the centre of the Framework, the greater the probability that it will contribute towards successful negotiations. As variables move outwards, the lower the likelihood of achieving a positive outcome becomes. A bar represents variables that can have a range of influence; the longer the bar, the greater the potential variance. Illustrating the potential range of influence empowers actors to apply the Terrorism Negotiation Framework to their specific context. I anticipate the Terrorism Negotiation Framework being used by States and non-State actors alike as an instrument for guiding official terrorism negotiations.

From this, this research suggests eight findings and recommendations, all of which support the central argument that dismissing terrorism negotiations is counterproductive. The Terrorism Negotiation Framework, combined with re-framings of terrorism and negotiations, allow negotiations to be a much more effective counter-terrorism mechanism. Through increasing the likelihood of a successful negotiated outcome, the pen can replace the sword as the dominant counter-terrorism instrument.

*Transcript of President Bush’s address (21 September 2001)* CNN