

A poison chalice?: Negotiating with extremists

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Abstract

Negotiation as an effective conflict resolution tool is proven and widely accepted; yet there are certain circumstances where the negotiation context will produce an unusual dynamic and interplay between the parties. When negotiation is attempted in stressful, or more violent settings, the potential for positive resolution is much less certain, and the forces playing upon the parties involved are complex and unpredictable.

The nature of world order at present is promoting more forceful means of conflict resolution in theatres of conflict, but the potential for negotiated outcomes may be being overlooked, or, at least, undervalued. This paper will explore the nature of negotiation '*on the edge*'; the elements at work in a volatile, aggressive context, and the possibility of achieving successful outcomes in situations where there is significant scope for violence. It will analyse particular events and case studies in order to delineate the negotiation dynamic in such a hostile setting, the likely behaviour on both sides, and the key to building options to successful resolution in an aggressive context. An exploration will also be made of how to face an aggressor in a non-violent manner, and de-fuse a volatile situation.

Finally, an evaluation will be made as to the role of negotiation in the New World order, where unpredictability, facelessness, and a lack of mutual co-operation define the various protagonists, and the perceived gulf between them. Is negotiation possible in this context?

Introduction

The use of negotiation as an effective conflict resolution technique is evident and observable. It is a process used extensively everyday in commerce, interpersonal actions, and as a means of resolving issues in a non-aggressive manner. However, there is a context where negotiation is attempted to resolve conflict, that necessitates specific skills, awareness and problem solving unlike other more generic negotiation situations; this is when negotiation is used to try to resolve violent and volatile incidents, when normality and usual social rules are discarded, and when human life is at risk.

The nature of the beast

People 'on the edge', with a political, social or personal cause, laced with access to arms and explosives and a massive adrenaline rush, make complex negotiating partners. [For ease, I intend to call any such individual an 'extremist' here, whatever the situation might be.] Life threatening incidents also tend to compel human action and reaction in the early stages, not review and consolidation. Brian Jenkins of the Rand Corporation described extremist action as "...*the calculated*

use of violence such as fear, intimidation or coercion...to attain goals that are political, religious or ideological in nature. [It] involves a criminal act that is often symbolic in nature and intended to influence an audience beyond the immediate victims.”¹

However, physical action may not be the best approach to take, even in such volatile situations. Once an incident has been assessed, in terms of context, parties involved, threat level and demands made, then, unless the extremist is choosing to exercise power through force immediately, consideration can be given to the use of negotiation.

The essence of negotiation is to build links to create options, and to discover possible outcomes. Central to this process is an understanding of human behaviour, expectations and needs. An effective negotiator explores the key concerns of the other party, what drives them, and what they expect from the situation, as well as knowing their own motivations.

This dynamic is no different in a volatile context, as compared with a mutually co-operative negotiation. The people involved still have expectations, needs and demands, and are driven by behavioural factors that affect all human beings. The startling difference lies in the risk level of the negotiation, the inherent unpredictability of the overall situation, and the potential for violence if things go wrong.

Let us imagine a situation where a gunman has seized a building and is holding people hostage. Once a tactical response team has arrived, two conflict resolution approaches will be actioned. The first will involve a tactical assessment; for example, the investigation of the armed status of the gunman, the layout of the building, numbers held and the setting up of appropriate armed response team members in the vicinity. This tactical response may be made ready, but not used if there is no immediate escalation of violence. Simultaneously, the second conflict resolution technique will be employed; the negotiating team. Early on, their prime concern will be to establish communication links with the gunman, and, through conversation, to start to discover those expectations, needs and driving concerns. Most hostage takers will be willing to talk sooner or later; the seizure of people is a powerful tool for making others listen to their demands. Few hostage takers have no demands to make, the only instance where this may be the case is where an individual has a death wish, or wants, as the US police describe, ‘*suicide by cop*’.

So far, so good; he’s picked up the phone and is talking. But what will make this negotiation more dangerous and difficult to resolve?

The first feature is pressure, on both sides. For the extremist there is both internal pressure, stemming from the drive to succeed, to control the situation, and remain capable, and external pressure. If he is part of a cause or group, there will be constant awareness of fulfilling the expectations of others, probably even greater pressure to succeed. Much of this will also depend on whether the

extremist remains in contact with any superiors, or is acting alone and can make his own decisions. There will also be an external pressure from the hostages he holds. They are likely to react in different ways to the situation in which they find themselves, ranging from pure fear to the development of the Stockholm syndrome of empathetic response. They may cause problems that were not envisaged. Finally there is the pressure that he feels from the other negotiator; the pressure to keep talking, to make decisions, and to explore options offered.

Pressures also exist for the official negotiator. He bears the responsibility for lives and welfare; not a light load. There is an onus on him to both sustain the communication link and to create options towards resolution. Remote superior command may impose directives upon him, and might even dictate when the negotiation is to cease. Added to this will come personally imposed pressures relating to the need to succeed, to achieve a non-violent resolution and a sustainable agreement.

Pressure can also be felt from another source. In hostage incidents, the immediate and most obvious threat is loss of life. This is dramatic, high risk, and stressful to say the least. Hostage taking also incurs great interest from the media and the watching public, as the basic survival drive is being threatened in a way that is perversely eye catching. Hostage takers know all this, and exploit these reactions to the fullest extent. Hostage negotiations that are visible on prime time television can provide the extremist with fuel for the publicity 'fire', often a key motivation. We need only recall the Munich Olympics hostage taking in 1972, where many events were seen on international television, and the resultant loss of life of eleven Israeli athletes, one police officer, and eight Arab extremists. There was also substantial television coverage of the Iranian embassy siege in London in 1980, including the eventual storming of the building by the SAS, and of the FBI's handling of the Waco siege in 1993. For the official negotiator the decisions that he makes are open for all to see, and judge. Negotiating in public concentrates the mind wonderfully, but does nothing for blood pressure levels.

Goals and motivations

When most of us negotiate we enter the process with a pretty clear understanding of what we want to achieve, or, at least, the zone within which we will concede and manoeuvre. In a crisis context the initial stages of the negotiation can reveal transparent goals; freeing prisoners, making demands on national governments or suchlike. Problems arise when it becomes obvious that such goals are not achievable, in any shape or form. Where does an extremist go from here? Unfortunately, since there is likely to be an inflexibility in goal modification the usual recourse is to escalate, to threaten and, in extremis, to issue ultimatums. This willingness to move towards an alternative option to negotiation stems from the essential motivations driving the extremist. Whilst negotiation might have been attempted, a prime drive persists; namely, the extremist is taking a huge risk, gambling that this strategy will work, knowing that the actions are beyond recognisable social norms and values. In such an instance, what else is there to lose? Many extremists realise that the preservation of their own lives is not a given, or not even a desirable outcome, so paying the ultimate price might achieve the resolution they want and create an impact on the world stage, if nothing else. As Carlos Marighella

stated: *“It is an action the urban guerrilla must execute with the greatest cold-bloodedness, calmness and decision”*.²

De-escalation is the paramount conflict resolution technique in these situations, but, given what we have just discussed concerning the motivations of the extremist, how might the negotiator achieve this?

An answer lies in the recognition that there is no onus on the extremist to create options and alternatives. There is an imperative for the negotiator to do so. One of the key roles for the negotiator in a crisis context is to buy time; time to evaluate, to understand and to pursue various resolution options. A way to do this is to be creative in response, non-confrontational in repost and imaginative in option creation. Remembering to avoid using ‘no’ is a handy technique in sustaining communication links, placing pressure on the other party and enlarging the scope for negotiation. Essential also is the examination of the interests of the other party and an understanding of what is making them tick. When Cliff van Zandt of the FBI negotiated with David Koresh at Waco for weeks on end, it was inevitable that he developed an astute understanding of Koresh’s motivations, drives and predicted responses. If time can be bought and an understanding developed, then it is possible for de-escalation to ensue. Negotiation is withdrawn as a conflict resolution technique when authorities feel that either the situation has gone on too long, or that a peaceful resolution is turning into stalemate rather than being effective. It is then that matters are taken out of a negotiator’s hands, often to their dismay, as witnessed at Waco, the London Iranian Embassy siege and the Munich Olympic crisis.

So far we have considered situations where there can be direct communication between the negotiating parties, even if it might be via a telephone line. But today we are faced with a different form of extremism. Recent world shattering events have shown that the drive to talk, to negotiate, to resolve a crisis, has been absent. The taste is for action and impact. It is also an era of facelessness, of remote authority and a loss of human contact.

In such a world, you might be justified in questioning the effectiveness or viability of negotiation as a conflict resolution technique.

My response to this is that now, more than ever, we should be fighting to negotiate. Negotiation need not be confined to the resolution of a last resort event, but is a strategy to employ at all stages of a conflict, or in the avoidance of a conflict. Recall a central tenet of negotiation; understanding and buying time. Whilst we may not be able to negotiate with particular individuals, the scope is there to build communication links between states, authorities and organisations. Mutual co-operation, the free flow of information and dialogue, together with the discovery of common interests can only serve to build sustainable alliances and support. If you are rebuffed the first time, you go back and try again, and again. We have entered an era where we must aggressively seek to negotiate, to chip away and to establish dialogue with as many levels of authority as possible.

When people, or nations, are in a state of crisis there is an increase in tension, and if the situation cannot be resolved, then tension rises still further. People can be overwhelmed with feelings of panic, anger and confusion. Caplan emphasises that it feels like “...an obstacle to important life goals that is, for a time, insurmountable through the utilization of customary methods of problem-solving.”³ As difficult as it might be, this is the time to try to build links with those not only of a like mind, but also with those with whom it is problematic to talk. A crisis necessitates the use of unusual problem solving techniques, if it is sustained. One need only witness the recent re-building of the relationship with the, once pariah, state of Libya. This was effected through complex, progressive hidden negotiations for a substantial length of time before the end result was made public.

Whether we are negotiating with an individual extremist, or a nation state, the underlying motivations and drives remain the same. Each have interests, goals and aspirations and negotiation is an effective way of discovering these factors. The persistent use of force or armed aggression is not always effective, or revealing concerning the discovery of the central dilemma. For example, Israel’s experience shows that armed forces, that are trained, professional and equipped for conventional warfare, cannot cope with insurgents and the core reasons for violence. A variety of conflict resolution techniques might prove beneficial, and also in other current conflicts. Few national governments truly sustain the claim of “*we never negotiate with terrorists*”; behind the scenes negotiations can prove effective in the construction of long lasting solutions and consolidated agreements, even with openly reviled individuals and organisations.

In an environment that is more obviously violently unpredictable, and definitely not adhering to the neat mathematical formula of game theory, there has to be an imperative to ruthlessly conciliate. Violence begets violence, together with martyrs and burgeoning followers. We no longer exist in a world dominated by interstate warfare, although the capacity still exists of course, but rather where a clash of ideologies is the root cause. It is highly unlikely that resolution will take place through armed retaliation alone, there must also be a determined effort to create links and dialogue, however irksome and dangerous these might be. As much vigour should be given to these initiatives, as to aggressive response. Negotiation may not be as eye-catching or media captivating as direct action, but can produce positive results if time, effort and willingness allow. As Bruce Hoffman stated in the House of Representatives, just fourteen days after 9/11:

...The time may be ripe for some new, ‘out of the box’ thinking that would go beyond simple bureaucratic fixes...Similarly, our search for solutions and new approaches must be continuous and unyielding...’’⁴

Negotiation is not a panacea for all ills, and, in some extreme situations, there might be no other choice but to respond in a different manner. However, in a world of terror and uncertainty, let us not fear to negotiate, to paraphrase John F Kennedy. Unfortunately many in the international political arena view the use of negotiation as a weak conflict resolution technique. The reverse is closer to the truth as knowledge is power, and through negotiation one can learn about one’s adversary in a way that

armed response does not allow. Unless the time is taken to try to understand why such things are happening and what makes people choose to act in a certain way, then we can only ever react, and not evaluate. To choose to negotiate is as brave a response as to use armed force, and in an uncertain world a range of conflict resolution techniques must be available, and employed.

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Latest publication: 'Negotiation in International Conflict' (London: Frank Cass, 2001)

Forthcoming: 'A velvet fist: the military and negotiation' (London: Frank Cass, 2004)

The views expressed in this paper are those of the author, and in no way reflect those of the UK Ministry of Defence or related bodies.

¹ Indicated in 'On domestic terrorism', a publication of the National Governors Association, Emergency preparedness project, Center for Policy Research, Washington D.C., May 1979

² Carlos Marighella 'Minimanual of the Urban guerrilla' (New World Liberation Front, 1970) p32

³ Caplan, G. *An approach to community mental health* (New York, NY, Grune and Stratton Inc, 1961)

⁴ Hoffman, Dr Bruce. *Re-thinking terrorism in light of a war of terrorism* Testimony before the subcommittee on Terrorism and Homeland Security House Permanent Select Committee on Intelligence, US House of Representatives, September 26 2001.