

The United States Does Not Negotiate with Terrorists – Period... Does It?:
How to Best Leverage Direct Political Talks with Violent, Non-state Actors within a Broader
Coercive Approach to Advance National Interests

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14. ABSTRACT United States presidents and allied leaders have long stated through policy that they will not negotiate with terrorists. While politicians echo this talking point, they rarely abide by it. During direct political talks with violent, non-state actors, the United States must return to its unofficial mantra of refusing to negotiate with terrorists in order to defeat these organizations quickly. History is full of warnings where these types of negotiations prolong counterinsurgency operations. Israel negotiated with the Palestine Liberation Organization during the secretive Oslo accords inadvertently ceding legitimacy to terrorists and now find themselves over twenty-five years later failing to achieve security. Colombia negotiated with the Revolutionary Armed Forces of Colombia for decades, allowing their people to suffer from subversive tactics which continue to fester. And for almost twenty years, Sri Lanka conducted a series of failed negotiations with the Liberation Tigers of Tamil Eelam which ended only after the state changed tactics and applied overwhelming force to the terrorists. In these three case studies, direct political talks hurt short-term objectives by providing legitimacy to violent, non-state actors and placing the public at risk by prolonging peace timelines. The results of these case studies demonstrate the importance of states conducting political talks to advance national interests but refusing to negotiate with violent, non-state actors. The United States adhering to a more rigorous negotiations approach to eliminate concessions will advance national security interests.					
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ABSTRACT

United States presidents and allied leaders have long stated through policy that they will not negotiate with terrorists. While politicians echo this talking point, they rarely abide by it. During direct political talks with violent, non-state actors, the United States must return to its unofficial mantra of refusing to negotiate with terrorists in order to defeat these organizations quickly. History is full of warnings where these types of negotiations prolong counterinsurgency operations. Israel negotiated with the Palestine Liberation Organization during the secretive Oslo accords inadvertently ceding legitimacy to terrorists and now find themselves over twenty-five years later failing to achieve security. Colombia negotiated with the Revolutionary Armed Forces of Colombia for decades, allowing their people to suffer from subversive tactics which continue to fester. And for almost twenty years, Sri Lanka conducted a series of failed negotiations with the Liberation Tigers of Tamil Eelam which ended only after the state changed tactics and applied overwhelming force to the terrorists. In these three case studies, direct political talks hurt short-term objectives by providing legitimacy to violent, non-state actors and placing the public at risk by prolonging peace timelines. The results of these case studies demonstrate the importance of states conducting political talks to advance national interests but refusing to negotiate with violent, non-state actors. The United States adhering to a more rigorous negotiations approach to eliminate concessions will advance national security interests.

President Donald Trump frequently boasts of his great negotiating skills. Planning to leverage these abilities, in September of 2019 he invited the Taliban terrorist organization to Camp David in anticipation of a peaceful resolution to their portion of the Middle Eastern conflict. The President subsequently called off the meeting after continued Taliban attacks.¹ However, from this invitation, the Taliban both increased their global legitimacy and continued to prosecute terror. The result: an American peaceful withdrawal from Afghanistan is pending the same Taliban acceptance to conditions President George W. Bush proposed eighteen years ago.² Throughout history, nation-states negotiating with illegitimate terrorist organizations have struggled to reach responsible settlements yet continue to negotiate.

During direct political talks with violent, non-state actors, the United States must return to its unofficial mantra of refusing to negotiate with terrorists in order to defeat these organizations quickly.³ For the purpose of this paper, the terms nations conducting talks are different than negotiating. Conducting talks is the process of sitting down with terrorist leadership to outline U.S. goals and objectives. Negotiating is the process of quid pro quo where the U.S. makes concessions of their normalized activities to gain an action in return. This is a dangerous proposition when dealing with violent, non-state actors. Nations who negotiated with terrorists in the past can inform how the U.S. should interact with these organizations in the future. U.S. presidents and allied leaders have long stated through policy that they will not negotiate with terrorists.⁴ While politicians echo this talking point, they rarely abide by it.

¹ Robert Burns, Deb Riechmann, and Matthew Lee, "Trump Says Peace Talks with Taliban Are Now 'Dead,'" *AP News*, September 10, 2019, accessed 3 January, 2020, <https://apnews.com/bf2b42d5e86d466ab5f434d0f646bc72>.

² Alon Ben-Meir, "US-Taliban Negotiations: Accepting the Inevitable," *Australian Institute of International Affairs*, 22 December 2019, accessed January 3, 2020, <https://www.internationalaffairs.org.au/australianoutlook/us-taliban-negotiations/>.

³ For the purposes of this paper, violent, non-state actors and terrorists are terms used interchangeably.

⁴ Harmonie Toros, "We Don't Negotiate with Terrorists!: Legitimacy and Complexity in Terrorist Conflicts," *Security Dialogue* 39.4 (2008): 407-408, accessed January 3, 2020, <https://www.law.upenn.edu/live/files/5141-legitimacy-and-complexity-in-terrorist-conflicts-->.

This paper will detail three case studies of nation-states negotiating with violent, non-state actors. Israel negotiated with the Palestine Liberation Organization (PLO) during the secretive Oslo accords inadvertently ceding legitimacy to terrorists and now find themselves over twenty-five years later failing to achieve security.⁵ Colombia negotiated with the Revolutionary Armed Forces of Colombia (FARC) for decades, allowing their people to suffer from the FARC's subversive tactics which continue to fester.⁶ And for almost twenty years, Sri Lanka conducted a series of negotiations with the Liberation Tigers of Tamil Eelam (LTTE) which ended only after the state changed tactics and applied overwhelming force to the terrorists.⁷ In these three case studies, direct political talks hurt short-term objectives by providing legitimacy to violent, non-state actors and placed the public at risk by prolonging peace timelines.

As a counterpoint, the U.S. conducted a successful negotiation as the honest broker between the United Kingdom, Ireland, and Northern Irish political actors during the Good Friday Accords to halt the Irish Republican Army's (IRA) terrorist tactics. The agreement resulted in relative stability; however, it worked because negotiations were not focused solely on dealing with terrorists, but with nation-states and governments. The results of these case studies demonstrate the importance of states conducting political talks to advance national interests but refusing to negotiate with violent, non-state actors. This paper does not take a position on any

⁵ Merrit Kennedy, "Trump Administration to Close Palestine Liberation Organization Office in D.C.," *National Public Radio*, September 10, 2018, accessed January 3, 2020, <https://www.npr.org/2018/09/10/646323929/trump-administration-to-close-palestine-liberation-organization-office-in-d-c>.

⁶ Joe Parkin Daniels, "Former FARC Commanders Say They Are Returning to War Despite 2016 Peace Deal," *The Guardian*, August 29, 2019, accessed January 3, 2020, <https://www.theguardian.com/world/2019/aug/29/ex-farc-rebels-announce-offensive-despite-peace-deal-colombia-video>.

⁷ Liam Collins, Lionel Beehner, Mike Jackson and Steve Ferenzi, "The Taming of the Tigers: An MWI Contemporary Battlefield Assessment of the Counterinsurgency in Sri Lanka," *Modern War Institute*, April 14, 2017, accessed January 2, 2020, 7, <https://mwi.usma.edu/wp-content/uploads/2017/04/The-Taming-of-the-Tigers.pdf>.

one nation's objectives, but simply states them. The U.S. adhering to a more rigorous negotiations approach to eliminate concessions will advance U.S. security interests.

Israel and the Palestine Liberation Organization (PLO)

Israel reached an uneasy settlement with the PLO during the 1993 Oslo Accords which ultimately failed to accomplish Israel's national objectives. States may meet with violent, non-state actors to communicate goals, but they must not concede to their terms. Israel ceded political power and legitimacy to Palestine's West Bank and Gaza claims when Israeli Prime Minister Yitzhak Rabin and PLO Chairman Yasser Arafat shook hands on the White House grounds. The parties did not agree on a permanent solution, and violence continues to this day. States negotiating with violent, non-state actors must take a realist view and maximize their benefits without granting advantages to terrorists. However, by negotiating, Israel open-handedly ceded legitimacy to the Palestinians.

Israel's intent was never to provide Palestinian legitimacy, yet they did. In 1947, the United Nations recognized the existence of Palestine and granted state boundaries through its 181 Resolution (II).⁸ Twenty years later in the Six-Day War, Israel claimed control of the formerly Palestinian West Bank and Gaza Strip leading to the decline of Palestinian influence and the beginning of incessant violence against Israeli citizens. After twenty-six years of implacable violence, Israel negotiated with Palestine in the 1993 Oslo Accords to quell these attacks, intending to use the next five years to resuscitate peace into the region and end Palestinian protests of Israeli occupation.⁹

⁸ United Nations Documents, "181 Resolution (II): Future government of Palestine," 1947, 133, 142-146, accessed January 15, 2020, [https://undocs.org/A/RES/181\(II\)](https://undocs.org/A/RES/181(II)).

⁹ Raphael S. Cohen, David E. Johnson, David E. Thaler, et al., "Lesson's from Israel's Wars in Gaza," *The RAND Corporation* (2017), accessed January 2, 2020, https://www.rand.org/pubs/research_briefs/RB9975.html.

Israel's actual goals during the negotiations were to nullify any Palestinian gains since 1947 while ensuring Israel gained the most.¹⁰ In the Oslo Accords, Israel agreed in the West Bank and Gaza Strip to recognize Palestinian rights both legitimately and politically, allow Palestine to govern themselves during a five-year transition period, and withdraw Israeli military forces leading to a permanent Palestine settlement. In return, Palestine agreed to mutual legitimacy, halting attacks on Israeli people, and the expectation of living at peace.¹¹ This agreement would bring life into the region.

Many experts, however, feel Oslo was dead on arrival.¹² When Israel recognized the PLO, Israel gave them a world stage in exchange for reciprocal recognition.¹³ Unproductively, Israel already possessed global recognition as a state and United Nations member through Security Council Resolution 69.¹⁴ Meanwhile, the United Nations only granted Palestine observer status and acknowledged their proclamation to become a State.¹⁵ Israel's goal was not recognition but nullification of a military vulnerability in the Gaza Strip from an Arab alliance sea attack.¹⁶ Palestine's Mediterranean presence prevented this. Once the handshake was

¹⁰ Hamed Mousavi, "The Rise and Fall of the Israeli-Palestinian Peace Process," *World Sociopolitical Studies* 3.1 (2019): 75-107, accessed January 2, 2020, https://wsps.ut.ac.ir/article_72808_9619.html.

¹¹ Declaration of Principles on Interim Self-Government Arrangements, September 13, 1993, Articles I and XIII, accessed January 26, 2020, https://web.archive.org/web/20021115183950/http://knesset.gov.il/process/docs/oslo_eng.htm.

¹² Leila Farsakh, "Understanding 50 Years of Israeli Occupation of Palestinian Land," *Review of Middle East Studies* 52, no. 2 (2018): 372, accessed January 2, 2020, https://www.cambridge.org/core/services/aop-cambridge-core/content/view/8EEF3F7C8D5FB9BBE510F0F40931FE77/S2151348118000897a.pdf/understanding_50_years_of_israeli_occupation_of_palestinian_land.pdf Colombia FARC.

¹³ Carol Migdalovitz, "Israeli-Arab Negotiations: Background, Conflicts, and U.S. Policy," *Congressional Research Service*, January 29, 2010, 48, accessed on December 4, 2019, <https://fas.org/sgp/crs/mideast/RL33530.pdf>.

¹⁴ United Nations Resolution 69, Resolution of 4 March 1949, accessed January 26, 2020, [https://undocs.org/S/RES/69\(1949\)](https://undocs.org/S/RES/69(1949)).

¹⁵ United Nations Resolution 43/177, The Question of Palestine, December 15, 1988, accessed January 26, 2020, <https://unispal.un.org/UNISPAL.NSF/0/146E6838D505833F852560D600471E25>.

¹⁶ Eyal Lewin and Sylvia I. Bergh, "The Inevitable Dead End of the Arab-Israeli Conflict," *Cogent Social Sciences*, 2:1, (2016), accessed January 2, 2020, <https://www.tandfonline.com/doi/full/10.1080/23311886.2016.1227294>.

complete, Israeli security conditions began to deteriorate, and Palestine gained long term rights to the West Bank and Gaza Strip, fueling terrorists to damage the Accord through attacks.

Nations negotiating with violent, non-state entities open opportunities for terrorists to damage the results, and damage they did. The Israeli negotiator, Deputy Foreign Minister Yossi Beilin, opined that the five-year transition period following the Oslo Accords provided ample opportunity for extremist activity to dismantle the process.¹⁷ Terrorists fulfilled his premonition as the negotiation did not bring peace but violence. Due to continuous conflict including the 1996 Tunnel War, the 2000 Al-Aqsa Intifada, suicide bombers, and terror attacks, over 1,600 Israelis have died with an additional 9,000 wounded since the agreements, almost fourfold the previous quarter-century.¹⁸ Moreover, the movement created Hamas which has controlled the Gaza Strip since 2007 and is antithetical to the Israeli government.¹⁹ Palestine suffered much worse. Twenty-five years from Oslo, regional violence has claimed over 10,000 Palestinian lives and over 100,000 wounded.²⁰ They have proved they are willing to absorb a massive number of casualties to achieve their political goals. Negotiations are unhelpful if the other party – no matter how many casualties it has suffered – is still committed to violence.

Twenty-seven years later, the benefits of the negotiations have crumbled. The Oslo Accords did not walk the country towards peace, but ran the country towards war.²¹ Formal

¹⁷ Hillel Schenker, "Oslo Then and Now-What's Next?" *Palestine-Israel Journal of Politics, Economics, and Culture* 23.2/3 (2018): 5-7, accessed January 2, 2020, <https://www.pij.org/articles/1829/oslo-then-and-now--whats-next>.

¹⁸ Ephraim Karsh, "Why the Oslo Peace Process Doomed Peace," *Middle East Quarterly* (2016), 6, accessed January 2, 2020, <https://www.meforum.org/meq/pdfs/6264.pdf>.

¹⁹ Mandy Turner and Cherine Hussein, "Israel-Palestine after Oslo: Mapping Transformations and Alternatives in a Time of Deepening Crisis," *Conflict, Security & Development*, 15:5 (2016), 415-424, accessed January 2, 2020, <https://www.tandfonline.com/doi/full/10.1080/14678802.2015.1100019>.

²⁰ "The Human Cost of the Conflict," *Israel-Palestine Timeline*, December 17, 2019, accessed January 31, 2020, <https://israelpalestinetimeline.org/charts/>.

²¹ Niv M. Sultan, "The Oslo Accords at 25," *New York University*, April 3, 2018, accessed January 15, 2020, <https://www.nyu.edu/about/news-publications/news/2018/april/oslo-accords-25th-anniversary-conference.html>.

peace is only possible when the parties are not committed to violence.²² There is no anticipation of a Palestinian state, and Israel has more than doubled its numbers in the West Bank and Gaza since 1993, leading to further friction.²³ Oslo-created terror will continue to distract Israel from their national objectives – peace and security. By giving a violent, non-state actor desired legitimacy on the world stage, Israel continues to suffer from their 1993 agreement. Instead of conceding at the negotiations table to violent, non-state actors, states must take the realist approach, lay out their goals, and demand entry into an existing state process, while eliminating violent opposition.

Colombia and the Revolutionary Armed Forces of Colombia (FARC)

As in Israel, Colombia suffered through prolonged and violent non-state actor negotiations with the FARC. States must demonstrate a quick end to terror for the safety of their people. They do not have the luxury of conceding to demands while drawing out conflict. The FARC was born from the 1960 Cuban revolution with the goal to remove the Colombian government from power. Over the next half-century, Colombia negotiated with them numerous times and even conceded to a FARC political party, the Patriotic Union, which gained a foothold in the government. However, through 2008, violence and political opposition derailed many negotiations.²⁴ Resultantly, the Colombian people suffered greatly over decades. A state dealing with non-state violence must take decisive action to quickly restore the safety of their people.

The Colombian government made great gains against the FARC after they became aggressive in 2008. The people had enough, and anti-FARC global protests forced government

²² Ephraim Karsh, "Why the Oslo Peace Process Doomed Peace," *Middle East Quarterly* (2016), accessed January 2, 2020, 2, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3187120.

²³ Jon Schwarz and Alice Speri, "No One Will Be Celebrating the 25th Anniversary of the Oslo Accords," *The Intercept*, September 18, 2018, accessed January 2, 2020, <https://theintercept.com/2018/09/13/oslo-accords-anniversary-palestine/?comments=1>.

²⁴ Steven L Taylor, "Colombia: On the Brink of Peace with the FARC?" *Origins: Current Events in Historical Perspective* 10.1 (2016), accessed January 2, 2020, <http://origins.osu.edu/print/4169>.

action. A series of targeted killings and strategic wins through 2011 by Colombia significantly weakened the FARC. But instead of consolidating their gains, Columbia accepted the FARC back to the table to begin a four-year long negotiation.²⁵ The government reached a deal in 2016, in spite of opposition by the majority of the Colombian people. The public decried lenient government concessions on many issues to include FARC incarceration avoidance and political inclusion.²⁶ The FARC was not disappearing but growing in power as a new political wing. Meanwhile, many people who lambasted the concessions believed that complete destruction or imprisonment of the FARC was the only solution.²⁷

The immediate problem remained – security. While the FARC was turning in their weapons generally reducing overall violence, the threat was still omnipresent. Today, the Colombian Government is slowly implementing the agreed upon items, but at the cost of continued civilian violence.²⁸ Integrating a six-decade old network of terrorists into society is a challenging undertaking. Little has changed except asking former killers to live with their former victims’ families. In this environment, the government cannot separate illegal from legal businesses and violence is an embedded part of society.²⁹ The government has placed the people of Colombia in a no-win situation by having terrorists live among them while FARC remnants remain in direct opposition to the government.

Today, three years after agreeing to peace, Colombia remains a violent place. The FARC is alive and well with the chief negotiator failing to join society, and an estimated 1,400 former

²⁵ Ibid.

²⁶ June S. Beittel, “Colombia Adopts Revised Peace Accord: What Next?” *Current Politics and Economics of South and Central America* 11.1 (2018): 99-102, accessed January 2, 2020, <https://www.hsdl.org/?abstract&did=797284>.

²⁷ Jonathan Newman, “Why Colombia Voted ‘No’ to Peace with FARC,” *The Conversation* (2016), 4, accessed January 2, 2020, <http://sro.sussex.ac.uk/id/eprint/64705/1/Why%20Colombia%20voted%20'no'%20to%20peace%20with%20FARC.pdf>.

²⁸ Beittel, “Colombia.”

²⁹ Newman, “Why,” 3.

FARC associates continue violent activity.³⁰ The country has not fulfilled over 75% of its concessions to the FARC to include reintegration, support by politicians, and immunity guarantees. Furthermore, a latest poll has shown 57% of Colombians believe the government will never complete the original agreements.³¹ The people remain under a blanket of instability. This lesson teaches that states must take swift and decisive action to ensure lasting peace and stability in the region. The criminals and terrorists are not in charge. The state is and, as Sri Lanka demonstrated, must take charge for the sake of their population.

Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE)

Sri Lanka, over time, understood their government could physically control the LTTE terrorist group and achieved victory by using force, vice negotiation, to quash the insurgency. The LTTE emerged in 1976 as the military arm of a youth movement. Frustrated by decades of oppression and non-representation, the LTTE attempted to establish independence in Sri Lanka's northern and eastern regions. Moderate violence increased over time peaking in 1983. LTTE operatives killed Sri Lankan soldiers leading to widespread riots and the deaths of up to 3,000 citizens and displacement of 175,000 more.³² After failing to quell the violence through years of counterinsurgency, the government and LTTE conducted four failed negotiations until Sri Lanka's aggressive activity in 2009 eliminated the movement through military force.³³ Sri Lanka defeated terrorism in their country only after they halted all peace negotiations and invested fully into their nation's security.

³⁰ Human Rights Watch, "Colombia: Events of 2018" (2019), accessed January 2, 2020, <https://www.hrw.org/world-report/2019/country-chapters/colombia>.

³¹ Juan Arredondo, "The Slow Death of Colombia's Peace Movement," *The Atlantic*, December 30, 2019, accessed January 2, 2020, <https://www.theatlantic.com/international/archive/2019/12/colombia-peace-farc/604078/>.

³² Paul A. Povlock, "A Guerilla War at Sea: The Sri Lankan Civil War," *Small Wars Foundation*, 2011, 7-9, accessed on December 4, 2019, <https://apps.dtic.mil/dtic/tr/fulltext/u2/a549049.pdf>.

³³ Suthaharan Nadarajah, "The Tamil Proscriptions: Identities, Legitimacies, and Situated Practices, Terrorism and Political Violence," 30:2 (2018), 278-297, accessed January 2, 2020, <https://www.tandfonline.com/doi/full/10.1080/09546553.2018.1432214>.

Sri Lanka developed a strategy based on seven pillars to permanently eliminate terrorist activities in their country. These pillars were unadulterated political support, an adapted military, media regulation, international backing, refusal to negotiate with terrorists, a whole-of-nation approach, and the use of indiscriminating violence.³⁴ Obviously, the U.S. must never accept the last requirement as Sri Lanka's actions killed countless civilians. Their prevalent human rights abuses used coercive tactics against civilians through attacking no-fire zones, limiting food and medical support to areas in need, and the rape and execution of Tamil women.³⁵ However, measured implementation of the first six pillars can halt a terror insurgency.

Initially, Sri Lanka did not concede to terrorist demands, but in 1987, they erroneously began a series of failed negotiations. Sri Lanka did not benefit from any of four consecutive ceasefire negotiations and merely granted opportunities for the LTTE to consolidate and prepare for the next battle. The first in 1987, as in Israel, granted the LTTE legitimacy. In exchange for concessions, a 100,000-strong Indian peacekeeping force attempted to maintain order in Tamil-occupied areas. The opposite happened. LTTE and the peacekeepers entered a guerrilla war, LTTE gained valuable warfighting experience, and the Sri Lankan government even funded the LTTE with weapons. Violence continued, and in 1995, Sri Lanka negotiated a ceasefire. However, the LTTE used this time to improve its suicide attacks. The third negotiation beginning in 2002 lasted two years. Sri Lanka made major concessions including prisoner exchanges and once more allowed LTTE to grow capabilities. The final negotiation rode the

³⁴ The Sri Lankan Model in this paper refers to an amalgamation of the Rajapaksa Model, the Sri Lankan President's anti-LTTE strategic concept and from academia's interpretation of the government's actions. Sarmad Ishfaq, "A Case of Tigers and Talibans: The Applicability of the Sri Lankan Counterinsurgency Model in Pakistan's Insurgent War," *Board of Editors* (2017), 36-37, accessed January 2, 2020, <https://cpb-us-west-2-juc1ugur1qwqqo4.stackpathdns.com/wp.towson.edu/dist/b/55/files/2017/12/SPRING-2017-ISSUE-updated-12-18-13w9n3b-249dirt.pdf#page=41>.

³⁵ Anjali Manivannan, "A Decade Without Justice for Sri Lanka's Tamils," *The Diplomat*, May 17, 2019, accessed January 2, 2020, <https://thediplomat.com/2019/05/a-decade-without-justice-for-sri-lankas-tamils/>.

wave of the 2004 tsunami which halted the conflict due to humanitarian assistance needs on both sides.³⁶ Through these negotiations, Sri Lanka learned that negotiations only allowed the insurgents to refit, rearm, and adapt to enemy tactics.³⁷ They would take this lesson with them into the next round.

President Mahinda Rajapaksa came to power in 2005 and promoted violence of action to defeat the LTTE. Instead of peace talks, he used the core principle of no negotiations to force surrender.³⁸ Sri Lanka aggressively attacked the LTTE causing massive damage estimated at over 7,000 terrorists and civilians killed in the final months.³⁹ They poured whole-of-nation resources into the conflict and grew their army by 40,000 soldiers.⁴⁰ The LTTE could not compete with a national mobilization and rapid adjustments to Sri Lankan tactics.⁴¹ Only by abandoning negotiations and clearly laying out a surrender or death ultimatum did Sri Lanka find peace within its borders.

Counter argument – Northern Irish Political Actors and the Irish Republican Army (IRA)

The above case studies clearly outline the dangers of negotiating with terrorists. States ceding to demands freely provide non-state actors undue legitimacy on the world stage, prove they cannot protect their own population, and limit themselves regarding the use of deliberate,

³⁶ Liam Collins, Lionel Beehner, Mike Jackson, and Steve Ferenzi, “The Taming of the Tigers: An MWI Contemporary Battlefield Assessment of the Counterinsurgency in Sri Lanka,” *Modern War Institute*, April 14, 2017, 21-23, accessed January 2, 2020, <https://mwi.usma.edu/wp-content/uploads/2017/04/The-Taming-of-the-Tigers.pdf>.

³⁷ Ishfaq, “Case,” 43.

³⁸ Col R Hariharan, “Transnational Terrorism: Learning from Sri Lanka’s Success against Tamil Tigers,” *South Asia Analysis Group*, April 20, 2018, accessed January 2, 2020, <http://southasiaanalysis.org/node/2289>.

³⁹ Kristine Höglund and Camilla Orjuela, “Winning the Peace: Conflict Prevention after a Victor’s Peace in Sri Lanka,” *Contemporary Social Science*, 6:1 (2011), 19-37, accessed January 2, 2020, <https://www.tandfonline.com/doi/full/10.1080/17450144.2010.534491>.

⁴⁰ Hariharan, “Transnational.”

⁴¹ Thomas A. Marks and Lt. Gen. (Ret.) Tej Pratap Singh Brar, “Sri Lanka: State Response to the Liberation Tigers of Tamil Eelam as an Illicit Power Structure,” *Prism*, National Defense University, May 24, 2016, accessed January 2, 2020, <https://cco.ndu.edu/News/Article/780214/chapter-9-sri-lanka-state-response-to-the-liberation-tigers-of-tamil-eelam-as-a/>.

overwhelming force. However, there are case studies of states using negotiations with terrorists to successfully bring peace, most notably the United Kingdom, Ireland, and Northern Irish political actors against the IRA. The notable difference in this example is that the IRA was seeking a political solution and legitimate incorporation into a governmental process, notably within an existing political structure. They understood that peace was the ultimate goal.⁴² This differs from the PLO, FARC, LTTE, and the Taliban who are seeking a new state and did or do not have demographics in their favor. With these, national leaders must take aggressive action to protect their people and quickly end the conflict.

This complex problem began on October 5, 1968 during an altercation in Northern Ireland between the Police Force and the marching Civil Rights Association. This spark escalated into The Troubles, a web of political and religious unrest where violent IRA extremism and British military counterinsurgency tactics ultimately killed an estimated 3,600 people. The governments of Great Britain and Ireland signed two separate negotiations, the 1973 Sunningdale Agreement and the 1985 Anglo-Irish Agreement, but both failed due to lack of political support.⁴³ For twenty years, conflict interspersed by a series of negotiations and ceasefires prevented all parties from stemming the violence or achieving their objectives.⁴⁴ Finally in 1998, the United Kingdom, Ireland, and political actors in Northern Ireland agreed upon three strands for peace.⁴⁵ The peace has held to this day.

⁴² Bohdana Kurylo, "Should Governments Negotiate with Terrorists?" *Interstate - Journal of International Affairs* 2015/2016.3 (2016), accessed December 4, 2019, <http://www.inquiriesjournal.com/a?id=1441>.

⁴³ Glen Byrne and Seán O'Sullivan, "The Good Friday Agreement and Transitional Justice: Has Northern Ireland Achieved Peace?" *Social and Political Review*, Volume XXVI (2016), accessed 3 January, 2020, <https://static1.squarespace.com/static/5a0c4a46c027d8d6e4f77763/t/5a0c7863e2c483e5b5a07a4c/1510766717698/spr-xxvi-body.pdf#page=166>.

⁴⁴ Niall Ó Dochartaigh, "The Longest Negotiation: British Policy, IRA Strategy and the Making of the Northern Ireland Peace Settlement," *Political Studies* 63.1 (2015): 202-220, accessed January 3, 2020, <https://onlinelibrary.wiley.com/doi/pdf/10.1111/1467-9248.12091>.

⁴⁵ Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland, 1999, accessed on January 16, 2020, <https://assets.publishing.service.gov.uk/government/>

While many scholars reference this process as a successful negotiation with a terrorist organization, there are notable differences. Firstly, successful negotiations remained overtly with legitimately recognized state actors. It is noteworthy the United Kingdom did conduct secret conversations with the IRA and kept them open even after a mortar attack on the British Cabinet in 1991.⁴⁶ However, the final agreement rested with recognized political bodies. While the governments conducted ceasefire talks with the IRA to halt the violence, the main agreements remained within legitimate channels.⁴⁷ This is much different from Colombia negotiating with the FARC or the U.S. negotiating with the Taliban.

Secondly, the negotiations process did very little to protect innocent civilians. From 1977 through 1994, an average of 53 civilians died every year.⁴⁸ Through ceasefires, negotiations, and military counterinsurgency actions over eighteen years, Northern Ireland residents lived under constant fear of attack. By negotiating through backchannels, the governments of the United Kingdom and Ireland proved impotent in protecting their citizens. The 1998 Good Friday Accords are a successful example of leveraging negotiations to gain peace. However, in contrast to the other case studies, the foundation of this agreement rested on using legitimate state organizations to incorporate violent, non-state actors into existing governance, and the negotiations simply prolonged instability.

Conclusion

The U.S. has negotiated with the Taliban for two decades without resolution. The President's most recent offer to host the Taliban at Camp David provided terrorists a global stage

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⁴⁶ Peter R. Neumann, "Negotiating with Terrorists," *Foreign Affairs*, January, 2007, accessed on December 4, 2019, <https://www.foreignaffairs.com/articles/2007-01-01/negotiating-terrorists>.

⁴⁷ Clem McCartney, "Striking a Balance: The North Ireland Peace Process," *Accord*, Conciliation Resources, London, 1999, accessed January 16, 2020, 23-25, https://rc-services-assets.s3.eu-west-1.amazonaws.com/s3fs-public/Striking_a_balance_The_Northern_Ireland_peace_process_Accord_Issue_8.pdf.

⁴⁸ *Ibid*, "Striking," 17.

to gain legitimacy and influence. This armed group is not attempting to join a legitimate state process nor find an appropriate, long-term peace solution. This makes them an unlawful organization which has no international rights to governance. By walking down a path of negotiation, the result will be a short-term illegitimate government followed by further violence against the same civilians they govern.⁴⁹ The U.S. must continue to hold talks with the Taliban, but only to outline goals and objectives. There must be no negotiation, simply unconditional surrender with the intent to join the legitimate Afghanistan government.

It is true that negotiations have worked in the past. However, these instances are with groups that are seeking a peaceful, long-term solution and incorporation into the international order. Those organizations looking for true political reconciliation conduct a limited conflict and have potential of joining the system. While every life matters, the IRA conducted small scale terrorism resulting in 3,000 civilian casualties, while the FARC were responsible for over 220,000 indiscriminate deaths from their subversive activities.⁵⁰ The U.S. must not grant legitimacy to terrorists who seek to disrupt the international order rather than join it. Instead, they must commit to eradicating groups that aim to disrupt global stability.

Israel continues to learn this lesson after negotiating with the PLO. Even today, Israel has failed to meet its objectives of securing their western border, unifying their nation, and preventing further terrorist attacks. Colombia came to terms with the FARC and continues to live with unmet expectations, a movement of subversive activity against their people, and a

⁴⁹ Heike Krieger, "International Law and Governance by Armed Groups: Caught in the Legitimacy Trap?" *Journal of Intervention and Statebuilding*, 12:4 (2018), 563-583, accessed January 2, 2020, <https://www.tandfonline.com/doi/full/10.1080/17502977.2018.1504489>.

⁵⁰ Samir Puri, "The Strategic Art of Confronting Armed Groups," *Adelphi Series*, 55:459 (2015), 7-14, accessed January 2, 2020, <https://www.tandfonline.com/doi/full/10.1080/19445571.2015.1207976>.

vener of stability. Throughout this conflict, the state proved it could not protect its people and still struggles with this in 2020. Finally, Sri Lanka wrestled through negotiations with terrorists but finally used a full-state solution and unlimited means to stamp out terror in their country. By taking a hard stance against terror and offering no concessions, Sri Lanka eliminated a terror movement that is never to return.

It is time the U.S stops negotiating with the Taliban and puts an end to their persistent and destabilizing behavior in Afghanistan. The U.S. should truly declare war on this terrorist organization and, in the spirit of the colloquialized Weinberger Doctrine, commit combat power to the region to quickly defeat the enemy and quickly return America's blood and treasure to the homeland.⁵¹ The Taliban issue is only a microcosm of negotiating with terrorists. The U.S. will continue to see violent, non-state actors such as the Islamic State of Iraq and al-Sham, Al-Qaeda, and Boko Haram. These organizations seeking death to Americans and social disorder understand the language of violence, and the U.S. must meet terrorism with decisive and overwhelming, whole-of-nation force.

Officials negotiating with violent, non-state actors have undermined many nation-states' ability to use hard power to act from a position of strength. By failing to abide by its own rhetoric, the U.S. anemic adherence to public statements have eroded confidence in its ability to use instruments of national power to deter subversive activity misaligned with desired end states. International senior leaders subconsciously imbuing the idea that terrorist organizations are on-par with the world's only superpower has grim consequences for how violent organizations behave in the world order. These impotent and violent factions use fear and coercion which the

⁵¹ Casper Weinberger, "The Uses of Military Power," Speech Given to the National Press Club, November 28, 1984, Washington, D.C., accessed January 16, 2020, <http://insidethecoldwar.org/sites/default/files/documents/Statement%20by%20Secretary%20of%20Defense%20Weinberger%20at%20National%20Press%20Club%2C%20November%2028%2C%201984.pdf>.

U.S. must not legitimize by conceding to demands. Negotiation requires that both parties use the same scale of values, something that cannot happen between a nation and a terrorist organization. Instead, nation-states must deal with terrorists through a realism lens where violent, non-state entities cannot negotiate with perceived power. The U.S. must codify this policy of speaking, but not negotiating, with violent, non-state actors and always act from a position of strength.

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