Are Negotiations with al Qaeda or the Islamic State Possible?

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16 July 2018

Flawed assumptions have prevented theorizing about negotiations with al Qaeda and the Islamic State. It is time to consider whether dialogue may be possible.

Author's Note: *This contribution is based on research conducted for a journal article titled 'Beyond the Pale? Exploring Prospects for Negotiations with Al Qaeda and the Islamic State,' published in Studies in Conflict and Terrorism.*

Consider three truths.

- After nearly seventeen years of uninterrupted war, al Qaeda resides in more places today than it did before 9/11. Despite taking a beating in recent years, the Islamic State remains a real threat across continents and online.
- History shows that ending armed conflicts between states and organized nonstate actors, especially those with political support, usually requires dialogue. Elected governments have negotiated with terrorists on numerous occasions.
- With few exceptions (see, for example, here and here), scholars and policymakers have given little thought to prospects for dialogue with al Qaeda and the Islamic State.

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How can we make sense of the third observation in light of the previous two? Why are al Qaeda and the Islamic State assumed to be *sui generis* – incapable of dialogue – when similar thinking has repeatedly proven wrong about other groups? Could dialogue with al Qaeda or the Islamic State happen? If so, could agreements with one or both groups be reached?

Responding to Arguments Against Dialogue

Several objections to negotiations with terrorists have emerged in recent decades. These include contentions that negotiations 1) reward and reinforce bad behavior, 2) encourage groups to take up arms, 3) provide terrorists with legitimacy they seek but do not deserve, 4) undermine actors that share terrorists' views but not their tactics, 5) threaten prospects for victims' justice, 6) give terrorists time to rearm and regroup, and 7) impede international efforts to combat terrorism.

These objections seem reasonable but may be misleading. Theorists like I. William Zartman and Guy Faure argue that the implications of talks depend more on their substance than the fact that they take place. Dialogue and punishment for atrocities, for example, need not be mutually exclusive, even when settlements depend on punishments that seem less than ideal. The question is not whether negotiations can lead to perfect outcomes, or whether trade-offs between justice and peace can be avoided, but rather whether the benefits of talks outweigh the risks. The experiences of ETA, the IRA, the FMLN, the MILF, and, most recently, the FARC suggest that the answer can be "yes".

Other arguments have been advanced for why talks with al Qaeda and the Islamic State in particular should be avoided. These include claims that both

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groups are 1) religiously inspired and therefore not amenable to rational arguments; 2) apocalyptic and committed to objectives to which no responsible state could agree; 3) transnational, often decentralized, and thus devoid of representative leadership; and 4) averse to dialogue.

Jonathan Powell observes that none of these concerns necessarily merit the kind of skepticism that they inspire. Successful talks have taken place with religiously-minded entities for decades. Consider the JCPOA (Iran nuclear deal), settlements with the MILF in the Philippines or the GAM in Indonesia, Israel's negotiated release of soldiers held hostage by Hamas and Hezbollah, or the Taliban's release of Sergeant Bowe Bergdahl to the United States. The list goes on.

'Apocalyptic' *is* an appropriate descriptor of the views of al Qaeda and the Islamic State, but both groups have interests linked to the here and now. Al Qaeda has been consistent about policy-related grievances for at least two decades, leading one scholar to explain not long after 9/11 that, "The minimizing of al Qaeda's political discourse, in favor of overemphasized religious views, sidesteps the reasons at the core of the discord and disagreement." The Islamic State identifies disbelief as a greater grievance than any policy, and is widely thought to be anti-Western in ways immune to policy change, yet the group writes, "We fight you to stop you from killing our men, women, and children, to liberate those of them whom you imprison and torture, and to take revenge for the countless Muslims who've suffered as a result of your deeds." In the absence of these 'policies,' it claims, "we would stop fighting you then as we would stop fighting any disbelievers who enter into a covenant with us, but we would not stop hating you." This distinction

between *hating* and *fighting* matters: whereas the latter represents an immediate physical threat, the former does not.

Al Qaeda and the Islamic State are transnational and decentralized. This should be exploited both on the battlefield and at the negotiating table, should that circumstance arise. The most pressing concerns of al Qaeda in the Arabian Peninsula are different than those of al Qaeda in the Indian Subcontinent and al Qaeda in the Islamic Maghreb. Islamic State fighters in Afghanistan, Libya, Syria, and other 'provinces' exist in different contexts, face different pressures and constraints, and therefore they may have different views about talks and negotiated political settlements. In short, to treat either of these groups as monolithic would be a mistake. Any tentative answer to the question of whether talks with al Qaeda or the Islamic State might be possible would have to begin here.

Finally, the contention that al Qaeda and the Islamic State have no interest in negotiating is an assumption that, at least on one level, is easily dismissed. Both groups have expressed openness to dialogue in the realm of tactical negotiations (e.g., re hostages). Both groups have also conveyed other information, some consistent and some not, that bears on questions dealing with prospects for more strategic negotiations.

What Are These Groups Saying and What Does it Mean for Policy?

A recent review of primary source jihadi literature (all issues of al Qaeda's *Inspire* magazine from January 2010 to May 2016 and all issues of the Islamic State's *Dabiq* magazine from July 2014 to July 2016) finds several differences between these groups that bear on prospects for negotiations.

1. Whereas al Qaeda constantly rails against specific Western foreign policies, the Islamic State spends far less time doing the same.
2. Whereas al Qaeda cites foreign policy as the principal reason for the group's "defensive jihad," the Islamic State makes clear that its fight against the West is primarily about disbelief.
3. Whereas al Qaeda suggests that foreign policy changes can lead to the end of its terrorist attacks, the Islamic State explains that foreign policy changes can, at most, lead to a temporary truce with the West.
4. Whereas al Qaeda rarely discusses the prospect of negotiations with the West, the Islamic State discusses this prospect – especially as it relates to hostages and the conditions for a temporary truce – with some frequency.

These observations constitute just some of the evidence that al Qaeda and the Islamic State have different motivations and different objectives, which suggests that these groups may exhibit different degrees of receptiveness to dialogue and political settlements. Any conclusions about implications for policy must be tentative, but several points are worth considering.

First, though al Qaeda has not expressed openness to strategic negotiations (i.e., talks aimed at resolving core differences between parties), the group's focus on the link between Western foreign policies and the violence it perpetrates and attempts to motivate suggests that there may be room for dialogue. Prospects for strategic negotiations with the Islamic State are more dim, and they will continue to be as long as the group maintains that theology, rather than foreign policy, is its *raison d'être*. While policymakers should remain open to the possibility that the group could evolve or splinter over time, as al Qaeda affiliates have, especially as it loses any plausible claim to a physical caliphate, envisioning any kind of political settlement with the Islamic

State in its current manifestation lies on the spectrum between difficult and impossible.

Second, when one looks beyond the positions taken by al Qaeda to the interests underlying those positions, it is conceivable that some policies could be amended without fundamentally undermining core US and/or Western interests. Consider several key grievances outlined by al Qaeda: support for apostate regimes in the Muslim world, torture, black sites, Guantanamo, indefinite detention without trial, and drone strikes. Some of these have been uneasily embraced by past US administrations (e.g., alliances with dictatorships), some have been rejected by policymakers (e.g., torture, black sites), and in some cases policymakers have recognized the undesirability of certain measures (e.g., signature strikes). (It is worth noting that the Trump administration has not struggled with the aforementioned policies in the ways that its predecessors have; indeed, it has at least rhetorically embraced many of them. Like much else surrounding the current presidency, however, it seems likely that comfort with these policies will be an historical aberration.)

There are questions on which the United States and the groups in question will not see eye to eye. The United States will never withdraw entirely from Muslim-majority countries, for example, and Israel is set to be among the strongest US allies in the Middle East for the foreseeable future. The fact that al Qaeda in particular has occasionally presented demands as “all or nothing” could be seen to complicate prospects for accommodation, but ultimatums are nothing new and states and terrorist organizations have changed positions en route to political settlements in the past. The principal takeaway is that prospects for strategic talks with al Qaeda and the Islamic State are not the same. While the likelihood of successful strategic dialogue with either group is low, al Qaeda is

more likely than the Islamic State to be receptive to talks that condition the end of violence on changes in foreign policy. (This claim is silent on whether policy should be changed for this purpose.)

Conclusion

On 26 April 2011, a week before his death, Osama bin Laden responded to an associate in a letter later recovered in the Abbottabad raid. "Regarding what you mentioned about British intelligence saying that England would leave Afghanistan if al-Qaeda promised not to target its interests…" he wrote, "I say we do not enable them on that, but without slamming the door completely closed" (letter SOCOM-2012-0000010-HT, available here). Three years later, the U.S. government worked with a New York defense lawyer, Stanley Cohen, to try to save the life of an American hostage held by IS. Cohen met in Jordan with Abu Muhammad al-Maqdisi, a jihadi theorist and former mentor to Abu Musa'ab al-Zarqawi. With Cohen by his side, Maqdisi contacted Turki al-Binali, chief ideologue of IS, to negotiate Peter Kassig's release. The parameters of these conversations were defined by the Federal Bureau of Investigation, which covered tens of thousands of dollars in Cohen's travel expenses.

Although not widely reported, the anecdotes above are evidence that policymakers in Washington, DC and Europe have *already* reached out to Al Qaeda and IS. Overtures have been tactical and strategic, ranging from hostage negotiations to military withdrawal from Muslim lands. What is difficult to know is whether dialogue with these groups has been properly informed by clear understanding of why these groups fight, what they want, and how they think about negotiations. In other words, were these attempts at dialogue, or any others that may have taken place, purely 'Hail Mary's?' Or were they based on serious consideration of whether negotiations are possible? Should talks

with these groups ever happen, they may go nowhere. But it is time to begin thinking about what dialogue could look like.

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