

Negotiating Hostages with Terrorists: Paradoxes and Dilemmas

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Abstract

There are few negotiations where it is so necessary to be fast and effective than in those that deal with hostages. This is an almost unfeasible task that has to be carried out with the most unlikely negotiator, the terrorist, in an extremely hostile context. Considering the issues at stake – the freedom of the hostages and, very often, their lives – a negotiator has to manage many challenges. There are seven dilemmas and paradoxes in reaching agreement. A negotiator has to solve a Shakespearian dilemma, manage contradictory objectives, deal with incompatible rationales, handle the toughness dilemma, come to grips with contradictions between empathy and assertiveness, handle cultural dilemmas, and cope with a moral dilemma.

Keywords

negotiation – terrorists – hostages – dilemmas – paradoxes

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There are few negotiations where it is so necessary to be fast and effective than those that deal with hostages. Considering the issues at stake, the freedom of the hostages and, often, their very lives, a negotiator has to manage a number of challenges. With counterparts such as terrorists, the negotiation process can be defined as an operating procedure that needs to resolve a number of difficult situations. Several dilemmas and paradoxes must be handled to reach an agreement.

First, the decision of whether or not to negotiate is a typical Shakespearian dilemma. Then, the question arises as to how to manage contradictory objectives, such as saving hostages and deterring terrorists from doing such an unacceptable act again. Two incompatible logics, which have been put in place through the use of paradoxical tactics, then interact at the negotiation table. These actions are carried out by parties with radically different psychological profiles and separated by an immensely wide gap in mindsets. The final challenge is how to overcome an impossible moral dilemma on how far one can go by resorting to deception for the sake of effectiveness.

When considering the challenges of negotiating to free hostages kept in custody somewhere unknown, often in a hostile context, one could be tempted to conclude that this is an almost unfeasible task. Unfortunately, this type of negotiation is becoming more frequent and the process is often elongated, lasting for years and, sometimes, decades. With regard to research on this type of negotiation, it causes us to focus on negotiator traits that would typically not be considered critical.

The Specifics of Hostage Negotiation

Since the early systematic analytical research conducted on negotiating with terrorists, a considerable amount of knowledge has been produced through the experiences collected from hundreds of cases that have occurred. Research has progressed from monographs of cases to systematic analyses of terrorist organizations with an adequate conceptual framework, providing new perspectives, new approaches and a deeper understanding of the negotiation process, the context, profiles of the terrorists, and their psychology and methods of action (Morgan & Braddock 2011; Martin 2011; Schmid 2011; Faure & Zartman 2010, Crenshaw 2010; Kaplan 2010; Stepanova 2010; Sageman 2008; Post 2007; Hoffman 2006; Forest 2006; Horgan 2005).

To negotiate about the freedom or the life of a human being has, because of the subject matter, been an extraordinary and highly dramatic dimension. It generates an exceptional level of stress when considering the risks of

possible failure. Two types of hostage situations can be distinguished. First are siege situations, in which a group of terrorists has taken hostages in a hostile context, for example, in an airplane in a Western airport (Air France flight in Marseilles, 1994), or a building surrounded by legal authorities (Taj Mahal Hotel, Mumbai, 2008). The second type of situation is kidnapping, in which hostages are held against their will, for instance by a guerrilla group in the jungle (FARC, Colombia) or by a terrorist organization (Hamas in Gaza). In all cases, terrorists keep their captives in an environment favorable to the terrorists. The formal negotiation process unfolds in three stages: prenegotiation, establishment of a formula of an agreement, and the fine-tuning of the details (Faure 2014).

The *prenegotiation* stage requires the utmost diplomacy because it takes place during the first hours after hostage-taking, and, in the case of a siege situation, this is the time that most hostage killings occur. The brutal situation introduced by the hostage-taking brings uncertainty to both sides, even if the operation has been extremely well planned, because no one knows for sure how the terrorists and the hostages are going to react. The situation has to be stabilized, a channel of communication established, a crisis management group created, and a negotiation team selected. The legal authorities then have to make sure that the hostages are alive. This is a phase of active listening with the purpose of gathering intelligence to prepare for the coming negotiation.

The second stage consists of agreeing to a list of issues that can be accepted for negotiation – in other words, *a formula*. It is often a protracted phase of the negotiation, because seldom does a zone of possible agreement (ZOPA) naturally come out of combining the offers and demands. Furthermore, terrorists often have demands that governments normally cannot meet, such as providing weapons and making public apologies.

The third stage deals with *fine-tuning* each of the issues that both parties have accepted. It is very much a zero-sum game where all sorts of ploys may be used to cheat the other or reduce the cost of the concessions or the risk of being caught afterward. For instance, the authorities might pay with counterfeit money or hand over equipment that does not work properly. Kidnappers might kill hostages to avoid releasing someone who can later help the authorities discover their hideout. A positive-sum game can thus be turned into a lose-lose outcome within moments. Sometimes if no mutually hurting stalemate (MHS) takes place, the negotiation may be deadlocked for years. If a situation is painful for both sides and increasingly unbearable, the pain has a positive effect, because it gives the sides an incentive to restore negotiations. Thus, the negotiating team can try to create the conditions for a MHS by increasing the shared pain (Zartman 2000; Faure 2012).

Each stage of the process has its own goals and rationale, which have to be dealt with using flexible tactics. For instance, the prenegotiation stage does not require any discussion on the substance of the negotiation; it is there to establish the conditions for negotiating. The second phase enables building the structure of a possible deal. Creativity may be important at that level, and credibility and commitment are essential tools in this complex phase. The third phase is highly distributive. Bluffing, deadlocks, and unexpected events feed the process. Even if a minimum necessary level of trust has been achieved, anything may happen at this stage.

Any hostage-taking negotiation develops under a high degree of uncertainty, as the process may lead to an agreement, but it also might end up triggering an escalation in commitments, demands, levels of threat or violence (Zartman & Faure 2005). On occasion, it might also lead to the surrender of the hostage-takers or their escape. Predictability about terrorist behavior is extremely difficult, for one of the most important causal variables is the psychological-ideological profile of the terrorist group. For example, the sensitivity of a fundamentalist group to arguments such as the reputation of Islam, the idea of fairness or justice, or the principle by which Muslims should not take women as hostages, is an important issue. Nonetheless, some models have been developed to help predict the outcome in hostage-taking incidents, which has provided invaluable support to negotiators (Wilson 2000).

Based on these specifics, negotiating to free hostages can be conceived of as a paradox that seeks to reframe opposite positions into questions that can be answered through negotiations.

The Shakespearian Dilemma: To Negotiate or Not to Negotiate?

Peace is not forged between friends; it is made between enemies, as emphasized by U.S. Senator John McCain. This makes any negotiation a real challenge. Democracies should never give in to pressure and terrorists should not be rewarded, as the U.S. government's never-ending mantra states. Negotiating with terrorists is recognizing them and their importance. Governments should avoid setting precedents that could weaken their position in the future. This yields a dilemma: should democracies abandon their people to a potential terrible fate of humiliation, torture, dehumanization or horrendous death? Should they remain motionless, facing unbearable situations, such as the prospect of having some of their own nationals beheaded or throats cut? In no democracy would public opinion accept this. Governments would discredit themselves by doing nothing. Even in countries where the no-negotiation

policy stands as an unstated principle, negotiation always remains an option on the table. For instance, in Israel, the soldier Gilad Shalit was finally exchanged for 1,027 Palestinians linked to Hamas, after five years of detention.

For a government, there are serious reasons to accept the idea of negotiating aside from the fact that basic conditions are met for starting the process, such as the perceived negotiability of the issue or the existence of a MHS. Among the reasons is the sense of a special moment in history related to a mutually enticing opportunity (MEO), as was the case with Israel and the Palestinian Liberation Organization (PLO) (Zartman 2001). It can also be a deep-rooted hatred finally put aside, as was the case between the U.S. and North Korea, or the reduction of emotional levels, the reframing of conflicts, the process of demonization of the counterpart, or the availability of considerable rewards and heavy punishments.

In no other situation is the dilemma so acute. To negotiate means to find a common ground for reaching agreement. None of the parties to the conflict is naturally enticed to negotiate. For the legal authorities, to negotiate may be to collude with the devil. On their side, the terrorists do not communicate in order to negotiate, but to dictate their conditions. A priori there is no room for negotiation, but in reality, most of the time one does negotiate, which usually means compromises.

Officially, democracies do not negotiate, but simply discuss with terrorists. In case of agreement, no concession is supposed to be made. Politicians are inflexible on this issue. The reality, however, is very different and there are only a few situations where no negotiations occur even if the process does not lead to an agreement (Faure & Zartman 2010; Reiss 2010; Mnookin 2010; Spector 1998).

Not all terrorist actions provide opportunities for negotiation. An example would be the Black Widows, a group of Chechen women who sought revenge for the execution of their husbands or relatives by committing suicide attacks on Moscow subways at peak hours. Their purpose was not to discuss, but rather to punish the Russians for their actions in Chechnya. For a long time, this has been the modus operandi of al Qaeda. From the perspective of legal authorities, a demonization process may take place to legitimize the refusal to negotiate, as there is nothing to expect from a counterpart, such as the devil or its substitute (Spector 1998; Faure 2007, 2011).

There is also a strategy of negotiating to make time for preparing an assault. The idea is to collect information through discussions, assess the situation and the terrorist forces, exhaust them when possible, and, finally, storm the place in case of siege. This was the case with the Lufthansa flight in Mogadishu (1997), and the siege of the Japanese ambassador's residence in Lima, Peru, which was occupied by a leftist group, the Tupac Amaru (1996).

If legal authorities negotiate with terrorists, it may be considered not only to be embarrassing, but understood as selling one's soul through an expression of weakness or lack of shame. Faure & Zartman (2010) contend that negotiating with terrorist organizations is not supping with the devil. It does not mean that the state is abandoning its moral values. The point is to bring moderation and flexibility to the terrorists' demands, modify their objectives into achievable outcomes, and put an end to their use of violent means of protest while opening the political process to broader participation. States should engage, not because of terrorist violence, but to end terrorist violence.

For a few years, Colombia, overwhelmed by waves of kidnapping by terrorist movements such as the FARC (more than 2,500 people in 2005), had introduced a provision in its legal system stating that it was forbidden by law to negotiate about freeing hostages. Any ransom payment was considered a crime. Nowadays, only the UK is implementing the no-negotiation policy, but this decision has resulted in an outrageous cost, the sacrifice of the hostages. Edwin Dyer, who was abducted by al Qaeda in the Islamic Maghreb (AQIM), was executed, Alan Henning was kidnapped by DAESH, the so-called Islamic State of Syria and Iraq, and was beheaded. In the short term, a British passport may become akin to a death certificate.

Contradictory Objectives

Beyond any moral positioning, when considering the practice of negotiation, any negotiator dealing with terrorist issues and hostage situations wants to achieve two contradictory objectives: to save the hostages and deter the terrorists from taking more. In such a situation, short-term and long-term interests strictly collide.

By paying a ransom, legal authorities may save hostages, but feed a criminal process by providing the terrorists with resources to commit additional hostage-takings. For instance, French President François Hollande handed over, after an initial denial, an estimated amount of \$3.2 million to Boko Haram, an Islamic jihadist organization operating in northern Nigeria, for the release of a French family of seven, thus providing the organization with new resources for expanding their influence in the whole region. In the following months, Boko Haram, which started out assassinating provincial officials from the back of motorbikes, has been able to conduct complex military maneuvers and killed several hundreds, with more frequent strikes in neighboring countries.

When U.S. President Barak Obama accepted the release of five high profile Taliban inmates held in Guantanamo in exchange for an American soldier, Sargent Bowe Bergdahl, who was held as a hostage in Afghanistan for five years, he saved this soldier, but provided the Taliban with high quality resources to strike at the United States.

In its early years, Al Qaeda received most of its money from deep-pocketed donors, but counter-terrorism officials now believe the group finances the bulk of its recruitment, training, and arms purchases from ransoms paid to free Europeans. These payments, amounting to \$125 million since 2008, were made almost exclusively by European governments, who channeled the money through a network of proxies, sometimes hiding it behind development aid. Thus, kidnapping for ransom has become today's most significant source of terrorist financing, observed David S. Cohen, the Treasury Department's Under-Secretary for Terrorism and Financial Intelligence.

The Israelis found a way to deal with this dilemma in the case of the massacre of the Israeli Olympic team in Munich in September 1972, by punishing the terrorists when they did not carry out what had been agreed with German authorities during the hostage-taking. They executed all the Palestinians who took part in the slaughter in two operations named "Spring of Youth" and "Wrath of God." Over two decades, the intelligence agency, the Mossad, and Israeli Special Forces systematically tracked down and killed the Palestinians suspected of involvement in the massacre.

Two Contradictory/Incompatible Negotiation Rationales

What makes any negotiation interesting but challenging is the fact that one has to combine two contradictory rationales: cooperation and competition. Cooperation is the reason why a negotiation takes place. Every party needs the other to achieve some goals that cannot be reached otherwise or reached at a higher price than the expected cost of an agreement. Competing is also part of the essence of negotiation, as the basic idea is to get more than to give. Both rationales are implemented through related strategies and enacted through tactics that are quite incompatible. Thus, the skill of a negotiator is to smartly combine these two rationales in such a way that the negotiation leads to an agreement and that the outcome is acceptable for both sides.

The context of the talks is important and most often sets the rationale for the negotiation. Legal authorities do not usually like cooperating with terrorists and hardly view them as partners involved in a joint project. Tough tactics

are usually applied, such as withholding information, warnings, threats, bluffs, stonewalling, and so on. Trust is not on the agenda. The process is much more about claiming value than creating value. In the bipolar system of shopkeepers versus warriors (Nicolson 1964; Zartman 2008), negotiators dealing with terrorists are clearly on the side of the latter.

On the terrorist side, a number of groups have set up real businesses that use hostage-taking to accrue resources. Negotiation to get ransom payments is viewed as ordinary trade. The FARC of Colombia, the Bedouins of Sinai and the Somali pirates have become highly specialized in this activity. It was not so with religious terrorist groups, who base their actions on a set of beliefs that limit their field of action, for example, that Islam does not allow the selling or buying of human beings. Originally, al Qaeda members did not take hostages, for their purpose was to punish “Judeo-Crusaders” or “Nazarene unfaithfuls” (the Christians) and to trigger an escalation process between the West and the Muslim world. These actions did not leave much room for any kind of negotiation. However, groups like AQIM started to take hostages and thus turned themselves into extortionists and counterparts where some kind of negotiation was conceivable. A similar evolution has been observed with the Abu Sayyaf group in the southern Philippines, a fundamentalist Islamic organization that has gradually drifted towards racketeering, extortion and kidnapping.

The Toughness Dilemma

Also called the tactical dilemma, this difficult choice has to answer the following question: How much should I push, knowing that the tougher I am, the more I may get, but the less likely I am to reach an agreement. Also known as the dilemma of De Callières (Dupont 2006), this problem has been widely illustrated through games such as the “ultimatum paradigm.” Negotiator credibility is at stake. If one of the negotiators adopts an extremely high bargaining position, he may be viewed as simply not serious and not worth the trouble of engaging in a bargaining process.

In other settings, this dilemma can induce some negotiators to play “chicken.” One typical illustration is the “blackmailer’s paradox,” a rather common strategy used by terrorists that operates as follows: Two men, Bill and Jack, are invited to a room with a suitcase filled with \$100,000. The owner of the suitcase announces: “I will give you this money under one condition: You have to negotiate an agreement on how to divide it.” Bill turns to Jack with the obvious suggestion, “You take half and I take half.” To his surprise, Jack takes a more assertive attitude and says, “I don’t intend to leave this room with less than

\$90,000. If you do not accept that, we both go home without any money.” Bill tries to convince Jack to accept his point, but to no avail. Jack insists, “90–10 or nothing. That is my last offer.” Bill realizes that Jack is not going to give up and that the only way to get any money is to accept his offer.

In this “blackmailer’s paradox,” Bill, the rational one, is forced to behave irrationally in order to achieve some result in a situation out of control. What brings about this bizarre outcome is the fact Jack is sure of himself and does not shy away when making his exorbitant demand. It is a test of the willingness to force injustice: the assumption of rationality is only accurate to some degree.

Applied to hostage negotiations with terrorists, both sides may be confronted with such a dilemma. If the terrorists make an exorbitant demand, they take the chance of winning, but run the risk of killing the negotiation altogether. This is the case if, for instance, they ask for international recognition of their group, the liberation of their members who are prisoners, or the end of a military intervention. The recent and spectacular executions of Western hostages by the Islamic State of Iraq and Syria fall into this category. DAESH is in the position of Jack, but in this case, his irrational strategy does not pay.

On the government side, the same rationale applies, as they cannot just ask for the release of the hostages. They have to offer substantial compensation, otherwise, in case of no agreement, the terrorists will carry out their threat.

Another undesirable consequence of choosing the tough strategy is the risk of involving oneself in a “Faustian bargain” (Faure 2003), which means facing a high degree of uncertainty about the outcome in the implementation stage. The whole negotiation may just be about opening Pandora’s box.

Empathy versus Assertiveness

Should a negotiator show empathy to terrorists and adopt a matching behavior or should he stand on his own and keep a clear and firm distance? In terms of efficiency, empathy facilitates dialogue, but in the case of terrorism, the gap is so huge that the issue of credibility is raised. Furthermore, a negotiator directly exposed to terrorist influences may get emotionally trapped and go beyond any rational ground. Terrorist action is meant to trigger anxiety and to instill fear, and no negotiator is immune to being affected. However, a minimal dialogue has to be established if the point is to reach some negotiated outcome. Thus, playing by the rules of the terrorist, even when they appear absurd, obnoxious, or revolting may be the only way to have some influence on the counterparts, while running the risk of losing one’s reference points.

The Mont Blanc fountain pen case provides an interesting illustration of such a process. Mont Blanc is not only the highest summit in the Alps, but is also the name of a famous German fountain pen. A Lufthansa flight was hijacked by four Muslim Arab terrorists in 1977 and flown to Mogadishu, Somalia. When the plane was still in Dubai, the terrorists started checking passengers' papers to find out who was Jewish. They did not know that religion is not mentioned on German passports. Then, they tried to find other clues to spot their first victims. One of the passengers had a Mont Blanc fountain pen with, at the tip, the white stylized six-pointed star with rounded edges representing Mont Blanc's snowcap seen from above. The terrorists took it as a Jewish symbol and decided to execute the owner of the fountain pen. After a long discussion, the pilot managed to convince them to delay the execution. Then, the co-pilot was spotted wearing a Junghans wristwatch with an eight-pointed star. Suspecting that he was carrying a Jewish product, the terrorist leader decided to kill him. After another long and dramatic negotiation, the terrorist agreed to only destroy the watch and did it on the spot.

In such a case, playing by the rules of the terrorists paid off. It is obvious that being assertive, with someone who is ready to die for his cause, will not change much of the mindset of the terrorists. However, too much empathy would demonstrate compassion for the terrorists instead of protecting the victims. This is the reason why legal authorities, when negotiating with terrorists, divide their tasks between negotiators and decision-makers so as to prevent the negotiator from becoming psychologically manipulated by the terrorists.

The Cultural Dilemma

"Seen from the Earth, the sky is blue; seen from outer space, the sky is black. Similarly, many things are just a matter of one's perspective. Such is the case with negotiation" (Faure 2003: 1). In other words, should one negotiate from the cultural perspective of the counterpart? This suggests starting from the vision of the terrorist and from his definition of the problem. It would certainly facilitate communication, but would frame the issue in such a way that would not let the legal authorities protect their own interests. We would face a cultural conditioning of the negotiation process.

At the cognitive level, asymmetric warfare leads to asymmetric negotiation. Negotiators receive their instructions from their government, whereas terrorists often state that they get their instructions directly from God, which results in heavily imbalanced relations in terms of credibility and legitimacy. When the religious dimension is invoked, it makes the conflict absolute and

globalized, as people from the whole world may identify with one or the other of the stakeholders. One may divide land, resources, and even security, but the sacred is indivisible and untouchable.

When negotiating across cultures, we do not only have different behaviors and different codes for communicating, but distinctive categories for understanding situations. The reality is very much in the eyes of the beholder. The cognitive dimension takes the floor. The very identity of each of the parties is at stake and the result of the negotiation becomes even more uncertain (Anstey 2010). For instance, considering al Qaeda, if its members believe that the current world is degenerate and unjust, and that salvation lies on the adoption of Sharia, Islamic law, then the main enemies of real Muslims are the Jews, the "Heretics," and America who are considered the main causes of Muslim suffering. Furthermore, the Shia Muslims are viewed as apostates. The "Zionist entity," meaning the state of Israel, should be eliminated, America expelled from the Middle East and the Caliphate restored. This could only be achieved through violent jihad. Should negotiators on the side of the legal authorities adopt this thinking and the related intellectual framework for the sake of improving communication? Such a dilemma permeates negotiation.

Knowing the culture of the terrorists and being aware of their ideological and religious framework may help, but only to a limited extent. However, ignoring the cultural perspective of the other party makes negotiation effectiveness unlikely, unless the authorities have a "cultural mediator," meaning someone who belongs to both cultures or who is strongly familiar with both cultures.

The Moral Dilemma

Terrorist groups usually do not exhibit a culture of negotiation, but one of a pro-war task force. The manipulation of tensions, aggressive language, hostile listening, threats, *fait accompli*, false promises, deliberately triggered crises, and other types of hard bargaining tactics are the most common tools that terrorist groups employ in negotiation.

When the reputation of the counterparts make them untrustworthy or merciless, it may authorize behaviors that would otherwise not be present in a negotiation, such as lying, playing tricks, manipulating and using deception. "We should not be constrained by Boy Scout ethics in an immoral world," stated Kenneth Adelman, former assistant to the U.S. Secretary of Defense. Terrorist groups do not care about the requirements of the Geneva Convention. A number of people highly familiar with this type of negotiation, such as heads of police, believe that hostage-takers should be promised everything and

delivered nothing (Miller 1980). Thus, not only the final purpose of the negotiation, but the quality of the counterpart, may morally justify lying and cheating. The role of a negotiator may be to distract the enemy while the legal authorities are preparing to attack them.

Terrorism as asymmetric warfare does not abide by laws and international rules, whereas governments are bound by them. As Laqueur (1999) stated, "In the terrorist conception of warfare there is no room for the Red Cross." Should the negotiator stick to some clear principles, or should he take a more opportunistic approach when dealing with a counterpart? Should he view the negotiation as a totally unethical game? Terrorist actions follow the principle of the end justifying the means. How far can the authorities' negotiator go with betraying his/her values? One cannot expect to get away clean from a world of tricks and deception.

An example of negotiation deception is the Lima case (1996) where the residence of the Japanese ambassador was besieged and occupied by a revolutionary group for more than four months. Fourteen rebels from the Tupac Amaru Revolutionary Movement took seventy-two hostages during a traditional celebration. The legal authorities introduced microphones hidden in wooden chess pieces and laser systems to listen to conversations. On occasion, terrorists bring in accomplices among the onlookers, the media covering the event, and even among the hostages.

Another illustrative case in the domain of tricks and deception was the release of Senator Betancourt in Colombia. Hostages of the FARC, a Marxist-Leninist movement, were kept in several mountain areas and jungles that the FARC controlled and communication between the camps was difficult. Colombian military intelligence managed to infiltrate some of these local hideouts and spent months gaining the terrorists' trust. Eventually, a government mole was able to convince the FARC's chiefs in charge of the hostages to accept a faked request from FARC headquarters to transfer the hostages for safety reasons. All fifteen captives were handcuffed before being placed aboard the helicopter, along with two of their FARC guards, who were disarmed and subdued after takeoff. The hostages were taken to freedom and the whole operation was performed without a single shot.

The ethical dilemma may lead to a personality split for the negotiator when the clash between values becomes unbearable. This was the case with Raskolnikov, the hero of Dostoyevsky's *Crime and Punishment*. The good and the bad Raskolnikov struggled within himself, dramatically threatening the integrity of his personality. Raskolnikov came from a religious family with strong moral values. He was a university student but desperately poor. He heard about an old lady who lent money to people at a high interest rate.

She was described as an ugly old spider, a bloodsucker. It would only be just, he thought, to take that money from her and give it to good people who need it. He considered murdering the old lady for the common good. But as a good Christian, he knew that murder was a sin. Everything in him rebelled against the idea of murder. The two ideas existed side-by-side until his image of the old lady as a human and a social "evil" became overpowering and he worked out a scheme to murder her (Kremenjuk 2003).

How far can one go without betraying one's values and becoming the negation of oneself when negotiating with terrorists? The dilemma is permanent, because what should not be done could save lives. Here, more than in any other type of negotiation, the ends may justify the means. However, by using all means to destroy the position of the other may end up destroying something in oneself and disqualifying the task. Drawing from the experience of Abba Eban and Jimmy Carter as negotiators who dealt with bad guys and rogue states, Spector (1998) suggests a way to handle such an issue by what he calls "ethical pragmatism," which leads not to collaborate with villains, but to work to save lives and avoid bloodshed.

Managing the Contradictions

When dealing with terrorists, a negotiator has to address seven paradoxes and dilemmas in their toughest expression. These are among the most complex challenges to overcome, even for an experienced negotiator. Shedding more light on such a painful and stressful process may contribute to the domain of negotiation analysis. Issues and problems that do not appear in ordinary negotiations may reveal their importance in hostage-taking negotiations and push the frontiers of negotiation approaches, such as creating formulas, establishing ZOPAS, handling deadlocks, using or aggravating mutually hurting stalemates, creating mutually enticing opportunities, coping with stress, dealing with threats, and managing games of chicken.

Based on current practice and analysis, effectiveness in hostage-taking negotiation usually requires accepting the terrorist as a negotiation counterpart; developing a specific concept of negotiation; conceptualizing a new strategic approach; implementing new skills; and ultimately managing a complex system of accountability. Considering the terrorist as a possible negotiation counterpart raises the issue of legitimacy. For a government, establishing dialogue with a dissident movement legitimizes them. Contradictions embedded in such a policy shift to start discussions at the political level might revert back to violence, but then could switch to the negotiating table again. The

government could believe that there is no other way to end the violence, the mutually hurting stalemate could be so damaging that something has to be done to stop it, or a third party might have enough influence to bring the two sides into negotiation – all is possible.

A new strategic approach, such as turning the absolute terrorists into contingent terrorists, has to be developed and deepened. This is an essential response to the most deadly terrorist actions. Such an approach means that something in the mindset of the counterparts has to change, that their perceptions of the problem and of their actual role have to be modified. This is a most challenging task, but a critical one if human lives are to be saved. By negotiating with them, the terrorists have to be brought to the idea that they can do better than to kill people.

To negotiate with terrorists possibly saves human lives, but also underlines the challenges inherent in negotiation logic. This examination of dilemmas and paradoxes that must be faced reveals the contradictions that are at the essence of this type of negotiation.

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