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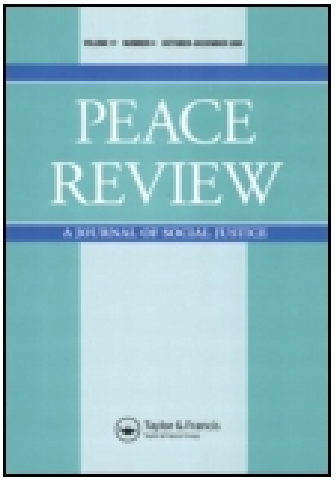

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Reconciliation With Al Qaeda?

Judith Renner [a] & Alexander Spencer [b]
[a] Department for Political Science , Technical University , Munich , Germany
[b] Geschwister Scholl Institute for Political Science at the Ludwig-Maximilians-University , Munich , Germany
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Reconciliation With Al Qaeda?

JUDITH RENNER AND ALEXANDER SPENCER

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In April 2004, Osama bin Laden offered Europe the possibility of reconciliation, and, in 2006, a similar truce offer was extended to the United States. At the time, these offers seemed absurd and far beyond anything considered viable. The most common and, after 9/11 understandably emotional, response from the political elite and large segments of the media was: We do not negotiate with terrorists! On the one hand, this forceful rejection of any such idea is understandable. On the other hand, however, it seems strange that reconciliation is not even considered an option with Al Qaeda, while at the same time being commonly heralded as the best means of overcoming a conflict involving state terror.

This essay reflects on this situation so as to provoke further thought on the previously absurd: reconciliation with Al Qaeda. It does so by discussing whether and how the concepts and ideas that have been developed on reconciliation after state terror can be applied to cases of sub-state "terrorist" violence and, possibly, the transnational "terrorist" violence that is considered prevalent today. Moreover, the article asks why reconciliation is considered a promising strategy after state terror, but impossible and undesirable after sub-state "terrorist" violence. Here, the essay reflects on two sets of reasons—normative and pragmatic—that are commonly brought up in favor of reconciliation after state terror, but are usually considered untenable in conflicts involving sub-state "terrorist" violence.

Reconciliation is predominantly dealt with by the research on transitional justice and conflict resolution. Here, reconciliation is commonly understood as an attempt to restore the ruptured social relations after violence through nonviolent means. The steps and measures that are suggested here can analytically be divided into two phases of a reconciliation process. First, "conciliatory measures" have to be undertaken in order to end the violence and to reach at least a minimum degree of settlement. This phase might involve negotiations, offers for an amnesty provision and some structural adjustments, such as disarmament and possibly political integration. Once this conciliatory phase has developed to a certain extent, a second phase involving

"reconciliation proper" can be approached. This second phase would involve measures that aim at a far-reaching psychological change on a broad societal base, attempts to come to terms with the terrorist conflict and measures that aim at a fundamental transformation of society.

There are a number of conciliatory measures that can help end terrorist violence and begin at least a preliminary settlement as an important first step toward any kind of reconciliation between antagonistic societal groups. One such first step toward this goal might be the initiation of formal or informal talks and negotiations with "terrorist" groups. Negotiations imply a certain level of engagement with the other side in the conflict, which is essential to initiate any kind of reconciliation. Negotiations can provide a means of articulating grievances in a nonviolent way. They can give insights into the perceptions and discourse of the "terrorist" other. Engagement could ultimately lead to the transformation of the "terrorist" group and the rejection of violence and the acceptance of nonviolent political debate.

A second possible conciliatory measure may be the use of amnesty laws in "terrorist" conflicts. Both transitional justice and terrorism research have discussed the use of amnesty provisions as a possible means to peace and reconciliation. If criminal prosecutions threaten the fragile peace and prevent a peaceful settlement, amnesty can be advocated as an appropriate means for tactical reasons. Similarly amnesty might be a useful conciliatory measure to end terrorist violence and aid the negotiation of a peace agreement, while the prosecution and trial of "terrorist" in a fragile and polarized society can lead to the eruption of further violence. In countries such as Algeria, Turkey, Northern Ireland, France, and Italy, amnesty laws have contributed to alleviating "terrorist" conflicts.

A third conciliatory measure may be the use of political concessions toward the "terrorist" opponent. The idea is that if governments give "terrorist" groups what they want, they could eliminate the causal factors, grievances, and perceived injustices, and therefore the need for continuing terrorism. Furthermore, talks aimed at addressing the (perceived) grievance for which the "terror group" is allegedly fighting can influence the group's constituents. If the group's violence persists, despite the government's attempt to address the group's grievance, it may lose support and sympathy. In transitional justice and conflict resolution, political concession and the adjustment of structural conditions are often considered an important first step toward reconciliation, as it makes formal and regular communication between members of both groups possible and reduces uncertainty. Those conditions include, for example, the reduction of threats and tensions through institutional reforms that aim at the political integration and participation of all parties.

There are examples of conflicts where structural conditions have been changed prior to a successful reconciliation process with "terrorists." In South Africa, for instance, the African National Congress (ANC) was banned and

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prohibited as a terrorist organization by the Afrikaner government until 1989. The government then began an institutional change by legalizing the ANC and lifting the state of emergency, and thereby created the conditions for a successful reconciliation process. While neither the political inclusion of the opposition groups, such as the ANC, nor the changes in the country's legislation were particularly far-reaching, they were nevertheless the necessary first steps toward reconciliation.

Once the cycle of violence has been interrupted and the acute conflict has reached a minimum degree of settlement, it is possible to approach the ruptured relationship between the antagonist social groups and to initiate measures that aim at "reconciliation proper"—overcoming the "terrorist" conflict through a profound societal transformation. In conflict resolution studies and transitional justice research, a wide variety of measures are discussed, which are supposed to help improve the relationship between antagonized groups and enable lasting peaceful coexistence.

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Overall, scholars of conflict resolution and transitional justice widely agree that societal reconciliation can be fostered by political means if actions are undertaken to address and overcome the legacies of the violent conflict. "Reconciliation proper" operates on different levels of society and uses individuals, groups, or collective memory as the medium for societal reconciliation. On the individual level, the reintegration of former "terrorists" into society is considered to offer a possibility of overcoming individual isolation and personal trauma. As the concept of disarmament, demobilization, and reintegration (DDR) has featured prominently in other violent conflict such as civil wars in Angola, Congo, and Sierra Leone, the reinsertion of "terrorists" into society needs to be considered, as it is widely accepted in peace and conflict resolution that the reintegration of former combatants after violent conflicts is a possible means of re-establishing peaceful relations.

Apart from the reintegration of individual former "terrorists," another reconciliation strategy that builds on individual and interpersonal transformation in order to reach intergroup reconciliation is so-called "track-two-diplomacy." It is assumed here that psychological change and the reduction of hatred and prejudices of influential individuals might spill over and have a positive effect on the broader constituencies of these individuals. The central component of such a reconciliation strategy is bringing some members of the antagonistic parties together in order to mutually solve their problems in, for example, problem-solving workshops. The goal of such workshops is twofold. On the one hand, the workshops are supposed to foster dialogue and build trust and understanding among the members of the conflict, and thus foster what might be called individual or interpersonal reconciliation. On the other hand, the participants of the workshop are expected to communicate their new and improved attitudes and images to their communities and thus to

contribute to improving relationships between the antagonistic parties. Track-two-diplomacy and, in particular, the problem-solving workshop, have been employed in several conflicts where sub-state "terrorists" were involved, like in Northern Ireland or between Israelis and Palestinians.

Apart from individuals, groups might contribute to societal reconciliation by undertaking measures and actions that signal their willingness toward peace and a break with the violence of the past. In this regard, some propose a public apology as a good means of fostering reconciliation because it includes a formal acknowledgment of responsibility for crimes committed during the conflict and an appeal to the victims for forgiveness. From this perspective, apology can contribute to conflict resolution and reconciliation as it is a means of addressing the past and reducing the negative feelings of the victim. A public apology has been issued, for example, by the Irish Republican Army (IRA) in 2002 for the high numbers of non-combatant deaths caused by the organization over the past thirty years.

In addition, social memory is considered a crucial factor and it is a widely shared belief among scholars of reconciliation research that, in order to reach a lasting social transformation and overcome the conflict, it is indispensable to confront and negotiate the history of the conflict rather than simply forgetting the past. In this regard, a mutual interpretation of the past conflict that is acceptable to both sides is considered an important component of reconciliation strategies. In recent years, the institution of the truth commission has emerged as the archetypical forum for reconciliation where the official narrative of a country's violent and repressive past is (re)constructed from the individual testimonies of victims and perpetrators. Truth commissions operate on two levels and address individual suffering, as well as society as a whole. Individual traumas are confronted through the practice of testifying. Telling one's story in public is supposed to help individual victims and perpetrators to heal. In regards to society as a whole, the truth-telling process is expected to construct a shared narrative of the past, to restore the consensus of what is "right" and what is "wrong," and thus re-create the community's moral order and foundation.

The writing of a common history can pose particular problems in the case of "reconciliation with terrorists," as it demands an engagement with the legitimacy of the violence committed by both sides. Constructing a common historical narrative acceptable to all sides of the conflict makes it necessary to account for the different and often conflicting memories and points of views of former enemies. Questions such as, "Was it legitimate, under the given conditions, to fight violently against the state?" or "Was it legitimate for the state, under the given conditions, to contain insurgency with violent means?" have to be carefully dealt with. In this regard, the South African Truth and Reconciliation Commission (TRC) can be cited as a paradigmatic case, as it addressed both the violence committed under apartheid by the repressive

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Afrikaner government and its agencies and the violence committed by the ANC in the course of its liberation struggle. Victims and perpetrators of both groups were able to come forward and tell their stories and experiences. The atrocities committed by both sides were not evaluated in regard to the particular political goal they served. Rather, they were judged generally as violations of human rights committed with a political objective.

While reconciliation is commonly heralded as a promising path to peace after state terror, it is usually not considered an option in conflicts involving sub-state "terrorist" groups. One explanation for this difference might be that the reasons that are commonly brought up for reconciliation in situations of state terror are generally considered untenable in situations of sub-state "terrorist" violence. In transitional situations after state terror, reconciliation strategies are usually initiated for one of two reasons: pragmatism or normative desirability. Some countries, for instance in Latin America in the mid-1980s, sought reconciliation out of pragmatism because reconciling society seemed to be the only possible way to avoid further violence. Here, the parties to the conflict or, respectively, the outgoing and incoming regimes were caught in a power-political stalemate and a political compromise between the demands of both sides had to be reached in order to achieve a peaceful regime change. The former elites demanded amnesties for handing over power, while large parts of society called for the criminal prosecution of those who were responsible for years of repression. As the former elites were closely allied with the military and still had considerable power during and after the regime change, however, prosecuting the members of these regimes would have led to a new eruption of violence making peace impossible. At the same time, doing nothing would seem unacceptable to a large part of society. Here, calls for "reconciliation" were borne out of a political compromise between the moral demands of justice and the political demands of peace and aimed at preserving the fragile peace and political stability between the former oppressors and the formerly oppressed.

In other countries, in contrast, reconciliation has been chosen as a goal after conflict or repression out of the firm normative belief that the reconciliation of society is an intrinsically valuable goal, equally or even more important than seeking justice and punishment for human rights violations. This normative authority of reconciliation emerged in particular during and after the South African transition in the mid-1990s where reconciliation was presented as a morally superior strategy to "justice and revenge." Since the South African experience, which is often celebrated as a prime example for reconciliation after violence and social unrest, reconciliation is often considered not only a possible, but a necessary and appropriate goal after conflict and repression. Accordingly, in the past fifteen years, the reconciliation of

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society was pursued in numerous countries after violence or civil war, such as East Timor, Sierra Leone, or Serbia.

The question now arises why the path of reconciliation is hardly ever chosen as a primary strategy in conflicts where one side is conceived to be "terrorists." Apparently, neither the pragmatic nor the normative reasons outlined above are considered applicable here. In regards to pragmatic reasons, one may first point to the relatively small size of a terrorist organization, which makes an engagement less pressing. The asymmetrical power relations in the conflict may lead to the conclusion that compromise is not necessary to end the conflict. In contrast to conflicts involving larger societal groups after state terror, squashing the small and weak terrorist group might seem like the simplest "solution" to the conflict. Against this, it could be argued, however, that in most conflicts, the terrorist group, although very small, represents a larger constituency that shares the grievances of the group. Simply eliminating the group will therefore not solve the underlying conflict smoldering within the society. Moreover, examples such as Colombia have shown that attempts to eliminate the "terrorist" group are seldom successful in ending the conflict.

A second pragmatic argument that might be advanced against reconciliation in terrorist conflicts may focus on the violence perpetrated within the conflict and argue that breaking out of such a cycle of violence is difficult, if not impossible. While conflicts involving "just" state terror generally entail the use of violence by only one side of the conflict, acute "terrorist" conflicts are often caught in a cycle of violence and counterviolence. The idea of this spiral of violence is that a "terrorist" act can lead to violent repression by the state, which leads to consciousness among the oppressed and then more "terrorist" action. In such a situation, reconciliation might seem impossible as it is generally believed that initiating a process of reconciliation needs a minimum degree of conflict settlement before it can begin. Against this, it might be argued, however, that it is just as plausible that the logic of the cycle of violence can be reversed. Instead of violence causing counter violence, conciliatory moves by one side can possibly be mirrored by similar steps, or at least an interruption of violence, on the other side. Furthermore, one should point out that the levels and extent of violence are far greater after state terror than in conflicts involving sub-state terrorists.

While one encounters normative arguments for reconciliation after state terror, one finds normative arguments against reconciliation after terrorism. This is visible through, as well as caused by, the terrorist label. The absence of reconciliatory policies against terrorism is not so much due to the physical nature of the act, but rather due to the words and labels that predicate the "terrorist" as something irreconcilable. The word "terrorist" is not simply a

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value-free concept describing reality, but a discursive label with normative implications. From this perspective, the label "terrorist" automatically excludes the possibility of engagement. If, for example, "terrorists" are constituted as fanatics who use extreme, indiscriminate violence to achieve absurd goals, and if they are discursively constructed as "uncivilized," "evil," and a "disease," dialogue and contact with such "terrorists" becomes problematic and dangerous. Therefore, policies such as negotiations, concessions, and reconciliation, which would require engagement, fall outside of the options considered as appropriate.

While the terrorist label can thus be an obstacle to the initiation of a reconciliation process, it might also prevent us from considering the outcome of a reconciliation process as desirable, namely a reconciled society that includes the former "terrorists" among its members. The designation of one party as "terrorist" constructs this group as an antagonist and dangerous "other," and thus denies the members of that group the status of legitimate members of society. The dominant understanding of reconciliation as the restoration of social relations presumes community among the parties to the conflict. It also, however, presumes the possibility and future existence of a *demos* and of the shared feeling of a "we" that comprises all parties of the conflict. Initiating a reconciliation process with an alleged "terrorist" group thus implies that, in the future, these "terrorists" will be part of the community, an outlook that becomes all the more difficult to accept due to the "terrorist" label.

Reconciliation with Al Qaeda is still considered absurd. By conceiving of Al Qaeda as irrational monsters, any kind of engagement becomes impossible. As their demands are either considered beyond the negotiable or apolitical, talking to each other appears to be a waste of time. Considering that many of the demands of the IRA, for example, seemed non-negotiable at the time, the non-negotiability of Al Qaeda's political demands can be questioned. While there was a certain level of compromise with many of the more traditional terrorist organizations, certain demands such as a united Irish Republic, for example, were also never fully met. It is important to realize that negotiations and engagement are not the same as endorsement, and that compromise was essential in most of the conflicts involving terrorism. Now the question remains whether Al Qaeda or the West is willing to compromise.

The possibility of reconciliation with groups considered as "terrorists" is indicated by the more recent developments in the case of the Taliban. Here, the Obama administration's recent engagement with the Taliban in Afghanistan suggests that reconciliation with actors previously considered to be beyond reason is indeed possible. While some may consider the suggestion of negotiations and ultimately reconciliation with Al Qaeda as dangerously naïve, past "terrorist" conflicts show that very few of them were solved through

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military means. Most conflicts involved some form of engagement with the other side to address some of the underlying political grievances around which the conflict revolved. Considering that negotiations with "terrorist" groups at the height of the individual conflicts always seemed impossible or absurd at first, it is surprising how many of them ultimately included, or now currently include, some reconciliation efforts as means of ending the conflict. We should therefore start reflecting on the previously unthinkable: reconciliation with Al Qaeda.

RECOMMENDED READINGS

Breen Smyth, M. 2007. *Truth Recovery and Justice after Conflict: Managing Violent Pasts*. London: Routledge.

Chapmanm, A. R. and Van der Merwe, H. (eds.). 2008. *Truth and Reconciliation in South Africa: Did the TRC Deliver*? Philadelphia: University of Pennsylvania Press.

Goerzig, C. 2010. *Talking to Terrorists. Concessions and the Renunciation of Violence*. London: Routledge.

Humphrey, M. 2002. *The Politics of Atrocity and Reconciliation. From Terror to Trauma*. London: Routledge.

Renner, J. and Spencer, A. (eds.). 2012. *Reconciliation after Terrorism: Strategy, Possibility or Absurdity*. London: Routledge.

Toros, H. 2008. "'We Don't Negotiate with Terrorists!': Legitimacy and Complexity in Terrorist Conflicts." *Security Dialogue* 39(4): 407–426.

Judith Renner is Assistant Professor at the Department for Political Science at the Technical University Munich, Germany. E-mail: Judith.Renner@tum.de

Alexander Spencer is Assistant Professor at the Geschwister Scholl Institute for Political Science at the Ludwig-Maximilians-University in Munich, Germany. E-mail: Alexander.Spencer@lrz.uni-muenchen.de

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