Chapter 4

De-Exceptionalizing the Terrorist Phenomenon: Lessons and Concepts from Conflict Prevention and Transformation

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This chapter shows how approaches, concepts, and instruments from conflict prevention and conflict resolution practice can be of use in conflicts marked by terrorist violence. Based on the assumption that terrorism and its effective prevention can only be understood as part of a wider political conflict and in combination with the surrounding structural power relationships, we examine how the instruments of negotiations and dialogue, although still categorically refused by some terrorism scholars and policymakers, can prove valuable additions to existing approaches of terrorism prevention.

The chapter begins with a conceptual critique of classical realist definitions of terrorism and shows how their homogenization and trivialization of the phenomenon helps policymakers legitimize hard security measures and delegitimize militant power contenders. After reviewing empirical evidence on the limited use of force as the only strategy against terrorist threats and debunking the most common objections against negotiations with terrorist groups, the chapter then delves into the details of how such negotiations evolve as part of a wider peace process. Drawing from the conflict resolution literature and related disciplines, we discuss in particular the role of timing, trust and spoilers in such processes. The chapter concludes by looking beyond classical approaches of conflict resolution and by presenting a systemic conflict transformation approach that does not attempt to simply reduce terrorist and counter terrorist violence but engages with, and aims to transform, the underlying structural violence and oppression that often form the context in which terrorist violence occurs.

While this chapter builds on the predominant literature on terrorism and thus looks at the phenomenon mostly from the perspective of governments, we acknowledge the conceptual bias in that approach and provide an insight into the theoretical debate that challenges the simplistic view of terrorism as a non-state phenomenon and a conflict between legitimate state actors and illegitimate power contenders.

Keywords: terrorism, peace process, conflict prevention, negotiation, dialogue, conflict transformation

"The United States gives terrorists no rewards and no guarantees. We make no concessions. We make no deals."[1] President Reagan's uncompromising stance in the face of the American hostage crisis in Lebanon in the 1980s is only one of countless statements that illustrate the categorical refusal of many political leaders to use anything other than force in their interactions with terrorist groups. Their refusal is deeply rooted in the realist tradition of foreign policy, which has always put a great deal of importance on the privileged role and sovereignty of nation states and on deterrence as a central concept in the interaction with enemies. As the only legitimate authority to decide on the use of force to protect the integrity of the state and the security of the people, states secure their survival in an anarchic international system by means of power, making war both inevitable, and acceptable to deal with threats to security.[2]

The underlying assumption is simple: a government that has consistently carried out its threats and has taken a firm stand in the face of an external challenge is seen as strong and uncompromising and must not fear another challenge. However, a government backing down is, according to that understanding, seen as irresolute or weak and therefore more vulnerable to threats from power contenders on the inside or the outside. Especially after 9/11, and following the declaration of the "War on Terror" by President George W. Bush, this belief in reputation and the focus on the use of force to contain terrorism became apparent across all branches of policy. His principled demand that "no nation can negotiate with terrorists, for there is no way to make peace with those whose only goal is death"[3] started to underpin not only the US counterterrorism policy but resulted in a global trend along the line of what Ole Wæver had described a few years before as "securitization."[4]

Although history books are filled with examples of governments which have failed to solve the problem of terrorism exclusively with hard security measures, the use of force is still widely accepted and counterterrorism by the armed forces continues to remain the preferred option for policymakers who wish to see the armed forces in a key role when responding to terrorism. The strategy against ISIS, the most recent transnational terrorist challenge, was no exception in that regard, with the international alliance pursuing a large-scale military campaign in Iraq and Syria and agreeing to rule out talks. Amongst many political leaders and their realist adepts, fighting ISIS militarily was seen as an absolute necessity and the strategy with the widest public appeal in light of some of the horrors deliberately generated by the group. Today, with ISIS believed by many to be "largely defeated,"[5] it is also viewed as a successful war strategy and the continuation of what a considerable number of predominantly conservative politicians from former President George W. Bush ("mission accomplished") to President Donald Trump see as an overall successful counterterrorism strategy in Iraq. However, their optimism is questionable. Just like the forced surrender of the Liberation Tigers of Tamil Eelam (LTTE)[6] did not eliminate the underlying grievances that gave rise to the LTTE's separatist campaign in the first place, a military defeat of ISIS – if at all a realistic outcome – will also not obliterate the breeding ground for new recruitments by terrorist networks and cells. As long as the underlying grievances of the Sunni community remain in place and as long as the powerful ex-Baathists and Saddam Hussein's former army and intelligence officers are not separated from the jihadists, the terrorist threat of ISIS or a potential successor organization is likely to continue.[7]

There is strong empirical evidence that suggests that military force alone is rarely the most promising path to counter terrorist threats. A comprehensive historical analysis by Seth Jones and Martin Libicki finds that only seven percent of all terrorist groups since 1968 have ended because of military defeat.[8] While their findings have to be taken with a grain of salt due to their rather inclusive criteria of what constitutes a terrorist group, their study nonetheless provides considerable evidence to suggest that governments need to look beyond mere military means when faced with terrorist challenges. In this chapter, we will explore some of these alternative pathways.

Starting from the assumption that both terrorism and its effective prevention can only be understood as part of a wider (political) conflict and in combination with surrounding structural power relationships, we look beyond hard security measures and examine approaches from the field of conflict prevention and related disciplines, that not merely suppress terrorism as a symptom and an unpolitical act of violence but aim to resolve or transform the underlying structural and political conflict.

However, before delving into the depth of the conflict transformation literature and its coverage of terrorism as a political and social phenomenon, we must present a caveat in our analytical approach, or a conceptual bias, to be more precise. As we explain in the following section, the term "terrorism" must be looked at with considerable caution. As an attributive term, it is often used within the political sphere to challenge the legitimacy of the use of force by "others," whereas the use of force to fight militant power contenders is considered legitimate in comparison. This approach tends to throw all forms of (armed) resistance, including resistance against all forms of oppression and autocracy, into an egalitarian basket of "illegitimate action," resulting in a simplistic perspective on terrorism as a conflict between legitimate state actors and illegitimate power contenders. However, the instruments of terror are neither restricted to non-state actors (actually the roots of the term *terreur* were related to a mode of state rule in the 1790s) during the French revolution, nor can state actors as such claim more legitimacy for themselves, if they flagrantly violate the human and civil rights of their people or parts thereof.

Most literature in the field of strategic studies and conflict resolution – less so in the field of conflict transformation and peace studies – is constrained by a focus on "subnational groups or activists."[9] This literature looks at terrorism mostly from the perspective of governments and states while neglecting terrorist activities which are the responsibility of state actors. Sociological depth of analysis can be found only in exceptional cases, especially where a distinction is made between actors representing grievances of a larger social, ethnic or religious group, and actors who represent a sectarian extremist ideology or just themselves.[10] For the purpose of this chapter, we have to build on what the predominant literature on terrorism is offering – an understanding of terrorism as a non-state phenomenon.

To illustrate the applicability of such narrow understanding in the context of terrorism and conflict transformation, this chapter will use the example of one specific type of conflict,[11] namely conflicts between a government and a non-state armed group that enjoys significant political support and uses terrorist means to achieve its goals. Although the lines between the oppressor and the oppressed and between what we usually refer to as "terrorism" and other forms of violence can be blurred in such conflicts, this chapter uses the term "terrorist" predominantly as a label for the latter. We do so for illustrative purposes and in order to make the content of this chapter more compatible with the overall purpose of the *Handbook of Terrorism Prevention and Preparedness.*

Widening the Scope: De-exceptionalizing Terrorism

Definitions of terrorism - and the way governments deal with it - have come a long way since the first attempts by realist scholars to bring structure into a concept that differs so widely with regard to actors, means, and goals. In *The Routledge Handbook of Terrorism Research*, there are no less than 260 definitions aiming to delineate the terrorist phenomenon.[12] They encompass everything from the "lone wolf" actor killing civilians with a machete in the streets, to the organized non-state armed group using guerrilla strategies in civil wars. They also include loosely organized groups using sophisticated, coordinated cyberattacks against governments, and authoritarian regimes engaging in state terrorism against representatives of armed groups or civil society. There is also a broad spectrum of opinion with regards to the goals of terrorism. Following the work of Bruce Hoffman,[13] Jerrold Post et al.,[14] Jeff

Victoroff,[15] and William Donohue[16] distinguishes between three major ideological perspectives of terrorism, whose representatives differ with regard to both their objectives and their use of violence to achieve them. The "nationalist-separatist" type (e.g., the Provisional Irish Republican Army, the Basque ETA, the Kosovo Liberation Army) seek to gain self-determination in the form of increased autonomy or outright independence, based on ethnic or political criteria for a territorially defined entity and in opposition to what is considered to be illegitimate, foreign rule. Their violence is "typically planned, only used as necessary, and more likely to be directed away from harming innocents."[17] The "social revolutionist terrorists (e.g., Hezbollah, The Revolutionary People's Liberation Party (Dev Sol), Italian Red Brigades) seeks to change the existing social, political or economic order and uses violence to gain public support for its cause and to pressure the authorities to compromise and make concessions. Since the attainment of their goal is contingent on public support, they are likely to avoid levels of violence that would jeopardize public support. Finally, "religious fundamentalist" (e.g., the Islamic State) terrorism aims to cause maximal damage and destruction to a type of rule that is not based on its narrow and questionable interpretation of religion. It is exercised in the pursuit of a theological order with the goal of attaining religious recognition and rewards in afterlife.[18]

All of the above examples are embedded in vastly different social, political, economic, and human realities shaped by a wide range of conflicts and grievances. Yet, despite their distinctiveness and their political and social origins, their existence is all too often subsumed under the buzzword "terrorism" and their actions reduced to nothing more than "a spectacular act of violence, essentially devoid of political and social meaning."[19] Due to this homogenization and trivialization of individual realities and the refusal to understand terrorism as a complex phenomenon with political viewpoints, responses to terrorism have often failed to take the crucial role of context into account, and have been directed at what was considered a single identity and a homogenous category of violence. However, to effectively prevent terrorism, we need to take a more holistic approach and accept it as a fluid and open concept that can only be understood in its specific social and political context and along with potential counterterrorist violence and the surrounding structural power relationships in which they are embedded.[20] By adding this complexity and by embedding terrorism in its context, we dismantle what has been referred to by constructivist scholars as a "terrorism discourse"[21] and turn the "spectacular act of violence" into one of the various practices of dissent and protests that individuals and groups in conflicts engage in. Once terrorism is deexceptionalized, we are left with nothing more than a series of conflicts that are only brought together by their designation as terrorism and the government's response to them in the form of counterterrorism.[22]

Instruments aiming to prevent, resolve, contain or mitigate the negative consequences of such armed conflicts should thus play an important role in any terrorism prevention strategy. The most common of these are conflict prevention,[23] conflict resolution,[24] conflict management,[25] conflict transformation,[26] peacebuilding,[27] and reconciliation.[28] They entail everything from short to long-term activities, tackle direct and structural violence and are applied preventively before the outbreak of violence, during wars, and in post-conflict settings where peace is still fragile and the re-emergence of violence is likely. On the one side of the spectrum are targeted and often more short-term interventions to stave off impending violence, to prevent escalation, or to stop continuation of armed conflict. Typical instruments include early warning systems, peacekeeping activities, confidence- and security-building measures, or negotiation support that helps parties analyze, question, and potentially reframe their positions to facilitate an agreement where the conflicting parties cease to use arms against one another (e.g., ceasefire) and ideally resolve their basic incompatibilities (e.g., in the form of a comprehensive peace agreement). On the other side of the spectrum are broad, long-term strategies that seek to address and transform the structural root causes of violence typically by promoting development, strengthening the rule of law, reconciling former enemies, advancing

minority rights, and by creating inclusive societies. Ultimately, these initiatives aim to change behavioural and attitudinal root causes of conflict and strengthen the institutional and social mechanisms that help transform conflicts constructively and peacefully and make societies more resilient to the causes of violent conflict.

Practitioners and scholars have long been at pains to precisely define and demarcate the concepts of conflict prevention, conflict resolution, conflict management, conflict transformation, or peacebuilding. As of today, there are still many different understandings of what these concepts entail and what distinguishes them. This chapter does not intend to address this issue. Rather than shedding more light onto the conceptual debate, we will discuss those components that we deem particularly relevant for terrorism prevention. One such element that is inherent to almost all approaches across the field is the instrument of "talking."[29] Talking is not only vital for strategic negotiations in conflict resolution and prevention, but is also the central concept in long-term dialogue initiatives that aim to transform political and social conflicts constructively and nonviolently. Although rarely used by scholars as an academic concept in the context of terrorism or civil conflict, and for a long time rejected by both scholars and policymakers as an acceptable policy response to terrorism, approaches that are based on talking can prove a valuable addition to existing approaches of terrorism prevention.

"A Walk with the Devil": Why Governments are Reluctant to Talk to Terrorists

Of course, governments cannot prevent or effectively deal with terrorism just by talking. An effective strategy also requires firm security policies, effective intelligence and, in some cases, hard military power. Ultimately, however, there are often no viable alternatives to entering talks. According to Elizabeth Lydia Manningham-Buller, the former Director General of MI5, terrorism can only be "resolved through politics and economics, not through arms and intelligence, however important a role these play."[30] There is strong empirical evidence to support her claim. The above-mentioned study by Jones and Libicki finds that 43 percent of terrorist groups since 1968 ended in a transition to a political process.[31] Audrey Kurth Cronin, who looks at six possible ways terrorists groups could end - negotiation, success, failure, reorientation, decapitation, and repression - comes to the same conclusion and finds that negotiation is the most likely way for terrorists groups to come to end the use of violence.[32] Of course, this is not to say that talking to terrorists is neither difficult nor morally hazardous, but in cases where the "terrorist" movement enjoys significant political support and the conflict parties are interested in exploring political solutions, it has often proven to be the right thing to do and the most promising way to end violence and save lives.

Yet, when political leaders contemplate the idea of talking to terrorists, they face a number of arguments against doing so.[33] Probably the most common amongst these is the assumption that terrorism inspires more terrorism.[34] By talking to terrorists, the narrative goes, governments allegedly give in to violence and reward those who use it, thereby encouraging other actors to engage in terrorist strategies themselves as it is portrayed as a legitimate and promising means to achieve their goals. Furthermore, terrorist groups could mistakenly perceive the offer to talk as a sign of the government's weakness and as an encouragement to further escalate violence. Once negotiations have started, the effort to increase leverage and negotiate from a position of strength is said to serve as an additional multiplier of violence. A recent example of this phenomenon can be found in Afghanistan, where the Taliban have looked to increase negotiating leverage through battlefield gains in their talks with the US, contributing to a spike in violence and numbers of casualties unprecedented since 2001.[35]

Secondly, it is often argued that involving terrorist groups in a negotiation or a dialogue could give them publicity and elevate them to the status of the (sole) legitimate representative of a constituency or a territory.[36] Unlike states, many terrorist groups lack formal accountability to a constituency and can hardly be held accountable, and are thus believed to be less likely to

abide by international law, norms or principles.[37] Transferring legitimacy to terrorist groups as the most extreme representatives of a certain claim might at the same time weaken the norm of nonviolence and undermine more moderate representatives of that claim who have pursued political change through peaceful means. Powell mentions the example of the talks between the Pakistani government and the Pakistani Taliban, which conveyed the impression of the Taliban was an actor strong enough to sit at the same table as the military leadership of a powerful state. This not only solidified support for the Taliban among its followers but also suppressed "the voices of resistance from the civilian population living under their authority."[38]

A third very common objection to talking to terrorists is that they are assumed to be irrational psychopaths. Engaging with them would not only be immoral and unethical, but above all pointless.[39] This argument is particularly prevalent in the discussions around the engagement with Salafi jihadi armed groups and other religious extremists, who are often depicted as irrational and erratic adversaries detached from reality and pursuing maximalist and non-negotiable goals. Unlike revolutionary or nationalist terrorists, who "behave as rational actors facing extreme power asymmetry" and thus must "act within a set of strategic limitations…if they are to avoid alienating wider society," ideological terrorists "do not seem to be constrained by such rational strategic limitation."[40]

While there is some validity in all of the above arguments, they often do not hold when scrutinized in more detail. Firstly, as we will see below, they are either not supported by empirical evidence, or rely on flawed understandings of key concepts. Although popular among policymakers, the argument that talking to terrorists encourages more terrorism seems to be largely unfounded in empirics.[41] It is based on the crucial misconception that mistakes talking with giving in.[42] While giving in to terrorists' demands can indeed be seen as problematic and as a trigger of additional terrorism, the simple act of talking is not. When a government merely talks to terrorists, it does not automatically concede to their demands,[43] but rather shows willingness to learn about the terrorists' (legitimate) interests with the intention to come to an agreement in which neither side needs to give in.[44] It is thus "not the act of negotiating that encourages or discourages further terrorist blackmail; it is the terms of the negotiated agreement."[45] The argument that talking rewards violence and encourages more violence is further flawed by the fact that talking often occurs when parties have temporarily halted violence, thus potentially turning talks into a concession that rewards the end of violence and not its use.

Second, the argument that talking to terrorists would elevate them to the status of a legitimate representative of a constituency is problematic for two reasons. On the one hand, the argument falls victim to a flawed or biased understanding of the concept of legitimacy. According to Mark Suchman's constructivist definition, legitimacy needs to be understood as "a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs and definitions."[46] Once we adopt this definition, the legitimacy of states and non-state groups is not predetermined but dependent on whether their actions are deemed appropriate by a social group.[47] Hence, the state does not automatically confer legitimacy to any group it talks to,[48] but non-state armed groups might acquire legitimacy through their own actions, for example by abandoning violence during talks and pursuing nonviolent means to achieve their goals. On the other hand, it makes the implicit assumption that accountability and legitimacy are a prerequisite for talks.

Yet, there is a long list of illegitimate governments that are not compliant with the rule of law and human rights and that have used horrific violence against other states or against their own people, but are still being talked to. At the same time, there is also a significant number of non-state armed groups which abide by international law, norms or principles but are nonetheless categorically excluded from talks. This includes a number of groups which still fall under categories of designated terrorist groups according to international lists, despite

having changed their strategy regarding the use of force, due to a growing understanding that their case of resistance would be strengthened and more tolerated if they adhered to standards of law in order to get rid of sanctions, including lifting of proscription.[49] The boundaries are sometimes fuzzy, especially in protracted social conflicts, where terrorist groups may more or less officially represent the hardline factions of larger social movements. Hezbollah and Hamas, for example, have "military arms" but are designated terrorist organizations in their entirety. Hezbollah, however, has even become part of an internationally recognized coalition government in Lebanon, whereas Hamas – although not recognized – has de facto ruled Gaza city as a local government with all related authority for the Gaza strip.

Third, while there certainly are irrational, erratic psychopaths among the ranks of terrorist groups, most terrorists are, by and large, surprisingly normal in terms of their mental health. Based on intensive study of biographical data on 172 participants in a jihadi movement, Marc Sageman found little evidence of personal pathologies or mental disorder.[50] While it may not always be a rationality that we immediately understand, most terrorists are "neither crazy nor amoral but rather are rationally seeking to achieve a set of objectives."[51]

Disregarding these arguments, governments throughout the twentieth century have time and again fallen into the trap of escalating repression and violence and categorically ruling out talks with an opponent they labelled "terrorists," only to belatedly realize that negotiations would have been the only way out.[52] A salient example of this was the British government in its war against the Irish Republican Army (IRA) between 1919 and 1921, where they first heavily escalated repressive violence with the goal to "terrorize the terrorists" only to realize later that no amount of coercion would resolve the "Irish Question."[53] Ultimately, the parties engaged in secret talks followed by open negotiations, which finally led to the Anglo-Irish Treaty. However, the lessons from the experience in Ireland did not seem to affect the handling of similar situations later on. The British met both the nationalist Palestinian uprising (1936-1939) and the Mau Mau uprising in Kenya (1952–1960) with repression and violence, and only when this strategy proved unsuccessful did the British government withdraw or start negotiating. In a similar manner, it took the French government more than five years of a bloody war against Algerian nationalists to realize that there was no military solution to the conflict. In June 1960, French President Charles De Gaulle secretly met with leaders of the *Front de Libération Nationale* (FLN), initiating a series of talks that resulted in a third party mediated negotiation that led to the Evian Accords of 18 March 1962 and ultimately the recognition of full sovereignty and the right to self-determination of Algeria.

The US has been reluctant to talk openly to non-state armed groups it characterizes as terrorists. However, unlike what the quotes from President Bush in the previous section would suggest, the mantra of not talking to terrorists is not as ubiquitous as it used to be. After long counterinsurgency campaigns in Iraq and Afghanistan, US negotiators followed the advice of General David Petraeus to also talk to those "with American blood on their hands" and started talking with the Sunni insurgents in Iraq, and the Taliban-affiliated Haqqani network in Afghanistan.

Talking to Terrorists: Process, Concepts and Actors

Talking – understood as a conversation between individuals – includes a broad spectrum of different types of conversations between political actors in the context of terrorist violence. In this chapter, we distinguish broadly between strategic negotiations aimed at resolving a conflict and ending direct or physical violence and talking in the form of long-term dialogues that aim to constructively transform a terrorist conflict and the underlying structural root causes. While the latter is still a rather marginal phenomenon in the field of terrorism prevention, the above examples show that the former, even if reluctantly, is finding its place in the toolbox of governments that face terrorist violence in a civil conflict. But how do such negotiations take

place? What are the key concepts, who are the central actors and what are their goals? The next part of this chapter elaborates on these questions, discusses various aspects of negotiations with terrorist groups and shows how traditional concepts and instruments from conflict prevention and resolution practice can also be applied in conflict contexts marked by terrorist violence.

The Process of Negotiations

There is no such thing as a blueprint for negotiations with non-state armed groups in conflicts marked by terrorist violence. Such processes are inherently complex, organic and non-linear. Progress is slow and incremental - one step forward is followed by one or sometimes two or three steps backwards. Long periods of stalemate are interspersed with setbacks and breakthroughs. Consequently, parties and mediators require a high degree of improvisation and constant adaptation as the talks develop. It is for this reason that Richard Holbrooke, one of the brokers of the Dayton Agreement (which brought peace to Bosnia and Herzegovina in 1995), compared such talks to jazz: "It's improvisation on a theme. You have to know where you want to go, but you don't know how to get here."[54]

Different peace processes thus have different numbers and types of phases. Former South African president F.W. de Klerk, for example, divided the talks between the South African government and the African National Congress (ANC) into three broad stages. The talks started with an exploratory phase, continued with informal talks that removed the most pressing obstacles and prepared structured negotiations, and ended with formal and representative negotiations that resulted in a new constitution. Yair Hirschfeld, one of the architects of the Oslo peace process, structured the process into four phases: fact-finding, authorization for the talks, legitimization of the channel, and breakthrough from backchannel to official talks.[55] Despite their unpredictability and context specific nature, talks with groups labelled as terrorists require a robust architecture and a clear, yet flexible strategy. Both scholars and practitioners have therefore attempted to condense and give structure to the complexity and non-linearity of such processes, identifying a series of distinct stages parties must go through in a successful process.

In his 2014 book, *Talking to Terrorists: How to End Armed Conflicts*, Jonathan Powell sketched out the broad contours of what such a framework could look like.[56] Taking into account experiences from past negotiations and looking at evidence from research, he outlined several steps that are inherent to almost all of these processes. At the very beginning stands the difficult and often dangerous task for government negotiators or third party mediators to make contact with the enemy, who in the case of clandestine armed groups is often decentralized, operates in a covert manner and does not officially maintain a representative headquarter. Reaching out to the leadership of those groups and persuading it to meet and make initial personal contact is not just a prerequisite to start a dialogue or a negotiation. Travelling to their territory and putting your political reputation, or even your life in their hands, also constitutes an act of confidence that builds trust and respect. Having established that contact, the next stage in the process requires the establishment of a channel of communication between the two sides which is safe, and in which everyone has confidence. Such informal backchannel talks help develop working trust in each other's seriousness about making peace without conferring any legitimacy to terrorists and their demands. They are usually conducted by members of intelligence agencies because there is a very high need for both secrecy and deniability at this stage of the process as both sides still engage in a process of "villainization" of the other party.[57] If the talks would be made public at this stage, the negotiators on both sides would risk losing credibility in their own communities, which could discredit them as hypocritical or accuse them as traitors.

At some point, however, if talks are to progress and fulfil their purpose of reducing terrorist violence and creating sustainable peace, backchannels must turn into official negotiations. We

will discuss below under what circumstances such a transformation is most likely.[58] As in most peace processes, negotiations with terrorist groups are unpredictable, long-term processes that demand a high level of resilience, patience and steady determination by everyone involved. Yet, given the nature of the counterpart, the issues at stake, and the power asymmetry between the negotiating parties, they are also fundamentally different from approaches of classical diplomacy in peace processes.

Negotiations are also not about winning an argument or proving each other wrong. They do not solve the causes of the conflict immediately, which can only be achieved politically once the armed group has put down its weapons and managed to win support in democratic elections.[59] Negotiations are primarily about working towards a common understanding, building trust and finding common ground with the opposing party and – sometimes even more difficult – also finding support within one's own constituency. The central element of this endeavor is not so much the resulting agreement but the process itself, where the "parties engage in a systematic process of mutual reassurance, based on responsiveness and reciprocity, in order to build and maintain trust in the peace process and the peace partner."[60] To make this possible, it is vital that the process is constantly moving, however slowly, as any breaks or interruptions could create disorientation or a vacuum that may quickly be filled with violence. Hence, to prevent negotiations from breaking down, mediators, rather than discussing issues sequentially and running the risk of reaching a deadlock over an intractable issue, often rely on a parallel structure of different issue arenas. This architecture not only allows for trade-offs between different concessions on different issues but also reduces the risk of "process fatigue" among the parties and their constituencies. The work of the main negotiators is further facilitated by a number of ad-hoc or permanent working groups of experts that meet alongside the main negotiation table and work out the technical details of the agreement.

A peace process does not end with an agreement being signed nor does it solve the causes of the conflict. An agreement is thus rather the beginning of a process that gives "parties the necessary building blocks to start working towards a peaceful society."[61] Trust, reconciliation, justice, and peace can only be achieved if both sides deliver on their promises and implement the provisions of the agreement.[62] These provisions can include political changes, disarmament, demobilization and reintegration (DDR) measures, or security sector reform that creates an army and a police force that is accepted by both parties and enjoys legitimacy among all constituencies. In most cases, a joint or independent commission is appointed to monitor the implementation of these provisions and the structure of the armed group is kept in place in order for its command and control system to ensure implementation of their side of the agreement.[63]

Further guidance for negotiations with terrorist groups has been provided by William Zartman, who identifies seven stages in the pathway to a successful peace process with terrorist insurgents.[64] The first of these is "mutual recognition." For a process to take off, it is essential for parties to acknowledge each other's existence and equality and to recognize the underlying grievances of the conflict as well as each party's role in their cause.

In a second stage, the parties must put an "end to the fighting."[65] Zartman calls this move a "down payment on the resolution of the problem" as parties renounce violence as a means to direct attention to their grievances and show the willingness to move the underlying problem from the battlefield to the political arena.

The third stage - the end of violence - should coincide with a "critical shift to forward-looking negotiations" in which parties change their focus away from backward-looking negotiations on ending violence and focus on developing positive, cooperative relations to handle the underlying issue that gave rise to terrorism.

The fourth stage should be dedicated to "establishing mechanisms, relations and institutions" that manage the underlying conflict, work to prevent future eruptions of violence and build channels for future cooperation. These can include constitutional revisions, a new

political system, changes to the security apparatus or the strengthening of institutional reconciliation and transitional justice. This institutional renewal should be closely followed by stage five, the "establishment of measures of accountability." This references domestic and international criminal law or traditional customary practices that aim to eradicate the notion of impunity and serve as a normatively acceptable replacement for revenge – all the while trying not to jeopardize efforts of reconciliation and forgiveness.

The latter should be supported by the sixth stage - a "recreation of the record of the past" that aims to change the historical narrative and provide the social basis for the transformation of the conflict. Writing and teaching of history can no longer serve as an instrument of mobilization and conflict on each side but should become a vehicle for revising historical events, confronting the past in a critical way and ultimately promoting a common history.

Finally, these efforts should all culminate in the seventh and final stage of Zartman's framework of successful conflict transformation: the long-term goal of a "common project" that is based on collaborative relations, a shared destiny and ultimately a shared identity.[66]

Trust: Prerequisite and Objective

Irrespective of the number and types of stages, there are some concepts that are crucial to all negotiations and dialogues in conflicts that are marked by terrorist violence. One of them is the trust between warring parties. While trust and confidence are often the first victims of conflict, their destruction usually lasts well beyond the end of violence. Deep-rooted, protracted conflicts are characterized by a profound mutual distrust that becomes deeply embedded in history and reproduced in culture and societal narratives. To resolve such conflicts and successfully transform adversarial relationships into peaceful cooperation, trust is a central requirement. Without some degree of mutual trust into the potential of a collaborative process, parties to a conflict cannot and will not enter into talks, as they fear that the other side will take advantage of their openness and truthfulness. Since trust in one another is a learning process, it is thus trust in the process of talks and negotiations and the mutual acceptance of, and compliance with, clear and transparent ground rules that are necessary in the first place. At the same time trust is also an important effect of constructive talks. As parties enter a peace process with deep suspicion of one another, talking can help them build trust, understand the opponent's (and their own) interests and explore the other party's flexibility and trustworthiness at relatively low costs and under conditions of deniability.[67]

In the long run, of course, mutual trust among the negotiators is not sufficient. The trust that emerges from learning processes of those who negotiate must transpire to the wider public in order to enlarge the support for the process within the parties' constituencies. According to Herbert Kelman,[68] parties to a conflict can overcome the basic dilemma of mistrust when talking in violent conflicts through a process of successive approximations of commitment and reassurance. In that process, the parties initiate communication under conditions of deniability, and at a level and in a context that represents a relatively low degree of commitment and risk, before they slowly and gradually move toward official negotiations, ultimately and ideally culminating in a binding agreement. Kelman mentioned the 1993 Oslo talks between the Israeli government and the Palestinian Liberation Organization (PLO) as an example for such successive approximation of commitment and reassurance. After exploring possible options under conditions of deniability and low risk, the talks gradually led to the "development of new ideas that the participants brought back to their respective leaderships, to testing of the seriousness of the other side, and to building of mutual working trust, which eventually transformed the talks into official negotiations, culminating in an agreement based on formal mutual recognition."[69] Another example is the US-Taliban negotiation process in 2019-2020, which took more than nine months for a comparably small set of issues to agree on because

the Taliban negotiators had to continuously consult their superiors for each single step because of concerns that the movement could fall apart without full internal consensus.

Timing: The Perception of a "Mutually Hurting Stalemate"

While talking may be the right thing to do, it is not always the right time to do so. For negotiations to take place and to lead to a sustainable reduction in (terrorist) violence, timing is crucial. However, unlike in traditional interstate warfare where negotiations usually only started once military fighting had come to an end and had resulted in victory and defeat, today's interstate conflicts often do not have a clearly identifiable moment at which adversaries naturally start talking.[70] Negotiations in today's asymmetric protracted conflicts often take place while fighting is still ongoing or merely suspended. Identifying the right moment in such a scenario is thus often a complex endeavour and a matter of assessing the various options available. If one or both parties realize that continuing the fight entails more risks than entering into talks, they might revisit their current approach.

A conflict actor that is close to being defeated will possibly be more reluctant to accept, let alone offer negotiations as this would either further substantiate claims that the group was losing or – with nothing left to lose – might also escalate violence for one last all-out battle.[71] The same logic applies to conflict actors that are doing well enough on the battlefield to believe that they can best attain their aims by violent means. For them, offering or accepting talks is neither a very likely nor promising scenario. History has shown that a realistic chance for talks between a government and a non-state armed group lies in between these two scenarios. Parties to a conflict are most likely to resort to talking when they find themselves in a deadlock that is painful to both of them (although not necessarily to the same extent or for the same reasons) and from which neither side can attain victory.[72] Faced with that uncomfortable and costly predicament, generally referred to as a "mutually hurting stalemate," parties come to realize that their goals are unattainable by further violence and possibly better achieved by pursuing an alternative line of action.

Zartman[73] was the first to put into writing the concept of the "mutually hurting stalemate" and the assumption that a conflict can reach a "ripe" moment to initiate a negotiation process. Importantly, what makes the parties agree to hold talks is not so much the objective fact of a military stalemate in the form of casualties or material costs, but rather its subjective perception and the inability to bear the cost of further violence and escalation. However, this subjective perception of a "mutually hurting stalemate" is, on its own, not sufficient to push parties into negotiations. For adversaries to talk, there must also be a pull factor in the form of a perceived "mutually enticing opportunity" that provides the parties with an attractive alternative to fighting that allows them to achieve their core goals. Without such a "mutually enticing opportunity," negotiations and the subsequent agreement remain unstable, as the 1984 and 1999 Lusaka Agreements or the 1994 Karabakh ceasefire between Azerbaijan and Armenia illustrate.[74]

Both the "mutually hurting stalemate" and the "mutually enticing opportunity" should not be understood as fixed moments on a linear timeline with each side waiting passively until they arrive and convince parties to negotiate. Instead, the limits of the bargaining space constantly fluctuate and opportunities to talk appear and disappear. Meanwhile, the frequent assessment of a Best Alternatives To a Negotiated Agreement (BATNA) has become a well-known principle in the strategizing of talks and negotiations also for many armed groups.[75] A "mutually hurting stalemate" and a 'mutually enticing opportunity' are neither self-fulfilling nor self-implementing but must be seized, either by the parties and their leadership themselves or through the persuasion of an external mediator. The latter can influence the parties' "negotiability" by increasing the size of the stakes and by projecting a situation where failing to enter a negotiation process would hurt the parties more than continuing the conflict.[76] The

role of the mediator, however, remains often a delicate one and requires an enormous amount of caution. Especially when parties are not ready, active mediation can end up doing more harm than good and "even a well-intended engagement can lead to a splintering of groups, which in turn may lead to an increase in the use of violence."[77]

The argument around a "mutually hurting stalemate" and a "mutually enticing opportunity" has been used widely in the literature on conflict resolution and is further substantiated by numerous empirical examples. According to James Goodby's article *The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments,* the lack of a "mutually hurting stalemate" explains why there was no chance of a mediated settlement in Bosnia in the summer of 1994. Yet a negotiated agreement was achieved at the end of 1995, after large-scale NATO air strikes created a military stalemate in which no party continued to believe it could achieve its goals through war.[78] Similarly, Zartman sees the absence of a "mutually hurting stalemate" as the primary reason, why mediation efforts of the US government did not bear fruit in the Ethiopia-Eritrean conflict in the early 1980s and the early 1990s[79] nor in the Southern Sudan conflict in the 1990s.[80]

Using a "mutually hurting stalemate" as an initial ignition for talks can be particularly problematic in conflicts marked by terrorist violence. Due to the inherent asymmetry and the military superiority of the state in such conflicts, it can be "difficult for state leaders and officials to accept that they are unable to defeat a small group of what they often consider to be criminals and social outcasts."[81] However, that does not mean that a "mutually hurting stalemate" is not possible in such conflicts.[82] On the side of the terrorist group, it is equally difficult to recognize the perception of a 'mutually hurting stalemate' as it requires the group and its leaders to learn from their experiences of suffering and lack of gains. Brutally honest self-reflection is the only way to better "distinguish between their inherent position as the militarily weaker party and a position in which victory through violence is impossible."[83] However, if both the government and the non-state armed group perceive the conflict to have arrived at a stalemate and to have reached a ripe moment where none of the parties seem to be making advances to decide the situation in their favor, talks become a realistic possibility. This is what we have witnessed in 2019-20 in Afghanistan, where after almost two decades of war, the Afghan government, the Taliban and the US have shown willingness to explore viable solutions to the conflict and to engage in talks about how to end the conflict through an agreement.

Although important, a "mutually hurting stalemate" and a "mutually enticing opportunity" are not the only entry points for negotiation. There are also a number of external conditions that can create momentum for entering talks. One example is a major geopolitical shift as experienced with the end of the Cold War or the rise of jihadi terrorism and the subsequent "War on Terror." Both had a favorable impact on the chances of successful negotiations with terrorists.[84] The 9/11 terrorist attacks, the March 2004 Madrid train bombings, or the 7/7 attacks on London's public transport, for example, did not only reduce the space and political support for other armed groups in Europe. The willingness of Islamic extremist to kill people on such a large scale also changed the public perception of terrorism. The general disgust about these acts made it difficult for the IRA or ETA to go back to terrorist violence. It left them with less legitimacy, justification, explanation or support. Powell[85] identified a number of other entry points for mediation activities, including changes in the leadership structure of the conflict parties,[86] the arrival of a new external mediator or natural disasters.[87]

Spoilers, Violence and how to Deal with these

Negotiation processes during wartime are long, complex, and uncertain, with groups repeatedly having to reshape the process, reevaluate positions and chances of achieving their goals.[88] Irrespective of whether such talks are successful and whether they result in a reduction or even

a complete cessation of violence that is beneficial to both conflict stakeholders and the wider population, the process and its results almost inevitably create losers. These can be groups, leaders or factions who feel excluded from the process, whose demands are not (or not sufficiently) addressed in the agreement, or who have other (e.g., material) incentives for the continuation of the conflict.

To understand how such situations emerge, we first need to get rid of two flawed assumptions that have so far prohibited a comprehensive examination of the effects of negotiations with terrorist actors - first, the dyadic two-actor model of conflict, and second, the ideological homogeneity of terrorist groups. A great deal of the civil war and conflict resolution literature – and up to this point also this chapter – has assumed a simple two-player model with a government and a single, unitary (terrorist) opposition as the primary combatants and only actors in an eventual peace process. However, this very rarely reflects the reality of conflicts. Governments in civil wars usually fight multiple conflicts with several opponents simultaneously, each of those again a conglomerate of ideologically heterogeneous cells and factions, with some being more moderate and others more extremist.[89]

If we consider armed non-state actors as neither singular nor ideologically homogeneous, we should expect a variety of problematic impacts if a government engages in talks with them. On the one hand, talking to one actor instantly creates outsiders in the form of other groups who are excluded from those talks, who fear that their demands are not addressed in the talks or who are just not interested in peace.[90] On the other hand, the offer to talk might also create tension within the ideologically heterogeneous group itself, as it is usually the "moderates" who are most likely to accept the offer to talk, leaving the "extremists" in control of a terrorist organization that is now more militant than it had been before.[91] These internal cleavages can become serious obstacles to constructive talks. Of course, they are not only restricted to the power contenders. Rebel groups are by no means less united than the government they are challenging. Ruling parties in fragile states are often not "united" themselves but represent pragmatic power deals between different factions within an ethnic or religious community. Even statutory forces can be partisan entities within internal national power games, as shown by the example of the Democratic Republic of the Congo.

Having limited or no stakes in the talks, these often marginal and less cohesive outside actors can aim to alter the process or derail it completely. In the conflict resolution literature, they are generally referred to as "spoilers," defined as leaders or parties "who believe that peace emerging from negotiations threatens their power, worldview, and interests and use violence to undermine attempts to achieve it."[92] Parties labelled as spoilers may not necessarily use violence and may not always be interested in completely derailing the peace process. In some cases, their role is a productive and positive one that makes the process more fair, equitable, and inclusive, and may be closer to George Tsebelis' concept of a "veto player" - that is, an "individual or collective actor whose agreement....is required for a change in policy."[93] In this chapter, however, we stick to Stephen John Stedman's definition and focus on violent, destructive spoilers that use terrorist tactics and strategies to influence or end negotiations.[94] It is not only in line with the topic of this chapter and this *Handbook*, but it also reflects the fact that terrorism in the way it is predominantly being looked at in the literature may be unique in its ability to spoil a peace process as terrorist groups or their factions see their goals threatened by peace processes which are predominantly dominated by "moderates."[95]

Spoilers can be inside or outside a peace process, they can vary in numbers, can seek finite goals, or seek exclusive power or can expand or contract their objectives, based on calculations of cost and risk.[96] Terrorist spoilers may be major parties to a conflict that are not satisfied with the handling of the peace process (e.g., Hamas in Palestine or Hezbollah in Lebanon) or small, radicalized factions of larger organizations who see terrorism as the main or the sole tactic to disrupt the process (e.g., the Real IRA in Northern Ireland, after the Provisional IRA agreed to abide by the Mitchell Principles in 1997). Some actors might use violence for different

purposes at various stages.[97] In the run-up to, or in the early stages of negotiations, groups might use violence to get a seat at the negotiation table and to demonstrate the necessity of being included in the talks and in the agreement. During negotiations, parties may use violence to increase their bargaining leverage and extract further concessions, to gain power within its own camp or to stop the talks and return to war. During implementation, violence might be used to force the renegotiation of certain terms of a settlement or to cause the complete breakdown of a fragile peace.[98]

Examples of extremist and terrorist spoilers in peace processes are manifold. In Northern Ireland, paramilitary groups on both sides (e.g., the Real IRA, the Continuity Irish Republic Army (CIRA), or the loyalist Orange Volunteers) have used terrorist tactics to challenge the 1998 Good Friday Agreement and its implementation. Attempts of terrorist spoiling also plagued in the early 1990s the Oslo process between the government of Israel and the PLO, whereby Hamas and several other rejectionist Palestinian factions attacked Israeli and PLO forces and carried out a series of bombings on civilian targets in an attempt to end the Oslo Accords. Terrorist attacks were also used as a means to spoil the peace processes in the Philippines or in Papua New Guinea. Spoilers within and outside the Moro Islamic Liberation Front (MILF) disrupted on various occasions the two decades long negotiations that culminated in the 2014 Comprehensive Agreement on the Bangsamoro (CAB). Much smaller, but equally difficult to deal with, was Francis Ona and his small band of loyal supporters who resisted the peace process in Bougainville by attacking peacekeeping troops and assassinating Bougainville Revolutionary Army (BRA) commander Paul Bobby, who was involved in the peace process with the central government of Papua New Guinea.

The above examples do not yet allow a general verdict about the effects of terrorist spoilers on the success of peace processes. While some of the spoilers succeeded in disrupting or delaying the peace process, others did not. The literature on the effect of terrorism on the success of peace processes is equally inconclusive. While some scholars discount the role of terrorist spoilers as marginal,[99] numerous studies find that even low-level terrorist violence can have a powerful impact on the course and outcome of peace talks. Yet there are also some scholars who found a positive side effect of spoiler attacks. In cases where there is widespread popular support for the peace talks, terrorist spoiling – rather than undermining the peace process – could "serve as a reminder of the consequences of continued conflict" and further strengthen the resolve of parties and make them "more determined in their attempts to pursue peace."[100] This is what happened in Northern Ireland after the 1998 Omagh bombing killed 29 civilians just a couple of months after the Good Friday Agreement had been signed. According to Cronin, effective public relations efforts by all parties managed to frame the terrorist attack as an explicit attack on peace and also deflected popular passion from the opposing side as a whole to the splinter faction that was undermining the peace process.[101] This unified narrative made the negotiators in Northern Ireland more determined and helped transform the talks into a productive channel.

However, the vast majority of the academic work on terrorist spoiling finds a negative effect on the development or the outcome of the peace process. Looking at spoiling in 14 peace agreements signed between 1988 and 1998, Andrew Kydd and Barbara Walter found that extremists are indeed likely to be successful in bringing down peace processes if they so desire.[102] Their analysis shows that only one in four peace agreements was put into effect after terrorist attacks had occurred during the talks, compared to 60 percent in the absence of such attacks. Analyzing a geographically coded database of terrorism in civil wars between 1970 and 2002, Michael Findley and Jospeh Young arrive at a similar conclusion, finding that the use of terrorism can spoil peace processes by prolonging the duration of a war or by leading to a resumption of violence.[103] Their findings are further supported by Andrew Reiter, who studied 241 civil war peace agreements in the post-Cold War era. He found that violent spoiling can pose a significant threat to agreements when spoilers have the military means and ability

to prevent its implementation.[104] All three quantitative studies are in line with a large body of theoretical and conceptual work that finds a destabilizing effect of terrorist spoilers on the ability and likelihood of people of good will to reach an agreement.[105] They offer different explanations as to why this is the case. The most prominent of these explanations is the negative effect on trust, credibility and commitment. Terrorist violence by a negotiating party or one of its factions, many scholars argue, undermines an already shaky trust and creates further resentment between (or within) the groups that are negotiating or implementing an agreement. It can imply a lack of commitment to the process in its current form and reduce the willingness of the other party to continue talks with what they are now more likely to consider an unreliable partner who is unable to control its own constituencies. In the worst case, terrorist violence is used as an argument why negotiating with the other side is no longer possible and should be terminated.[106] The degree to which terrorist spoiling has a negative effect on trust depends to some extent also on the phase of the peace process. While the use of force during negotiations is not atypical (e.g., the Fuerzas Armadas de Resistencia National (FARC) [Armed Forces of National Resistance] in Colombia and the Taliban in Afghanistan were not ready to accept a comprehensive ceasefire during the negotiations), violence in the post-agreement phase is a much more serious breach of trust with more far-reaching consequences for the process.

Another channel by which terrorist violence is believed to undermine and destabilize the process is through the other party's response to that violence. According to David Lake, terrorist violence by a non-state armed group could provoke a harsh, disproportionate response from the government in the form of more violence and other repressive measures.[107] Although targeted at the perpetrators, these measures often comprise collateral damage that can radicalize "moderates" and drive them into the arms of the "terrorists," ultimately leading to renewed interest in fighting against the government. One strain of literature looks at the issue from the perspective of group fragmentation. It argues that terrorist spoiling is not just the result of disunity and fragmentation, but can also further aggravate divisions on both sides of the negotiation table.[108] On the government side, it can undermine the "moderates" who had promoted talks and invigorate hardliners that had been skeptical of talks and supported a military solution. Similarly, on the side of the non-state insurgent, the use of terrorist strategies can lead to tensions between those factions that are in favor and those that are opposed to talking.[109] Finally, terrorist spoiling not only affects ongoing or past talks, but can also cast a shadow on future talks. According to Daniel Druckman, terrorist attacks during talks can constrain actors from re-engaging in public talks and make a return to talks in the future more difficult.[110]

The academic literature proposes several strategies for governments and third party mediators to manage terrorist spoilers and to prevent them from having a destabilizing effect on peace processes. At the core of most policies to combat spoilers lies the attempt to raise the (opportunity) costs of violence.[111] A comprehensive conceptualization of the various strategies is provided by Stedman, who classifies the strategies along a broad spectrum of approaches, ranging from accommodative inducement, to adaptive socialization and coercive punishment. The strategies remain very general and do not factor in the complexity of specific contexts. They are also not mutually exclusive, leaving governments or third party mediators with the option to employ several strategies simultaneously or consecutively.

The idea behind the "inducement" strategy is to accommodate spoilers by "taking positive measures to address grievances of factions that obstruct peace."[112] The expectation is that spoilers, after their demands have been met, are more likely and willing to join the peace process or fulfil their obligations to an existing agreement. The "socialization" strategy aims to change the behavior of spoilers by establishing a set of standards for normatively acceptable behavior by parties that commit to or want to join the peace talks. This normative framework[113] then serves as a basis for assessing the legitimacy of the demands and the behavior of spoilers. A successful outcome of this strategy requires both persuasion of the value of such a normative

standard, and a "carrot-and-stick" mechanism to reward or punish spoilers' compliance and non-compliance. A socialization strategy can be particularly effective if governments manage to build a strong coalition with civil society, other governments, and key international actors and succeed in creating a broad political climate in support of the talks while condemning terrorist violence against civilians.[114] Of equal importance in this endeavor is the media coverage of the peace process and the way the latter is perceived by the public. If coverage predominantly focuses on negative events while ignoring positive developments, the media can exacerbate the effect of spoiling and can become a spoiler themselves.[115] Finally, the "coercion" strategy at the other side of the spectrum "relies on the use or threat of punishment to deter or alter unacceptable spoiler behavior or reduce a spoiler's capability to disrupt the peace process."[116] It can range from coercive diplomacy or the threat to reduce international support or withdraw peacekeeping forces to the actual use of force and a counterterrorism crackdown.

In practice, the most effective strategy against the spoiler problem is not to combat or manage them once they have come into play, but to prevent them from emerging in the first place. Understanding the different motives is key to develop effective tailor-made strategies to address the spoiler problem. Research has shown that peace processes are – on average – more sustainable and more effective if they are inclusive and participatory. This applies in particular to the inclusion of representatives of civil society (e.g., religious leaders, women organizations, and youth groups), which have been shown to make a successful negotiation and implementation of a peace process more likely.[117] Research by Ricigliano, Dudouet, and Toros has shown that this positive effect is also pertinent for non-state armed groups.[118] Expanding inclusion in their direction reduces incentives for the strategic use of spoiler violence during negotiations and has a strong potential to limit post-agreement violence.[119] Hence, their potential actions to destabilize or derail the process (e.g., by terrorist acts) should already be taken into account when designing the peace processes and third party mediators should include all of the important players[120] and "resist the temptation to settle for an easy agreement with moderates, .…because such settlements are very likely to fail."[121]

Talking Transformation?

So far, this chapter has mainly looked at talking in the form of strategic, adversarial, power-based bargaining aimed at resolving a specific crisis, and "providing short term relief to pain and anxiety."[122] This Clausewitzian "continuation of war by other means" where each side tries to maximize its gains is, however, not the only form of talking in the context of a terrorist conflict.[123] Other than an instrument of strategic negotiations, talking can also be communicative in the form of a transformative dialogue.[124] A dialogue looks at the broader conflict and aims to explore, understand and eventually transform the relationships and patterns that gave birth to it in the first place.[125] In doing so, it moves beyond the state as the only interlocutor in classical approaches of conflict resolution and negotiation and engages a broad spectrum of actors from civil society, religious groups, and other non-state actors.[126] While power-based negotiations are usually attributed to the concept of conflict resolution, dialogue is a key concept in conflict transformation approaches. Such negotiations are seen as distinct, competing, often exclusionary forms of practices that stand in opposition and in a superior relationship to one another.[127] However, since both forms are possible in situations characterized by terrorist violence and since they usually occur simultaneously and in a reciprocal manner, this chapter ends with a closer look at this alternative, less-frequently used, yet equally important and effective, form of talking.

The concept of conflict transformation emerged as a reaction to the dominant practice of conflict resolution with its focus on ending direct violence and finding an immediate solution to the conflict while often leaving systemic violence and structural oppression in place.

Conflict transformation is based on the assumption that conflict is not necessarily a negative force but an inherent and inevitable part of human interaction and a natural expression of social difference that, if managed non-violently and constructively, can uncover and contest systemic violence and structural oppression and be a driver of social change. Hence, rather than trying to resolve or suppress conflict, the aim of conflict transformation scholars and practitioners is to transform its destructive, violent manifestation and turn it into a constructive force that reduces the oppression that generates and perpetuates underlying structural violence. Conflict transformation in conflicts that are marked by terrorist violence thus applies a holistic or systemic approach that not only attempts to reduce and de-escalate terrorist and counter terrorist violence but also goes beyond the short- to medium-term perspective by engaging with the underlying structural violence and oppression that often form the context in which terrorist violence occurs. In the tradition of John Paul Lederach, Diana Francis, and Raimo Väyrynen,[128] conflict transformation is thus understood here as "a spectrum of degrees of change which can include, at its most ambitious, the radical restructuring of the world order but also refers to personal transformation, the transformation of relations between two or more individuals, and the transformation of means (e.g., away from violence) in a specific conflict."[129] As a holistic concept, conflict transformation is about reflecting on the complexity of systems and contributing to their transformation by mobilising and changing their constituting, interconnected elements. It is about changing actors, issues, relationships, structural and cultural factors, attitudes, behaviours, discourses, goals and the means to achieve them. Based on earlier work by Väyrynen, Lederach, and Toros,[130] one can identify four areas of potential transformation in conflicts marked by terrorist violence:

1. Talking can contribute to a transformation of *means* whereby actors to the conflict cease engaging in terrorist or counter terrorist violence and instead start using nonviolent means to pursue their interest. Potential outcomes of this transformation range from ceasefire agreements or strategies for DDR to the use of nonviolent resistance and, ultimately, the transformation into a political party and the entry into conventional party politics. As the transformation of means often comes along with a modification of a group's goal, it is sometimes wrongfully described as a transformation from "war to politics," disregarding the fact that these groups have often been political from their beginnings.[131]

2. "Relational" transformation aims to change asymmetric interpersonal relations between conflicting parties, where former enemies accept to talk to one another and create the foundation for a more balanced relationship based on understanding and trust at all levels, from the leadership all the way down to the constituency.

3. Through "personal" transformation of people's beliefs and perceptions and supported by a process of familiarization and humanization, parties develop empathy and stop perceiving themselves only as victims and start recognizing their role as perpetrators too.

4. Finally, "structural" transformation ultimately aims to transform the economic, social, and political power relationships underlying the terrorist conflict. It is both the consequence of the transformation of means, relations, and personal transformation but at the same time also helps solidifying them. Structural transformation does not directly emerge from talking or from the peace process as such but is incentivized through the institutional framework achieved by those processes i.e., if an agreement or a constitutional change address underlying economic, social, or political inequalities, or if the transformation of the legal status of the formerly outlawed armed group removes the terrorist label and allows it to become a political party and pursue its goals with nonviolent means.[132]

Although separated for the sake of presentation, these four forms of transformation are far from distinct and mutually exclusive. They are heavily intertwined and dependent on one another, both within and across conflict divides. The transformation of means can influence relational, personal, and ultimately structural transformation, and vice versa. Similarly, transformation cannot be one-sided and is only effective if both parties engage in the process. An armed group will in many cases only renounce terrorist means if the government puts an end to violent counterterrorist measures and a transformation in identity from a non-state armed group into a political party is only likely if the state is equally willing to transform its identity (e.g., from a centralized to an ethno-federal state or from a one-party to a multi-party system).

Finally, a sustainable transformation of terrorist conflicts is only deemed realistic if the interests and (legitimate) needs of all its stakeholders are taken into account. One crucial consequence of this systemic approach is a strong focus on the capacities of local actors. Whereas traditional conflict resolution approaches tend to focus their attention on high-level representatives and external third parties, conflict transformation researchers and practitioners see embedded local actors as the primary agents of constructive change. In their view, "decisions on the development and direction of social transformation should be taken, first and foremost, by local actors."[133] Hence, rather than merely focusing on the 'moderates' and other obvious stakeholders within the conflict system, sustainable transformation of terrorist conflicts uses the transformative power of a broad variety of actors, including local armed actors, civil society groups, women's groups and religious communities.[134]

This systemic "whole of government" and "whole of society" approach of conflict transformation accounts for the fact that terrorism is part of a wider system of coercive power with several actors and perpetrators and complex chains of causality in multiple directions and amongst all associated factors. Unlike in the securitized counterterrorism logic, conflict transformation hence does not build interventions around the terrorist group as the only actor and violent perpetrator in a conflict. It allows for a wider understanding of violent extremism and terrorism as the result of structural drivers (e.g., repression, inequality, poor governance, violations of human rights, discrimination, unemployment, and foreign interventions), individual motivations (e.g., a sense of purpose, victimization, belonging, identity, acceptance, status, expected rewards, material enticements) and enabling factors (e.g., presence of radical mentors, access to radical communities and ideologies, access to weapons, lack of state presence, absence of family support).[135] It is only once such factors are fully taken into account and the structural drivers, individual motivations, and enabling factors are tackled, that we can more effectively and sustainably prevent terrorism.

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Endnotes

[1] 'Transcript of Reagan's remarks on the hostages,' *The New York Times,* 1 July 1985.

[2] Mercer, Jonathan, *Reputation and International Politics*. Ithaca: Cornell University Press, 2010; Waltz, Kenneth N., *Man, State and War*. New York: Columbia University Press, 2001 [1954]. According to Hans J. Morgenthau, "All history shows that nations active in international politics are continuously preparing for, actively involved in, or recovering from organized violence in the form of war." - Morgenthau, Hans J., *Politics among Nations: The Struggle for Power and Peace*. New York: Alfred Knopf, 1978 [1948], p. 42.

[3] Powell, Jonathan, *Talking to Terrorists. How to End an Armed Conflict*. London: Penguin, 2014, p. 15.

[4] Wæver, Ole, 'Securitization and Desecuritization'; in: Lipschutz, Ronnie D. (ed.), *On Security.* New York: Columbia University Press, 1995, pp. 46-86.

[5] President Donald Trump in August 2019, quoted in Burke, Jason, 'Isis Starting to reassert itself in Middle East Heartlands, UN Warns,' *The Guardian,* 30 January 2020. Available at: https://www.theguardian.com/world/2020/jan/30/isis-islamic-state-starting-reassert-itself-middle-east-heartlands-un-warns.

[6] It is debatable if Sri Lanka can be used as an example here. Powell argues that the Sri Lankan army managed to defeat the LTTE precisely because they evolved away from terrorist strategies and transformed into a conventional combat force. Powell 2014a, p. 38.

[7] Powell, Jonathan, 'How to talk to terrorists,' *The Guardian,* 7 October 2014. Available at: https://www.theguardian.com/world/2014/oct/07/-sp-how-to-talk-to-terrorists-isis-al-qaida.

[8] Jones, Seth G. and Martin C. Libicki, *How Terrorist Groups End: Lessons for Countering al Qaida*. Santa Monica: RAND Corporation, 2008, p. 19.

[9] The US State Department defines terrorism as "premediated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents" (see 22 US Code § 2656f).

[10] Dudouet, Véronique, Hans J. Giessmann, and Katrin Planta, *Post-war Security Transitions: Participatory Peacebuilding after Asymmetric Conflicts*. New York: Routledge, 2012, p. 2ff.

[11] Conflicts are defined here as a "contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths in one calendar year" (see the Uppsala Conflict Data Program (UCDP)).

[12] Easson, Joseph J. and Alex P. Schmid, '250-plus Academic, Governmental and Intergovernmental Definitions'; in: Schmid, Alex P. (ed.), *The Routledge Handbook of Terrorism Research*. New York and London: Routledge, 2011, pp. 99-157.

[13] Hoffman, Bruce, *Inside Terrorism*. New York: Columbia University Press, 2006.

[14] Post, Jerrold M., Keven G. Ruby, and Eric D. Shaw, 'The radical group in context: 2. Identification of critical elements in the analysis of risk for terrorism by radical group type,' *Studies in Conflict and Terrorism*, 25(2), 2002, pp. 101-126.

[15] Victoroff, Jeff, 'The mind of the terrorist: A review and critique of psychological approaches,' *Journal of Conflict Resolution,* 49(1), 2005, pp. 3-42.

[16] Donohue, William A., 'Terrorism and Conflict Resolution'; in: Bercovitch, Jacob, Victor Kremenyuk, and William I. Zartman (eds.), *The SAGE Handbook of Conflict Resolution.* London: Sage, 2009, pp. 437-454.

[17] Ibid., p. 438.

[18] While this threefold categorization aims to illustrate the heterogeneity of an often homogenized phenomenon, it is in itself an over-simplification of the reality in which violent Islamist groups are "the product of specific, local conditions more than they are manifestations of grand, global ideologies" (Glazzard, Andrew et al., *Conflict,Violent*

Extremism and Development: New Challenges, New Responses. Basingstoke: Palgrave Macmillan, 2018, p. 14).

[19] Toros, Harmonie, *Terrorism, Talking and Transformation: A Critical Approach*. New York and London: Routledge, 2012, p. 24.

[20] Ibid., p.89.

[21] Hülsse, Rainer and Alexander Spencer, 'The Metaphor of Terror: Terrorism Studies and the Constructivist Turn.' *Security Dialogue,* 39(6), 2008, p. 572.

[22] This realisation has gained increased prominence in both research and practice. The UCDP for instance, probably the most frequently used provider of data on organized violence and armed conflict around the world, refrains entirely from using the terms "terrorism" or "terrorist" to classify violence or actors perpetrating violence. Instead, the UCDP classifies occurrences of organized violence according to the respective targets, where it distinguishes between states, representatives of organized groups, and civilians. Any attack on civilians is subsumed under the category "one-sided violence," which the codebook defines as "the use of armed force by the government of a state or by a formally organized group against civilians." (Cf. Eck, Kristine and Lisa Hultman, 'One-sided violence against civilians in war: insights from new fatality data.' *Journal of Peace Research*, 44(2), 2007, pp. 233-246). Although overlapping with standard definitions of (lethal) terrorism, the UCDP's category of "one-sided violence" is much broader and by including governments of states also applies to actors which according to many definitions of terrorism cannot be considered "terrorists."

[23] Ackermann, Alice, 'The idea and practice of conflict prevention,' *Journal of Peace Research,* 40(3), 2003, pp. 339-347.

[24] Wallensteen, Peter, *Understanding Conflict Resolution*. London: Sage Publications Limited, 2019.

[25] Ramsbotham, Oliver, Tom Woodhouse, and Hugh Miall, *Contemporary Conflict Resolution: The Prevention. Management and Transformation of Deadly Conflicts.* Cambridge, UK: Polity Press, 2011.

[26] Lederach, John Paul, *The Little Book of Conflict Transformation: Clear Articulation of the Guiding Principles by a Pioneer in the Field*. New York: Good Books, 2015 [2003]; Väyrynen, Raimo (ed.), *New Directions in Conflict Theory: Conflict Resolution and Conflict Transformation*. London: Sage, 1991.

[27] Reychler, Luc and Thania Paffenholz (eds.), *Peacebuilding: a Field Guide*. Boulder: Lynne Rienner Publishers, 2001.

[28] Lederach, John Paul, *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington DC: United States Institute of Peace Press, 1997.

[29] Toros 2012.

[30] Powell 2014a, p. 41.

[31] Jones and Libicki 2008.

[32] Cronin, Audrey Kurth, *How Terrorism Ends: Understanding the Decline and Demise of Terrorist Campaigns*. Princeton: Princeton University Press, 2009.

[33] These arguments are based on the list of arguments provided by Powell 2014a and Toros 2012.

[34] Cf. Schmid, Alex P. and Ronald D. Crelinsten (eds.), *Western Responses to Terrorism*. London: Frank Cass, 1993, pp. 311; Cronin 2009, p. 35.

[35] See Sisk, Richard, 'Afghan Civilian Death Toll Spikes as Another Round of Withdrawal Talks Begin,' *Military.com*, 3 August 2019. Available at: https://www.military.com/daily-news/2019/08/03/afghan-civilian-death-toll-spikes-another-round-withdrawal-talks-begin.html.

[36] See: Byman, Daniel, 'The decision to begin talks with terrorists: Lessons for policymakers,' *Studies in Conflict & Terrorism,* 29(5), 2006, pp. 403-414; Bapat, Navin A.,

'State Bargaining with Transnational Terrorist Groups,' *International Studies Quarterly,* 50(1), 2006, pp. 213-229; Wilkinson, Paul, *Terrorism versus Democracy: The Liberal State Response*. New York and London: Routledge, 2011.

[37] Spector, Bertram, 'Negotiating with Villains Revisited: Research Note,' *International Negotiation,* 8(3), 2003, pp. 616.

[38] Powell 2014a, p. 26.

[39] See Richardson, Louise, *What Terrorists Want: Understanding the Enemy, Containing the Threat*. New York: Random House, 2007, p. 14.

[40] Powell discusses a number of other, more practical arguments against talking to terrorism: Talking to terrorist groups could furthermore; 1) harm relations with allies and undercut international efforts to outlaw terrorism; 2) bring down the government and destabilize the political system, 3) or give terrorists a chance to rest and regain strength. Powell 2014a, p. 29. See also Fettweis, Christopher J., 'Freedom Fighters and Zealots: Al Qaeda in Historical Perspective,' *Political Science Quarterly,* 124(2), 2009, pp. 280.

[41] Goerzig, Carolin, *Talking to Terrorists: Concessions and the Renunciation of Violence*. London: Routledge, 2010.

[42] As a case in point that exemplifies the difference between talking and giving in, Powell mentions the example of the conflict in Northern Ireland (Powell 2014a, p.17). Although the British government talked to the Irish Republicans, it never gave in to their demands for a united Ireland.

[43] What should not be dismissed, however, is the fact that armed groups might not achieve their goals through violence but certainly manage to "be heard" because of their violence. Dudouet argues that the rationale behind turning to violent strategies is often the lack of nonviolent means available to them. Dudouet, Véronique, *From War to Politics: Resistance/Liberation Movements in Transition*. Berlin: Berghof Research Center for Constructive Conflict Management, 2009, p. 22.

[44] Fisher, Roger, William Ury, and Bruce Patton, *Getting to Yes: Negotiating Agreement Without Giving In*. Boston: Houghton Mifflin Harcourt, 1991, p. 169.

[45] Zartman William I. and Guy Olivier Faure (eds.), *Engaging Extremists: Trade-offs, Timing, and Diplomacy.* Washington DC: United States Institute of Peace Press, 2011, p. 11.

[46] Suchman, Mark C., 'Managing legitimacy: Strategic and institutional approaches,' *Academy of Management Review,* 20(3), 1995, p. 574.

[47] Toros 2012, p. 45.

[48] When the British government started talking with Sinn Féin, it did not make the latter a legitimate entity, particularly not in the eyes of the unionist and loyalist community.

[49] Bellal, Annyssa, Pascal Bongard, and Ezequiel Heffes, 'From Words to Deeds: A Study of Armed Non-State Actors' Practice and Interpretation of International Humanitarian and Human Rights Norms, *Geneva Academy*, 2019. Available at: https://www.geneva-academy.ch/joomlatools-files/docman-files/From%20Words%20to%20Deeds%20A%20Research%20of%20Armed%20Non-State%20Actors%E2%80%99%20Practice%20and%20Inter.pdf.

[50] Sageman, Marc, *Understanding Terror Networks*. Philadelphia: University of Pennsylvania Press, 2004, p. 80.

[51] Richardson 2007, p. xxii; Göldner-Ebenthal, Karin, and Véronique Dudouet, *Dialogue with Salafi jihadi armed groups*. Berlin: Berghof Foundation, 2019, pp. 49 ff.

[52] Powell 2014a, p. 335.

[53] Fanning, Ronan, *Fatal Path: British Government and Irish Revolution 1910-1922*. London: Faber & Faber, 2013.

[54] Powell 2014a, p. 241.

[55] Ibid., p. 77f.

[56] Ibid.

[57] Spector, Bertram I., 'Deciding to negotiate with villains,' *Negotiation Journal,* 14(1), 1998, pp. 43-59.

[58] It is important to note here that official negotiations should never fully replace back channels but should run in parallel to them. Back channels remain an important tool throughout the entire negotiation process as a fallback option and for confidential and informal exchanges between trusted individuals. Often, the most important issues are not negotiated at the main negotiating table but in small groups, informal sessions, walks, or coffee breaks between trusted individuals.

[59] Dudouet, Véronique, Hans J. Giessmann, and Katrin Planta, *The political transformation of armed and banned groups: lessons learned and implications for international support*. Berlin: Berghof Foundation, 2016.

[60] Kelman, Herbert C., 'Building trust among enemies: The central challenge for international conflict resolution,' *International Journal of Intercultural Relations,* 29(6), 2005, pp. 649 ff.

[61] The former Finnish leader Martti Ahtisaari, as quoted in Powell 2014a, p. 279.

[62] Walter found that 53 percent of all the civil wars settled through a negotiated peace agreement between 1940 and 1990 experienced a resumption of violence at some point in the future. Walter, Barbara F., 'Designing Transitions from Civil War: Demobilization, Democratization, and Commitments to Peace,' *International Security,* 24(1), 1999, p. 127. King and UCDP statistics show similar numbers for the post–Cold War context period. King, Charles, *Ending Civil Wars*. New York: Oxford University Press, 1997.

[63] This approach also pursues the goal of enabling the transformation of a non-state armed group into a peaceful political entity. This not only helps assure the militants that they can effectively pursue their interests through nonviolent, political channels but also "generates the political will to undergo disarmament, demobilisation, and reintegration (DDR) processes and to then enter formal political channels" Dudouet 2016, p. 4.

[64] Zartman, William I., 'Managing Terrorism and Insurgency through Peace Processes: Options for the Future'; in: Luigi Sergio Germani and D.R. Kaarthikeyan (eds.), *Pathways out of Terrorism and Insurgency. The Dynamics of Terrorist Violence and the Peace Processes*. New Delhi: New Dawn Press Group, 2005, pp. 41-49.

[65] Ibid., p. 44.

[66] Zartman 2005, pp. 41-49.

[67] Pruitt, Dean, 'Negotiation with Terrorists,' *International Negotiation,* 11(2, 2006, pp. 371-394.

[68] Kelman, Herbert C., 'Creating the conditions for Israeli–Palestinian negotiations,' *Journal of Conflict Resolution,* 26 (1), 1982, pp. 39-75; Kelman 2005, pp. 639-650.

[69] Kelman 2005, p. 645.

[70] Pillar, Paul R., *Negotiating Peace: War Termination as a Bargaining Process*. Princeton: Princeton University Press, 1983.

[71] Neumann, Peter R., 'Negotiating with Terrorists,' *Foreign Affairs,* 86(1), pp. 128-138. One could also argue that a group, envisioning the risk of imminent defeat, could become even more ready to talk because it feels the risk to lose what is left to it and secure at least some stakes before being forced to surrender. An example for this argument is the LTTE. Sometimes, despair can also result in an adjustment of tactics, or in a fragmentation of terrorist groups and a reconstitution in the form of splinter groups.

[72] Zartman, William I., 'The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments,' *The Global Review of Ethnopolitics,* 1(1), 2001, p. 8.

[73] Ibid.

[74] See Zartman, William I., *Ripe for Resolution*. New York: Oxford University Press, 1989; Mooradian, Moorad, and Daniel Druckman, 'Hurting stalemate or mediation? The conflict over Nagorno-Karabakh, 1990-1995,' *Journal of Peace Research,* 36(6), 1999, pp. 709-727.

[75] Fisher, Roger, William Ury, and Bruce Patton, *Getting to Yes: Negotiating Agreement without Giving In*. Boston: Houghton Mifflin Harcourt, 1981.

[76] See Lustenberger, Philipp, 'A Time to Fight, and a Time to Talk? Negotiability of Armed Groups,' *Swisspeace* (Working Paper 1), 2012, p. 31. Available at: www.files.ethz.ch/isn/146695/WP1_2012.pdf.

[77] Ibid., pp. 26 ff.

[78] Goodby, James E., 'When War Won Out: Bosnian Peace Plans Before Dayton,' *International Negotiation,* 1(3), 1996, pp. 501-523. Technically speaking, there was not yet a hurting stalemate. Neither President Tuđman, who still had ambitions to claim parts of Bosnia for Croatia, nor President Izetbegović were fully committed to negotiation yet. To arrive at a perceived stalemate, the team of the external mediators around Carl Bildt and Richard Holbrooke projected a situation of dramatizing the long-term costs of violence. Crocker, Chester A., Fen Osler Hampson, and Pamela Aall, 'Multiparty Mediation and the Conflict Cycle'; in: Crocker, Chester A., Fen Osler Hampson, and Pamela Aall (eds.), *Herding Cats: Multiparty Mediation in a Complex World*. Washington DC: US Institute of Peace Press, 1999, pp. 19-46; Hartwell, Leon, 'Conflict Resolution: Lessons from the Dayton Peace Process,' *Negotiation Journal,* 35(4), 2019, pp. 443-469.

[79] Zartman 2010, p. 10. See also Ottaway, Marina, 'Eritrea and Ethiopia: Negotiations in a Transitional Conflict'; in: Zartman, William I. (ed.), *Elusive Peace: Negotiating an End to Civil Wars*. Washington DC: The Brookings Institution Press, 1995, pp. 103-119.

[80] Deng, Francis Mading, 'Negotiating a Hidden Agenda, Sudan's Conflict of Identities'; in: Zartman William I. (ed.), *Elusive Peace: Negotiating an End to Civil Wars*. Washington DC: The Brookings Institution Press, 1995, pp. 77-102.

[81] Toros, Harmonie, 'Terrorism, Counterterrorism, and Conflict Resolution: Building Bridges,' *NATO Centre of Excellence - Defence Against Terrorism*, 2015, p. 12.

[82] Powell mentions the example of El Salvador, where 7,000 FMLN guerrilleros started their "Final offensive" in November 1989 to take the capital San Salvador. They came within 200 meters of the presidential residence. This made the Salvadorian government realize that they could not defeat the guerrilla forces militarily and that the cost of coming to an agreement had become less than the cost of continued armed conflict. (Powell 2014a, p. 175).

[83] Toros 2012, p. 12.

[84] Powell 2014a, p. 167.

[85] Ibid.

[86] A change in leadership can indeed make successful negotiations more likely, especially if a leader is the primary obstacle to talks. However, the academic literature is still inconclusive regarding the application of this finding on campaigns that are primarily characterized by terrorist violence. Successful negotiations with terrorists require some sort of organization as well as a spokesperson and leader. A change in leadership, however, may jeopardize this structure and may "result in a more diffuse organization that is more difficult to parley with, as its different parts chase different aims." Cronin 2009, p.65.

[87] An often-cited example is the case of Aceh, where the devastation by the 2004 tsunami opened a window of opportunity for the government to initiate renewed talks with GAM, which the separatists eventually accepted.Gaillard, Jean-Christophe, Elsa Clavé, and Ilan Kelman, 'Wave of Peace? Tsunami Disaster Diplomacy in Aceh, Indonesia,' *Geoforum,* 39(1), 2008, pp. 511-526.

[88] Findley, Michael G. and Joseph K. Young, 'Terrorism, Spoiling, and the Resolution of Civil Wars,' *The Journal of Politics,* 77(4), 2015, pp. 1115-1128.

[89] Chai, Sun-Ki, 'An Organizational Economics Theory of Anti-Government Violence,' *Comparative Politics,* 26(1), 1993, pp. 99-110; Crenshaw, Martha, 'The Causes of Terrorism,' *Comparative Politics,* 13(4), 1981, pp. 379-399.

[90] The Continuity Irish Republic Army (CIRA) is a case in point. Opposing any deal that was not based on a united Ireland outcome, the group was left out of the negotiations over the Good Friday Agreement and used terrorist tactics to challenge its implementation.

[91] This is what happened with the signing of the Oslo Accords, when the violent campaign of parts of the Palestinian movement was left in the hands of Hamas and Islamic Jihad, both of which were more committed to using terrorist tactics than the PLO. Bueno De Mesquita, Ethan, 'Conciliation, Counterterrorism, and Patterns of Terrorist Violence,' *International Organization,* 59(1), 2005, pp. 145-176.

[92] Stedman, Stephen John, 'Spoiler Problems in Peace Processes'; in: Stern, Paul C. and Daniel Druckman (eds.), *International Conflict Resolution After the Cold War*. Washington DC: National Academies Press, 2000, p. 178.

[93] Tsebelis, George, *Veto Players: How Political Institutions Work*. Princeton: Princeton University Press, 2002, p. 301.

[94] Stedman 2000, p. 178.

[95] Kydd, Andrew H., and Barbara F. Walter, 'The Strategies of Terrorism,' *International Security,* 31(1), 2006, pp. 72–76. According to what we have explained in the introductory section, we consider the use of the "spoiler" terminology highly questionable. The designation "spoiler" implies a stigma. Not all actors who are not willing to enter into talks or negotiations are "spoilers"; they may have a legitimate case not to enter into talks at a particular point in time. Even if certain actors resort to illegitimate means they may have a legitimate case. If at all appropriate to use the term "spoiler", in line with our understanding, a spoiler intentionally tries to block talks as such out of principle and fights all parties who are ready to engage with one another to explore a potential pathway to end violence.

[96] For a typology of spoilers in peace processes see: Stedman 2000, pp. 180.

[97] See, for instance, Darby, John, and Roger MacGinty (eds.), C*ontemporary Peacemaking: Conflict, Violence and Peace Processes*. Houndsmills: Palgrave Macmillan, 2003; Höglund, Kristine, *Peace Negotiations in the Shadow of Violence*. Leiden: Martinus Nijhoff, 2008.

[98] Findley and Young 2015, pp. 1115-1128.

[99] See, for instance, Nilsson, Desirée, 'Partial Peace: Rebel Groups Inside and Outside of Civil War Settlements,' *Journal of Peace Research,* 45(4), 2008, pp. 479–945.

[100] Höglund 2008, p. 2.

[101] Cronin, *How Terrorism Ends: Understanding the Decline and Demise of Terrorist Campaigns*. Princeton: Princeton University Press, 2009.

[102] Kydd, Andrew H. and Barbara F. Walter, 'Sabotaging the Peace: The Politics of Extremist Violence,' *International Organization,* 56(2), 2002, pp. 263-296.

[103] Findley and Young 2015, pp. 1115-1128.

[104] Reiter, Andrew G., 'Does Spoiling Work? Assessing the Impact of Spoilers on Civil War Peace Agreements,' *Civil Wars,* 17(1), 2015, pp. 89-111.

[105] See, for instance, Greenhill, Kelly and Solomon Major, 'The Perils of Profiling: Civil War Spoilers and the Collapse of Intrastate Peace Accords,' *International Security,* 31(3), 2007, pp. 7-40; Newman, Edward and Oliver Richmond, *Challenges to Peacebuilding: Managing Spoilers during Conflict Resolution*. Tokyo: United Nations University Press, 2006; Zahar, Marie-Joëlle, 'Reframing the Spoiler Debate in Peace Processes'; in: Darby, John, Roger MacGinty, and Rolf Habbel (eds.), *Contemporary Peace Making: Conflict, Violence, and Peace Processes*. Basingstoke: Macmillan, 2003, pp. 114-124.

[106] Kydd, Andrew H. and Barbara F. Walter, 'Sabotaging the Peace: The Politics of Extremist Violence,' *International Organization,* 56(2), 2002, pp. 263-296.

[107] Lake, David, 'Rational Extremism: Understanding Terrorism in the Twenty-First Century,' *Dialogue International Organization,* 1(1), 2002, pp. 15-29.

[108] See Cunningham, David, 'Veto Players and Civil War Duration,' *American Journal of Political Science,* 50(4), 2006, pp. 875–892.

[109] Darby, John, *The Effects of Violence on Peace Processes*. Washington, DC: United States Institute of Peace Press, 2001.

[110] Druckman, Daniel, 'Negotiating in the International Context'; in: Zartman, William I. (ed.), *Peacemaking in International Conflict: Methods and Techniques*. Washington DC: United States Institute of Peace Press, 2007, pp. 111-162.

[111] See Zahar, Marie-Jöelle, 'SRSG Mediation in Civil Wars: Revisiting the "Spoiler" Debate,' *Global Governance,* 16(2), pp. 265-280.

[112] Stedman 2000, p. 184.

[113] Stedman (2000) mentions a number of norms, including adherence to the protection of human rights, good governance, commitment to the rules of democratic competition, and accountability.

[114] Cronin 2009.

[115] Sheafer, Tamir and Shira Dvir-Gvirsman, 'The Spoiler Effect: Framing Attitudes and Expectations toward Peace,' *Journal of Peace Research,* 47(2), pp. 205-215.

[116] Stedman 2000, p. 185.

[117] Papagianni, Katia, 'Political Transitions after Peace Agreements: The Importance of Consultative and Inclusive Political Processes,' *Journal of Intervention and Statebuilding,* 3(1), pp. 47-63; Paffenholz, Thania, et al., *Making Women Count - Not Just Counting Women: Assessing Women's Inclusion and Influence on Peace Negotiations*. Geneva: Inclusive Peace and Transition Initiative (The Graduate Institute of International and Development Studies) and UN Women, 2016; Dudouet, Véronique and Stina Lundström, *Post-war Political Settlements: From Participatory Transition Processes to Inclusive State-building and Governance*. Berlin: Berghof Foundation, 2016.

[118] Ricigliano, Rob (ed.), *Choosing to Engage: Armed Groups and Peace Processes*. London: Conciliation Resources, 2005; Dudouet 2009; Toros 2012.

[119] Blaydes, Lisa and Jennifer De Maio, 'Spoiling the Peace? Peace Process Exclusivity and Political Violence in North-Central Africa,' *Civil Wars,* 12(1), 2010, pp. 18-21.

[120] Naturally, an overly inclusive approach bears the risk of making negotiating more difficult as more interests and demands need to be accommodated. See Nilsson 2008, pp. 479-495.

[121] Licklider, Roy, 'Obstacles to Peace Settlements'; in: Crocker, Chester A., Fen Osier Hampson and Pamela Aall (eds.), *Turbulent Peace: The Challenges of Managing International Conflict*. Washington DC: United States Institute of Peace Press, 2001, p. 701.

[122] Lederach 2015 [2003], p. 31.

[123] See Toros 2012; Cronin 2009; Fierke, Karin M., *Diplomatic Interventions. Conflict and Change in a Globalizing World*. Basingstoke: Palgrave, 2005.

[124] Toros' book *Terrorism, Talking and Transformation* (2012) provides a comprehensive overview of both concepts and their differences.

[125] Lederach 2015 [2003], p. 31.

[126] Sonn, Tamara, 'The Power of Dialogue: Redefining Us'; in: Ahmed, Akbar and Brian Forts (eds.), *After Terror. Promoting Dialogue Among Civilizations*. Cambridge, UK: Polity Press, 2004, pp. 46-59; Ury, William L., 'Getting to Peace: Awakening the Third Side'; in: Ahmed, Akbar, and Brian Forts (eds.), *After Terror. Promoting Dialogue Among Civilizations*. Cambridge, UK: Polity Press, 2005, pp. 179-185; Lederach 2015 [2003].

[127] Hoffman 2006.

[128] Francis, Diana, *People, Peace and Power. Conflict Transformation in Action*. London: Pluto Press, 2002; Lederach 1991.

[129] Toros 2012, p. 65.

[130] Väyrynen 1991; Lederach 2015 [2003]; Toros 2012.

[131] See Dudouet, Véronique, *Transitions from Violence to Peace: Revisiting Analysis and Intervention in Conflict Transformation*. Berlin: Berghof Research Center for Constructive Conflict Management, 2006.

[132] See Dudouet et al., who list 16 examples of trajectories of armed groups towards peaceful political participation, among which the African National Congress, the Communist Party of Nepal – Maoist (CPN-M), SWAPO in Namibia, the Kosovo Liberation Army, GAM in Aceh, and the FMLN in El Salvador. Dudouet 2016.

[133] Wils, Oliver et al., *The Systemic Approach to Conflict Transformation. Concepts and Fields of Application*. Berlin: Berghof Foundation for Peace Support, 2006, p.15.

[134] See, for instance, Dudouet 2009.

[135] See Ernstorfer, Anita, 'Effective Approaches to Preventing Violent Extremism: A Peacebuilding Systems Perspective'; in: Austin, Beatrix and Hans J. Giessmann (eds.), *Transformative Approaches to Violent Extremism.* Handbook Dialogue Series No. 13. Berlin: Berghof Foundation, 2018.

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Web-based Resources

Organization for Security and Co-operation in Europe: https://www.osce.org/conflict-prevention-and-resolution.

Peace Research Institute Oslo (PRIO): https://www.prio.org/.

Stockholm International Peace Research Institute (SIPRI): https://www.sipri.org/.

United Nations and World Bank Group. Pathways for Peace: https://www.pathwaysforpeace.org/.

United Nations Mediation Support Unit: https://peacemaker.un.org/mediation-support.

Uppsala Conflict Data Program: https://ucdp.uu.se/