

Negotiating Hostage Crises with the New Terrorists

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Jihadi hostage-taking manuals as well as recent attacks such as the Moscow theater and the Beslan school are an alarming indication of the likely characteristics of future barricade hostage sieges. While there are many trained crisis negotiators around the world, the vast majority lacks any experience whatsoever in dealing with issues such as ideology, religion, or the differing set of objectives and mindsets of terrorist hostage-takers. This is especially true in relation to dealing with terrorists of the “new” breed, who possess much greater willingness to execute hostages, are likely to employ large teams of willing-to-die hostage-takers who will have the capability to effectively repel a rescue operation, and who will also have detailed knowledge of the hostage negotiation and rescue teams’ “playbook.” This article presents the findings of a detailed evaluation of recent case studies to highlight the adjustments that need to be made to the contemporary crisis negotiation protocols, in order to improve the capacity of negotiators to deal with such incidents more effectively.

The question of negotiating with “terrorists” virtually always leads to divisive debates. Unfortunately the focus of the discourse is usually misplaced and becomes framed as an argument over “legitimizing” terrorism by talking with terrorists or being “tough” on terrorism by refusing to talk. Ultimately, the question of whether or not to negotiate with terrorists hinges not so much on one’s opinion of terrorism, but rather on the *definition of negotiation*. Politicians who “refuse to negotiate with terrorists” are taking a tough stance that is intuitively understandable, and invariably, politically popular. But in essence, these leaders do not actually mean that they will not *negotiate*. What they are really saying is that they will not make *deals* with terrorists, make *concessions* to terrorists, *compromise* with terrorists, or *reward* terrorists’ behavior. One of the key reasons why leaders often make the mistake of declaring that they will not “negotiate” is simply their limited view of negotiation as merely bargaining, compromise, and deal making.

To be sure, bargaining (the practice of offers and counter-offers) is by far the most common *process* used when negotiating and some negotiations are indeed expected to end

Received 18 May 2010; accepted 18 July 2010.

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with compromises (each side getting less than what they want). But while these procedures frequently constitute parts of the negotiation process, they are certainly not synonymous with the term itself. *If one assumes that negotiation is only about bargaining, making deals, or concessions*, then of course one should not negotiate with terrorists, as this action is likely to ultimately lead to some rewards for their undesirable behavior. However, if one understands that negotiation, ultimately, is *the use of communication to exercise influence in order to change someone's thinking, behavior, and decision making*,¹ then negotiating with terrorists does not necessarily require making foolish concessions, nor is it rewarding and further incentivizing bad behavior. Unfortunately, this fine point is frequently missed, often resulting in the a priori dismissal of "negotiations" as an option.

One question that ought to be asked of political leaders who "refuse to negotiate with terrorists" in the midst of a hostage crisis is: How does *not talking* to the hostage-takers help the situation? In order to effectively influence the outcome of a crisis, it is absolutely essential to overcome the incapacitating assumption that negotiation means "giving in," making concessions, compromise, or making deals, and that negotiation is a "weaker" approach to terrorism than tactical operations, such as assaults or rescue operations. Tactical tools and influence tools are two parts of the same toolkit. This is especially true in the era of the so-called new terrorism, where the terrorists are increasingly lethal, less concerned about constituency reaction, and more capable in making tactical responses to barricade incidents both more costly and less likely to succeed than in the past. The "new terrorists" present new challenges:

- They have read crisis negotiation and hostage rescue team manuals and studied past incidents, so they are unlikely to be easily tricked;
- They use uncompromising religious rhetoric most negotiators have no experience with;
- They have a much greater willingness to enforce deadlines by executing hostages than terrorists of the past and also assume much more credible readiness to die;
- They have direct lines of communication to colleagues and others beyond the location of the incident;
- They are tactically savvy, well-armed, well-prepared, and quite willing to die; making coercive threats and "hard bargaining" far less effective.

It is undoubtedly difficult to accept the idea of negotiating with terrorists, especially ones who engage in the more extreme attacks such as the September 2004 takeover of the Beslan school full of parents and schoolchildren. The Beslan siege was an unprecedented terrorist attack, not only in lethality (331 people killed, 186 of them children) but also in scale and targeting. It was not only the largest ever terrorist take-over of a school,² but also the third deadliest terrorist attack in world history. Consider the setup:

- more than 1,200 hostages, most of them children;
- a team of some fifty to seventy well-trained hostage-takers strategically positioned around the school and apparently ready to die;
- unconditional demands that seemed impossible to meet;
- 127 explosive devices set up around the school that could collectively be activated by four different terrorists located in different parts of the building;
- security cameras installed by the terrorists around the school, to monitor all entrances;
- gas masks to counter a possible use of incapacitating gas used by the security services in the previous siege in the Moscow theater in 2002;

- a dozen people killed during the initial take-over and twenty-one hostages already killed on Day 1 and thrown out of the window;
- the hostages inside suffering from immense heat exhaustion and lack of fluids, some of them resorting to drinking urine; and
- outside, a group of angry parents armed with guns, threatening to shoot the rescue team members if they attempted to storm the school.³

Quite simply, this was a nightmare scenario that would present an unprecedented challenge for *any* response team in *any* country in the world. In situations such as Beslan, the right question to ask is not “Do we, or do we not negotiate?” but rather “*How* do we influence the situation through communication in a way that helps us achieve our goals?” This will be the focus of this article.

Ominously, there are indications that Beslan-style incidents may return in the future. First, footage filmed in Al Qaeda training camps in Afghanistan has captured the group’s recruits training in the urban setting for various types of operations, including hostage-taking. And while Al Qaeda’s signature modus operandi has so far focused almost exclusively on high-casualty synchronized suicide bombings, some of Al Qaeda’s Internet sites have recently featured calls on the *mujahideen* to place a greater emphasis on hostage-taking operations.⁴ In addition, globally distributed terrorist manuals suggest that terrorists have been taking notes and have undergone a considerable learning curve from past barricade hostage incidents such as the Moscow theater, the Lima siege, or Beslan. For instance, the tenth issue of Al Qaeda’s online manual *Camp al Battar*, features a highly analytical guide to hostage-taking written by the late Abdul Aziz al Muqrin, the former leader of Al Qaeda in Saudi Arabia. In this manual al Muqrin provides detailed instructions on every aspect of carrying out a high profile barricade hostage incident, from the selection of team members and their training to treatment of hostages and conduct of negotiations. The *al Battar* manual as well as modern hostage crises such as the Air France Flight 8969 hijacking (1994), Buddyonovk hospital (1995), Kyzliar hospital (1996), Indian Airlines Flight 814 hijacking (1999), Indian Parliament attack (2001), Moscow theater (2002), Beslan school (2004), the Oasis residential compound in Khobar, Saudi Arabia (2004), and the Mumbai raid (2008) are a clear indication that barricade hostage-taking will henceforth entail a much greater willingness to execute hostages, will feature large teams of willing-to-die hostage-takers who will have the capability to effectively repel a possible rescue operation, and who will also have detailed knowledge of the hostage negotiation and rescue teams’ “playbook.” In addition, incidents such as the successful negotiation effort in the siege of the Church of Nativity in Bethlehem⁵ and, in contrast, the utter failure of negotiations in the 2007 siege of the Lal Masjid (Red Mosque)⁶ in Islamabad, are reminders of the importance of building the capacity to negotiate with religious fanatics and militants in barricade standoffs, with long-term strategic goals in mind.⁷

The Status Quo and New Challenges

Built on nearly forty years of historical experience, crisis negotiation protocols for managing barricade hostage incidents are well established, and their standard application has, over the years, yielded a staggering 95 percent success rate.⁸ However, the fact that the lessons and paradigms upon which these procedures are based draw mainly on the lessons of nonideological incidents involving desperate and poorly armed individuals without a premeditated plan, results in a situation where the mechanical application of standardized guidelines to incidents involving the “new terrorists” who are mentally and tactically well

prepared, use radical religious ideology, demonstrate a much greater willingness to execute hostages and die in the incident, is likely to yield undesirable outcomes. And while the standardized approach of “dos” and “don’ts” has been strikingly effective in routine situations for which abundant experiences exist, the historical rarity of incidents involving the “new terrorists” leaves countries vulnerable and unprepared to deal with these largely untested hostage scenarios.⁹

Although the practice of crisis negotiation was inspired by the Munich Olympics attack (1972) and was thus originally designed to fit hostage situations involving political extremists, over the years its focus has gradually shifted in favor of nonterrorist incidents. In fact, only about 18 percent of situations to which crisis negotiation teams are called today involve any hostages at all, with the vast majority of those cases consisting of interrupted criminals, domestic violence cases, “suicides-by-cop,” and mentally disturbed individuals.¹⁰ This has led to the increasing emphasis on “psychologization” of the negotiation practice, consisting of a tendency to assign individual hostage-takers to one of the identified diagnostic categories (i.e., inadequate personalities, drug or alcohol users, antisocial personalities, paranoid schizophrenics, depressed individuals, etc.)¹¹ and to subsequently follow the specific negotiation guidelines attached to each category. And while the category of extremist hostage-takers also exists, negotiators still maintain that they encounter “normal” people only rarely.¹²

In contrast to the negotiators’ experience of dealing primarily with psychologically deranged individuals, psychiatric enquiry into the field of terrorism has found no solid evidence of any psychological idiosyncrasy universally present among the terrorist population. In fact, some studies have even concluded that “the outstanding common characteristic of terrorists is their normality.”¹³ As a result of this finding, the contemporary emphasis on “psychologization” of hostage-taker categories has many problems when applied to incidents involving the “new terrorists.” For instance, the highly religious rhetoric used by the “new terrorists” lends itself to being psychologized along the lines of the anecdotal evidence used in crisis negotiation literature to draw a connection between heightened religious fervor and paranoid delusions.¹⁴ This mechanical application would then lead to a completely unrealistic assessment of the subject as delusional, thus shifting the analytical emphasis from causes to symptoms.¹⁵ Such an oversimplification of perpetrator motives will result in an incomplete picture with regards to the hostage-takers’ real interests, which in all likelihood will lead to the selection of a negotiation strategy that will not only have little chance of success, but will even possess the capacity to make the situation all the more volatile.

One successful way to deal with politically motivated incidents in the past has been for the negotiator to stress the widespread attention the perpetrators’ cause had already received. Since publicity has usually been one of the main goals the terrorists strove to achieve in barricade hostage incidents, the captors could often be persuaded that they have succeeded in their mission, and that killing hostages would only hurt their cause in the eyes of the public.¹⁶ Since most terrorist movements use the rhetoric of liberation from oppression and inhumane treatment, the same language could be used to reiterate the innocence and suffering of the hostages, in order to appeal to the moral beliefs of the captors. And while these standards were typically automatically deflected, their pronouncement still played an important role in the effort to humanize the victims to their captors as much as possible, in order to make cold-blooded execution of hostages psychologically more difficult.¹⁷ The stressing of the attention the terrorists’ cause had already achieved in combination with a guarantee of a free passage for the terrorists has historically been the most frequent formula for the negotiated resolution of politically inspired barricade incidents. Such outcome is sometimes called the “Bangkok Solution,” referring to the 1972 incident in which members of the Black September took over the Israeli embassy in Thailand, but after nineteen hours

of negotiations agreed to release their hostages and drop all other demands in return for safe passage out of the country.¹⁸

In the era of the “new terrorism,” however the situation will probably be much more complicated. Firstly, the terrorists’ overt pronouncements of “love of death” and “desire for martyrdom” will make the question of a free passage a highly delicate matter, as such a proposal will likely be interpreted as an offensive second-guessing of the fighters’ commitment to God, possibly only escalating the situation. For instance, in the initial stages of the Moscow theater attack the Russian government made an official statement in which the authorities offered the hostage-takers a “green path” to any third country if all hostages were immediately released.¹⁹ This only served to raise tensions, as this offer was made only four hours into the incident, and to an audience of fighters who kept repeating their desire for martyrdom in all media interviews. Unsurprisingly, the terrorists were insulted by the idea of their personal safety being used publicly as a bargaining chip, and in response threatened to start executing hostages.²⁰

Secondly, the terrorists’ prior knowledge of the processes that typically make it difficult for hostage-takers to kill in cold blood will possibly lead the terrorists to the conscious obstruction of these dynamics, which in combination with the advanced level of enemy dehumanization associated with religious sanction of their actions will almost certainly make the moral appeals on the terrorists’ conscience unsuccessful. Indications of such preparations are clearly visible in the Al Battar 10 manual, in which al Muqrin focuses on disrupting the formation of the Stockholm Syndrome²¹ by rotating guards, keeping the faces of the hostage-takers and the eyes of the hostages covered at all times, approaching hostages only in cases of emergency and necessity, and keeping the regular distance to no less than 1.5 meters.²² Such measures are designed to limit interaction with the hostages, and thus reduce the chances of their humanization in the minds of the hostage-takers. Consequently, executions of some hostages throughout the course of barricade hostage crises involving the “new terrorists” constitute a likely development.

And thirdly, the alleged absence of a politically mindful constituency on behalf of the “new terrorists” will likely make the negotiation emphasis on the success associated with high level of publicity already achieved a much less persuasive argument. Overall, the management of barricade hostage crises involving the “new terrorists” will probably be even more challenging than the high-pressure terrorist standoffs of the past.

Negotiating with the “New Terrorists”

In the introduction to this article, negotiation has been defined not just as the act of making deals or bargaining, but as the deliberate act of exercising influence over someone else’s thinking, behavior, or decision making. One of the most important keys to exercising influence effectively is understanding one’s counterpart. This is for several reasons, among them the fact that people do not think, behave, and make decisions based on objective truth; rather they according to *their perceptions*—which are, by definition, subjective. Secondly, each individual is persuaded by different criteria, and to differing degrees. Therefore, if negotiators want to maximize their ability to influence any particular individual, they must make an effort to understand what will be most persuasive to *him/her*. In the area of responding to terrorist threats, this has been one of the governments’ greatest limitations, as the assessment of the characteristics of an enemy is frequently based simply on the projection of one’s own fears and biases, as opposed to an actual understanding of their motivations and strategic mindsets. The widespread use of the term “terrorist” alone expresses an understandable revulsion and disagreement with the other party’s beliefs and methods, but all too often leads to the refusal even to attempt to understand the terrorists’ motives;

driven by the fear that such a process in itself constitutes a violation of core values and allegiances. This comes as a result of one of the biggest obstacles to effective negotiation: confusing *empathy* with *sympathy*, and adopting the unquestioned assumption that *understanding* someone is seen as too close to *agreeing* with them. As a result there is a common tendency automatically to attribute to the terrorists all the worst possible characteristics and to simplistically explain their motivation as “evil nature” or “hatred of our freedoms,” while completely ignoring the validity of some of their grievances and the conditions and personal perceptions that drove them to their extreme behavior.

Nowhere is this phenomenon of projected attribution of motive more prevalent than in the common portrayal of the “new terrorists” as irrational fanatics who do not seek to benefit an “earthly” constituency and whose violent actions are a self-serving mission to fulfill their twisted interpretation of God’s will. Common responses to the idea of using negotiation as a potential tool for a peaceful resolution of barricade hostage crises involving such actors include claims that religion is nonnegotiable, and that since the “new terrorists” do not use violence as a means to an end but rather as an end in itself, the baseline for exercising influence via rational communication is assumed not to exist. However, it has been this very assumption on the *governments’ part* that has represented the greatest obstacle to a negotiated settlement.

A good crisis negotiator makes a clear distinction between the *human being* who, for some reason, has chosen to engage in an act of terrorism and the *act itself*. As detailed examination of historical cases shows, when terrorists embark on a mission to take hostages in a barricade setting they do so with specific—and rational—purposes in mind. With the exception of acts such as the 9/11 operation (a hostage-taking used only as a means to take control of the aircraft with the sole purpose of using it as a guided missile), these purposes consist of attempts to achieve the fulfillment of rational instrumental demands, such as specific political concessions, pullout of enemy troops, or release of comrades from prison. In fact, no terrorist *barricade* hostage crisis in history has *ever* been conducted with the primary aim of killing the hostages. Terrorist operations that were designed to serve this purpose have taken the form of bombings, small arms attacks, and even attacks with chemical and biological agents, but so far have never come in the form of taking hostages with the purpose of killing them all in front of an audience. This is not to suggest that such a scenario is inconceivable or even improbable.²³ But what this does suggest is that when terrorists deliberately take hostages in a barricade setting, they do so with the expectation that they can achieve more by using the hostages as a tool, than by killing them directly. In fact, the sole act of deliberate capture of hostages in the barricade scenario is in itself an expression of confidence on behalf of the terrorists that negotiating terms is possible. If that is the case, then why should one assume otherwise?

The common objection to possibility of negotiations with the new terrorists would point to their allegedly uncompromising religious ideology. But actually, an exhaustive historical survey of global terrorist incidents suggests that this rational approach to barricade hostage-taking holds true for *all* terrorist groups, regardless of the specifics of their belief system. On the one hand, it is true that a group’s ideology does have some predictive value with regard to the perceived strategic utility of launching barricade hostage incidents in the first place. For instance, a nationalist-separatist group that seeks to attract international support for its bid for autonomy is likely to be attracted to barricade hostage crises or skyjackings, because of their ability to attract worldwide attention without necessarily committing the potentially politically damaging act of murder. In contrast, apocalyptic terrorists are much less likely to use such instrumental tactics, because these are not relevant to their overall strategic objective of “destroying the world in order to save it.” But while this analysis of a group’s

ideology provides an insight into the likely perpetrators of barricade incidents, history has shown that when a group does in fact embark on such a mission, the decision is based on a rational, instrumental calculus—regardless of how “irrational” the group’s ideology may seem. Even Aum Shinrikyo’s sole hostage-taking incident,²⁴ the 1995 hijacking of Nippon Airways flight 857,²⁵ was motivated by a rational instrumental demand for the release of the cult’s guru from prison—despite the fact that Aum’s ideology was based on a “cosmically scientific” mix of prophetic cultic practices that was difficult for most people to comprehend. The implication here is that even “religious” terrorists have employed a highly *coherent* approach to barricade hostage-taking. Contrary to popular expectation, the “new terrorist” hostage-takers are not delusional fanatics who claim to speak directly to God and who lack the capability to engage in rational conversation; they are highly politically aware, understand the principle of *quid pro quo*, and have a set of goals and expectations with regard to the outcome of the standoff. In essence, the “new terrorists” in general are effectively very similar to their “traditional” counterparts: they are individuals who fail to see alternative perspectives on the issues for which they are fighting, and who empathize with—or attempt to embody—the victimization of their own people, while exercising minimal empathy for their victims. That is not to say that for many terrorists, religion does not represent a tremendous legitimizing force and that it does not inspire the perception of enormous gratification and empowerment. But the terrorists are still primarily motivated by grievances that are very real.

To sum up, states that are victims of a terrorist campaign frequently insist on projecting their opponents as irrational fanatics. But while this strategy may in some cases be successful in generating domestic political support, it carries with it the danger of failing to recognize the actual grievances that motivate the terrorist. In the context of barricade hostage crises, this will lead to the automatic dismissal of the “new terrorists” as irrational and essentially will rule out even the mere possibility of negotiation. However, as recent high profile cases have shown, such a dismissal is likely to have tragic consequences. The key point to emphasize here is that, especially in cases involving the “new terrorists,” who in addition to achieving their main objectives have prepared the fallback of rendering a rescue operation as costly as possible, there is nothing to be lost by talking with the hostage-takers. On the contrary, there is absolutely nothing to be gained by the assumption that the “new terrorists” cannot be negotiated with. This is not to suggest that the answer is to be “soft” on terrorists, nor to make unwise concessions; but rather, to use influence more effectively to change the game, whenever possible, and to remember that any response incentivizes future behavior by the same and other groups. If “tough” response strategies contribute to a trend of higher stakes, more hostages, greater lethality, and lesser willingness to negotiate, that is hardly a desirable progression.

Deviating from Standard Guidelines

The aforementioned finding about the terrorists’ inherently rational approach to barricade hostage incidents is partially consistent with the consensus within the crisis negotiation community that the “current set of negotiation strategies and tactics available to law enforcement provides viable alternatives from which to choose, whatever the motivation for the taking of hostages.”²⁶ Some of what is on the current menu still holds, yet many of the assumptions on which some of the guidelines and checklists are based no longer apply in cases of “new terrorism.” In other words, in such cases the same principles of negotiation such as active listening, focusing on understanding interests and alternatives, generating options, and the use of criteria are all still relevant. At the same time, many caveats and

unexpected developments are likely to take place, requiring improvisation and deviations from the protocols established in the crisis negotiation “playbook.” Since many of the conditions which have long been believed necessary in order to negotiate are no longer relevant or affordable, the metrics used to determine the “negotiability” of an incident and the indicators for measuring progress need to change. A mechanical application of the crisis negotiation manual, built mainly on the lessons drawn from nonideological incidents involving individuals without a premeditated plan, is likely to yield undesirable outcomes.

Unfortunately, there is a common tendency to stick to what has worked in the past, and to quickly diagnose and compartmentalize the hostage-takers into neat and distinct categories in order to bring at least some certainty into a chaotic situation,²⁷ creating an environment in which creativity and improvisation are unwelcome distractions. In addition deviation from prescribed guidelines is essentially discouraged by constant reminders that these guidelines have been built on experiences of generations of negotiators,²⁸ or alternatively, by pointing out the possible risk of legal repercussions associated with deviation from standard procedures outlined in crisis negotiation training manuals, such as responding to particular threats, handling “non-negotiable” demands, or drawing attention to certain issues.²⁹ And while this prescriptive approach of “do’s” and “don’ts” may be effective in routine situations for which abundant experience exists, the historical rarity of incidents involving the “new terrorists” will make the necessity of deviations from standard incident assessment checklists a near certainty. For this reason negotiators will need to learn critically to reevaluate many of the fundamental assumptions upon which they routinely rely.

Change of Expectations

One of the inevitable adjustments that negotiators and decisionmakers will have to make is to change their expectations with regard to what constitutes a successful outcome. In incidents encountered by law enforcement officers on day-to-day basis, the main objective is to get everyone out alive, including the hostage-takers. In incidents involving the “new terrorists” however, such an outcome is highly improbable and crisis managers need to understand this, in order to avoid panic and the rejection or abandonment of negotiations in case of any unexpected developments. And while it is true that one of the biggest obstacles to negotiation in general is the a priori assumption that something cannot be achieved, an unrealistic expectation of a perfect outcome can be just as debilitating. For instance, if the survival of everyone inside constitutes the incident command’s only definition of a successful outcome or the only basis for continuing negotiations, then executions of hostages will come as a shock that will likely lead to a knee-jerk reaction and a complete reassessment of negotiability. So while responders certainly should not give up on the desire to save as many people as possible, they should prepare themselves for the likelihood of violence while still pursuing negotiation.

Another area where definitions of a successful outcome will need to be changed is the fate of the hostage-takers. In standard situations the ambition is to achieve the immediate apprehension of the suspect, and in most manuals the question of providing free passage to the hostage-taker is a priori ruled out as a “nonnegotiable demand.”³⁰ The idea of letting a criminal “get away” is, understandably, unacceptable to law enforcement agencies—whose job it is to catch criminals. But in cases involving terrorists who have preplanned the operation some difficult dilemmas arise. The most important one for decision makers to think about is how to balance the conflicting objectives of saving the lives of hostages and bringing criminals to justice. When dealing with the “new terrorists,” the best overall option

may be to think of achieving these objectives separately—possibly even at different times and in different places.

Hereby lies another important lesson of the historical record. All too frequently is it the case that the issue of free passage is first brought up in the form of an offer from the authorities. This is a serious error, as one of the cardinal rules of crisis negotiation is that negotiators should avoid asking the subject for demands, because it gives him or her too much power and raises expectations. The meticulously preplanned nature of “new terrorist” incidents, as well as the involvement of hostage-takers who assume an overtly suicidal posture, is likely to make such an offer counterproductive. Firstly, as seen in the Moscow theater and Beslan, the terrorists are likely to be offended by the public questioning of their commitment to martyrdom or by the invitation to “run.” Secondly, it is foolish to expect hostage-takers to accept such an offer, if they themselves did not initiate the discussion. A preferable course of action is to prolong the incident in order to change the hostage-takers’ expectations and to leave it up to the terrorists to initiate debates about their safety. This does not mean that the negotiator always wants to avoid drawing the terrorists’ attention to their personal safety, but this needs to be done through active listening and subtle communication, as part of an exchange or a conversation about bringing the incident to a negotiated conclusion. Quite simply, unless it is the terrorists who initiate the demand for free passage, negotiators should avoid raising the issue. Another problem has been the initiation of the free passage conversation way too early into the incident, while the hostage-takers were still highly energetic and perceived their position to be one of complete control. Such a step is more likely to be seen as a tactical provocation than as a serious offer. Further, in some cases such an early offer was indeed more of a demonstration of the rejection of negotiations, than a serious attempt to achieve a peaceful outcome. In the Moscow theater and the Beslan school for instance, the offer for a free passage seemed to have served the sole purpose of building an alibi later to justify a rescue operation by providing “proof” that all options on the negotiation front had been exhausted.

But it is important to remember that crisis negotiation is a highly dynamic process in which more important than the rejection of an offer itself, are the circumstances and timing in which this development occurs. While “standard” barricade situations that serve as the experience pool from which lessons for the negotiation manuals are drawn last on average roughly ten hours,³¹ in absolute terms ranging from one to forty hours,³² in preplanned incidents involving multiple attackers working in shifts, it may take weeks before the change in expectation begins to occur (i.e., the Moscow theater crisis lasted 58 hours, Beslan 52, Mumbai attacks 60 hours, Red Mosque siege 11 days). Despite many promising indicators of a positive progression in most of these incidents, they were still cut short by armed operations. So while on day one the “new terrorists” will only be offended by a discussion about their personal safety, in week five they may well assume a different position; especially if there has been some movement on issues associated with their core interests. For this reason, the issue of free passage should be held until later, and negotiators should wait for the terrorists to raise it first (without, of course, setting an internal deadline for such a request to be made). Decision makers must change their expectations with regard to the timing of changes in hostage-takers’ behavior. Because global experience in dealing with “new terrorist” hostage-takers is extremely limited, there is too little data on which to base expectations. After all, the longest modern barricade hostage crisis³³ at the Japanese Ambassador’s residence in Lima, Peru lasted 126 days (from 17 December 1996 to 22 April 1997), and even then was cut short prematurely by a spectacular and well-prepared, but also rather lucky rescue operation.³⁴

Assessment of Negotiability

One of the shortcomings of the contemporary crisis negotiation manuals is the fact that many of the diagnostic tools used to assess negotiability of an incident show a limited applicability to cases involving the “new terrorists.” On the one hand, most of the indicators used to measure negotiation progress, such as reduction in subject’s expectations, decrease in threatening behavior, humanization of hostages over time, and the passing of deadlines without incident, would still apply. On the other hand, the same cannot be said of the indicators of volatility. Most of these indicators tend to be inherent in incidents involving terrorists such as premeditation, history of violence, prior confrontations, presence of excessive weapons or explosives, isolation or dehumanization of hostages, insistence on a particular person to be brought to the scene, violence even after negotiations had started, or the presence of multiple hostage-takers.³⁵ And yet, many terrorist incidents have either been resolved via negotiation or negotiators achieved significant gains at times during such incidents, which raises the question of how reliable the indicators of volatility really are with regard to their use in determining the “negotiability” of terrorist barricade hostage crises.

Conventional wisdom suggests that negotiations are likely to be more successful in cases where the hostage situation is a product of desperation, than in premeditated incidents. In nonterrorist cases, such situations are typically associated with criminal activity or domestic violence, where the hostage-taker is essentially not determined to kill in the first place, and where his or her main objective in the standoff is to minimize the consequences of past behavior; thus providing strong incentives not to harm the hostages. This lack of readiness to carry out threats, as well as the hostage-takers’ dependency on cooperation with the authorities in order to fulfill the core objective, works in the negotiator’s favor, by creating an environment in which the risk to hostages is comparatively low. The hostage-taker often willingly engages in bargaining to get the best possible terms, and the negotiator operates from a position of strength, backed up by the threat of force and the warning that any violent acts by the hostage-taker will only get him into more trouble.

Given the crisis negotiators’ environment in such cases in which the spontaneous nature of the incident and the expectations of the hostage-taker give the negotiator more leverage, it is not surprising that incidents showing signs of prior planning are then assessed as volatile.³⁶ A premeditated siege will obviously be more difficult to negotiate due to the perpetrators’ likely ability to negate many of the levers on which the current crisis negotiation approach relies, and due to their preparedness to foresee and adjust to possible contingencies. But as observed in modern *terrorist* barricade hostage incidents the preplanned nature of an incident may actually have a *stabilizing* effect with regard to the level of threat posed by the terrorists to the hostages’ safety. The “new terrorists” tend to kill their hostages mainly in situations where they experienced obstacles to their initial plan (i.e., Egypt Air 648 and Pan Am 73 hijackings) or in cases where they have been pushed too far into a corner and then use threats to the hostages as levers of influence back on the negotiators (i.e. Air France 8969). Especially if the terrorists are not on a hostage-taking mission but rather on a killing spree in which they take hostages as a reaction to unexpected developments, their “killing mind-set” makes such a situation more volatile than a pre-planned and highly organized hostage-taking operation, in which the terrorists are less likely to be thrown off guard and panic. Planning makes sudden violence against the hostages less likely. Further, as discussed earlier, the preplanned nature of a terrorist barricade hostage crisis is likely to be associated with a particular strategy and set of goals, which will likely mean a more rational and calculated approach to negotiations. So unlike in day-to-day crises where

premeditation is considered an indicator of volatility, in terrorist incidents it is rather the inadequate preparation on behalf of the terrorists who have taken hostages on their way on a suicide mission that response teams should be worried about. In short, well-prepared terrorists with a thoughtful plan make for a more difficult, but less volatile negotiation.

Executions of Hostages

Perhaps the most crucial indicator of volatility currently used to determine “negotiability” of a barricade hostage incident is the act of executing hostages. Experience shows that the vast majority of hostage casualties in barricade incidents occur in the opening moments of the siege, when the hostage-takers are aroused and highly nervous as they are trying to establish control over the panicking crowd (i.e., Budyonovsk hospital, Beslan). In only very few instances do the hostage-takers initiate executions later in the incident. Based on the rationale that captors are psychopaths who will kill again, hostage executions commonly lead incident commanders routinely to conclude that negotiations have no chance of success, and the center of gravity, therefore, shifts toward a tactical resolution.³⁷ However, in the context of the “new terrorism” in which the opponent has the capacity to make any assault or rescue operation as costly as possible, such a decision will likely have catastrophic consequences. Based on the utilitarian principle of saving as many lives as possible, instead of giving up on negotiations, negotiators must rather continue to look for ways to exercise influence and de-escalate the situation. The decision to abandon negotiations should never be made out of frustration, and should never be purely a reaction to a calculated violent provocation.

Significantly, a review of all hostage incidents between 1945 and present clearly demonstrates that in the context of terrorism, the killing of hostages throughout an incident does not by itself represent a reason to abandon negotiations. In addition, with the possible exception of Rezaq Omar Ali Muhammed, the executioner in the 1985 Egypt Air Flight 648 hijacking, there is no evidence of any psychological abnormality among the population of terrorist hostage-takers.³⁸ This makes the argument upon which the execution of hostages is used as evidence of “non-negotiability” invalid. Rather than the act of execution itself, it is the understanding of the logic used for the victims’ selection and the circumstances in which these killings occur, that become vital to the analysis of whether the terrorists are indeed prepared to kill *all* of their hostages indiscriminately or whether they are baiting the authorities.

There are only 14 *barricade-hostage* cases in history where terrorists demonstrated a willingness to execute hostages in order to create pressure on the government to concede to their demands. In every single instance there was a clearly identifiable motive behind the terrorists’ selection of their victims,³⁹ falling into three basic categories: individual behavior, representative identity, and perceived threat. The first category of victims is constituted by hostages selected for execution based on their *behavior*—perceived as aggressive or provocative. The first such incident was the 1970 hijacking of British DC-10 airliner from Dubai to Tunisia by the Palestinian Rejectionist Front, in which a drunken German passenger was selected for execution after he deliberately insulted the hijackers by mockingly making homosexual advances toward them.⁴⁰ Significantly, despite this execution the negotiations continued and the crisis was eventually resolved without further bloodshed. Next was the 1975 hijacking of a passenger train in the Netherlands by the South Maluccan Independence Movement, on the second day of which the terrorists selected one of the passengers, Gerard Wanders, for execution in order to prove their seriousness. Wanders was allowed to pass a farewell message to his family. Fascinatingly, after hearing

his highly personal and emotional confession the terrorists were not able to kill Wanders, and selected a substitute whom they killed on the spot. In this case as well the unfortunate passenger was described by other hostages as a “troublemaker,” whom “nobody missed when he was gone.”⁴¹ Despite the killing, the crisis again ended in a negotiated settlement. Another incident in which the executed hostage directly contributed to his own death was Princess Gate (1980), in which six gunmen from the separatist Khuzestan region took over the Iranian embassy in London. During this incident embassy employee Abass Levasani repeatedly mocked the terrorists by vociferously praising their arch enemy, Ayatollah Khomeini. When he was threatened, Levasani exposed his chest and challenged the gunmen to kill him, stating that he wanted to become a martyr. On the sixth day of the crisis the terrorists accommodated him and threw his body into the street.⁴² Similarly, Abu Abbas, the lead hijacker of the *Achille Lauro* cruise ship in 1985, justified the killing of Leon Klinghoffer, the 69-year-old wheelchair-bound man, by saying that “[Klinghoffer] created troubles. He was handicapped but he was inciting and provoking the other passengers. So the decision was made to kill him.”⁴³ During the same year, U.S. Navy diver Robert Dean Stethem was beaten and executed by the hijackers of TWA Flight 847, in order to pressure the authorities into providing a fuel truck.⁴⁴ Some accounts suggested that Stethem was selected for execution because of a mistranslation of his occupation into German, which allegedly might have driven the terrorists to believe that he was somehow associated with the Marines in Beirut.⁴⁵ However, according to other hostages, Stethem was challenging the terrorists with a stare and did not respond to the terrorists’ threats to lower his head.⁴⁶ The fact that Stethem’s colleague Clinton Suggs, was also beaten but never killed, indicates that Stethem’s non-compliance was probably an influential factor in his execution. Of course, this is not to even remotely imply that any of these hostages deserved to die. It is merely to suggest that there is usually a logic—and a particular purpose—to such executions that should not imply that an incident has reached a point of “non-negotiability.”

Another category of hostage executions consists of people killed because they are perceived as *representatives* of their respective nationalities, religions, ethnicities, or occupations; stripping them of their neutral status in the eyes of the hostage-takers and instead making them targets upon which the terrorists project their grievances and channel their anger and frustration. For instance, during the 1985 hijacking of Egypt Air 648 the terrorists selected hostages for pressure executions by picking out Israeli and American passports.⁴⁷ Interestingly four out of five of these hostages were women,⁴⁸ demonstrating that in some cases nationality can be more important criterion for selection than gender. Similarly, in the 1986 hijacking of Pan Am 73 in Karachi, or the 1994 hijacking of Air France flight 8969, executed passgers were selected because of their nationality.⁴⁹ This was also the case of the 1984 hijacking of Kuwaiti Airlines Flight 221 to Teheran in which two USAID employees, Charles Hegna and William Stanford, were beaten and executed.⁵⁰ The two remaining Americans were beaten and tortured, but survived. Interestingly, while engaging in these extreme actions, the terrorists concurrently demonstrated a willingness to release women and children, and instead of resorting to additional killings, they staged them by pretending to have shot two Kuwaitis—pouring ketchup on their bodies before inviting journalists to visit the plane and take photos.⁵¹ This action again underlines the fact that terrorists’ willingness to execute certain hostages does not necessarily translate into a willingness to kill *all* captives indiscriminately.

A final category of executed hostages are people who are perceived as threatening the hostage-takers’ control of the situation. In Beslan, for example, the terrorists’ first victim was Ruslan Betzov who made the mistake of publically translating the terrorists’ instructions for other hostages into Ossetian, which was seen as a direct challenge to

the terrorists, who had just minutes ago explicitly ordered all hostages to speak only in Russian.⁵² Additional 20 men were also executed and their bodies were thrown out of the windows. All of them were well built adult males, whose potential capability to attempt a mutiny the terrorists clearly feared.⁵³ In the Moscow theater, on the other hand, the terrorists killed three people, none of whom were actual *hostages*—all were people who attempted to enter the location later on. The first one of them was Olga Romanova, who breached the cordon, entered the auditorium and approached the stage making inflammatory remarks about the hostage-takers and shouting at the hostages to flee. Following a brief moment of confusion and uncertainty the terrorists decided to shoot the woman, later explaining that she was a spy sent by the FSB (Federal Security Services) to disrupt the situation.⁵⁴ Two hours later the terrorists killed FSB Colonel Konstantin Vasilyev, who tried to enter the building on his own initiative in an alleged attempt to exchange himself for the children.⁵⁵ And finally on the third day a man was killed after he entered the location, allegedly looking for his son (who, however, could not be found among the hostages).⁵⁶ What is important to reiterate here is that none of the people deliberately killed were *hostages*; they were all individuals who voluntarily walked into the theater during the standoff. This point is especially significant, as the absence of a past relationship between these people and the hostage-takers made their execution psychologically easier, due to the absence of the Stockholm Syndrome. In addition, the terrorists' interpretation of those killed as "FSB stooges" and "spies" further contributed to their dehumanization, making the killings even easier. In sum, all of the situations in which people died required action perceived as necessary by the terrorists, who would certainly not have been able to maintain control over the crowd had they not acted.⁵⁷ This, of course, does not make these murders any less cruel or tragic, but understanding the circumstances under which such killings occur is critical for accurate assessment of negotiability. While a cold-blooded execution of hostages as a negotiation tool may significantly lower the likelihood of a negotiated solution, killings under these circumstances do not necessarily have the same implications for negotiation.

The contemporary incident assessment tools described earlier are based on the premise that the hostages have no value to the hostage-taker except for the audience the incident will create.⁵⁸ There is also the related assumption that once a hostage-taker has killed, he will inevitably do so again. While this may be true for criminal incidents commonly encountered by police crisis negotiation teams (and even in these situations executions of hostages are extremely rare), an exhaustive survey of historical cases has demonstrated that, in the context of terrorism, these assumptions clearly do not hold.

The main reason for why that is the case lies in the fact that a terrorist hostage-taking is a highly expressive act, in which hostages become more than instruments for attracting attention or an insurance policy against a violent resolution. They are sometimes pawns in a game of cat-and-mouse with a government, or bait in a planned "homicide-by-cop," where the authorities are provoked into a deadly assault for which the government will be at least partly blamed. In the Moscow theater, for instance, the terrorists' clear preferred outcome was the end of war in Chechnya and the pullout of Russian troops from the republic, but the terrorists also had a fallback option of forcing the Russians to kill as many hostages in the *rescue operation* as possible, while themselves dying in the attack. This hierarchy of goals was later confirmed by the mastermind of the operation, Shamil Basayev, who acknowledged the failure of the attack in terms of forcing the Russians to pull out of Chechnya, but also praised its success in terms of "showing to the whole world that Russian leadership will without mercy slaughter its own citizens in the middle of Moscow."⁵⁹ Similarly in Beslan, Basayev preferred a negotiated outcome, but had another strategic goal that would be fulfilled in Beslan regardless of the outcome of the incident:

the provocation of violent retaliations by the predominantly Orthodox Christian Ossetians against the Muslim Ingush minority in the province,⁶⁰ where more than 600 people had already died in ethnic clashes between both groups in 1992.⁶¹ These were then supposed to provide a spark for a large-scale Christian–Muslim confrontation in the entire Caucasus, not only taking the pressure off Chechnya, but also creating a nightmare scenario for Moscow.⁶²

To conclude, because of the disparate status among hostages in terrorist incidents, the high level of threat to some groups of captives does not necessarily translate into the same amount of risk to the others. And while from a moral and legal perspective, the circumstances under which the terrorists murder their innocent victims make no difference, in order to accurately assess the negotiability of an incident in which a hostage has been killed, the negotiators must consider the “discriminatory” criteria used by the terrorists to select their victims and the specific circumstances under which they are killed. From this diagnostic perspective, the knowledge of these exact circumstances has the potential not only to help differentiate the level of threat posed to the safety of individual hostages inside, but also to determine the terrorists’ preparedness to execute hostages on a truly *indiscriminate* basis or in larger numbers. If there is some rational explanation (however offensive or unjustified), experience suggests that this should not constitute an insurmountable barrier to negotiation. Further, in the event that a selection pattern other than aggressive behavior is identified, negotiation strategy can be adjusted accordingly in order to prioritize the negotiated release of hostages; either focusing on those at the highest risk of being executed or on those most likely to be released. If successful, this move could potentially reduce the chances of further executions or, alternatively, create the chance to save some lives. Judging by the instruction to execute strong males in the beginning of a barricade incident prescribed in *jihadi* Internet manuals on hostage-taking, negotiators may want to find an effective argument to persuade hostage-takers to release all the able-bodied *men* first, in order to remove the potential threat—without having to murder them, as opposed to following the traditional priority for evacuation of women and children first. This could serve a few purposes which might be agreeable to some hostage-takers; they will be at less internal, tactical risk, while they will maintain the most effective deterrent to an assault (the children and women), while, at the same time saving some hostages and, possibly, making the situation inside less tense with the internal physical threat removed.

Overall, there is no doubt that the killing of hostages in barricade incidents substantially complicates subsequent negotiation efforts. On the other hand, ample evidence exists suggesting that death of hostages throughout *terrorist* hostage-taking incidents does not automatically create an insurmountable barrier to negotiated agreement, as demonstrated by the aforementioned cases of 1970 DC-10 hijacking, the 1995 Budyonovsk hospital siege, or the 1984 Kuwaiti Airlines Flight 221 and the Indian Airlines Flight 814 hijackings. Another point to reiterate is that executions of hostages at deadlines are extremely rare. One of the reasons for this is the fact that deadlines for fulfillment of specific demands are typically arbitrary, with little intrinsic meaning attached.⁶³ As a result, these deadlines can be broken if the authorities show a sign of at least some movement on the issue, while simultaneously providing a plausible explanation for why the demand cannot be met in the time given. The few executions at deadlines that have taken place occurred when the terrorists reached the conclusion that the authorities were not negotiating in good faith, not negotiating at all, or even insulting the hostage-takers. In most cases, this perception was accurate. The key lesson here is that in cases where the authorities communicate in good faith (whether or not they actually concede to demands), there is less danger to the lives of hostages.

Suicidal Posture

Another highly volatile scenario for negotiators is the management of hostage crises involving subjects who assume a suicidal posture. In conventional crisis negotiation practice, the hostage-taker's desire to survive serves as a prerequisite without which negotiations are allegedly not possible. This argument is based on Maslow's hierarchy of needs, and assumes that since the desire to live is stronger than any other need, in its absence there is nothing for the negotiators to offer.⁶⁴ Implicitly, using the standard incident assessment checklists, hostage crises involving perpetrators who proclaim that "[they] are more keen on dying than [we] are on living" (as Movsar Barayev did in the Moscow theater), are likely to be declared automatically as "nonnegotiable" from the outset.

Here lies another weakness of the standard manuals with regard to their applicability to terrorist incidents or more specifically, with regard to the mechanical application of this criterion for purposes of incident analysis. It must be emphasized that even in cases where the hostage-takers assume a highly suicidal posture, it is essential to make the distinction between the *willingness* to die and the unwavering *intention* to die. Most terrorists are willing to die for their cause and groups such as Hamas, Hezbollah, and the Liberation Tigers of Tamil Eelam (LTTE) have deeply venerated martyrdom to the extent that their members have often regarded dying in the service of the group as the highest honor; at the same time only some terrorists see their death as the preferred outcome in a particular *hostage-taking* incident, where death while being a real possibility comes only secondary to fulfillment of the group's demands. According to Corsi's statistical analysis of incidents recorded in the ITERATE dataset, terrorists engaging in barricade hostage crises were suicidal in only 1 percent of the cases, while in 94 percent of incidents they were willing to give up their lives, but preferred not to.⁶⁵ This implies that even when terrorists repeatedly express their determination to die during a standoff, this claim alone should not be assumed an insurmountable barrier to negotiations. And even though the likelihood of encountering suicide hostage-takers is much higher in the context of the "new terrorism" than in Corsi's sample, declarations of readiness to "be martyred" still should be treated as a rational course of action aimed at improving the terrorists' negotiating position by denying the authorities threat level. The proclamation of the desire to die weakens the deterrent value of any threats by the government to resolve the situation forcefully.⁶⁶ Clearly, in the context of "new terrorism," the validity of viewing the desire to live as a universal baseline condition for negotiability of an incident requires a significant reevaluation.

As previously argued by Slatkin, even though the terrorists may have a desire to become martyrs, "it should not be assumed that they are ready or willing to die on *that day* [emphasis in original]."⁶⁷ In addition, while it is crucial to have knowledge of the perpetrator's operational trajectory as a precondition of negotiation strategy selection, it is also imperative to assess the given situation based on the tactic used in the individual attack, and not necessarily project other tactics favored by the group onto the barricade scenario. In other words, just as a criminal hostage-taker's lack of a history of violence does not automatically preclude the possibility of him killing the hostages, the fact that a given terrorist group has previously embarked on a bloody suicide bombing campaign does not necessarily mean that a barricade hostage scenario perpetrated by this group will inevitably result in the killing of all hostages in an act of "martyrdom." For instance, in the Moscow theater siege, perpetrated by the Riyadus-Salikhin Suicide Battalion (RAS), which had a significant history of engaging in suicide bombings,⁶⁸ the terrorists did not try to maximize casualties among the hostages, even though they had more than 20 minutes to kill everyone before succumbing to the effects of the anesthetic gas fentanyl that was released into the

auditorium during the operation.⁶⁹ Similarly, the terrorists in Beslan, even while assaulted, chose not to maximize casualties among hostages but instead attempted to reestablish the barricade hostage scenario by relocating the hostages that survived the initial blasts into the cafeteria and putting children into windows as human shields.⁷⁰ Moreover, as seen with the examples of failed suicide bombers from Chechnya, Turkey, Afghanistan, Pakistan, and Palestine, even bombers sent on a suicide bombing mission can sometimes experience a change of heart.

If even operatives on missions that ostensibly guarantee certain death can change their minds, then why assume that hostage-takers engaging in an operation that has an open-ended outcome cannot be similarly influenced? And even if the desire to become martyrs may be unshakable, why assume that there is nothing to be gained by negotiating the conditions under which that happens and whose lives are taken along with the “martyrs”? Change of heart on suicide missions is in fact rather common, especially in situations that are fluid, such as *fidayeen* shooting sprees. During the September 1986 hijacking of Pan Am Flight 73 in Karachi, for instance, the terrorists confessed their plan was to “drive the plane somewhere toward some sensitive strategy center of the Zionist enemy and blow it up with [everyone] inside . . . [the hostage-takers] wanted to destroy the sensitive strategic center of the Zionists through an American weapon—the explosion of an American plane.”⁷¹ However, during the assault on the plane, three of the four terrorists were caught while trying to escape or hide among the hostages, introducing some doubt into their unwavering resolve to die. Another example of this is the 2004 Al Qaeda suicidal shooting spree on the Oasis residential compound in Saudi Arabia, in which the terrorists slaughtered 22 people and waited to be killed in a final battle, but eventually changed their minds and decided to break through all six layers of the security cordon and flee. By the time the final assault had taken place the militants were already watching the helicopter land on the hotel’s rooftop from miles away.⁷² Similarly, in the 2008 *fidayeen* operation on commercial targets in Mumbai, two of the terrorists, Ismail and Kasab, also attempted to escape, having found themselves still alive after killing 52 people at the Mumbai’s Chhatrapati Shivaji Terminus (CST).⁷³

To conclude, in most *hostage* cases, the outcome of dying a martyr’s death represents the terrorists’ fallback option, or “plan ‘B.’” This means that as long as negotiators can maintain the perception that there is a chance of achieving something more attractive than this baseline position, negotiations are possible. In the era of “new terrorism,” the terrorists’ alternatives have been strengthened considerably by the proliferation of the culture of martyrdom, which makes death much less unappealing. At the same time, if martyrdom were more attractive than the possibility of a negotiated settlement, the hostage-takers would demonstrate less concern for their own safety, and would likely embark on a suicide bombing mission or a Mumbai-style *fidayeen* attack, which are options that are operationally less challenging, less expensive, and introduce less room for error than highly complex large-scale barricade hostage-takings.

As shown throughout the case studies briefly mentioned here, when embarking on the tactic of *barricade hostage-taking*, even the “new terrorists” prioritize a negotiated agreement over martyrdom. In such situations, the hostage-takers are unlikely to blow themselves up as long as an alternative of another outcome exists, or as long as they believe governments may actually fulfill their demands. Even if that is not the case, negotiators should still ask themselves what they can do to maximize influence—even hostage-takers who prefer to die have additional interests that can be explored, and about which something might reasonably be done. For instance, the handing over of the terrorists’ bodies to their families, or even offers of burial in accordance with the respective religious and cultural

traditions are likely to be negotiable issues. And even if the hostage-takers decide to die “*on that day*,” an opportunity may still exist to trade for an “honorable” final shootout among combatants on both sides (as suggested by the terrorists in the Moscow theater), which may be more politically attractive to the perpetrators than a vision of an indiscriminate slaughter of children.

Use of Third-Party Intermediaries

Besides indicators of progress and volatility, crisis negotiators also rely heavily on experiences from past incidents in the form of “do’s” and “don’ts.”⁷⁴ One of the practices that traditionally falls into the category of “don’ts” is the idea of using third-party intermediaries (TPI) as negotiators, under the rationale that intermediaries lack specialized training, are out of the negotiation team’s direct control, and may have a past relationship with the subject that can be destabilizing.⁷⁵ However, in situations involving the “new terrorists,” where police negotiators are unlikely to be viewed as trustworthy counterparties (due to their affiliation), it may very well be the case that TPIs are sometimes preferable. Further, as seen in many recent cases, with the exception of incidents involving ulterior motive such as the Air France 8969 or Pan Am 73 hijackings, the “new terrorists” tend to demand particular figures to serve as negotiators. In most cases, they can be expected to ask for someone whose general views on their grievance they are familiar with, and for people that have the authority to make decisions. Very rarely have terrorists accepted an offer to provide an intermediary such as a well-known religious authority, presumably out of fear of being manipulated or simply because the idea came from the authorities. Nevertheless, in terrorist incidents it is more important to consider the “who, why, when, and how” an intermediary might be used, as opposed to whether or not they should be used at all.⁷⁶ One of the main reasons is that the dynamic between terrorists and the authorities is almost always one of mutual animosity in which neither side can back down, or make concessions to the other. Introducing a TPI can change that confrontational dynamic into one in which a credible third party may make suggestions that both sides might consider without having to cede credit for it to an enemy.

The involvement of well-known figures such as journalists, politicians, celebrities, or academics whose perspective on the issue at hand is seen as neutral or sympathetic by the hostage-takers can be a good idea, when managed skillfully. After all, in negotiation, one’s currency is influence. Logic would suggest that in situations where the authorities’ main source of influence over the hostage-takers is minimized through preparation and tactical countermeasures, a useful next step would be securing new sources of influence—one of which is an intermediary that has a different relationship to the hostage-takers and a higher level of credibility with them. Although the practice is generally discouraged, for this category of intermediaries, it is sometimes possible to hold face-to-face negotiations,⁷⁷ provided that this opportunity is used to obtain some concession from the terrorists such as the release of some hostages, or at least for a public guarantee of the intermediary’s safety. While this may seem like a small concession, getting the hostage-takers into the habit of making promises not to hurt people is a useful starting point for establishing a better process than the mutual coercion that is likely to result in violence if left to fate. Alternatively, a condition could be attached allowing the terrorists to select only one person to act as mediator throughout the entire crisis, in order to allow for the development of rapport between this individual and the hostage-takers, to establish credibility and consistency in process, and to make keeping track of events, demands, and changes in mood more feasible.

Another guideline in the “don’ts” category is the rule that “the boss does not negotiate,” under the logic that such an action would disrupt one of the key “tricks” in the crisis negotiation toolbox—the deferment of authority or a version of the “good cop, bad cop” routine. One of the keys to gaining strategic advantage in a hostage crisis is achieving the perceived position of an intermediary between the authorities and the hostage-takers, which allows the negotiator to stall for time by pointing to the difficulty of locating a key decision maker, or some other objective obstacle to meeting the terrorists’ deadline. Further, the negotiators’ lack of decision-making authority also allows them, in theory, to disassociate themselves from any official refusal to comply, while empathetically validating the reasonable component of the demand and promising to keep trying to convince the authorities in favor of its fulfillment. This tactic is useful in stalling for time, decreasing the hostage-takers’ expectations, and creating a bond between the negotiator and the suspects when the perpetrators are naïve and not well prepared. Unfortunately, the “new terrorists” have studied this game, they have read the manuals, and they are no longer likely to fall for these tricks. For instance, preventive and reactive steps taken by terrorists in Beslan show a clear learning curve in this regard, and in the aforementioned *al Battar* manual al Muqrin also employs a strikingly analytical, almost academic approach to identifying the standard crisis negotiation and tactical team responses, and ways to prevent them from undermining the hostage-taking team.

The “new terrorists” knowledge of the crisis negotiation manuals will likely trigger future attempts to counter the deferment of authority tactic by demanding a top decision maker personally to enter the negotiations. Such a demand should be deflected if possible, but if the likelihood of hostages being executed in order to force compliance is high, the engagement of a decision maker in some form may actually be beneficial,⁷⁸ particularly the appointment of a senior representative of the decision maker to conduct negotiations. Firstly, the involvement of political decision makers alone would provide terrorists with some level of perceived success, thereby perhaps discouraging radical steps that would waste this accomplishment. In addition, having one of the enemy’s leaders actively listen to their grievances and validate some of their frustrations would contradict many of the terrorists’ demonized perceptions, perhaps casting doubts upon the view that violent escalation of the struggle—and bringing innocents into it—are the only possible ways to achieve the desired outcome. Prime Minister Viktor Chernomyrdin’s role in the resolution of the 1995 siege of the hospital in Budyonnovsk is a case in point.

Further, negotiators with decision-making authority have the potential to help the terrorists make their demands more reasonable, by pointing out the need to be able to survive politically in order to ensure their implementation. If, in the aftermath of a negotiated agreement, the decision maker were to lose his or her position, it would likely hinder or negate the realization of the negotiated agreement by his or her successor. This line of reasoning is likely to be persuasive with an intelligent hostage-taker, and just having this conversation has the potential to de-escalate the situation. Take for instance the Beslan crisis, in which the terrorists’ two principal demands were the unconditional pullout of Russian troops from Chechnya and President Putin’s resignation from office. Had one of Putin’s senior aides personally made a phone call to the terrorists, listened to their grievances, and used the argument that any agreement to end the war in Chechnya would require Putin to stay in power in order to prevent his decision from being overturned immediately, this would likely have led to some progress such as the release of dozens of hostages, the dropping of the demand for Putin’s resignation, and the hostage-takers’ surprised realization that the Kremlin can be engaged in a rational dialogue. This progress, while likely not having brought the incident to an end, certainly would have had a chance to move it toward a

better outcome than the one that eventually came to be. What is painful to realize, is that such progress was achievable simply by listening, and without granting the terrorists a single *substantive* concession.⁷⁹ Certainly, there was a range of options that could have been discussed about a possible statement on the humanitarian situation in Chechnya, or a pledge to consider prosecuting any clear-cut cases of war crimes associated with the well-known “mop-up” operations in Chechnya.

Impact of Communication Technologies

One of the issues that have been highlighted in the introduction has been the dramatic influence of the proliferation of modern communication technologies on the dynamics of future barricade hostage crises. Firstly, the terrorists’ immediate ability to consult with their leadership via mobile phone will deprive the negotiators of much of the influence they typically strive to gain by disrupting the hostage-takers’ chain of authority, and thus forcing the perpetrators to make their own decisions in isolation from their leadership. And while terrorist hostage-takers of the past had often embarked on operations with minimal instructions from their leaders, thus frequently finding themselves in a position of having to make decisions on their own, today’s technological reality that gives the terrorists immediate access to their superiors has radically altered the situation. Since the leaders, unlike the hostage-takers, will not be confined to the location under a constant threat of immediate forceful resolution, the processes that form the baseline foundation of the contemporary practice of crisis negotiation will not take place, making the task of lowering the terrorists’ expectations much more difficult.

One result of these developments is the shift of the centre of gravity in negotiations from the hostage-takers located on scene of the hostage crisis to decision makers situated in a separate location. This phenomenon, reminiscent of the dynamics present in the kidnapping scenario, was observed for the first time in the Moscow theater, during the final stages of which the terrorists declared: “We have freed everyone we could free. What happens now depends on Russia’s leadership, on what agreement it can reach with our senior representatives.”⁸⁰ As is apparent from this statement, the terrorists applied the same deferment of authority tactic prescribed in the crisis negotiation manuals to create an advantageous negotiating position, or, at least, to minimize risk. It follows that besides the need to influence the behavior of the hostage-takers inside who have direct impact on the safety of the hostages, negotiators in future barricade incidents will need to be aware of the fact that the key to successfully negotiating an end to the crisis may be to influence the leaders who are not located at the scene. This will require a significant change of mind-set, as well as a change in strategy. Locating these leaders may be a challenge, but if the negotiation effort from the side of the terrorists is genuine, providing contact to leaders would have already been incorporated into the planning. Alternatively, options might exist for the engagement of parties close to the terrorist group’s leadership, as happened in Beslan where the engagement of Aslan Maskhadov, the last elected president of the Chechen separatist government, was considered for negotiations. Maskhadov had publicly condemned the attack and this gave a glimpse of hope, and indeed, after contacts through his exiled envoy in London, Maschadov agreed to participate. Unfortunately, the Kremlin had tried to implicate Maskhadov in previous acts of terrorism, and providing him an opportunity to appear as a savior by engaging him in this crucial role was hardly acceptable to the Kremlin.⁸¹

Another impact of dual use communication technologies can be illustrated on the case of the planning and execution phases of the Mumbai attacks,⁸² where the terrorists were

shown their respective targets on video and Google Earth, and then they were taught to use a global positioning system (GPS) to navigate to the respective locations. Even more important in this regard was the use of a “virtual number”—12012531824—generated by a Voice over Internet Protocol (VoIP) telephony service based in the United States,⁸³ by which the handlers navigated the terrorists on the ground. In fact the Indian intelligence services recorded 284 separate phone calls totalling more than 16.5 hours of conversation between six different handlers and the operatives in Mumbai. This “remote navigation” aspect poses several important challenges.

First of all, the terrorists were able to follow closely the media coverage of the attacks, and based on the information gathered they immediately provided updates and instructions to the operatives on the ground. This included information such as the identity of potential hostages and their specific locations, information about the presence of closed-circuit television (CCTV) cameras in the Taj hotel, tactical instructions about how to hold off the response teams, detailed instructions on what to say in media interviews and how to conduct negotiations, even updates on the movement of tactical teams and helicopters outside. Even more importantly, the back and forth interaction between the terrorists and the handlers allowed the attackers to check the identity of specific hostages via Google searches run at the terrorist command center,⁸⁴ and also helped the handlers to exercise more direct control over the operatives in order to motivate them to keep on fighting, to strengthen their wavering determination to die in the attacks, and to refuel their ability to kill hostages in cold blood. For instance, as soon as the handlers discovered that one of the terrorists has been captured alive, they immediately place phone calls to each team stating things like “You’re very close to heaven now. . . . You will be remembered for what you’ve done here. Fight till the end. . . .” or “God is waiting for you. Stay on the line and keep the phone in your pocket. We like to know what’s going on.”⁸⁵ Similarly, when the decision was taken to execute the hostages in the Nariman house, the designated executioner Akasha demonstrated considerable reluctance to carry out the killings. At this point handler code named “Wasi” called Akasha and spoke to him in a warm and paternal manner in a voice that was unflinching and commanding:

Wasi: ‘Just shoot them now. Get rid of them. Because you could come under fire at any time and you’ll only end up leaving them behind.’

Akasha: ‘Everything’s quiet here for now.’

Wasi: ‘Shoot them in the back of the head.’

Akasha: ‘Sure. Just as soon as we come under fire.’

Wasi: ‘No. Don’t wait any longer. You never know when you might come under attack.’

Akasha: ‘Insh’Allah’ (God willing).

Wasi: ‘I’ll stay on the line.’

There’s silence for 15 seconds. No gunshots.

Akasha: ‘Hello?’

Wasi: ‘Do it. Do it. I’m listening. Do it.’

Akasha: ‘What, shoot them?’

Wasi: ‘Yes, do it. Sit them up and shoot them in the back of the head.’

Akasha: ‘Umer is asleep. He hasn’t been feeling too well.’

Wasi consults his associates in the control room, then comes back on the line.

Wasi: ‘I’ll call you back in half an hour. You can do it then.’

As one can see from this conversation, Akasha (possibly affected by a developing Stockholm Syndrome) was trying to postpone the execution. Had he been cut off from the handlers,

and had appropriate negotiation strategies been applied at this point, it is quite possible that Akasha would not have found the resolve to kill the hostages. However, communication lines remained opened and at 21:20 Wasi called again:

Wasi: ‘Stand the women up in a doorway so that when the bullet goes through their heads it then goes outside, instead of ricocheting back into your room.’

Akasha: ‘OK.’

Wasi: ‘Do one of them now, in the name of God. You’ve tied them up, right?’

Akasha: ‘Yeah. I’ll untie their feet.’

Wasi: ‘Just stand them up. If they’re tied up, leave them tied up.’

Akasha then raises another objection. He doesn’t want to kill the two women in the room where he and Umer are sitting.

Wasi: ‘It’ll only take two shots. Do it in the room where you are now.’

Akasha: ‘All right, yes.’

Wasi: ‘Do it. Shoot them and shove them over to one side of the room.’

Akasha shuffles off somewhere but leaves the line open. Wasi holds the line for a full seven minutes. He calls Akasha’s name a few times, then hangs up. In the next call, ten minutes later, Akasha seems more upbeat.

Akasha: ‘Please don’t be angry. I’ve rejigged things a bit and now. . .’

Wasi: ‘Have you done the job yet or not?’

Akasha: ‘We were just waiting for you to call back, so we could do it while you’re on the phone.’

Wasi: ‘Do it, in God’s name.’

Akasha: ‘Just a sec. . . hold the line. . .’

Akasha places the phone in his pocket. There is a lot of rustling followed by silence. Then a loud burst of gunfire. And then silence. More rustling, then Akasha is back. His voice has changed markedly.

Wasi: ‘That was one of them, right?’

Akasha: ‘Both.’

As one can see from these conversations, the division of responsibility coupled with live communications between the handler and the terrorist can have the effect of strengthening the terrorist’s willingness to execute hostages in cold blood. Unlike the terrorist, the handler is not burdened by looking into the face of a frightened woman with whom he has been in the same room for 3 days, so he calmly issues orders, taking the operative step by step through the entire process. In the meantime, the terrorist, who seems to have developed psychological obstacles to executing the remaining female hostages, follows the handler’s orders step by step, just as he has been doing in the last three days when he was navigated on even the most basic issues, such as what to eat or drink, or whether to use the toilet. Due to the presence of strong authority, he can overcome these psychological obstacles and execute the women while not feeling responsible for the act, as he was “just following orders.” Cutting off the communication between the terrorists and their handlers will clearly be crucial.⁸⁶

Handling Demands

One of the negotiator’s main tasks is to deal with the question of demands. Hostage crises involving the “new terrorists” are likely to present demands that will be very difficult to fulfill, such as the complete cessation of military hostilities in a war, termination of material

or diplomatic support of particular governments, or the resignation of a country's leader. But before jumping to the assumption that incidents featuring such demands will be impossible to negotiate, it is important to realize that all such demands have both *instrumental* and *expressive* values.⁸⁷ In other words, each material-type demand, such as money, food, media attention, or a getaway vehicle (instrumental), also constitutes an expression of a certain type of emotion or a psychological need (expressive).⁸⁸ It is especially the expressive value of the demand that the negotiator should concentrate on, as this provides insight into the captor's unformulated interests.

In other words, each substantive demand also constitutes an expression of a certain type of emotion or a psychological need. It is especially the expressive value of the demand that the negotiator should concentrate on and seek to understand, as this provides insight into the captor's underlying interests. The negotiator then should engage the hostage-takers in dialogue whenever possible, and work with them to find alternative ways to satisfy the legitimate interests that can be identified, sometimes by acknowledging the validity of the terrorists' grievances. And, in some cases, such interests can be satisfied, at least to some degree, simply by listening empathetically.

In order to explore this expressive component, the negotiators need to keep asking good questions in an attempt to understand as much as possible. Even when the answers to the questions may be obvious, it is still useful to ask in order to provide the terrorists with an opportunity clearly to state their grievances and vent their anger. This in turn gives the negotiator a chance to engage the other side on a more personal level, by asking about his or her *personal* experience with the alleged injustices and abuse. This then provides an opportunity for the negotiator to express empathy. In ideological hostage situations, it is typically very difficult to move the discussion away from ideological language toward a more personal level, and this approach provides one of the possible ways for achieving this outcome. While there is some risk in triggering volatile emotions by engaging in dialogue about the hostage-takers' personal experiences (especially with violent conflict), forming personal rapport between the negotiators on both sides is one of the critical principles upon which the crisis negotiation practice is based.

Another reason why asking questions is important is the fact that answers provide insight into the hostage-takers' underlying interests behind their core demands. If these interests are understood, new options that would address the terrorist's root motivations and concerns, but would stop short of unwise concessions, can be introduced. Through active listening and the generation of multiple possibilities by introduction of new options, the hostage-takers may be willing to alter their course of action. A big part of the negotiator's effort will be to use active listening skills to uncover and validate whatever is reasonable about the demands and/or grievances, in order to influence the hostage-takers to make their demands more reasonable.

Another area where active listening will be essential is the justification used by the terrorists to substantiate their actions. And while the initial explanation is likely to be cloaked in ideological or religious rhetoric, the negotiator will again have to use active listening skills to penetrate this ideological veil. For instance, a common justification used by Islamist terrorists is the Koranic reference to self-defense and equity of means along the lines of: "Allah orders us to fight the unbelievers as they fight us."⁸⁹ This "Newton's Law" based on unconditional reciprocity will be used to rebuff any moral appeal to release hostages, based on the argument that since Muslim women and children are also being killed in the conflict, the targeting of women and children in the hostage operation is also justified. Instead of pushing back and arguing about the difference between "collateral damage" and deliberate targeting of civilians, negotiators should encourage the

hostage-takers to speak about the grievances and suffering of the people on whose behalf they see themselves as fighting. By active listening, expression of empathy and validation of the moral unacceptability of civilian deaths, the negotiator has a greater chance of influencing the hostage-takers eventually to accept the logic for why women and children should be released in future deals.

An additional set of tools that will be particularly useful are persuasive criteria (i.e., logistical difficulties in fulfilling specific demands by a stipulated deadline); especially ones that are seen as objectively independent of the will of either side. If negotiators on both sides can agree on the validity of a certain criterion beforehand, its application to a particular issue becomes more effective. For instance, a typical mechanism for justifying the targeting of civilians is Osama bin Laden's 2002 "Letter to the American People," in which bin Laden argues that all Americans who pay taxes effectively fund attacks against Muslims, and are thus legitimate targets.⁹⁰ Another variation is the terrorists' likely argument that the people held hostage are responsible for electing their own government, and are thus also accountable for its actions. Instead of resisting this logic, negotiators should use it to their advantage by holding the hostage-takers accountable to their own logic. For example, after listening closely and asking, clarifying questions about the specifics of the hostage-takers' judgment, the issue of tax payment or voting rights should be raised. Without necessarily validating the logic, negotiators should ask about its applicability to the hostages that are under the legal voting age. What is the responsibility of a fourteen-year-old that cannot legally vote and does not pay taxes, for the actions of his government? Does not a strong argument exist for the release of hostages that do not fit the terrorists' own criteria of guilt? The more negotiators listen, the more likely they are to learn about interests, alternatives, and persuasive criteria. The more negotiators know about them, the more chances the authorities have of being persuasive when it counts.

Conclusion

The "new terrorists" are intelligent, well-prepared, tactically savvy, heavily armed, willing to die, and they have read the manuals. When confronted with hostage barricade scenarios at the hands of the "new terrorists," many of the fundamental principles of crisis negotiation still apply, but many of the old rules—and the obsolete assumptions on which they are based—no longer hold. The best way to approach a fluid, challenging crisis situation involving a capable adversary is not with a rigid checklist.

There are several key points to reiterate. Firstly, negotiation is not just about reaching "deals" and making *quid pro quo* exchanges; it is also about *exercising influence over the thinking, behavior, and decision-making* of others. Any information gained in conversation—and the very act of *having* the conversation itself—may present such opportunities at any time. Secondly, it is essential for crisis managers and decision makers to remain self-diagnostic, to account for their own biases and to constantly question their assumptions about the hostage-takers, their motives, and their willingness to negotiate. Clinging to conclusions out of frustration or disgust may result in important clues and opportunities being missed. Thirdly, it is imperative to not negotiate with the "terrorist," negotiate with the *rational human being who, for some set of reasons, has chosen—or felt forced into—an extreme, violent course of action*. Fourthly, it is essential to maintain an active listening approach to the negotiations focusing at least as much on asking good questions, learning, and understanding grievances and motives as on making *quid pro quo* substantive deals. Asking for as many details as possible about the reasons/justification the perpetrators use to explain their actions can provide criteria that may be useful in other

ways later. Similarly, looking for empathetic ways to acknowledge or validate legitimate grievances behind the terrorists' actions while differing with the actions themselves, can make it harder for them to label the authorities as unreasonable. This in turn can create chances to deescalate the situation emotionally, and it may help create a wedge between the terrorists' grievances and their actions. Finally, rather than simply trying to stall with the "good cop, bad cop routine," it will be crucial to genuinely look for ways to address the more legitimate grievances in ways that do not require unwise, unreasonable, or impossible concessions. In the bigger picture, of course, governmental responses to (and within) each incident contribute to longer-term trends and also teach the terrorists lessons that will be applied to their future operations. A good question to ask is what adaptations is one incentivizing, and what lessons is one teaching them? With each incident, is one contributing to an increase in future lethality, higher numbers of hostages, and hostage-takers, and less willingness to negotiate? Or is one contributing to more moderation, more communication, and problem-solving? At the end of the day, there should not be a contest of wills with people who have a lot less to lose than the negotiators, if one can help to change the game.

For this shift to take place, it must be remembered that even the most "extreme" terrorists *are not irrational*. They are simply willing to engage in actions that most find abhorrent—for reasons that they find acceptable, based on the conditions they and their constituents face. While many find this notion unappealing and hard to accept, it is actually good news. If the terrorists truly were irrational, one would have little or no chance of influencing them. But because they are, generally, quite rational, there is a chance that one may influence them . . . and change the way they are trying to influence others.

Notes

1. Adam Dolnik and Keith M. Fitzgerald, *Negotiating Hostage Crises with the New Terrorists* (Westport, CT: Praeger Security International, 2008).

2. Other famous hostage crises in which terrorists targeted schools include the 1974 Democratic Front for the Liberation of Palestine attack in Ma'alot, Israel, and the 1977 take-over of a school in Bovensmilde in the Netherlands.

3. For a detailed analysis of the Beslan incident based on exhaustive open source research in three languages, examination of thousands of pages of witness testimonies and court transcripts, analysis of available video footage, and extensive field research in Moscow, Beslan, Chechnya, and Ingushetia, including the inspection of the target locations and dozens of detailed interviews with hostages, eye-witnesses, negotiators, investigators, and relatives of some of the perpetrators, see Adam Dolnik, *Negotiating the Impossible: the Lessons of the Beslan Hostage Crisis*. (RUSI Whitehall Report 2-07 (London: The Royal United Services Institute for Defence and Security Studies, 2007).

4. Abdul Hameed Bakier, "Lessons from al-Qaeda's Attack on the Khobar Compound," *Terrorism Monitor* 4(16) (August 10, 2006). Available at <http://jamestown.org/terrorism/news/article.php?articleid=2370100> (accessed 30 September 2006).

5. For an excellent account of the Bethelhem standoff see Moty Cristal, "Negotiating under the Cross: The Story of the Forty Day Siege of the Church of Nativity," in William Zartman, ed., *Negotiating with Terrorists* (Leiden: Martinus Nijhoff Publishers, 2003), pp. 103–129.

6. For a detailed analysis of the Lal Masjid siege based on exhaustive open source research and interviews with participants on all sides of the standoff see Adam Dolnik, *Negotiating with Jihadis: Lessons of the Red Mosque Siege*, forthcoming.

7. For instance, the violent resolution of the Lal Masjid siege turned into a rallying point for the Islamist militancy in the country, and also became the main catalyst for the eventual breakdown of the truce that existed between the Pakistani government and the militants in the North Western

Frontier Province (NWFP). Since the Red Mosque incident, the insurgency in Pakistan continues to escalate.

8. Michael McMains and Wayman Mullins, *Crisis Negotiations: Managing Critical Incidents and Hostage Situations in Law Enforcement and Corrections* (Dayton, OH: Anderson Publishing, 2nd ed., 2001), p. 33.

9. At the time of writing, this critique may be a bit dated, as crisis negotiation teams around the world are receiving training on this very issue and are adapting their protocols accordingly.

10. McMains and Mullins, *Crisis Negotiations*, p. 231.

11. Thomas Strentz, *Psychological Aspects of Crisis Negotiation* (New York: CRC Press, 2006), p. 8.

12. *Ibid.*, p. 70.

13. Martha Crenshaw, "The Causes of Terrorism," *Comparative Politics* 13 (1981), pp. 379–399.

14. Clinton Van Zandt cited in Jayne Docherty, *Learning Lessons from Waco* (Syracuse, NY: Syracuse University Press, 2001), p. 460.

15. Docherty, *Learning Lessons from Waco*, p. 89.

16. Dwayne Fuselier and Gary Noesner, "Confronting the Terrorist Hostage Taker." Available at <http://www.emergency.com/host-tkr.htm> (accessed 29 January 2002).

17. James Poland and Michael McCrystle, *Practical, Tactical and Legal Perspectives of Terrorism and Hostage Taking* (Lewiston, NY: Edwin Mellen Press, 2000), p. 26.

18. Edward F. Mickolus, *Transnational Terrorism: A Chronology of Events, 1968–1979* (Westport, CT: Greenwood Press, 1980), p. 367.

19. L. Burbank, S. Gubareva, T. Karpova, N. Karpov, V. Kurbatov, D. Milovidov, and P. Finogenov, "Nord-Ost: Investigation Unfinished. . ." Available at <http://www.pravdabeslana.ru/nordost/nordost.htm> (accessed on 11 October 2006).

20. Adam Dolnik and Richard Pilch, "The Moscow Theater Incident: Perpetrators, Tactics, and the Russian Response," *International Negotiation* 8(3) (2003).

21. The mutually positive relationship between the hostages and the hostage-takers that helps humanize the hostages, thus making their cold-blooded execution psychologically more difficult.

22. Abdul Aziz al Muqrin, *Al-Battar*, Issue no. 10.

23. Abu Musab al-Zarqawi's practice of beheading hostages on video represents a slightly different phenomenon because it occurred in a kidnapping scenario in which the location of hostages and hostage-takers was unknown. In such a setting, negotiation options become much more limited, as the terrorists have the liberty to execute their hostages without sanction.

24. There were some questions with regard to the hostage-taker's Fumio Kutsumi's relation to the cult, as Aum officially denied involvement, and the perpetrator himself allegedly also denied that he was a Aum member (Mickolus, *Transnational Terrorism*, p. 826).

25. David E. Kaplan and Andrew Marshal, *The Cult at the End of the World* (New York: Crown, 1996), p. 283.

26. Fuselier and Noesner, "Confronting the Terrorist Hostage Taker."

27. Docherty, *Learning Lessons from Waco*, p. 91.

28. See, for instance, Frederick Laceley, *On-Scene Guide for Crisis Negotiators*, 2nd ed. (Boca Raton, FL: CRC Press, 2003), p. 127.

29. Strentz, *Psychological Aspects of Crisis Negotiation*, p. 221.

30. McMains and Mullins, *Crisis Negotiations*, p. 116.

31. Poland and McCrystle, *Practical, Tactical and Legal Perspectives of Terrorism and Hostage Taking*, p. 59.

32. Docherty, *Learning Lessons from Waco*, pp. 155–156.

33. The Iranian hostage crisis, which lasted for 444 days, is not considered here, because it did not constitute a classical barricade hostage incident occurring on friendly territory, and thus lacked the threat of instantaneous forceful resolution.

34. It is not the intention here to take anything away from the special unit responsible for the Lima raid, but it must be mentioned that many of the hostages only escaped the gunfire simply because

they tripped over the carpets in the building. Had it not been for this incalculable development, the number of fatalities among the hostages would have likely been higher than one. In addition, the terrorists repeatedly noticed indications of preparations of tunnels (noises, and a long strip of dry grass above a tunnel that, due to reduced hydration caused by the digging, turned yellow), but due to wishful thinking of an optimistic outcome and their limited willingness to kill hostages, they chose to ignore these developments.

35. Strentz, *Psychological Aspects of Crisis Negotiation*, p. 189.

36. *Ibid.*, p. 186.

37. F. Boltz, K. Dudonis, and D. Schultz, *The Counterterrorism Handbook: Tactics, Procedures and Techniques*, 2nd ed. (Boca Raton, FL: CRC Press, 2002), p. 64.

38. Rezaq coldly carried out the killings without emotion. Later during his trial Rezaq claimed that he was legally insane at the time of the incident due to post-traumatic stress disorder, a claim that was confirmed by a number of psychiatric experts but eventually rejected by the jury.

39. Of course, this is not to imply that any of these hostages deserved to die. It is merely to suggest that there is usually logic—and a particular purpose—to such executions that should not imply that an incident has reached a point of “nonnegotiability.”

40. Boltz, Dudonis, and Schultz, *The Counterterrorism Handbook*, p. 118.

41. *Ibid.*

42. John Griffiths, *Hostage: The History, Facts and Reality of Hostage Taking* (London: Andre Deutsch, 2003), p. 120.

43. Charles M. Sennott, “Abbas: Klinghoffer Created Troubles so We Killed Him,” *The Boston Globe*, 26 June 1998.

44. Kenneth Stethem’s letter to President Bush, 8 January 2006. Available at <http://www.nationalreview.com/ledeen/ledeen200601090803.asp> (accessed 23 December 2006).

45. Boltz, Dudonis, and Schultz, *The Counterterrorism Handbook*, p. 67.

46. Edward F. Mickolus, Todd Sandler, and Jean M. Murdock, *International Terrorism in the 1980s: A Chronology of Events, Volume II: 1984–1987* (Ames: Iowa State University Press, 1989), p. 220.

47. Jackie Pflug, *Miles to Go Before I Sleep: A Survivor’s Story of Life After a Terrorist Hijacking* (Center City, MN: Hazelden, 1996), p. 21.

48. Tamar Artzi, Nitzan Mendelson, Scarlet Rogencamp, and Jackie Pflug.

49. In AF 8969 one of the executed hostages was an Algerian, who was selected not because of nationality but because of the fact that he was a policeman.

50. Mickolus, Sandler, and Murdock, *International Terrorism in the 1980s*, p. 140

51. *Ibid.*

52. Author interviews with hostages, Beslan 2006.

53. *Ibid.*

54. Interviews with hostages, Moscow 2006. Barayev’s statements in media interviews.

55. Burban et al., “Nord-Ost.”

56. BBC, “How Special Forces Ended Siege,” 29 October 2002; “A Man, A Bottle, A Shot, Then Gas,” *The Moscow Times*, 28 October 2002; CNN, “Tantrum’ Sparked Theatre Raid,” 28 October 2002.

57. Dolnik and Pilch, “The Moscow Theater Incident.”

58. Boltz, Dudonis, and Schultz, *The Counterterrorism Handbook*, p. 56.

59. Shamil Basayev, “Statement of Chief of the Military Council of State Defense Council «Majlis al-Shura» of Chechen Republic of Ichkeria Abdullah Shamil Abu-Idris Concerning the Events of October 23–26, 2002 in Moscow.” Available at <http://62.212.121.113/www.kavkazcenter.com/eng/articlebe27.html?id=605> (accessed on 19 October 2004).

60. Anne Nivat, *Chienne De Guerre* (New York: Public Affairs, 2001), p. 92.

61. Nur Pasha Kulayev interviewed on Russian NTV station, 4 September 2004.

62. “Šéf teroristů z Beslanu uniká, tvrdí tisk,” *Idnes*, 10 September 2004.

63. Strentz, *Psychological Aspects of Crisis Negotiation*, p. 107.

64. McMains and Mullins, *Crisis Negotiations*, p. 50.
65. J. R. Corsi, "Terrorism as a Desperate Game—Fear, Bargaining, and Communication in the Terrorist Event," *Journal of Conflict Resolution* 25(1) (1981).
66. William Zartman, "Negotiating Effectively with Terrorists," in Barry Rubin, ed., *The Politics of Counterterrorism* (Washington, DC: The Johns Hopkins Foreign Policy Institute, 1990), p. 170.
67. Arthur A. Slatkin, *Communications in Crisis and Hostage Negotiations* (Springfield, IL: Charles C. Thomas Publishers, 2005), p. 87.
68. In fact, the very first suicide bombing in Chechnya, the 7 June 2000 attack on the temporary headquarters of an elite OMON detachment in the village of Alkhan Yurt, was carried out by Khava Barayeva, who was the aunt on the leader of the Moscow theater siege, Movsar Barayev.
69. Author's interviews with hostages, Moscow 2006. Reviews of telephone calls placed to radio station Echo Moskvy, by hostages during final moments of the siege.
70. Interviews with hostages, Beslan 2005, 2006, 2007, 2009.
71. Mickolus, Sandler, and Murdock, *International Terrorism in the 1980s*, p. 456.
72. Abdul Hameed Bakier, "Lessons from al-Qaeda's Attack on the Khobar Compound," *Jamestown Foundation Terrorism Monitor* 4(16) (2006). Available at <http://jamestown.org/terrorism/news/article.php?articleid=2370100> (accessed 30 September 2006).
73. Author's interviews with Mumbai police personnel present at the scene; interviews with employees who had direct interactions with Kasab and Ismail at the Cama Hospital. Mumbai 2009.
74. Anthony Hare, "Training Crisis Negotiators: Updating Negotiation Techniques and Training," in Randal Rogan, Mitchell Hammer, and Clinton Van Zandt, *Dynamic Processes of Crisis Negotiation* (Westport, CT: Praeger, 1997), p. 152.
75. Strentz, *Psychological Aspects of Crisis Negotiation*, pp. 34–36.
76. Slatkin, *Communications in Crisis and Hostage Negotiation*, p. 11.
77. Dwayne Fuselier, "What Every Negotiator Would Like His Chief to Know," *FBI Law Enforcement Bulletin* (March 1986); Thomas Strentz, *Psychological Aspects of Crisis Negotiation*, p. 32.
78. This holds only for cases where the terrorists have actually made such a demand. As we have seen in the case of the Egypt Air flight 648 hijacking, the involvement of top politicians in cases where terrorists have not made any demands of a political nature is likely to be counterproductive.
79. Early in the Beslan incident the terrorists compiled a list of all hostages under the age of 7, with the intention of releasing them as soon as official negotiations started. Due to the Russian refusal to even talk to the terrorists there was never any real opportunity for this release to materialize.
80. CTV News, "Moscow Standoff Ends as Soldiers Storm Theatre." Available at http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20021026/moscow_hostages_chechens_021025?s_name=&no_ads= (accessed on 11 November 2006).
81. Uwe Buse, Ullrich Fichtner, Mario Kaiser, Uwe Klussmann, Walter Mayr, and Christian Neef, "Putin's Ground Zero," *Der Spiegel*, 27 December 2004.
82. For a more detailed analysis of the Mumbai attacks see: Adam Dolnik, "Fighting to the Death: Mumbai and the Future of the Fedayeen Threat," *RUSI Journal* 155(2) (2010), pp. 60–68.
83. Siddharth Varadarajan, "Dossier: Handlers Used Virtual Number to Contact a Mobile with One of the Terrorists," *The Hindu*, 7 January 2009.
84. One of the hostages, ING Vysya Bank's non-executive Chairman K. R. Ramamoorthy, who pretended to be a teacher, was uncovered after the handlers ran a Google search for him.
85. Conversation recorded on 28 November between handler "Wasi" and operative "Fahadullah" located at the Oberoi hotel.
86. Dolnik, "Fighting to the Death," pp. 60–68.
87. R. Hammer Mitchell and Randall G. Rogan, "Negotiation Models in Crisis Situations: The Value of a Communication-Based Approach," in Randall G. Rogan, Mitchell Hammer, and Clinton Van Zandt, *Dynamic Processes of Crisis Negotiation* (Westport, CT: Praeger, 1997), p. 9.

88. Nudell Antokol, *No One is Neutral: Political Hostage Taking in the Modern World* (Medina, OH: Alpha Publications, 1990), p. 36.

89. The most relevant references to this issue in the Koran include: 2:190–192, 2:178, 42:40–43.

90. For full text of the statement see “Transcript of Osama bin Laden’s ‘Letter to the American People,’” *The Guardian*. Available at <http://observer.guardian.co.uk/worldview/story/0,11581,845725,00.html> (accessed 4 April 2005).

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