

NEGOTIATIONS AND RECONCILIATION WITH THE TALIBAN: The Key Policy Issues and Dilemmas

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Thursday's London conference on Afghanistan where the Afghan government, Britain, and Japan have presented their plans for reconciliation with the Taliban has reignited a months-long debate about whether or not to negotiate with the salafi insurgents. But although passions run strong on both sides of the debate, in its abstract form— negotiate: yes or no — the discussion is of little policy usefulness. The real question about negotiating with the Taliban is what shape and content any such negotiation and reconciliation should have and what are the costs and benefits of such an approach.

THE COSTS AND BENEFITS OF NEGOTIATIONS and RECONCILIATION: SOME QUICK LESSONS FROM HISTORY

Negotiations and reconciliation frequently have been a critical component of ending conflict, reducing violence, and saving lives: be they the pentiti laws in Italy directed toward the Red Brigades or amnesty for the Shining Path's soldiers in Peru or negotiations between the Provisional IRA and the Unionists in Northern Ireland.

For many who advocate negotiations with the Taliban, negotiations are a way to extricate forces from what they consider unattainable and perhaps unimportant objectives in Afghanistan. But this position ignores the real and acute threat still emanating from the region in the form of terrorism and severe regional instability. It also underestimates the risk and the costs associated with negotiations, such as giving the opponent a chance to increase its forces, recuperate, and renege on its promises. In Colombia during the 1990s, the government's negotiations with the FARC enabled the leftist guerrillas to greatly increase their military power and pose a far greater threat to the Colombian state than it did before. Pakistan's negotiations with various Taliban incarnations in Southern and Northern Waziristan and Swat resulted in intolerable threats to the Pakistani state, people, and the international community.

So what are the considerations that should drive the shape and content of the negotiations and reconciliation process with the Taliban?

RECONCILIATION FOR RANK-AND-FILE TALIBAN and MEDIUM-LEVEL GROUPINGS WITHIN THE TALIBAN

There is little disagreement among Afghanistan and counterinsurgency experts as well as officials of the various NATO governments that some form of reconciliation should be offered to Taliban rank-and-file soldiers and even to larger groupings within the Taliban, such as tribes. Rather than whether

or not to undertake such an effort, the two major questions surrounding this element of reconciliation are: For what purpose should the foot soldiers and larger groups be lured away from the Taliban? and What are the factors that make it attractive for the Taliban rank-and-file soldiers to come in from the cold?

The Purpose of Making Them Flip

The first question boils down to whether individual soldiers or larger groupings that denounce the Taliban should be disarmed or should be mobilized as militias fighting the rest of the Taliban. The appeal of the latter position is that relative power and intelligence assets of the counterinsurgents would be strengthened, i.e. Anbar redux. But the downside of this policy is the real risk that these militias will predatorily turn on the Afghan population and along with previous warlords and other militias thus undermine the already fragile legitimacy and capacity of the Afghan state and its already poor governance, thus threatening the larger objective of the counterinsurgency effort.

Incentives and Obstacles to Making Them Flip

The second question, how to make the fighters switch sides, is intimately linked to their motivations for fighting. Although at the strategic level, the Taliban movement is driven by a salafi anti-Western ideology that entails a desire to drive the infidels from Afghanistan, retake territory, topple the governments in Kabul and Islamabad, reinstitute an austere and backward political system and a highly doctrinaire version of Islam, and support the global salafi cause, the micromotivations of individual soldiers and tribes are frequently different and varied: They include desire for revenge, kinship and network connections to other fighters, a sense of oppression and injustice, such as many Ghilzai Pashtuns harbor, opposition to poppy eradication, lack of socio-economic opportunities, desire for glory and martyrdom, and the simple calculation that the Taliban will prevail in their particular area.

What elements need to be addressed to counter these motivations and how easy is it to do so? After all, a reconciliation process for rank-and-file soldiers has been in place in Afghanistan for many years, but it has failed to make any strategic difference at either the national or even regional level. One obstacle has been the lack of institutionalization and moribund structures of the demobilization process. This procedural deficiency is the least difficult one to address, and the London process has breathed new life into it.

Addressing the other motivations and obstacles is far tougher, especially in the context of the security and economic situation in Afghanistan. Start with the simplest one: providing better salaries and socio-economic opportunities than the Taliban. Although the so-called “\$10-guerrilla” is a gross oversimplification, many Taliban fighters are in it for the money. But given the devastation of the Afghan economy, it is far easier to promise jobs defectors than to deliver them. Job creation is always the hardest part of reconstruction and development, and the paucity of legal employment is one reason why there is so much poppy in Afghanistan. Indeed, the inability to deliver legal employment is what has plagued demobilization efforts around the world: from Colombia’s demobilization of the paramilitaries to NGO efforts to demobilize members of the drug gangs in Rio de Janeiro’s favelas to Nigeria’s latest strategy toward the Delta insurgents. If the government fails to quickly deliver lasting employment opportunities, many demobilized fighters go back to violent conflict or violent criminality. One perverse effect of handing out the meager jobs that exist in Afghanistan’s legal economy on a priority basis to Taliban defectors is that unemployed males will

sign up with the Taliban for a while, just so they can go through demobilization and qualify for assure jobs.

Simpler than delivering actual jobs would be to simply pay the fighters not to fight: after all the governments of Britain and Japan have pledged \$500 million for the effort. But what happens when the money runs out? Anbar is a useful analogy to bear in mind: Paying soldiers not to fight can easily leave behind scores of angry young males who are not deeply integrated into the new political system and who ready to join criminal groups or start fighting again once the international money runs out and national governments are unable or uninterested to continue with the payoffs.

Addressing root causes, such as discrimination against particular tribes or disputes over land and water, needs to be a strong element of the reconciliation process. On occasion, such as in the Chora district in Uruzgan, a previously violent region with a strong Taliban presence, such an effort to sponsor reconciliation and address discrimination has enabled pacification. But it is precisely the paucity of good governance, the tribally-motivated discrimination, the lack of dispute resolution mechanisms and rule of law, and the corruption of the Afghan police and government officials that have alienated so many from the government. The lack of international oversight, the pervasiveness of the governance deficiencies, and absence of good mechanisms to redress them make this effort a slow process.

Providing security to defectors is equally complicated. Indeed, with the explicit goal of deterring others, the Taliban has systematically targeted those who have defected so far, killing many. Given that NATO's and Afghan National Army's territorial control in Afghanistan is limited, the ability to protect defectors will be equally limited. Providing security to individual defectors is far harder than trying to protect a village, for example, since it is far easier for the Taliban to assassinate a defector at night than to take over a village and since the density of military presence and intelligence requirements on the part of the counterinsurgents to prevent such assassinations are great. In areas where the Taliban presence is strong, many tribes and individuals have sided with the movement precisely because they calculate that the Taliban will prevail. Without pushing the Taliban back and weakening it militarily, it is not easy to image large-scale defections in such areas, no matter how much the Afghan government and the international community support reconciliation. Thus, although the costs of bringing the rank-and-file out of the cold are not high, there is no easy way to do it.

NEGOTIATIONS WITH THE STRATEGIC LEADERSHIP OF THE TALIBAN

On the other hand, the costs of engaging in strategic level negotiations with the Taliban leadership under the current conditions are great and the benefits are dubious.

Signaling Weakness

The Taliban correctly assesses that the momentum has been on its side. It has systematically interpreted previous overtures for strategic negotiations as a sign of weakness on the part of the counterinsurgents. In his communiqués, Mullah Omar has repeatedly indicated that discussions of negotiations in the West and Kabul indicate that the will of the Afghan government and NATO is breaking and urged his followers to fight all the harder. Thus to signal any willingness to engage in strategic negotiation with the Quetta Shura (the headquarters of Mullah Omar and his closest council) is deeply counterproductive and undermines the psychological and military effectiveness of the military surge.

It is both a useful adage and unhelpful cliché to say that one should negotiate from the position of strength. Obviously, if everyone observed the advice, negotiations would never be possible outside of a stalemate since someone would always be weaker. It is precisely the recognition that military action alone will not generate preponderance of power that frequently drives opponents to the negotiating table. But to offer strategic negotiations before the surge can weaken the Taliban means only to play into Mullah Omar's hands: to communicate weakness, doubt, and wavering commitment on the part of NATO and Afghan government, divisions within them, and an assessment that the surge will not be effective. Thus, engaging in strategic negotiations today or even talking about the possibility carries the real risk of framing the talks as NATO's and Kabul's defeat and preparation for withdrawal.

The Black List

The need to avoid giving such a perception of weakness should also dictate how to handle the "black list" of Taliban commanders designated as terrorists to be apprehended and whose assets should be seized. In recent days, many, including Kai Eide, the UN Special Representative for Afghanistan, have called for a review of the black list to enable negotiations with the Taliban commanders who are deterred from negotiating as a result of the black list. President Hamid Karzai has even suggested removing Mullah Omar from it.

In 2002, the blacklist likely pushed certain Taliban commanders into continuing with the fight, rather than disarming. Certainly, President Karzai has long bemoaned that the black list prevented him in the early post-Taliban period from striking deals with some of the Taliban leaders and thus preventing the reemergence of the conflict. However, even if the black list prevented some Taliban commanders from coming in from the cold in 2002 and 2003 that does not ipso facto mean that the list should be greatly revised today. Many of the people on the list, including Mullah Omar, have committed grave crimes and continue to pose a serious threat to international security.

Indeed, to revise the list simply on the basis of enabling negotiations will have two highly detrimental consequences: Once again, it will imply that Kabul and NATO are so desperate they are willing to go as far as this. Second, such a move will undermine the broader legitimacy and policy usefulness of condemning key terrorist leaders and other pariahs who threaten international stability and security and imply that such lists are purely political tools devoid of any moral and justice content.

Instead of framing any revision of the black list as enabling negotiations, Washington and the international community should announce that they are building accountability and review procedures into the list with the objective of ensuring justice, rule of law, and enhancing policy effectiveness. In other words, that building review procedures into this list is simply a continuation of similar policies recently undertaken, such as regarding the status of prisoners in Guantanamo and at Bagram, and that should be built into all other black lists, such as no-fly lists or other pariah designations. To frame the revisions this way should both enhance broader legitimacy of such a tool without weakening it and enable, when appropriate, engaging with some Taliban commanders and individuals who were inappropriately placed on the list.

The Content of the Negotiations

Mullah Omar has repeatedly dismissed overtures for negotiations. Senior current Taliban leaders did not show up in Mecca for the reconciliation talks sponsored by Saudi Arabia. Taliban representatives who have participated in such feelers have by and large been those who have lost influence in the movement and carry little sway.

Mullah Omar himself has repeatedly stated that the only thing he is prepared to negotiate about is how quickly NATO will leave Afghanistan. For its part, NATO has appropriately insisted that any reconciliation must entail the Taliban renouncing violence and terrorism and accepting the Afghan constitution.

But there is little reason to believe that given the strategic situation on the battlefield and the mindset that the momentum is on its side, the Taliban leadership would embrace such terms. These terms de facto mean that the Taliban would give up many of its key objectives. As long as the Taliban believe that they can win or are about to win by waiting out NATO, they have few incentives to give up their key goals. In fact, it is hard to imagine how under the current balance of forces the Taliban would settle for anything less than a strong participation in the national government or at least substantial territorial control, such as in key areas of the south and east.

But for NATO and Kabul to agree to such terms would mean giving up its key objectives, such as preventing the reemergence of terrorist safehavens in Afghanistan and supporting a stable and accountable Afghan government that can provide for its security and elementary needs of its people. Indeed, even at a regional level, such as in particular districts, NATO and Kabul should not concede to anything that implies giving the Taliban territorial control and restricting access by the Afghan state and international community. Previous versions of such an abdication on the part of the state and the counterinsurgents provide ample evidence of the disastrous effects, viz., Musa Qala, Helmand in 2006 or the previously-mentioned failed negotiations in Pakistan.

Over the past few months, the Taliban has undertaken a two-prong charm offensive. Mullah Omar has issued restrictions against some of the most egregious brutality toward the population and Taliban prisoners. But caveat emptor: the Taliban continues to be extremely brutal, causing three quarters of civilian casualties in Afghanistan, assassinating its opponents, and advocating a highly repressive political order. The second part to its charm offensive has been directed to Afghanistan's neighbors, including Pakistan. The Taliban leadership has been promising that when they retake control, they will not threaten the stability and security of their neighbors. But even if the leadership did not violate its promises – a very low likelihood – the mere fact of its “victory” would give a great boost to salafists around the world, including Tehrik-i-Taliban-Pakistan.

Similarly, there is little reason to believe that any part of Afghanistan's territory controlled by hardcore Taliban would not become a safehaven for salafi terrorist groups, including al Qaeda. Although the two are not the same entity, the Quetta Shura and al Qaeda nonetheless have thick and deep connections. Their proximity in Pakistan since 2001 has only thickened the bonds and enabled them to coordinate activities and share intelligence and know-how.

Splitting the Taliban versus Splitting the Afghan Political Leadership

Beyond the unlikely promise of getting the Quetta Shura to disarm, disavow violence and terrorism, and embrace the new order in Afghanistan, are there possibly any other benefits of engaging in strategic negotiations with the Taliban?

Proponents of such negotiations point to the possibility of using such negotiations to split the Taliban leadership, and thus weakening its operational and command structures. It is certainly possible that negotiations may split the leadership, but the group, including the leadership, is already far from monolithic. In fact, many deep fissures exist among the various groupings, including at the strategic level. In southern Afghanistan, key Taliban commanders even fight each other at times, just as they fight NATO and the Afghan government. But although such fissures hamper the group's effectiveness and should be exploited as much as possible, they have not prevented the Taliban from getting stronger and seizing the momentum. The question thus is whether negotiations could fracture the movement much deeper than it already is to change the strategic environment to favor NATO and the Afghan government.

Paradoxically, regardless of the outcome of any negotiations or especially if negotiations fail, President Karzai, however, is to benefit politically from proposing such negotiations, even though under the current circumstances such talk hurts security and state-building in Afghanistan. By offering negotiations, he can present himself as a good Pashtun, offering the olive branch, even while hoping that the Taliban will not accept it. Indeed, if the Taliban became a legitimate and strong player in southern Afghanistan, Karzai's power and political base would be weakened even further. Nonetheless, President Karzai can reap political benefits and dust off his Pashtun and Kandahar credentials by posturing in support of negotiations. He had already used this maneuver during his election campaign.

But the broader governance costs of such political posturing and strategic overtures to the Taliban are not small. The maneuvers are likely to generate a frenzy of political bargaining and positioning in Afghanistan, with the internal political scene consumed by political calculations regarding shifting alliances, tribal realignments, and new power bases, instead of focusing on urgently improving governance and addressing the Afghan people's needs.

CONCLUSIONS

In short, depending on the design of the reconciliation process, the costs of reviving a reconciliation process for the rank-and-file and medium-level Taliban are not high, while the benefits, in terms of reduced violence, greater security for the Afghan population and sensitivity to its cultural and social values, would be great. But it is hard to see how in the absence of a change on the battlefield, without breaking the Taliban momentum, the individual-level reconciliation effort can be very robust and bring about a major strategic change. Serious obstacles, such as ensuring security to those who defect and delivering on the jobs and payoffs promised to them, remain. In other words, while such an effort should be a complement to the military surge, its effectiveness will greatly depend on the effectiveness of the military surge.

But engaging in strategic negotiations with the Taliban or even talking about them in the current security situation is seriously detrimental to the U.S. strategic objectives of increasing security in Afghanistan, preventing terrorist safehavens there, and building the Afghan state. Talking about strategic negotiations with the Taliban signals weakness and expectation of defeat and only motivates the Taliban to fight stronger. It thus undermines the effectiveness of the surge before it even fully began.