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TALKING WITH TERRORISTS: TERRORIST GROUPS AND THE CHALLENGE OF LEGITIMIZATION

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When Lebanese voters lined up to vote on June 7, 2009, the Obama administration was unprepared to face the alarming prospect of a Hezbollah-dominated government. The U.S. government remains hamstrung by legal and political obstacles that bar any contact with designated terrorist groups, including Hezbollah. This article examines the hurdles that the United States faces when terrorist groups gain legitimacy through democratic elections. Some terrorism analysts have begun advocating engagement of hostile terrorist groups as an element of a successful counterterrorism campaign. Yet, in the case of Lebanon, Hezbollah's electoral success has not resulted in the degree of behavioral change necessary to make the group a credible candidate for U.S. engagement. Moving forward, the United States should support a process that enables Hezbollah and other terrorist groups to be removed from the terrorist lists should they exhibit consistent and credible progress toward moderation and participation.

I. INTRODUCTION

In countries as diverse as Israel, Ireland, Lebanon, and El Salvador, numerous political parties can trace their origins back to armed resistance

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groups, labeled by their adversaries as “terrorists.” Since 1996, the United States has institutionalized a formal process through which certain armed groups are designated as terrorist entities. The electoral successes of some of these proscribed groups, such as Hezbollah in Lebanon, Hamas in the occupied Palestinian territories, and the Unified Communist Party of Nepal (Maoist) in Nepal, have created new tensions for U.S. policy makers. While diplomats see a benefit in maintaining relations with fragile countries in strategic regions, they are reluctant to associate with, and thereby potentially legitimize, political parties that the United States considers to be terrorist entities, such as Hezbollah, which had a particularly strong showing in Lebanon’s June 2009 elections. Going forward, the United States must develop the policy tools necessary to recalibrate its approach toward groups in Lebanon and elsewhere that operate in a zone between democratic legitimacy and a destabilizing, armed resistance.

Engagement is a process, within or outside the context of formal negotiations, by which a representative of the United States can persuasively articulate foreign policy to a terrorist group and reach mutual understandings or formal agreements (Pillar 2001, 73). Thus, engagement can constitute a range of activities, from unofficial backchannel contacts, to opening official lines of communication through low-level officials, to high-level public meetings, to official negotiations. The goal of such contacts is greater alignment of the disputants’ priorities, such as greater political inclusion from the besieged state in concert with moderation and/or disarmament of the terrorist group.

This paper argues that the United States should engage terrorist movements in select, pre-defined situations where the benefits of establishing lines of communication outweigh the costs of legitimizing violence and alienating allied nations or non-violent opposition groups within the country. Specifically, it examines this proposition in the context of Hezbollah and Lebanon. The paper begins by providing a brief overview of the terrorist designation process in the United States and the role of “terrorist lists” in sanctioning terrorist groups. It then considers the argument for engagement, which entails providing terrorist groups with incentives to join the political mainstream, as a counterterrorism strategy. It considers several cases in which terrorist movements successfully transitioned into legitimate political parties, as well as factors that inhibited such a transition. It then analyzes prospects for Hezbollah’s transition into an internationally acceptable political party, as well as the discordant policies pursued by the United States, the United Kingdom, and Europe in their respective attempts to contain and moderate the Shi’ite armed resistance

movement. The paper concludes with a series of policy recommendations for the U.S.'s future engagement with terrorist groups.

II. DESIGNATING TERRORIST GROUPS IN THE UNITED STATES

The United States employs a series of “terrorist lists” to provide policy makers with tools to financially and symbolically sanction terrorist groups that have attacked, or intend to attack, American citizens and interests. The contemporary U.S. system for designating terrorist entities began with the U.S. Antiterrorism and Effective Death Penalty Act of 1996, which established a formal list of Foreign Terrorist Organizations (FTOs) (Pillar 2001, 150). Currently, forty-four groups are included on the FTO list (U.S. Department of State 2008). Assets are immediately frozen to proscribed groups, and it is a crime to provide material support to FTOs in the form of property, financial services, money, transportation, training, safehouses, communications equipment, or weapons (Faucette 2009). Since 2001, 23 percent of terrorism prosecutions in the United States have been material support cases, according to a recent report by New York University’s Center on Law and Security (NYU 2010, 49). For instance, U.S. citizens have been prosecuted for training in terrorist camps, providing broadcasts from Hezbollah’s al Manar television, providing medical services and martial arts training to fighters in Afghanistan, and attempting to sell weapons or false identification to terrorists (NYU 2010, 49-51).

To make the terrorist list, a foreign organization must be actively engaged in violent terrorist activities and pose a threat to U.S. national security, economic interests, or individual citizens (Pillar 2001, 150). This criteria is guided by Title 22 of the U.S. Code, Section 2656f(d), which defines terrorism as “premeditated, politically motivated violence perpetrated against noncombatant targets by sub-national groups or clandestine agents, usually intended to influence an audience” (Hoffman 1998, 38). However, there is no single definition of terrorism employed uniformly across every U.S. government agency (Pillar 2001, 17). Many critics detect a political agenda lurking behind the “terrorist” label. Derek S. Reveron and Jeffrey Stevenson Murer express their frustration with the terrorist label, arguing that, “The choice to call a political actor a ‘terrorist’ or a political act ‘terrorism’ often has a prescriptive policy relevance as well as moral connotation... [S]uch a label implies a preferred policy solution, one which often precludes negotiation” (Reveron and Murer 2008, 311-12). The selective use of the “terrorist” label undermines its moral force. In the past, for example, U.S. intelligence services provided

support to non-state terrorist groups,¹ most notably the Mujahadeen in Afghanistan, the Contras in Nicaragua, and the National Union for the Total Independence of Angola (UNITA) in Angola.

III. MAKING THE TRANSITION TOWARD LEGITIMACY: HISTORY AND STRATEGY

Modern political parties and modern terrorism were born in the ideological tumult of the late nineteenth century and share a number of important attributes. Both political parties and terrorists attempt to influence the government to act in a particular way. Both appeal to the identity and allegiances of a target population. Both are highly dependent on organization and discipline, and both look toward an increase of passive and active supporters as one measurement of success. However, while terrorists win support by eroding the population's faith in the state, political parties win support by laying claim to that faith.

In his study of multi-generational revolutionary movements, Timothy Hoyt of the U.S. Naval War College describes a "rational insurgent" who, "will carefully weigh the consequences of violent action and the potentially counter-productive effects certain types of violence may have on the possibility of achieving the intended political aims" (Hoyt 2007, 2). As a terrorist organization grows larger and more sophisticated, the leadership may recognize that the achievement of tactical goals, such as getting media attention or spreading fear, can undermine the group's larger strategic goals of maintaining popular support and eventually seizing power (Jenkins 2006, 129). When a besieged state faces such a challenge, outlining a feasible road map to political participation is one method of raising the opportunity costs of their adversary's armed struggle (Frey 2004, 78).

Leonard Weinberg and Ami Pedahzur of the University of Haifa have identified several instances in which terrorist groups made the transition into political parties (Weinberg and Pedahzur 2003, 28). The Provisional Irish Republican Army (IRA) in Northern Ireland, African National Congress in South Africa, National Liberation Front (FLN) in Algeria, Farabundo Martí National Liberation Front (FMLN) in El Salvador, Palestinian Liberation Organization (PLO) in Israel, and Mizo National Front in India have all entered the political process after rounds of negotiations. In Uruguay, the urban guerilla organization *Movimiento de Liberación Nacional* (also known as the *Tupamaros*) survived a bloody counter-terrorism campaign and reemerged as a powerful parliamentary party when democracy was restored (Weinberg and Pedahzur 2003, 26). After Israel's war of independence, the *Irgun*, responsible for the King David Hotel bombings, transitioned into

the Herut, a right-wing political party that won fourteen seats in Israel's first elections (Weinberg and Pedahzur 2003, 21). In Mozambique, the Resistencia Nacional Mozambicana (RENAMO) won 112 seats in the national assembly following a 1992 peace agreement (Jones and Libicki 2008, 23).

IV. SHOULD THE UNITED STATES TALK TO TERRORISTS?

The conventional wisdom on talking to terrorists is perfectly encapsulated in a quote from former New York Mayor Rudolf Giuliani: "Those who practice terrorism lose any right to have their cause understood. We're right, they're wrong. It's as simple as that" (Little 2001). However, an increasing number of prominent members of the counterterrorism community acknowledge that negotiations should be pursued as a component of a counterterrorism strategy if the conditions on the ground are favorable for the terrorist group's transition into a political party.² In a recent study of 648 terrorist and insurgent campaigns, the RAND Corporation found that while political accommodations resolved 43 percent of terrorist campaigns, only 7 percent of terrorist groups were defeated through military means (Jones and Libicki 2008, xiii).

Terrorist groups take diverse routes toward political legitimacy. Some groups maintain separate political and military wings, others disarm and moderate their demands, and some vacillate between violent and non-violent contestation. However, the commonalities among terrorist groups that have transitioned to political parties suggest that certain factors make success more likely. The logic of engagement rests on the assumption that some, but not all, terrorist groups will respond to certain incentives and disincentives aimed at bringing them into the state's legitimate political process.

In a recent monograph for the U.S. Institute of Peace, National Defense University's Audrey Kurth Cronin identifies three favorable conditions for engagement: political stalemate, strong leadership on both sides, and a promising international context (Cronin 2010, 11). Further, leaders of besieged terrorist groups suffering from defections and public disillusionment may be more willing to adapt to a nonviolent strategy, precipitating negotiations to resolve a prolonged conflict (Bjørngo and Horgan 2009, 4).

As terrorism analysts have begun to more seriously explore non-military approaches to counterterrorism, some have found common cause with social scientists in the peacebuilding community, who have long advocated government engagement of armed groups (a term that they prefer

to the prescriptive term “terrorist”) as a means to improve understanding of the conflict and demands of the parties, support conflict resolution, minimize civilian suffering, and build mutual confidence (Conciliation Resources 2009, 2). The Centre for Humanitarian Dialogue, a leading peacebuilding non-governmental organization with extensive experience negotiating with violent armed groups, including several terrorist groups on the FTO list, typifies this approach. The Centre supports increased U.S. engagement of proscribed terrorist groups and disputes the notion that dialogue will “...confer legitimacy, compromise principles or strategic interests, or presume any outcome” (Griffiths and Whitfield 2010, 18). Such groups do not equate “talking” with “surrendering,” and consider engagement one among many means of attaining a goal when relying on coercive force is not a reasonable path.

The growing convergence between counter-terrorism and peacebuilding perspectives is expressed by security experts like Major Shannon Beebe, a former Senior Africa Analyst for the Office of United States Army Deputy Chief of Staff, and Paul Pillar, a twenty-eight year veteran of the U.S. intelligence community who is currently with the Georgetown University Center for Peace and Security Studies. Speaking about Congolese rebels before a Department of Defense Bloggers roundtable, Maj. Beebe said,

... one of the things that I was able to do was to go in and to talk with some of the ... rebel leaders. And there's – there's a respect. Militaries pretty much have respect for other militaries. And to be able to talk with them and actually get to sort of the crux of ‘What it would take for you to stop, how – what are the ways that we can get around doing this?’ (Beebe 2008, 9).

The pro-engagement sentiment expressed by Maj. Beebe is similar to U.S. President Jimmy Carter's explanation for the Carter Center's engagement of terrorist groups: “With whom are you going to discuss a conflict if you don't discuss it with the people who are involved in the conflict, who have caused the conflict from the beginning, and who are still engaged in trying to kill each other... you don't fight with weapons and bullets. You fight it by talking to them” (Ricigliano 2005, 10, 21).

Pillar advocates official U.S. engagement of terrorist groups and/or endorsement of formal negotiations when such strategies are more feasible than the eradication of the terrorist group (Pillar 2004, 474). In this view, the United States achieves very little when it isolates terrorist groups in an attempt to gain the moral high ground. Pillar's realist perspective has a compelling and simple logic: the United States should talk to terrorists

when it has a strategic interest in doing so; failure to do so will prevent the United States from pursuing its interests.

Pillar does not advocate engaging every terrorist group. Rather, he argues that the U.S. decision to engage should hinge on an assessment of the individual group's political and military strength, the likelihood of a successful peace process, and the existence of moderate "pragmatists" either within the group or on its periphery that can act as interlocutors to express the group's interests and demands (Pillar 2004, 474). Paul Staniland of the Massachusetts Institute of Technology Security Studies program similarly argues that since terrorist groups are not monolithic entities, the prospect of negotiation can weaken terrorist groups by activating dissension between pro- and anti-negotiation elements (Staniland 2008). As evidence, he cites the fissures that emerged within Sri Lanka's Tamil Tigers and Kashmir's Hizbul Mujahideen upon the prospect of ceasefires.

However, employing engagement as a wedge between hard-liners and moderates can be counter-productive. Leaders who opt for talks risk being perceived as traitors by their own constituencies, losing control of their forces, activating splinter groups, and making themselves vulnerable upon disarmament. Militant groups in Spain's Basque region have vacillated between politics and violence for decades. Similarly, when M-19 candidates campaigned in their first election following the Colombian government's amnesty, several were assassinated by right-wing hit squads (Weinberg and Pedahzur 2003, 62). Also, when Gerry Adams steered the IRA toward negotiations with the British, through the vehicle of the Sinn Fein political party, he was challenged by hardliners within his own party, which resulted in the emergence of the brutal Real IRA.

The most powerful disincentive for the United States to recognize a terrorist group as a political party is suspicion of its motives. This suspicion could stem from intelligence, past actions, or public statements from leaders that frame negotiations as a temporary, tactical component of the larger struggle. Additionally, the United States is wary of meetings being manipulated as propaganda that plays upon the notion that an American representative meeting with a group in an official capacity bestows legitimacy on the group. Therefore, even "just talking" has the potential to spawn confusion and undermine non-violent opposition in the country. This could weaken the middle ground the U.S. Embassy may have spent years cultivating. Further, the United States will be disinclined to speak with non-hierarchical or undisciplined groups whose leaders cannot control the actions of their followers (Cronin 2009, 61). Such factors must be carefully considered when weighing the advantages and disadvantages

of engagement.

The next section of this paper explores and applies these ideas to a case study of Hezbollah.

V. HEZBOLLAH'S DUAL IDENTITY: SOCIAL MOVEMENT AND POLITICAL PARTY

Hezbollah has evolved through a skillful blend of political activism that advocates for and responds to the grievances of Lebanon's Shi'ite population, active manipulation of Shi'ite resentment of Sunni and Christian domination, and appropriation of the community's defense from the Amal movement and other Shi'ite groups (Byman 2008, 171). Hezbollah employed dramatic violence to achieve two key early objectives. First, it convinced President Ronald Reagan to withdraw U.S. forces from Lebanon following the deaths of 241 Americans in the bombing of the U.S. Marine barracks in October 1983. Similarly, it outlasted the Israeli occupation of southern Lebanon, winning a war of attrition when Israel withdrew its forces to the Litani River in July 2006.

Today, Hezbollah has two overarching objectives: to liberate the Shebaa Farms from Israeli occupation and to increase its political clout as the protector of Lebanon's marginalized Shi'ite community (Ottaway and Hamzawy 2008, 22). Hezbollah employs these arguments to justify its refusal to disarm. Concurrently, it pursues a quieter strategy to eliminate rivals in southern Lebanon and capture the Lebanese state (Phillips 2009, 35).

Hezbollah defies much of the conventional wisdom regarding terrorist movements. First, it is not militarily weak. During Lebanon's 2006 war with Israel, Hezbollah attacked Israeli armor columns with antitank guided missiles, hit an Israeli warship with a cruise missile, tapped into coded communications, and fought conventional rather than hit-and-run battles against advancing troops. These developments led the U.S. Army's Combat Studies Institute to upgrade Hezbollah from a "guerilla force" into a "quasi-conventional fighting force" (Jaffe 2009).

In its second deviation from the norm, Hezbollah's political wing competes in Lebanese elections. Since signing the 1989 Taif Accord and entering Lebanon's political process, Hezbollah has deemphasized its original objective of establishing a Shi'ite Islamic state in Lebanon, as many of its constituents and allies would reject a theocratic political platform (Phillips 2009, 44). Hezbollah entered Lebanese electoral politics in the 1992 parliamentary elections after heated institutional disputes between Islamists advocating a revolutionary process (thus rejecting the Lebanese

constitution and secular political system) and those advocating an evolutionary process. The latter group was typified by spiritual leader Mohammed Hussein Fadlallah's argument that "change does not happen only through revolution... it could be achieved by penetrating democratic institutions to promote Islamic ideals" (Phillips 2009, 45). For a first-time political party, Hezbollah performed well, winning eight seats. For several years following Israel's withdrawal from southern Lebanon, Hezbollah focused on national rather than regional issues, calculating that its popularity would have more longevity if it deemphasized its armed resistance (Phillips 2009, 46). This strategy proved to be successful in the 2005 elections when the party secured 23 of 128 seats in Lebanon's parliament as well as two ministerial posts (Byman 2008, 174).

Hezbollah has largely refrained from using overt violence to influence the outcome of elections and its voting record demonstrates that it can work within a democratic framework. However, this does not preclude Hezbollah from participating in other forms of intimidation and aggression. Hezbollah has not refrained from employing violence to win domestic political battles, such as when it seized downtown Beirut in May 2008 (Ottaway and Hamzawy 2008, 22-23). A longer pattern of violent contestation for supremacy within the Shi'ite community culminated in the "War of the Camps" against Amal in 1986 and 1987 (Byman 2008, 174).

A third factor is the Lebanese state's abdication of responsibility for its majority Shi'ite community, which has facilitated Hezbollah's transformation into a state within a state. Hezbollah draws strength from its reputation for honest governance, in contrast to many other players in Lebanon's notoriously corrupt political establishment (Ibrahim 2009). The group builds and administers schools and hospitals and provides social services in southern Lebanon. Hezbollah may glorify violence and intimidate its opponents, but it is the only group that offers Shi'ites a stake in Lebanon's political future (Yacoubian 2009).

Not all observers, however, see Hezbollah's social services as benign and constructive. Writing in *The Financial Times*, Gideon Rose and Sheri Berman accuse Hezbollah of "exploiting the opportunities afforded by civil society... The result has been the hijacking of even seemingly beneficent social and charitable activities for the purposes and glory of a deeply illiberal force and, by hiving off citizens from the state, the weakening of national political institutions and loyalties" (Rose and Berman 2006). Hezbollah's network of social services simultaneously exposes the government as corrupt and neglectful, and secures a network of potential future recruits (Byman 2008, 174-75).

Thus, both outside and domestic observers perceive Hezbollah as a paradox, pursuing its goals through both the gun and the ballot box, simultaneously supplanting and augmenting a neglectful state, and alternatively fashioning itself as a nationalist and a sectarian force. As such, the group has the potential to both stabilize and destabilize the Lebanese state.

VI. DISCORDANT INTERNATIONAL APPROACHES TO HEZBOLLAH

Despite Hezbollah's domestic legitimacy, U.S. policy toward the group is unambiguous. President Bill Clinton labeled Hezbollah a Specially Designated Terrorist (SDT) in 1995 and it has been on the FTO list since the register's creation in 1996 (Sharp 2006, 43). The 2007 U.S. Department of State Country Terrorism Report claimed that Hezbollah has established support cells in Europe, Africa, South America, North America, and Asia, and "remains the most technically capable terrorist group in the world" (U.S. Department of State 2008, 281). Former Central Intelligence Agency (CIA) director George Tenet has argued that Hezbollah's capability to launch attacks within the United States equals that of al Qaeda (Phillips 2009, 48). Advocates of a terrorist label for Hezbollah cite its hostage taking, the assassinations of dissident Iranians in Europe, the high-profile 1994 bombings of Jewish and Israeli targets in Argentina (killing 85 civilians), and the usage of human shields during the 2006 war with Israel to argue against recognizing Hezbollah as a legitimate political entity (Byman 2008, 173). Hezbollah's devastating 1983 suicide bombing of the U.S. Marine barracks ensured that, prior to September 11, 2001, the group was responsible for more American deaths than any other terrorist group (U.S. Department of State 2008, 281). The U.S. government perceives Hezbollah's various wings—political, military, and social—as united under the leadership of the Consultative Council, directed by Secretary-General Hassan Nasrallah (Meleagrou-Hitchens 2009). Therefore, neither Hezbollah's social nor political wing can be distinguished from its military wing.

The U.S. approach to Hezbollah diverges from that of France, the European Union (E.U.), and, now, the United Kingdom (U.K.). France had longstanding historical and cultural ties with Lebanon and served as a mediator during Lebanon's civil war. In pursuit of its strategic interests in the region, France does not impose the same restrictions on Hezbollah and remains an influential intermediary between Lebanon's many factions. Despite the fact that fifty-eight French soldiers were killed in the 1983 U.S. Marine barracks bombing and despite a wave of deadly Parisian terrorist attacks in the mid 1980s, France has displayed diplomatic overtures toward

Hezbollah. French President Jacques Chirac personally invited Hassan Nasrallah to the Francophone Summit in Beirut in October 2002, where he announced, "Hizbullah is an important component of Lebanese society" (Guitta 2005, 2). In the summer of 2007, the French government invited Hezbollah representatives to participate in a national Lebanese dialogue conducted by Foreign Minister Bernard Kouchner in St. Cloud, marking the first time Hezbollah had been invited to France as a political entity with equal standing to other Lebanese groups (Bar'el 2007).

In the wake of Lebanese Prime Minister Rafiq Hariri's 2005 assassination, Bush administration officials pushed European nations to designate Hezbollah as a terrorist group. European diplomats resisted, citing fears of renewed instability in Lebanon if Hezbollah felt cornered (Weisman 2005). A European official argued, "Can a political party elected by the Lebanese people be put on a terrorist list? Would that really help deal with terrorism? Now with Lebanon in a fragile state, is this the proper moment to take such a step?" (Weisman 2005). Because Hezbollah is not on the E.U. list of terrorist organizations, its European financial assets are not frozen and it is able to fundraise without major restrictions within the E.U. (Guitta 2005, 4).

After an extended period of British non-engagement, British Foreign Secretary David Miliband announced in February 2009 that the British government would commence low-level dialogue with Hezbollah. Britain's Foreign Office stated that the objective of these contacts was to "encourage them to move away from violence and play a constructive, democratic and peaceful role in Lebanese politics" (Solomon 2009). British engagement stems from its belief that Hezbollah has separate military, political, and social wings (Richter 2009). From the U.K. perspective, interacting with Hezbollah's political wing does not legitimize the activities of its military wing, which remains on Britain's list of designated terrorist groups. In response to British engagement, Jeffrey Feltman, the U.S. Deputy Assistant Secretary of State for Near Eastern Affairs, emphasized that the United States does not distinguish between Hezbollah's "terrorist, military, political, and social wings" (Associated Press 2009). Senior Hezbollah officials have rejected claims that the group's political wing can be distinguished from its military wing, making the American position more credible (Meleagrou-Hitchens 2009).

Several of Hezbollah's characteristics distinguish the group as a prime candidate for engagement. Hezbollah's elaborate organizational structure and cohesive command and control ensures that individual commanders will respect the decisions of its leadership; therefore, anti-accommodation

splinter groups are unlikely to arise should the group move toward disarmament or sign a ceasefire with Israel. Audrey Kurth Cronin has identified a correlation between participation in negotiations and long established groups with strong leadership characteristics shared by Hezbollah (Cronin 2010, 3). Hezbollah's temporary accommodation with other Lebanese political parties demonstrates a pragmatic impulse that negotiators could exploit; despite Hezbollah's radical and hateful rhetoric, the group does not subscribe to the same messianic nihilism as al Qaeda. Furthermore, Hezbollah's proven governance skills and undeniable prospects for electoral success have raised the opportunity costs for future military confrontation with Israel. However, there are several factors that should give U.S. policymakers pause when considering a new approach to Hezbollah.

VII. CALIBRATING U.S. POLICY TOWARD HEZBOLLAH

Despite some promising trends, Hezbollah represents a serious challenge to the logic of talking to terrorists. Several practical questions would condition the environment in which talks would occur. For instance, should engagement occur primarily through backchannels or public forums? What issues would be on the agenda? Would negotiations over disarmament and/or territory necessitate the inclusion of Israel; if so, is the participation of Israeli negotiators likely to doom talks from the outset? Conversely, is the cost of alienating Israel, a major strategic ally, worth the benefit of opening communication channels with Hezbollah, especially if the outcome of such communication is uncertain? More importantly, would U.S. allies within Lebanon endorse a new approach to Hezbollah?

Despite Hezbollah's strong leadership, advanced command and control structure, and record of good governance and limited accommodation, several of the aforementioned factors that improve the likelihood of successful engagement are absent, such as the carrot of future political reform, the group's loss of power and local legitimacy, and the presence of pro-engagement factions.

Hezbollah's unique hybrid identity has insulated the organization from the conditions that have worked to moderate terrorist movements in the past. Most of the terrorist groups discussed previously were tempted into accommodation with the state by the fruit of political participation. In India, Israel, the Philippines, Sri Lanka, and Nepal, ceasefires based on a foundation of promised political reform have been brokered with anti-state terrorist groups representing disenfranchised or marginalized communities. However, neither the Lebanese state, nor any outside mediator, can offer Hezbollah a carrot that it does not already possess, dramatically undermin-

ing their bargaining position. Hezbollah has already been granted access to the Lebanese mainstream without laying down its arms.

Within Hezbollah, there is no rift between pragmatists and hard-liners that could be exploited by American interlocutors to empower more moderate challengers to Hassan Nasrallah. Similarly, there is little evidence that the United States is incorrect in its view that Hezbollah's social and political wings cannot be distinguished from its military wing. The European and British perception imposes a view of the group's command and control that is separate from its military wing—strongly influenced by previous experience with the IRA and Sinn Fein—but it is inconsistent with the reality of Hezbollah's organizational structure.

Hezbollah has maintained a strong base of support. Cronin's U.S. Institute for Peace study concluded that terrorist groups are more likely to compromise when they perceive themselves to be losing a conflict to their enemy or when their constituencies tire of violence; however, Hezbollah's constituency continues to celebrate its resistance against Israeli aggression (Cronin 2010, 5). The nature of its targets has led Hezbollah to avoid the tradeoff between respectability and militancy encountered by many armed groups. Terrorist groups are more likely to pursue accommodation with their antagonists when their previous actions alienate a formerly sympathetic community (Jones and Libicki 2008, 5). Hezbollah's terrorist attacks have not precipitated a withdrawal of popular support, and its strong ties with Lebanon's Shi'ites insulate it from criticism by the country's Sunni and Christian leadership. Additionally, since the Lebanese population either actively supports or remains indifferent to attacks on Israeli targets, Hezbollah can simultaneously pursue respectability and militancy without censure, providing that its guns remain trained on foreign, not domestic, enemies (Weinberg and Pedahzur 2003, 26).

Terrorist groups are less likely to pursue negotiations with their antagonists when they receive funds and weapons from foreign sponsors (Jones and Libicki 2008, 21). A terrorist group that is unable to pay its recruits or maintain local support through the provision of costly social services will be more inclined toward transitioning into a political identity that does not impede its movement or its ability to fundraise. Inclusion on the U.S. FTO list can only block resources flowing out of the United States. However, Hezbollah's financial lifeline from Iran—as well as its networks in Europe—diminishes its vulnerability to American sanctions.

A recent article in *Foreign Affairs* by Steven Simon and Jonathan Stevenson advocates suspending the U.S. ban on official contact with Hezbollah: "Such an inclusive effort might also convince Hezbollah that its future

prospects depend on effective governance and rebuilding Lebanon's debt-ridden economy, not on its military arsenal" (Simon and Stevenson 2010). However, the authors fail to recognize that, unlike the IRA, Hezbollah faces no trade-off between maintaining its military arsenal and advancing its political prospects. Additionally, the authors overestimate America's ability to influence key decision-makers within the militant group. While the logic of disarmament might be persuasive, Hezbollah's leadership must also recognize that a closer relationship with Washington would likely hurt the group by tarnishing its reputation and undermining its regional popularity as a resistance force. Even if Hezbollah signaled a willingness to meet with officials from the Obama administration, U.S. reluctance to risk jeopardizing its relationship with Israel, suspicion of Hezbollah's motives, and considerable fears of alienating more moderate Lebanese political parties at the expense of legitimizing armed resistance, would deter any adjustment to current U.S. policy. Premature recognition of Hezbollah by the United States risks antagonizing the 95 percent of Sunnis and 87 percent of Christians who view the organization unfavorably (65 percent of all Lebanese citizens have an unfavorable view of Hezbollah) (Carriere-Kretschmer 2008, 28). Even backchannel negotiations, should they be made public, could undermine Lebanon's non-violent political leadership in their own efforts to outmaneuver Hezbollah.

Hezbollah, flush with Iranian resources and celebrated throughout the Middle East for its resistance against Israel, has not expressed interest in any form of rapprochement with the United States (Pillar 2001, 140). Following the U.K.'s announcement that it would engage Hezbollah's political wing, Hezbollah's media relations chief Ibrahim Moussawi clarified that Hezbollah would set the terms for a new relationship with Washington, not the other way around (Al Manar TV 2009). Talking to Hezbollah will fail if the political will for engagement is not reciprocal.

VIII. POLICY RECOMMENDATIONS

Strategically engaging terrorists, provided certain conditions are in place, can be framed as one important tool in a wider counterterrorism strategy. The United States should selectively incorporate engagement of terrorist groups into its counterterrorism toolbox. However, the case of Hezbollah demonstrates the limitations of this approach, where sanctions remain the prudent path for the United States. Outside of direct engagement, several steps can be taken to improve the efficacy of U.S. policy in Lebanon:

1. Outline a Framework for Engagement and Disarmament: During a 2005 press conference with Jordan's King Abdullah, President George W. Bush carefully alluded to the possibility that the United States would accept a political role for Hezbollah, provided that certain conditions were met: "We view Hezbollah as a terrorist organization, and I would hope that Hezbollah would prove that they're not by laying down arms and not threatening peace" (Efron 2005). Disarmament and commitment to non-violent opposition are not unreasonable demands and they track closely to United Nations (UN) Security Council resolutions aimed at mitigating regional conflict. However, the Obama administration should articulate more specific criteria based on conditional steps by which Hezbollah could demonstrate its good faith to address its concerns with U.S. officials, even if it is unwilling to disarm completely. From the U.S. perspective, key issues include information on the U.S. Marine barracks attacks, disrupting Hezbollah's relationship with Iran, and the possibility of supporting Lebanese negotiations with Israel on the Shebaa Farms. Hezbollah would need to take steps to assure the international community that it is not interested in capturing the Lebanese state and remains content with its limited—albeit influential—role in Lebanese politics. Some commentators in the region insist that Hezbollah is more interested in administering its fiefdoms than inheriting the burdens of governing an indebted and fragile state, which could undermine Hezbollah's reputation for integrity and block government access to U.S. and Saudi economic and military resources (Salem 2009a).

President Bush's seemingly candid comments at the 2005 press conference demonstrate the utility of "talking without talking." Until American diplomats are given assurances that engagement will yield results, the Obama Administration should address Hezbollah in a similarly indirect fashion.

2. Reform the Terrorist List System: The process of designating terrorist groups should be better calibrated to fight terror while engaging terrorist groups inclined toward moderation and participation. The terrorist lists provide valuable standardized frames of reference for U.S. efforts to curb financing for terrorist attacks while enabling the United States to publicly pronounce its opposition to specific terrorist groups. However, the lists are inflexible and lack clear gradations (Pillar 2001, 150-54). The lists ensnare the United States in a uniform policy that disregards the diversity of terrorist entities with respect to size, location, religious or ideological affiliation, and level of sophistication, and ignores the likelihood that different groups

will respond to incentives and engagement in different ways. While many terrorism scholars are very careful to distinguish between terrorist groups and insurgencies, the FTO list fails to make this distinction.

The U.S. terrorist lists should be reformed to include exemptions for groups that are involved in ongoing peace processes and create an opening to reduce sanctions in step with significant behavior change (Thorne 2007, 7). Groups that meet certain positive criteria, such as commitments to ceasefires, electoral success, or active involvement in peace accords should be offered some variation of probationary status as an incentive for continued constructive behavior and good-faith negotiations.

Hezbollah does not currently meet the criteria that would conceivably be established to trigger a probationary period. However, at some point in the foreseeable future, internal dynamics may propel the group toward moderation. Complications surrounding terrorist proscription may have impeded peace talks at critical—and ephemeral—windows of opportunity in Sri Lanka, the Philippines, and Nepal (Florquin and Warner 2008, 19-20). Even if a more moderate Hezbollah is unlikely, it is a contingency for which the United States should be prepared.

Critics of engaging terrorist groups argue that such actions risk legitimizing terror. However, engagement that is tied to tangible progress and that meets previously articulated benchmarks—rather than an ad hoc decision to engage—would counteract the perception that the shift in U.S. policy “rewards” terrorism.

3. Develop International Standards: Some terrorist groups can be deterred by the symbolic value and financial sanctions of being designated as a terrorist organization solely by the United States. However, for a terrorist designation to have a crippling multiplier effect, thus compelling violent groups to seek change through legitimate political means, an international effort must be launched.

Lebanon demonstrates the difficulties in pursuing this course of action. A unified effort to contain Hezbollah will require cooperation by states with different philosophical understandings of what constitutes terrorism versus legitimate resistance. Many nations—especially in the Middle East—are suspicious of U.S. counterterrorism efforts, further diluting the effectiveness of sanctions against terrorist groups.

While international efforts under U.N. auspices have been in progress for decades, they have been plagued by this fundamental bifurcation of perception. This is reflected in the U.N. Counterterrorism Committee (CTC), created by Security Council resolutions 1373 (2001) and 1624

(2005) to “bolster the ability of United Nations Member States to prevent terrorist acts both within their borders and across regions.”³ In its 2001 report to the CTC, Lebanon reaffirmed its “condemnation of terrorism in all its forms” with the caveat that its “readiness to cooperate with the United Nations in the suppression of international terrorism” would be guided by “the distinction between terrorism and resistance to foreign occupation,” citing the 1998 Arab Convention for the Suppression of Terrorism (UN Security Council 2001). Clearly, these various interpretations of what constitutes terrorism are incompatible. Thirteen international conventions ban specific acts of terrorism, but there is no international consensus on the definition of “terrorism” (Florquin and Warner 2008, 18).

Moving forward, the United States should couch its opposition to Hezbollah in the language of the 1998 Arab Convention, which should serve as a starting point for any future condemnation of the group. Additionally, the United States should work with the U.N. to develop a universally acceptable definition of terrorism. The U.N.’s efforts to fight terror will be futile if they continue to operate without a common understanding of the threat.

However, such an evolutionary effort will be gradual, and success is not assured. It is unlikely that Europe will designate Hezbollah a terrorist entity or that the U.K. will roll back its lifting of Hezbollah’s proscription in the foreseeable future; increased U.S. pressure for such actions is likely only to increase tensions between allies. For the moment, U.S. policymakers would be well advised to accept the current limitations of U.S. sanctions and watch British efforts closely to determine if incentives for disarmament and moderation exist. The advantages of speaking with a terrorist group—building mutual confidence, educating the group about international humanitarian law, and improving understanding of the conflict—can currently be accomplished with the British or European governments acting as proxies.

4. Commit to Governance and Development in Lebanon: Vice President Joseph Biden concluded a pre-election trip to Lebanon—the first made by a vice president or a president in twenty-five years—by standing alongside President Michel Suleiman and guaranteeing U.S. support. However, Biden’s support for a sovereign and secure Lebanon was constrained by a caveat: “We will evaluate the shape of our assistance programs based on the composition of the new government and the policies it advocates” (Daragahi 2009). It remains an American privilege to adjust aid flows according to changes in government. However, cutting off bilateral aid should be only one of several contingencies should Hezbollah further consolidate its power

in a future election. Additionally, the Obama administration should clearly communicate its preferences to the new government and the opposition, particularly given improved relations with Syria and Lebanon's domestic political dynamics, which are currently less polarized than in the past (Salem 2009b). Already, fears of U.S. disengagement may have contributed to defections from the pro-American March 14th Coalition (Ghadban 2009).

Terrorist groups thrive by exploiting local grievances that stem from state oppression or neglect. States that fulfill their responsibilities to provide citizens with security, justice, and goods and services create a relatively inhospitable environment for terrorists. Hezbollah will find decreasing demand for social services in a population that is already receiving such benefits from the Lebanese state. In preparation for the next electoral confrontation between the March 14th Coalition and the Hezbollah-dominated March 8th Alliance, the U.S. should shift additional resources and attention to enhance the capacity of the Lebanese state to deliver goods and services to its Shi'ite population. Additionally, numerous Lebanese constituencies would respond favorably to U.S. support for reform of the country's widely criticized confessional political structure.

It remains incumbent upon the Obama administration to demonstrate that U.S. interest in Lebanon transcends moments of crisis.

IX. CONCLUSION

History shows that some terrorist organizations have weighed the tradeoff between militancy and respectability and have chosen the latter. Groups with a strong leader, sophisticated command and control structure, and long life spans are most likely to transition to moderate, non-violent political opposition. Hezbollah shares these characteristics. However, the current conditions are not conducive to meaningful engagement: Hezbollah is not divided into pro- and anti-engagement factions, is not losing power and prestige in Lebanon, and does not want political reforms that can be delivered by the United States.

Hezbollah has neither renounced violence nor indicated a clear desire to modify its behavior in exchange for better relations with the United States. Without a major geopolitical shift in the near future, the United States and Hezbollah have few, if any, aligned interests. As a result, the United States has no compelling incentive to remove Hezbollah from its terrorist list and/or open a direct line of communication with the group.

The groups that have successfully made the transition to unarmed, non-violent political parties remain a substantial minority. Even with further U.S. efforts, Hezbollah is unlikely to join their ranks.

NOTES

- ¹ The terms “terrorist group” and “armed group” are controversial. Some audiences would consider many of the armed groups not currently proscribed by the U.S. FTO list to be terrorists, while other audiences would consider some of the proscribed groups to be “freedom fighters” or simply militias.
- ² See Robert J. Art and Louise Richardson, *Democracy and Counterterrorism: Lessons from the Past* (2007); Shannon D. Beebe and Mary H. Kaldor, *The Ultimate Weapon is No Weapon: Human Security and the New Rules of War and Peace* (2010); Audrey Kurth Cronin, U.S. Institute of Peace Special Report: *When Should We Talk to Terrorists?* (2010); Audrey Kurth Cronin, “How Terrorist Campaigns End,” in *Leaving Terrorism Behind: Individual and Collective Disengagement* (2009); Seth G. Jones and Martin C. Libicki, *How Terrorist Groups End: Lessons for Countering al Qa’ida* (2008); David Kilcullen, *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One* (2009); Mark Perry, *Talking to Terrorists: Why America Must Engage with its Enemies* (2010); Paul Pillar, “Dealing with Terrorists” in *The Use of Force* (2004); Paul Pillar, *Terrorism and U.S. Foreign Policy* (2001); Steven Simon and Jonathan Stevenson, *Disarming Hezbollah: Advancing Regional Stability* (2010).
- ³ See <http://www.un.org/sc/ctc/>.

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