

Negotiations for Hostages: Implications from the Police Experience

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The research examines the hostage situation precipitated by a group of Hanafi Muslims in March, 1977, in Washington, D.C. This episode is used to discuss a set of highly successful hostage negotiation procedures and their implications for bargaining with political terrorists. Some hostage situations are, as was the Hanafi episode, attempts by

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The research is based on a large number of depth interviews with law enforcement personnel, domestic and foreign; government decision makers; and people who have been taken hostage. In keeping with the restrictions of the Privacy Act, no allusions have been made to specific individuals. Such guarantees were made to all respondents. Consequently, allusions are to "informed sources," and so forth. Exceptions to this only occur if a respondent gave identical information for attribution to the public media.

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politically weak groups to gain access to the public agenda through political theater staged before the communications media. In such cases, the granting of symbolic rewards and face-saving mechanisms to the terrorists through the ritual of negotiation can lead to their capitulation. These procedures, however, work neither in situations where the terrorists escalate demands nor with suicide missions. The frequency of suicide missions, however, has been largely overrated. The implications from the police experience and the ritualistic and symbolic aspects of hostage taking are discussed in terms of the U.S. Department of State's policy of nonnegotiation. The research suggests that State Department policy be reevaluated in terms of the symbolic and ritualistic motivations behind much hostage taking.

Introduction: The Case of the Hanafi Muslims

On Thursday, March 10, 1977, in Washington, D.C., a small group of members of an otherwise inconspicuous black sect of Muslims precipitated the first hostage situation in the United States executed by ideologically motivated and organized terrorists. Armed with guns and machetes, the band of Hanafi Muslims seized hostages at the national headquarters of the B'nai B'rith, the Jewish social service agency; the Islamic Center; and the City Council chambers in the District of Columbia Building. The small group of heavily armed men created a drama that spread fear throughout Washington. Security at government buildings was intensified, and protection was provided for City Council members and several congressmen.

As news of the incident, buttressed by live television coverage from the three locations, punctuated the lives of the city's residents, the pall of fear could be felt in the air. A snarl of the city's rush hour traffic, resulting from police blockades at the three locations, was simply one more reminder that the psychological impact of the drama being played out in the city's north-west corridor reached beyond the confinement of the hostages.

The most devastating aspect of terror is its uncertainty. Random violence is a haunting violence, leaving no room for the security of delusion. It is random violence that is such a crucial component of the rise of modern-day totalitarianism and what separates it from other forms of dictatorship. In the nontotalitarian dictatorship, one can at least aspire to be politically neutral, and in so doing perhaps avoid the attention of the secret police. In totalitarian states, there is no such security, no such delusion of neutrality. Enemies of the state are not individuals but categories of people. Individuals are arrested because they are members of a category in a state where the

primary purpose of the political police is not to apprehend criminals but to define criminality. Individual behavior provides no guarantees against finding oneself in a category that has been defined as criminal and selected for processing through the penal system. The randomness of the draw creates the climate of fear and uncertainty that provides for the unstable environment in which totalitarianism flourishes.

The late and brilliant political scientist Hannah Arendt¹ painstakingly and insightfully described the role of random terror in the creation of the totalitarian state as a sui generis political institution. However, the functions of random terror are not only available and amenable to those who hold and seek to perpetuate power but also to those who wish to seize it. If random terror can promote the social and political instability that will create an environment conducive to the maintenance of charismatic leadership, the same instrument unleashed against a stable society can promote an environment conducive to repression, instability, and the loss of a government's legitimacy. Random violence promotes fear. Stable governments, let alone stable democracies, have never thrived in an environment of fear.

It is this ingredient of randomness, this sense of fear wrought by uncertainty, that made the psychological impact of the Hanafi seizures so terrifying. There was nothing predictable in the events that led from the brutal slayings, four years earlier, of seven members of the Hanafi community, to the shotgun blast that killed twenty-four-year-old Maurice Williams, a reporter for Washington's WHUR-FM. Williams, a black Howard University graduate, had only recently been assigned to the District government beat. His death, like the wounding and beating of other innocents, could only be properly understood as the result of his being at the wrong place at the wrong time—a contingency against which neutrality is no prophylaxis. To learn of Williams's ironic death was to project one's own vulnerability. In that comprehension the most devastating aspect of terrorism is revealed.

Although twelve men were indicted for their actions in the episode, informed and knowledgeable observers see the drama as having been written by one man, Hamass Abdul Khaalis, age fifty-four. Khaalis has been described as an articulate, dramatic man with a history of mental illness. It was Khaalis's ability as a charismatic leader that made the operation possible. Observers commented that many of the others neither fully knew nor completely understood the consequences of what they were doing.

During the past four years, Khaalis had been burdened by the brutal

murders of the seven members of his community. Four of the victims were children, including a nine-day-old baby. They were drowned in a sink. Two women and another child had been shot from close range. A former member of the U.S. attorney's office who had seen the corpses said to me in the aftermath of the recent episode, "If ever a guy had cause for vengeance, this guy [Khaalis] had cause."

The murders had been committed by five Black Muslims after Khaalis had circulated a letter, in December of 1972, to fifty-seven temples of the Nation of Islam. In that letter he denounced Elijah Muhammad, the spiritual leader of the Nation of Islam. It was alleged that the conspiracy behind the murders reached into the Black Muslim hierarchy, but aside from the seven men originally indicted, two of whom were subsequently acquitted, no one else has been charged with the slayings. This embittered the Hanafis.

The trial of the alleged murders was not perceived as having gone well for the Hanafis. Judge Leonard Braman acquitted one defendant when an unindicted coconspirator refused to testify. Another defendant was granted a new trial by Braman after a jury had returned a verdict of guilty. The second trial resulted in a mistrial when Amina Khaalis, a survivor of the slaughter and daughter of the group's leader, refused to submit to cross-examination. Amina Khaalis still suffers from bullet fragments in her head.

During the course of the trial, Khaalis had become agitated, and several times he disrupted the proceedings. He was fined \$750 for this, and he viewed it with the bitterness of having had insult added to injury.

Judge Braman's handling of the case was seen, by Khaalis, as further confirmation of a Jewish conspiracy that ultimately controlled the Black Muslims. Braman is Jewish. Ironically, the Black Muslim defendants asked Braman to withdraw from the case because of his religion. The five men who were convicted each received sentences of over one hundred and forty years.

Khaalis's disappointment at the trial was underscored by a recent political loss when the established Arab governments recognized Wallace Muhammad, Elijah Muhammad's successor, as the trustee and spokesman for all American Muslim organizations. It was this recognition that is seen as having provided not only the motivation for the seizure of the Islamic Center and the involvement of representatives of the international Islamic community in the hostage episode, but also the primary motivation behind the seizures, perhaps even beyond the concern for vengeance.

It was from elements that grew out of the slaughter, the ensuing judicial

proceedings, and finally the intervention of Arab governments on behalf of the Nation of Islam that the Hanafis's choice of targets was determined. The B'nai B'rith was chosen because of the perception of Jewish control of the Black Muslims; the Islamic Center because of the involvement of the international Islamic community in supporting the Black Muslims; and the District government because of the perceived failure of the government to provide justice. Thus, the first political hostage situation in the United States emerged.

Hostage Negotiation Policy: Foreign and Domestic

In the course of my interviews with hostage negotiators and tactical units in our urban police, it became overwhelmingly evident that the police have believed that a political hostage situation was imminent. In fact, in face of the rise of terrorism, it was considered an accident of good fortune that no politically motivated hostage situation had previously occurred. Not that the police had been unprepared for such encounters, but the strategy and tactics of police operations in dealing with hostage negotiations had never before been implemented where the captors had been ideologically organized and motivated. No one knew whether in the face of ideologically motivated terrorists the carefully orchestrated procedures of police negotiation techniques would work. No one really wanted to find out.

Since the tragedy of the 1972 Munich Olympics, the American police have been developing tactics to deal with terrorist-hostage situations. Some of the most able and best known work has grown out of a hostage negotiation school developed by psychologist Harvey Schlossberg and detective Lieutenant Frank Bolz, both of the New York Police Department. Underwritten by the Law Enforcement Assistance Administration, the school has trained police from other municipalities and from foreign countries in the psychological drama of negotiating for hostages. Similar training is given to domestic police through the Federal Bureau of Investigation Academy at Quantico, Virginia.

Although the details of the training are beyond the concerns of this article, domestic training places a premium on securing the safe release of hostages, often at the expense of some bartering with the captors. In every police department there are parameters with regard to bargaining, but bargaining, giving and getting something in return, is the primary mode of hostage negotiation as carried on by the domestic police. The success rate of this policy has been incredible. In New York City, in over four hundred

situations, the safety of both victim and captor has been secured without death or injury. And similar success rates can be found in other municipalities.

For all ostensible purposes, domestic policy appears to run directly counter to the official policy of the United States government, which refuses to enter into negotiations for the release of hostages. This policy has been publicly enunciated by former Secretary of State Henry Kissinger² and reiterated by Ambassador Douglas Heck,³ special assistant to the secretary of state and coordinator for combating terrorism.

The official posture and the publicly espoused message is that the United States government has not and will not pay ransom, release prisoners, or otherwise yield to terrorist demands. Moreover, the government will not negotiate such issues. On the other hand, the government will conduct discussions with terrorists to secure the release of hostages. As one State Department member said to me in an attempt to clarify this elliptic policy, "We will talk but we will not negotiate." Negotiation in this context means a bartering of hostages for tangible demands, while talking means an inquiry into the well-being of the hostages and appeals on humanitarian grounds for their release.

In defense of this policy Henry Kissinger has noted that the problem of hostage negotiation, at least from the perspective of the government, must be viewed in the context of thousands of Americans who are in jeopardy all over the world. From this perspective, acquiescence to terrorist demands is seen as a stimulus to increased and continuing terror against Americans across the globe.⁴

The supposition here is that the public declaration that the government will not negotiate acts as a deterrent against terrorist attack. The empirical foundations for this supposition, however, have not been demonstrated.

The Israelis maintain a similar policy. One highly placed Israeli official informed me that they are convinced their policy works and that the number of terrorist episodes is reduced because of it. He argues that material from interrogation of captured terrorists indicates that the policy of nonnegotiation, sometimes referred to as "surrender or die," makes recruitment very difficult for terrorist missions inside Israel.

As we will note later, there is some question as to just how effective the policy of nonnegotiation is, despite what some officials might think. Admittedly, the hostage takers that domestic police encounter have not been political terrorists. But they are often very desperate people and one wonders to what extent the overwhelming success rate of our domestic police

can be facilely dismissed by simply saying that they are not dealing with political terrorists. It is this statement that makes the Hanafi case so interesting. Not only were the Hanafis politically motivated and organized, but the political motivation was underscored with personal vengeance.

The Tactical Response of the Police

The Hanafi leader made three demands on the authorities: (1) the cessation of a movie starring Anthony Quinn and titled, *Muhammad: Messenger of God*, which the Hanafis found offensive; (2) the return to Khaalis of the \$750 fine imposed by Judge Braman; and (3) the handing over to Khaalis the five Black Muslims who had been convicted of the massacre at the Hanafi house.

Police prepared for the long wait, which is the primary tactic in situations such as this, which call for giving the drama time to unfold. Special police weapons teams set up a controlled inner perimeter. Fire power and tactical support from sharpshooters and shotgun-carrying police were imposed on the inner perimeter. An external perimeter that cordoned off the sites and diverted traffic was maintained by regular police. A phone link was established at all three sites with the gunmen. It was procedure by the book, the kind used in every hostage situation. But this event was unique.

Its uniqueness resided in the motivations and demands of the gunmen. They had wanted to take hostages. The locations were chosen for political and symbolic reasons. The motivation was reinforced by an underlying ideological commitment. Intelligence information revealed that they had mentally and physically prepared for a long siege. A killing and a shoot-out with police had already taken place at the District Building. The captors had no apparent hope of obtaining sanctuary on foreign soil. It seemed to be a classic political terrorist operation, and the structural aspects appeared to stand as testimony to the gunmen's determination.

While it is true that the police are experienced in dealing with desperate people, it is also true that few of the hostage takers they encounter are willing to die for their demands. Most hostage takers willing to die are suicidal types who want the police to do to them what they are unable to do themselves. But generally these individuals are not interested in slaying their captives.

The most common hostage experience that the police encounter is with the professional felon who in the course of committing a crime finds himself interrupted and without escape. He seizes hostages. Initially that looks

as if it will provide a way out. Ultimately, it becomes a liability, and the professional felon is rational enough to recognize just what a liability it is. Armed robbery is an easier sentence to face than is murder or kidnapping. The felon is willing to cut his losses. Some police feel that the successful outcome of such episodes, with due respect to the elaborate psychological theories sustaining hostage negotiation techniques, is because the felon neither wants to die nor face a murder charge. One experienced police negotiator noted that in the final analysis, when dealing with an interrupted felon holding hostages, the job of the negotiator is to convince the perpetrator that if he surrenders, the awesome display of flack-jacketed and heavily armed police who are confronting him will be restrained.

What has troubled most police about the encounter with the political terrorist is the perception by police that terrorists are willing to die and die dramatically if their demands are not met. In my interviews with negotiators and special weapons personnel around the country, I have found this to be the overwhelming concern when police talk about applying hostage negotiation techniques to a drama involving political terrorists.

Although, such perceptions are widely held, they are terribly inaccurate. According to data generated from the Central Intelligence Agency's Project ITERATE,⁵ only 1.2 percent of all transnational terrorist missions undertaken between 1968 and mid-1974 could be categorized as suicidal. Another 35.4 percent of all missions depicted the terrorists as possessing a willingness to die but a preference not to, and 62.8 percent of terrorist missions had elaborate escape plans built into them.

Before the Hanafi incident it was obvious to the police that the tactics and procedures that had generally been used in hostage situations would of necessity be used if the perpetrators were political terrorists. The gnawing question was: Would these procedures be successful? Inferences from one example—albeit the only one—are questionable, but the important and widely overlooked consideration is that political terrorist situations are not as dissimilar from other kinds of hostage situations as we might be predisposed to think, especially after we factor out our stereotypic notions of the suicidal instincts of terrorists. In addition to what the Project ITERATE data tell us about the lack of suicidal predispositions on the part of terrorists, a former highly placed Israeli police official tells me that he can recall only two cases in which terrorists appeared to have committed suicide; and even in these two incidents there was some question as to whether or not they were killed by explosives that might have been set off in an exchange of gunfire rather than by the terrorists.

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Irrespective of these considerations, in the Hanafi situation, the police were limited in the options they could exercise. For all practical purposes, the only realistic option was what they had been trained to do and had done in the past, i.e., institute the process of negotiation; establish contact and trust with the gunmen; barter for things that could be exchanged; and let time play its crucial role.

Waiting out the subjects is based on the knowledge that as time progresses, there is generally an intimacy that builds up between the subjects and the hostages that decreases the likelihood that the hostages will be killed. This, however, need not be the case in every situation for if the hostages are dehumanized or initially perceived as being something less than human the prophylactic intimacy will not occur. Given the rabid anti-Semitism of the Hanafi Muslims, it was doubtful if this aspect of the long wait (at least at the B'nai B'rith location) would result. However, there is another important element that results from this tactic. As the situation progresses, the initial enthusiasm of the perpetrators deteriorates and the constant prospect of death begins to gnaw at the captors. The captors too are confined and threatened with violence. And the sight of heavily armed police in flack jackets and helmets, deployed in military formation, is a terrifying sight reminding one of one's own mortality and vulnerability. The captors begin to realize that they too are captives, albeit of their own making.

In the course of negotiations, the police produced two of the Hanafis's demands. The offending movie was stopped, and Khaalis's fine was returned. The Black Muslim killers held in federal prison, however, were not surrendered. Yet, some things had been produced. Khaalis certainly could point to some successes from the episode and save face.⁶

As several of the hostages at the Islamic Center were foreign Moslems and Khaalis requested to speak to representatives of the international Moslem community, the State Department made arrangements for the ambassadors of Egypt, Iran, and Pakistan to assist with the negotiations. After establishing rapport via phone communication with Khaalis, the three ambassadors, along with District of Columbia Police Chief Maurice J. Cullinane and Deputy Chief Robert L. Rabe, met face to face with Khaalis. The assembled group sat down at a folding table in a corridor on the first floor of the B'nai B'rith Building. The ambassadors read to Khaalis from the Koran about love and compassion. After the meeting ended without formal or verbal decision, Iranian Ambassador Ardeshir Zahedi embraced Khaalis in the Middle Eastern manner of saying good-bye. Sometime

thereafter, in phone conversations with Cullinane and Rabe, Khaalis agreed to surrender holding out for one more demand—to be released on his own recognizance pending trial. When this demand was approved by a District judge, the ordeal ended. After a grueling thirty-eight hours, the hostages were released.

The Motivation for Capitulation: Implications for Negotiation

Why did Khaalis capitulate? Did the ambassadors persuade him to surrender? According to Khaalis's son-in-law, Abdul Aziz, the meeting only reinforced a decision already made. Those of us who have studied hostage situations would argue that in the end Khaalis realized he too was a hostage and the continuing confrontation with death was no longer as desirable as it appeared initially. Beyond that, there are some other considerations. Aside from the demand for vengeance that went unfulfilled (and despite its prominence in the press accounts, it was not a repeated demand, a factor that led police not to pursue it in the negotiations, especially since Khaalis himself was not pursuing it), and despite the subsidiary demands that were fulfilled, something else was achieved. The larger society had yielded to Khaalis an otherwise unobtainable amount of publicity for his cause and for his grievances. The wisdom of some of it was questionable, but it was undeniably massive. From continuous live television coverage, to domination of virtually the entire first section of the *Washington Post* for two days to trans-Atlantic phone interviews, the Hanafis were transformed from a little-known group to the focal point of national and international media coverage.

In these very real and very critical ways, the Hanafis, like terrorists generally, obtained concessions from the larger society, and that in itself is the primary purpose of much of terrorist activity. According to Project ITERATE data, 37.3 percent of all transnational terrorist activity is undertaken to obtain specific concessions from the larger society, the most common set of purposes attributed to terrorist activity. Among these, publicity is a widely sought after concession. Professor Baljit Singh⁷ has insightfully noted that the purpose of most acts of terrorism is to have otherwise ignored concerns placed prominently on the public agenda.

While the Hanafi activity was similar in motivation to that of other terrorist operations in its quest for a place in the public decision-making process, the Hanafi operation was dissimilar from most terrorist activity in its choice of targets. Not only was the simultaneous seizure of three targets

rare, perhaps only previously observed in the September 1972 skyjacking by Palestinian terrorists of three airplanes to Jordan's Dawson field, but the manner in which the targets were selected resembled a minor rather than a dominant theme of terrorist activity. Only in a minority of cases do terrorists select targets of specific symbolic value. Most target selections are highly indiscriminate—a factor which tends to further intensify the random aspect of terrorist violence.

The extent to which a target possesses symbolic value is important to the leverage for negotiation. Had the target selection been indiscriminate, there perhaps would have been less room for negotiation. The Hanafis struck out at symbols that not only represented the perceived sources of inflicted grievance, but that inherently incorporated a number of attitudinal projections. Some social scientists call such symbols *condensational symbols*, for their capacity to reduce to symbolic form a number of attitudes and projected beliefs.⁸ Attacking such a symbol provides a catharsis and in some sense a political victory. The despised source of grievance is publicly desecrated. The desecration is transmitted by a far-reaching and highly responsive media. There is no doubt that these elements contributed to the Hanafis's perceptions that they had already won not just concessions from the larger society but a symbolic victory. If these motivations, and not vengeance, were the real impetus behind the siege, then Khaalis's lack of pursuit of the demand for authorities to hand over to him the five convicted Black Muslims makes all the more sense. Those who sat at the negotiation table quickly discerned, despite the lack of a verbal or formal agreement, that Khaalis had decided to capitulate. And why not? The real purpose of the mission had apparently been fulfilled. All that remained was the imminence of death or capitulation. The thought of one's own death grows tasteless when one has chewed on it for thirty-eight hours.

The Value of Negotiation

The importance of all of this is that it makes a poignant statement, however indirect, about the wisdom of our national government's public posture of nonnegotiation. And I do not mean to suggest that the conduct of negotiations in this case contradicted that policy. For the conduct of negotiations was largely irrelevant to national policy as the major strategic and tactical decisions resided solely with the metropolitan police. They had final decision-making and jurisdictional authority over the entire operation. The situation does, however, demonstrate that negotiation in the sense of bar-

tering can lead to an appropriate solution that results in the freeing of hostages without the authorities either outrageously compromising themselves or having set a series of precedents that would make the next encounter more likely or more difficult.

The value of negotiation becomes more evident if we can assume that the rationale behind hostage taking extends beyond the immediate calculation of the likely capitulation of authorities to terrorist demands. If this is true—and the Hanafi situation as well as the tendency of terrorists to seek publicity indicates that it is—then possessing or not possessing an avowedly firm policy on negotiation may be largely irrelevant to whether or how frequently a government is a target of terrorist attack.

Terrorism is after all the political weapon of the weak. A strongly armed, well-supported group entertains not terrorism but guerrilla warfare or open conventional warfare as its means of political conflict. (Terrorism when it does occur among relatively strong political groups is an adjunct tactic rather than a strategy.) A weak opponent does not have a reserve of people who can be drawn upon for missions that continually end up in destructive shoot-outs with authorities. This factor is revealed in the terrorists' noticeable penchant for what are called "soft" targets, and is the justification the Israelis use for their tough stand.

But there are yet other implications of dealing with a weak opponent. A weak opponent is also an opponent who needs a victory, even if it is only face saving and symbolic. This means, as it did in the Hanafi case, that there is much latitude for governments to pursue in the context of the bargaining process.

This obviously is not an argument for a policy of outright government capitulation, which unfortunately does occur in over 56 percent of the terrorist episodes. The West German government in their dealings with the Baader-Meinhof gang eventually came to the conclusion that outright capitulation only stimulated further terrorist activity. On 27 February 1975, during the West German election campaign, the Baader-Meinhof gang kidnapped Peter Lorenz, the mayoral candidate of the Christian Democratic Union. The West German government capitulated to the terrorists demands, and five terrorists were flown to Yemen in exchange for Lorenz.

Apparently buoyed by this success, the terrorists struck the West German Embassy in Stockholm on 24 April 1975, and seized eleven hostages and demanded the release of twenty-six Baader-Meinhof guerrillas and safe conduct out of the country for them. This time the West German govern-

ment supported by an aroused public sentiment refused to capitulate. After twelve hours, the terrorists set off a bomb in the embassy and tried to escape in the confusion. One terrorist apparently committed suicide, and the others were apprehended. One hostage was killed, and several others and a dozen Stockholm policemen were wounded.⁹

Even if the West German experience indicates that outright capitulation encourages future attacks, there is no demonstration that a previously announced position of intransigence, even when adhered to, is a deterrent. There are many observers who believe that it simply means that one side is playing the game with all the cards sitting faceup. The tragic deaths of U.S. diplomats George Curtis Moore and Cleo A. Noel at Khartoum in March of 1973 are taken as a case in point. There are a number of State Department personnel who believe that former President Richard Nixon's premature announcement of the government's refusal to negotiate at the time that a "negotiator" was en route, contributed to the terrorists' action.

The knowledge that the government will not negotiate for hostages has led in addition to a problem in morale among State Department personnel. This factor is exacerbated by allegations that members of the department who have been hostages find that they are viewed as pariahs because they are a constant reminder of the potential vulnerability of everyone else. These appear to be subsidiary consequences of a policy whose primary utility and worth is undemonstrated. Under the best of policies such secondary consequences would warrant some reassessment of the primary value of the policy versus its negative consequences. In this case, the secondary consequences appear indicative of a price not worth paying.

Like the United States, Israel has maintained a consistently tough policy in dealing with terrorists. Its toughness may or may not have acted as a deterrent. As we noted earlier, Israeli officials claim that intelligence garnered from fedayeen terrorists indicates that the high risk to the terrorists growing out of Israel's policy is a deterrent to recruitment. Nonetheless, Israel remains a prime target of Arab terrorists despite its policy. Indeed, it would be naive to anticipate otherwise. The primary conflict of the terrorists is with Israel. Attacks against softer targets in the West, which for a long time were a major focus of terrorist activity, could be conceived as an alternate means to bring pressure on Israel. But it is only against Israel herself that the most symbolic and morale-enhancing victories are to be achieved. The necessity for such victories is well illustrated by the clamor and the accompanying embarrassment created by the spectacle of several

fedayeen groups claiming credit for the same operation with the operation's accomplishments often being so modest as to require elaborate embellishments before being purveyed to the media.

As the Israeli experience indicates, the symbolic and media value of the target is of primary importance. If terrorism is theater, then terrorists want to perform where there are plenty of spectators in the galleries. Actions against the United States will receive major international media attention, and the United States is an embodiment of such an array of political symbolism that it can absorb the most distorted projections. The United States and her citizens stand as good primary targets. And this fate appears immutable to public pronouncements of policies that accept or reject the process of negotiation. We are such good targets that we are found as victims in over 50 percent of all terrorist episodes. And from 1968 to 1975 our government was the target of transnational terrorist demands as frequently as any other government on the globe, save Israel. Although data indicating trends are terribly sparse, from what cautious inferences we are able to draw, the trend increasingly is for the American government to become a target for terrorist demands.

All of this seems to say that the policy of nonnegotiation has not achieved what it was designed to achieve. Of course, it may be argued in some quarters that the situation could be worse. Without the policy of nonnegotiation, we would have incurred even more encounters with terrorists. That is an interesting supposition, but one for which unfortunately there is no evidence. The evidence we do have suggests that things are as bad for our citizens and our government as for anyone else.

Whether or not we are willing to negotiate, and despite our stubborn inclination to publicize our stance on such matters, it is clear that we are and will continue to be a highly sought after target. The policy has not created a deterrence, but it has created some unanticipated effects.

The policy of nonnegotiation is a challenge to the terrorists. A war of nerves is established between the nation-state and the terrorists. The latter are inclined to escalate their tactical operations in order to find a point of vulnerability where adherence to the policy will be broken. This tends to mean taking "better" or more exotic hostages. This is generally a symbolic game where the hostages are sought for their publicity value and their symbolic testimony to the vulnerability of the larger society. In such circumstances, there is increased pressure on the government to negotiate.

The American policy was sharply challenged at Khartoum with the taking of diplomats Moore and Noel as hostages. A State Department

“negotiator” was dispatched. Whether or not the policy of nonnegotiation, reinforced by President Nixon’s statement, would have been adhered to is open to question. The Tupamaros’s seizure of the U.S. diplomat Claude Fly in August, 1970, ostensibly did not result in negotiations. Fly’s son, John, went so far as to accuse the Department of State of nearly getting his father killed. Fly was released as an act of mercy after he suffered a heart attack. The Tupamaros, for their part, maintained that the Uruguayan government did enter into negotiations for Fly and an Uruguayan national also being held hostage, despite public disavowals by the government. If such negotiations indeed did occur, it is doubtful that they occurred without some consultation or orchestration by the U.S. government.

When U.S. Ambassador Clinton Knox was seized in Haiti in 1973, he was released the next day after the Haitian government acting through French mediators paid \$70,000 in ransom and gave twelve political prisoners safe conduct to Mexico. A demand of \$500,000 made on the U.S. government was turned down. It was reported that the mediators themselves paid the ransom. The involvement of the U.S. government was not made known, but it is highly doubtful that the U.S. government relinquished complete control of the fate of our Foreign Service personnel to another government.

These cases do illustrate that terrorists will seize highly visible hostages in order to crack the policy of nonnegotiation. As to the actual implementation of the policy, the sending of a “negotiator” to Khartoum, the general disgust among State Department people with Nixon’s premature public announcement of nonnegotiation seems to indicate that the “negotiator” was being sent to do more than appeal to humanitarian instincts. Moreover, all the above cases seem to indicate that it is possible to negotiate, by using third parties or by throwing the public responsibility on the host government, and still maintain the fiction of nonnegotiation.

Negotiation and Political Climate

What a government does, of course, is contingent on what the political environment will accept. The French government’s tough stand against the Croatian hijackers of a TWA domestic flight (September 1976) appeared to many Washington officials involved in transnational terrorism to be indicative of the course of action that is possible when there is no domestic constituency to which officials must respond. Had the Croatians actually been armed, the precipitous French action to shoot out the plane’s tires

might have resulted in casualties. Despite a memorandum placed in the record praising the French for their cooperation, the U.S. government was not consulted about the tactical steps the French were taking. While some officials have attributed this to technical problems with radio communications, others have more than hinted that the problems in communication had less to do with technical difficulties than with France's desire to implement a tough policy without the intrusion of American concerns. The same tough policy was not adhered to by the French in the Abou Daoud affair. There France released and provided safe conduct to the alleged architect of the 1972 Munich Olympics massacre of Israeli athletes. In the latter instance, it was not pressure from the domestic political constituency that resulted in a softening of the handling of the terrorist, but rather a response to the pressure of the Arab oil producers and a desire to sell fighter planes to Egypt.

The war of nerves between terrorists and governments is decisively played out against the questions of political climate. What will the citizenry tolerate? As the targets are made more visible and possess greater symbolic value, the constituency will not be as likely to tolerate a hard line. Even the Israelis found at Maalot (May 1974) and later at Entebbe (July 1976) that there are limits to what even a nation state under siege can expect its citizens to accept.

At Maalot, the Israelis were confronted with the prospect of refusing to negotiate at the cost of the lives of children. Although accounts of what actually took place at Maalot vary, one highly placed Israeli official who was there assured me that the Israelis did enter into serious negotiations with the terrorists. The assault on the terrorists' position only took place after the terrorists refused to extend the deadline for negotiations. The negotiations were said to have been complicated because of the involvement of third parties requested as intermediaries by the terrorists, who were members of the Popular Democratic Front for the Liberation of Palestine.

The Entebbe situation again presented the Israeli government with a situation where the citizenry raised opposition to the hard-line policy of nonnegotiation. Indeed, it appears that the nonmilitary alternative was strongly considered until the terrorists, in the course of negotiation, began to raise their demands. This is perceived by negotiators as a sign that the other side cannot be expected to live up to its end of the bargain.

The exotic target increasingly puts pressure on a government to be more responsive to the citizenry. Interestingly though, West Germany was able to move to a tougher position in dealing with terrorists after the kidnapping

of Christian Democratic Union mayoral candidate Peter Lorenz because that episode also moved public opinion in the direction of a harder line. As the decision of whether or not and how to negotiate is basically, if not ultimately, a political decision, it is also subject to the forces in the political environment. It is this situation that plays an important role in the drama between terrorists and nation states, in the former's selection of targets and the latter's selection of responses.

As political forces operate on the nation-state, so too do they operate on the terrorists. The nation-state must maintain its relations with its constituency, and the terrorists must maintain their credibility. Negotiations consequently take place not only in the context of the immediate environment but in anticipation of future environments.

At Khartoum, the Black September Organization (BSO) still had on its mind the capitulation of its members who had seized the Israeli Embassy in Bangkok in December of 1972. They had been persuaded to leave Bangkok without their hostages and without their demands having been met. Indignant Thai officials berated the terrorists for having precipitated an unseemly event during a solemn national holiday, and caused the capitulation of the BSO force. At Khartoum, there was concern for demonstrating that the BSO was still a force with which to be reckoned, and that Bangkok had not established a precedent.

The impact of political considerations was also revealed in the storm over the agreement reached between District of Columbia Police Chief Maurice J. Cullinane and the Hanafis. Cullinane in order to obtain the release of the hostages worked out an agreement whereby Khaalis and three of his followers would be released on their own recognizance until a grand jury indictment was produced. There were other stipulations in the conditions of release that reduced Khaalis's freedom to virtual house arrest. Cullinane drew fire from Senate Majority Leader Robert Byrd (Democrat-West Virginia) and Senator Lloyd Bensen (Democrat-Texas) as well as from local Montgomery County, Maryland, Police Chief Robert J. di Grazia. Di Grazia went so far as to argue that hostage takers should be promised everything and delivered nothing, as had been done in an earlier episode that took place in Indianapolis.

Cullinane correctly noted that it was important for the police to maintain their credibility. Indeed, it could be readily argued that much of what goes on between hostage taker and negotiator in any set of circumstances is ritualistic, and it is important that both sides maintain their proper roles in the course of the unfolding of the ritual. In the next set of circumstances in

which the District of Columbia police must enter into negotiations, the hostage takers will be assured that agreements reached will be upheld, thus making the ritual all the more viable.

Negotiations as Ritual

It is in the perception of the hostage scenario as a ritual with subsidiary benefits to the hostage takers resulting without complete capitulation by authorities that the strategy of negotiation begins to take on meaning and is comprehensive. To see hostage taking as a plus-zero game where only the authorities or the hostage takers can win is to reduce to a bloodbath a ritual that can otherwise work out in exchanging face and political symbols for human lives.

To have said this, of course, is not to suggest that all such encounters will end as well as the encounter with the Hanafis. Certainly there are situations, as Maalot and Entebbe appear to indicate, where the unfolding drama is less ritual than double cross. In such situations, there can be no substitute for the use of efficient and overwhelming force. Indeed, our domestic police have never viewed hostage negotiation techniques, as refined and disciplined as they are, as a substitute for standard police methods, but rather as an extension of them. Their success should at least give pause for some reconsideration of the national government's policy of previously espoused nonnegotiation. And the encounter with the Hanafis at least suggests that the strategy and tactics used in dealing with criminal hostage takers might not be altogether inapplicable to situations in which the captors are ideologically motivated terrorists. After all, ideological rituals are still rituals.

It is not so much that terrorists seize hostages for the purposes of having only their primary demands fulfilled, for, in reality, these demands are often beyond what a sizable minority of governments will concede. And those governments that persist in not making concessions are no less likely to be targets. Consequently, the terrorists must have some other motivation. Indeed, if Dr. David Hubbard¹⁰ is correct in his assessment of the terrorist as being unrealistic in his or her pursuit, and as not thinking beyond the point of brandishing a weapon and unleashing the drama of the moment, the likelihood of achieving the primary demands is immaterial. What is important is the process itself, the ritual, the assertion of self by the individual terrorist or group. And in this process it is secondary rather than primary considerations that are most important.

It is the fulfillment of parts of the ritual that pave the way for the denouement of the scenario, the capitulation of the terrorist. And here the concessions that are required can be trivial. In fact, the concessions are vital for the terrorist to save face. Police officers in both America and Great Britain agree that many concessions can be granted that can make the terrorists feel successful without serving as a stimulus to further acts of violence. *It is such concessions that make the drama worthwhile for the terrorist without imbuing it with sufficient value or disgrace to warrant death.*

The types of hostage situations that our federal government encounters overseas are not generally barricade and hostage confrontations, although Khartoum certainly was, and the future will undoubtedly hold similar encounters. The question then follows as to whether or not the barricade hostage situation has any lessons for the political kidnapping. I believe it does.

Terrorist activities, after all, are the activities of those who have limited political resources. Consequently, there are a number of resource items that could be easily exchanged. As Professor Singh has insightfully noted, one of the primary functions of terrorist activity is simply to put a grievance on the public agenda. This means that acquiescence to simple demands for publicity might be sufficient to bring an encounter to conclusion.

The resource needs of the terrorists would appear to suggest that there is a great deal of leverage for maneuvering in the course of the bargaining process. And the bargaining process itself might very well be conceived as a ritual where the terrorist group is making a presentation of self in a quest for public and self-identity.

Some hitherto unrevealed aspects of the negotiations with the Hanafi leader Khaalis are illustrative of this presentation of self and the ritualistic aspect of the negotiation process. The negotiations, it will be recalled, took place around a folding table in the B'nai B'rith Building. When Khaalis came down to negotiate he insisted that District Police Chief Maurice J. Cullinane sit at the head of the table. Khaalis addressed Cullinane as general and had Cullinane address him with an Arabic word meaning head of family. One of the initial items discussed was the Hanafi demand for the cessation of the movie *Muhammad, Messenger of God* from theater exhibition. Cullinane, following the generally desirable policy of being candid throughout the negotiations, informed Khaalis that there was no way they could obtain anything but temporary cooperation in having the movie withdrawn from exhibition. Cullinane pointed out that a temporary accommodation to the demand was at best all that he could accomplish. Cullinane went

on to point out that the publicity from the siege would more than stir a financial climate on which the distributors would feel compelled to capitalize. Khaalis remarked that he understood this and thanked Cullinane for what he had achieved and for his candor. With that the negotiation concerning the movie had ended.

The issue of the mass murderers that Khaalis demanded presented to him for vengeance failed to materialize in the end. One observer of this scene wondered if it had ever been a real issue.

Preceding the discussion, there were other aspects of the presentation of self and the creation of ritual that are so much a part of such situations, for example, the manner in which Khaalis determined how the two men would address themselves but also the seating arrangement. Khaalis requested that, in deference to the "general's" (Cullinane's) superior force, Cullinane sit at the head of the table. Khaalis in the course of making one of his demands then requested a change of seating. That aspect in and of itself was so symbolic that when the negotiations ended without verbal conclusion, there was a sense among the police and ambassadors that capitulation was only a matter of time.

In any case study there is always the question of representativeness. Is the incident truly representative of common aspects of negotiation episodes? Although the ritual and symbolic process are to be observed in various aspects of terrorist-hostage situations, a trained and experienced Israeli official asserts that the Hanafi episode has little in common with a confrontation with an Arab terrorist group. For such groups, he asserts, demands are demands and deadlines are deadlines.

Whether the differences are as striking as this observer claims is questionable. Even among fedayeen operations there are few suicides, and even among the few that exist there is always the question of whether explosives that blew a terrorist apart were self-detonated, detonated by accident, or in the course of the inevitable firefight with Israeli troops. Further, there are few cases that one can point to where the Israelis have really embarked on the ritual of negotiation. "Surrender or die" is not just a tactic for the Israelis, it is official policy. And Israelis perceive it as a deterrent, especially to the recruitment of individuals for mission. This, of course, leaves us with the empirical problem of an adequate test of the symbolic ritual leading to denouement in cases involving fedayeen.

Domestic police continually say that every case is unique, and they wonder why the minuet leading to denouement works so often. Yet one cannot help but believe that human nature possesses enough constancies so

that fedayeen or hardened political terrorists are not all that more willing to die than are desperate felons or the Hanafis.¹¹ And if terrorism is largely theater, entering into the scenario might prove effective, irrespective of who the actors are, although with greater or lesser frequency. But one cannot help but feel that with over four hundred negotiated episodes in New York alone, without death, the ritualistic aspects of hostage negotiation should not be easily discarded.

References

1. Hannah Arendt, *The Origins of Totalitarianism* (New York: Meridian, 1962), especially, chaps. 11 and 12.
2. Kissinger's position as cited in Robert A. Fearey, "International Terrorism," *Department of State Bulletin*, 29 March 1976, p. 397.
3. From remarks made by Ambassador Heck to the seminar on terrorism sponsored by the American Society for Industrial Security, Crystal City, Virginia, January 1977.
4. Fearey, p. 397.
5. Project ITERATE was designed and executed by Edward Mickolus, Yale University. The author wishes to acknowledge the assistance of Dr. Alfred Tuchfarber, Director of the Behavioral Sciences Laboratory (BSL), University of Cincinnati, and Mr. Robert Oldendick of the BSL for providing the data runs from project ITERATE. The ITERATE data were provided through the offices of the Inter-University Consortium for Political Research (ICPR). Neither the BSL nor the ICPR bear any responsibility for the use and interpretation of the data. The author also wishes to gratefully acknowledge the painstaking work of Edward Mickolus, Yale University, who created project ITERATE.
6. Although it has heretofore not been made public, the demand for the five Black Muslims was not pursued with any consistency. This led to the demand being interpreted by experienced negotiators as not being serious. This perception of the demand indicates that the operation's success was linked to symbolic rewards rather than to the primary demands that were made.
7. From remarks by Professor Singh to the 1977 Annual Meeting of the International Studies Association, St. Louis.
8. For some standing examples of the use of this concept see: Murray Edelman, *Politics as Symbolic Action: Mass Arousal and Quiescence* (Chicago: Markham, 1971).
9. Major John D. Elliot, USA, "Action and Reaction: West Germany and the Baader-Meinhof Guerrillas," *Strategic Review* 4, no. 1 (Winter 1976): 31-60. Major Elliot is considered to be one of the most knowledgeable experts on the Baader-Meinhof organization.
10. "Interview with Dr. David Hubbard: The Terrorist Mind," *Counterforce*, April 1971, pp. 12-13.
11. On September 6, Superior Court Judge Nicholas Nunzio pronounced sen-

tencing on the convicted Hanafis. Khaalis was sentenced from 41 years to 123 years. The longest sentence was given to Abdul Muzikir, who was responsible for the death of newsman Maurice Williams. Muzikir was sentenced to 78 years to life. The shortest sentence was received by Abdul Al Qawee, who held hostages at the comparatively placid Islamic Center. He was sentenced to 24 years to life. Under the statutes of the District of Columbia, the minimum sentence must be served in full before release. Each defendant was also sent to a separate federal prison in order that no two would ever serve their terms together.