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Terrorism: Negotiate and pursue

By MIKE ACKERMAN

On the surface it would seem that the Reagan administration brought the hijacking of TWA Flight 847 by Lebanese Shiites to a successful conclusion. The release of the surviving hostages was obtained without blatant compromise of the government's "no negotiation" stance, and our leaders even assure us that the murderers of Petty Officer Robert Stethem — somehow — will be brought to justice.

Scratch the surface, however, and the ordeal of Flight 847 unmask our government's fundamental unpreparedness to deal with terrorism, its substitution of slogans for an operative strategy, its lack of counterterrorist instruments. Two realities in particular gnaw at us. First, clearly we did negotiate to get the hostages home. Second, there is little

chance that Petty Officer Stethem's killers will pay for their crime.

Still, the prism of the tragedy has brought into focus several questions central to our society's search for a workable counterterrorist strategy. Is negotiation with hostage-takers necessarily wrong? Is the pursuit of terrorist murderers possible? Is there not value in the tandem utilization of negotiation and pursuit?

"We will never negotiate with terrorists," the president proclaims. His posture is valid — It is not in our interest to have terrorists see potential rewards in kidnapping our people — but let's not confuse a posture with a strategy. "No negotiation" — the refusal under any circumstances to accede to terrorist demands — is indeed a valid strategy, but it

doesn't happen to be ours. Nor are we likely to embrace it. Our society, commendably, places too great a value on human life.

Certainly, many things are not negotiable — we would not turn St. Patrick's Cathedral into a mosque — but some kidnapper demands can be satisfied at no great cost, except to the principle of "no negotiation." The Shiites' insistence upon the return of co-religionists held by Israel — and already earmarked for eventual release — was obviously such a demand, and, just as obviously, it has been satisfied. Our government's protestations notwithstanding, the world correctly perceives a linkage between release of the TWA hostages and Israel's accelerating its timetable for freeing Shiite prisoners.

The problem with negotiating — or whatever the government wishes to call it when we talk and grant concessions to hostage-tak-

ers — is that it encourages more hostage-taking. The tactical use of negotiation to gain the release of hostages is acceptable, therefore, only if employed in tandem with a potent deterrent — pursuit and punishment, post-release, of the hostage-takers.

"Negotiate and pursue": The strategy has an appealing ring of flexibility, but will it work? The fact is, it already has been proven effective — by American business.

Sheer necessity fathered this response to kidnappings of managerial personnel in Latin America. Companies believed themselves obliged to pay ransoms, to keep faith with employees dispatched into troublesome areas. Local authorities, on the other hand, opposed the transfer of funds to guerrillas.

"Negotiate and pursue" evolved as the best means of obtaining the safe return of the hostage without forsaking community responsibilities. "Let us pay to get our colleague back," corporate negotiators proposed to police counterparts, "and we will, after the release, cooperate fully in your efforts to apprehend the kidnappers." Police agencies usually have gone

along.

Has the strategy worked? It has obtained the safe release of numerous hostages and — with tenacious investigation — secured an impressive number of arrests. Moreover, while abductions of members of wealthy families — which pay but rarely pursue — are up in troublesome Latin American countries, kidnappings of American executives are decidedly down.

Latin America of course is one thing, and the Middle East quite another. If the pursuit of terrorists is difficult under the best of circumstances, when undertaken in concert with legally-constituted authority, how can we hunt down the killers of our hostages in chaotic Lebanon or hostile Syria, Libya and Iran?

In truth, we do not at present have the instruments to pursue terrorists in hostile areas, and conventional political wisdom regards their development as unrealistic. Congress and public opinion, it is argued, simply won't abide them. Conventional wisdom may prove correct, but there will be no more crucial test of our political system in our day than its ability to adapt itself to opposing the brazenly contemporary phenomenon of terrorism.

The instruments we require are two

— a "court" to try suspected terrorist killers *in absentia* and *in camera*, and a force to carry out its verdict by hunting down and apprehending or, in the last resort, executing the guilty.

The court should be drawn from the federal judiciary. The accused should of course be represented by a public defender, but neither the proceedings nor the verdict must be public. We cannot be so magnanimous as to let the terrorists know who among them we have identified, and are pursuing. Let them all suspect that they are pursued!

Pursued by whom? The Clandestine Services of the CIA, but with some major modifications. The CIA must be reconstituted as the clandestine arm of the government. Congressional supervision of the agency must be streamlined and "de-publicized." The executive, too, must "de-publicize" the

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agency by ceasing to use it as an overt vehicle for conducting guerrilla wars, as in Nicaragua. Furthermore, the character of the agency's operating cadre must be changed. If we want to get the job done, we'll have to replace the "safe" bureaucrats thrust into leadership positions after Watergate with tough, decisive intelligence professionals.

Unleashing the CIA to kill — the prospect is admittedly an unpalatable one for our society, but can anyone devise a better course? A retaliatory bombing raid against Shiite guerrilla camps at Ba'albek might make us feel less helpless, but satisfaction would dissipate swiftly with the inevitable television news clips of the twisted bodies of innocent casualties. Furthermore, the deterrent effect of a raid, or even series of raids, is questionable. The Israelis have bombed Ba'albek again and again, with little demonstrable effect.

Diplomatic initiatives, economic boycotts, even military blockades — they've all been attempted and have proven patently unsuccessful. Hostage rescues by military commandos — sure, when possible, but today's sophisticated terrorists are taking counter-measures that often make them impractical. Increased protective efforts — certainly, but let's not implement them in the unrealistic expectation that they can be successful in every instance.

In truth there could be no more unfortunate response to the recent hostage episode than to do nothing — until the next time terrorists compel our attention. Inaction would doom us to travel, conduct business, survive in an ever-shrinking cocoon.

E.C. "Mike" Ackerman, an 11-year CIA veteran and a principal of Ackerman & Palumbo, Inc., a Miami-based international security consulting firm, has undertaken numerous successful hostage recoveries. He resigned from the CIA in 1975 to protest what he called the "sensation-seeking" congressional investigation of the agency. Ackerman, who has lectured at the National War College and is author of Street Man, a book about the CIA, wrote this article for The Herald.