Negotiating the Insurgency: The Case for Settling Afghanistan’s War and Securing “Negative” Peace

By Jeffrey M. Bernstein

This article evaluates the logic of negotiations in Afghanistan’s counterinsurgency environment and argues that reaching “negative” peace through negotiated settlement is in the best interest of all relevant stakeholders. Rather than being seen as alternatives, negotiating and war fighting must be viewed along a continuum. The most effective “reconciliation” strategy is one that involves bringing many more Afghans inside the political system, as well as getting Afghanistan’s vested stakeholders onside with a political settlement. Afghans must also have security – the minimum condition for negative peace – to begin to reconstruct their state according to their wishes and desires.

Following the attacks of 9/11, the United States and its allies recorded quick and spectacular military achievements against Osama bin Laden’s al-Qaeda and its Taliban supporters in Afghanistan. With close cooperation of the anti-Taliban, multi-ethnic Afghan factions (the “Northern Alliance”), the international coalition broke up the al-Qaeda establishment in Afghanistan and largely forced the flight and dispersal of the Taliban-run government into the countryside, where they hid amongst the population to bide their time and regroup. While many of the rank-and-file members of the Taliban remained within the country, much of the organization’s top leadership crossed Afghanistan’s southern and eastern borders and took sanctuary in Pakistani cities, such as Quetta, Peshawar and Karachi. The Bush administration “failed to provide those Taliban fighters who did not want to defend al-Qaeda with a way to return to Afghanistan peacefully . . . [making] refuge in Pakistan, often with al-Qaeda, a more attractive option.”¹ Far from achieving its strategic objectives in the 2001 Afghan war, the American-led coalition was unsuccessful at consolidating its apparent tactical successes.

Jeff Bernstein is a human rights and international conflict management consultant. He holds an MA from the Norman Paterson School of International Affairs (NPSIA), Carleton University, in Ottawa, Canada.
Peacebuilding requires the cessation of conflict. In the absence of decisive military victory, how can a lasting peace be ensured?

The Taliban-led insurgency against coalition forces and the internationally backed administration of Afghan President Hamid Karzai continues into its eleventh year. Casualties have mounted on all sides. According to the United Nations, a monthly average of 1,995 security-related incidents, including armed clashes, improvised explosive device (IED) attacks, abductions, and assassinations, had occurred by the end of November 2011—a 21 percent increase over the same period in 2010. In 2010, 2,777 Afghan civilians were killed—a 19 percent increase from 2009; in 2011, 3,021 Afghan civilians were killed. American and North Atlantic Treaty Organization (NATO) coalition military fatalities reached 711 in 2010, while 2011 witnessed a decline in this figure to 566 casualties.

Peacebuilding requires the cessation of conflict. In the absence of decisive military victory, how can a lasting peace be ensured? At the London Conference on Afghanistan, hosted by British Prime Minister Gordon Brown and President Karzai in late January 2010, parties pledged support for the Afghanistan Peace and Reintegration Program, an initiative by the Afghan government designed to incentivize “moderate” fighters to abandon the insurgency, resolve local grievances, and accept the Afghan constitution. As of October 2011, the $141 million peace program had “turned” over 2,900 former fighters, phased through social outreach, confidence building and negotiation; demobilization; and consolidation of peace. This new strategy seemed to suggest Afghanistan’s insurgency might be best subdued by means of a gradual withdrawal by international coalition forces, facilitated by reconciliation and a negotiated settlement rather than the continuation of a costly and inconsistently effective counterinsurgency operation. This decision, however, must be viewed alongside the approximately 40,000-strong international troop “surge” that fully deployed under the command of General John R. Allen, the top US and NATO commander in Afghanistan.

What is to be made of this two-sided approach from the perspective of peacebuilding? Furthermore, what are the conditions necessary to facilitate a negotiated settlement to the Afghan insurgency? And, most critically, what type of settlement would lead to a sustainable peace? The purpose of this article is to explore these questions, taking stock of the key motivations and inhibitions surrounding the negotiation of a peaceful settlement in Afghanistan. It concludes that negotiating and war fighting must go hand-in-hand; they are ultimately, and, perhaps ironically, two sides of the same political coin.

This article is structured into four sections. The first defines key terms used throughout the article. Section two presents a brief review of the literature on creating sustainable peace settlements. Section three discusses settlement negotiation; it examines the incentives and motivations to negotiate from the perspectives of three sets of actors—the international coalition, the Afghan government, and the insurgent groups—and outlines a terse, “how-to” guide for negotiating with insurgents. The fourth and concluding section offers thoughts on future challenges and opportunities facing Afghanistan’s stakeholders.
I. Definitions and Measurement

*Peacebuilding:* Mendeloff observes that peacebuilding is “. . . the process of consolidating peace in the immediate aftermath of war and [involves] carrying out activities that help prevent the recurrence of war over the long term—that is, by creating institutions and mechanisms for resolving internal conflict without resort to violence.”  

Call and Cousens expand on this definition, emphasizing peacebuilding as: “. . . actions undertaken by international or national actors to institutionalize peace, understood as the absence of armed conflict (‘negative peace’) and a modicum of participatory politics (a component of ‘positive peace’) that can be sustained in the absence of an international peace operation.”

Both of the aforementioned definitions point out the critical need to disaggregate between the short- and long-term elements of peacebuilding. The requirements for peace in the immediate aftermath of conflict are analytically and substantively different from those required for longer-term political, social and economic reconstruction. And, as Stedman posited, the immediate aftermath of conflict likely is the single most-important determinant of long-term peace and stability. Indeed, the ultimate goal of peacebuilding efforts is the prevention of war. If war resumes, even within a decade after preventive measures have been implemented, “peacebuilding has obviously failed.”

This highlights the importance of defining clear, measurable outcomes that are “. . . modest enough to make practical sense as an objective for international actors,” and it distinguishes peacebuilding from related, yet oft-elided concepts such as state building and nation building.

*Peace:* Peace is not merely the minimalist absence of violence and war, but the absence of “structural” violence, defined by Galtung as: “endemic socioeconomic and cultural (racial, ethnic, religious) inequality.” This emphasis on structural violence endows peace with an inherently expansive, “positive” definition, asking those working on its behalf to uphold social justice and promote a liberal, egalitarian, and social democracy. But it also implies that the “positive” paradigm is required for peace to exist. While eliminating the structural causes of violent conflict and working toward social equality are surely laudable goals for any society, they may not be necessary for peace. A “negative” definition of peace may be more appropriate: “the absence of large-scale, organized violence or war and the extremely low probability of the resumption of war.” This modified, minimal definition—while, admittedly, less ambitious—better allows us to “know peace when we see it.”

*Negotiated Settlement:* Peace reached through settlement is distinct from military victory and stalemate/ceasefire in that the termination of war comes about through negotiation. Toft describes negotiated settlements as an “ideal-type” termination “in which neither side admits defeat and combatants agree to end the violence and accept common terms on how a postwar state should be governed.” Such settlements typically address the following: future composition of the government; elections; disarmament and demobilization of the fighters; refugee repatriation; and issues of justice, human rights, and accountability during the war. When these provisions become sticking points for settlement, however, they may be tabled for a later agreement or may simply
be ignored in favor of political pragmatism. Third parties external to the conflict—be it another state, regional or international organization, or non-governmental organization—while not required to effect a negotiated settlement, may help to end the violence.\textsuperscript{18}

\section*{II. Literature}

Toft explains that negotiated settlements have “excelled at providing adversaries with positive incentives (benefits) to maintain cease-fires and work toward unity . . . [; however, they] have proven weak at providing negative incentives (harm) beyond the vague collective good of ‘no more violence.’”\textsuperscript{19} This is, perhaps, the negotiation literature’s—and historical record’s—Achilles’ heel. Numerous scholars have pointed out the theoretical undesirability of ending wars by negotiated settlement rather than decisive victory.\textsuperscript{20} And yet a majority (70 percent) of the wars that have ended since the mid-1980s have been concluded through negotiation or a “petering out” of conflict, rather than outright victory or defeat.\textsuperscript{21} Although negotiated settlements tend to produce less stable results—indeed, negotiated settlements revert to conflict at three times the rate of victories—at least 50 percent of these settlements stick, and they also tend to produce less retributive violence.\textsuperscript{22}

Hampson has argued that when settlements do fail, it is because they have been “orphaned.” In these instances, “third parties either failed to remain fully engaged in implementing the settlement or were unable to muster the requisite level of resources, both economic and political to build the foundations for a secure settlement.”\textsuperscript{23} Walter similarly argues that third parties play a critical role and believes that they must signal resolve and must possess sufficient military capability—and display a willingness to use force—to punish defectors.\textsuperscript{24} Third parties must also foster trust between warring factions by monitoring compliance and holding belligerents accountable to their negotiated commitments.\textsuperscript{25}

Finally, Hampson offers a checklist of specific requirements for successful settlement that have gained broad approval throughout the negotiation literature: first, all belligerents must be represented at the negotiating table; power-sharing provisions for both winners and losers in the aftermath of elections should be contained in the agreement; and peace agreements must contain provisions for renegotiation and third party mediation during the implementation phase of the settlement process.\textsuperscript{26} This final point speaks to one of the great paradoxes of negotiated settlements: that the settlement “must seem permanent but in fact should probably be temporary.”\textsuperscript{27} According to Lombardi, entering into negotiations for a peace settlement also requires that all parties acknowledge, overtly, the legitimacy of the process.\textsuperscript{28}

\section*{III. Negotiating a Settlement to Afghanistan’s Insurgency}

A definitive and widely accepted resolution to ensure lasting peace in Afghanistan remains elusive. Indeed, tactics and goals seem to change with each passing crisis or outburst.\textsuperscript{29} Yet, there is a growing consensus among diplomats, commentators, and even
Afghans, that a negotiated settlement is indispensable to ending the war in Afghanistan and to further the achievement of negative peace. Such negotiations would involve three general categories of actors: i) the international coalition; ii) the Afghan government; and iii) the anti-government insurgent groups. Afghanistan’s neighbors, and Pakistan, especially, certainly have a vested interest in the form and substance of any future negotiations. While backchannel and secret discussions doubtless have occurred between the neighbors and the negotiations’ interlocutors, it is too complex and speculative to include this category of actors for purposes of a preliminary discussion. Granted, within each of the groups being examined are many tensions and competing interests; no group is monolithic—including, and especially, the various insurgent factions. Beyond this, key questions persist: Why would any of these actors negotiate? Why would they not? How might they negotiate? Let us turn to these fundamental questions.

IIIa. Why Negotiate?

Parties are drawn to negotiate out of a desire to acquire political and economic concessions and benefits that may not be available absent military victory, and to minimize the destruction of human, geographic, and material resources—the spoils of any negotiation. The opportunity to share political power is often the biggest prize of a negotiated settlement—even if, admittedly, it is merely a runner-up to the ultimate prize of complete political control that is only (potentially) achievable through decisive military victory. Nonetheless, while giving all former combatants a say in the future configuration of the government is a cardinal incentive, there may be other, secondary, motivations for different actors. The following discussion highlights some of the incentives that may be gained through settlement from the perspectives of the international coalition, the Afghan government, and the insurgent groups.31

International Coalition: With force commitments to fight the insurgency in Afghanistan, it may seem counterintuitive to talk earnestly and honestly about negotiating with those labeled the enemy. As former British Foreign Secretary David Miliband acknowledged during a lecture delivered at the Massachusetts Institute of Technology (MIT) in March 2010, “The idea of political engagement with those who would directly or indirectly attack our troops is difficult.”32 Furthermore, the presence of foreign troops on Afghan soil is almost certainly driving the insurgency, uniting disparate groups with dichotomous power-consolidating agendas. Even with enough coalition forces to take and hold most of the areas now controlled by the insurgents, as Dorronsoro describes, “. . . the Taliban can leave areas where [coalition] troops concentrate and then return when troops redeploy elsewhere. There is no way to force the Taliban to fight when they have a sanctuary in Pakistan or in the mountains.”33
Hence the oft-rehearsed—and, perhaps, apocryphal—Taliban aphorism that “NATO has all the watches, but we have all the time.” Along with insurgents’ ability to play a “waiting strategy,” the idea that the Taliban can be eliminated by even the most robust amount of will and resources is fanciful—the Taliban and other insurgent groups are indigenous to Afghanistan and will not easily give up their fight.

While some have criticized the pursuit of, or even discussion about, negotiations as a cover for exit and defeatism, this is a crass comparison. As Miliband also advised, “dialogue is not appeasement and political space is not the same as veto power or domination.” Few recognize complete withdrawal as a sensible solution; moreover, exiting the Afghanistan-Pakistan theatre eliminates the threat of “harm-infliction” that is so important to the success of any settlement. But it is reasonable to question the assumption that coalition countries and their publics have the will to endure indefinitely more loss of blood and treasure. This option need not contradict ISAF’s stated security handover timeframe to Afghan forces by 2014. Aiming for a more ambitious result, talks may convince insurgent leaders and their cadre “to reject violence or . . . [in the event of failure,] foster dissent within the insurgent group's ranks, which in turn may lead the group to implode.” Irrespective of these scenarios, facilitating a return to the negotiating table is very much in the interest of the international coalition.

**Afghan Government:** Karzai has much to gain from entering a negotiated settlement with the Taliban. To begin, his government and the institutions within his control likely do not have the commitment or resources, absent the aid of the international community, to endure a protracted, potentially decade-or-longer battle with the Taliban. Moreover, political reality does not bode well for Karzai:

Historically, a guerilla organization with a sanctuary, relatively good organization and resources, quick recruitment, high levels of commitment, and a foreign enemy far from its base has a strong likelihood of winning in the long run. Nonetheless, Karzai would boost his reputation and the legitimacy of his government if he were able to broker reconciliation with the insurgents. Certainly the inability of his administration to extend security to the more-remote provinces and villages is undermining his credibility as a national leader, and forcing more Afghans into the insurgents’ camp. Specifically in the Pashtun-dominated south, the Taliban has been able to increase the cost of engaging with state institutions: “When engagement with the state risks decreasing security, people become willing to ‘wait it out’ to see if engagement with the state is worth the risk, both in terms of getting services and security.”

Karzai can take a modicum of comfort in the fact that his power and authority is somewhat assured, if only because of his status as an ethnic Pashtun. Indeed, one of the motivating grievances of the Taliban-led insurgency is the general marginalization of Pashtuns from governmental decision-making. Though Karzai has not remedied this issue, the election or installation of a non-Pashtun president could entrench political and military support for the insurgents amongst many more of the 45 percent of Afghan Pashtuns—a base that is imperative for Karzai to keep if a negotiated settlement is to
hold. Furthermore, by encouraging Taliban to participate in the legitimate, peaceful, political process, Karzai may be able to simultaneously erode their authority among their supporters, and impose significant costs on the non-cooperative Taliban for not playing by the rules of the game. Rejecting a credible offer that meets most of the Taliban’s demands would place them in an awkward position with regard to their Afghan supporters for whom they are ostensibly fighting.

Insurgent Groups: The anti-government insurgent groups range from Mullah Mohammad Omar’s Taliban to the Jalaluddin Haqqani network, Gulbuddin Hekmatyar’s Hezb-i-Islami Gulbuddin (HiG), and al-Qaeda. When describing insurgent motivations for negotiations, it is critical to disaggregate the insurgent leadership from the rank-and-file since they fight for distinct reasons; Western efforts at trying to split and identify “moderate” Taliban highlight the different motivations. The senior leadership of the Taliban, most of which form the Quetta shura, seek the establishment and countrywide-enforcement of an extreme version of sharia (Islamic law). O’Hanlon and Sherjan describe their extremist ideology as “misogynous, intolerant, and ruthless.” While outright victory may be the leadership’s most-desirable outcome, the best result they reasonably can expect is to wear down coalition forces to reach—in the words of I. William Zartman—a “hurting stalemate,” in which each side expects things to get worse in the future unless some change—ideally through negotiated settlement—occurs.

Regardless of the military outcome, however, the Taliban’s leadership could benefit from the political legitimacy that a negotiated settlement would necessarily confer on them. Once co-opted into the political system, the Taliban could form a political party to legitimately address its grievances, seek representation abroad, and vie for support and power in broader swaths of the country which have, until now, opposed the Taliban’s Pashtun-dominated ranks. Allaying some Western fears, the pragmatists among the Taliban recognize the limitations of applying the same governing formula that transformed Afghanistan into a pariah state during the 1990s. Power sharing with Karzai has certain logic: it would at least guarantee the maintenance of Western aid and international legitimacy needed for the country to operate autonomously. Moreover, if the Taliban is serious about addressing the grievances of its Pashtun supporters—whose general disenfranchisement dates back, partly, to the exclusion of Taliban representatives from the drawing up of the 2001 Bonn Agreement—then redressing the inequities of the Afghan constitution will be achieved best from within the official political process.

Foot soldiers, on the other hand, fight for multiple reasons that can most likely be satisfied reasonably through a negotiated settlement. Counterinsurgency expert David
Kilcullen estimates that most Afghan insurgents — perhaps as many as 75–90 percent — are, in fact, not hard-core Taliban; rather, they are “local disaffected citizens and tribal leaders, upset by the government’s fecklessness . . . and often feeling aggrieved about life. In short . . . they are ‘accidental guerillas.’” As of late 2009, NATO intelligence estimates suggested that the insurgency might include approximately 25,000 “dedicated, full-time fighters.” Many of these foot soldiers are the candidates ripest for reconciliation under the Afghan government’s Peace and Reintegration Program, introduced above. Some, indeed, are motivated by money — not an unreasonable concern in a country where, as of 2009 approximately 42 percent of the population lived below the poverty line, while over half the population lived at less than 20 percent above it. Others are motivated by tribal rivalry or coercion, as it is not uncommon for insurgent groups to threaten villagers or their families unless and until they cooperate with and support them. Regardless of their specific motivations, most can probably be won over by a combination of enhanced security; various forms of political-participation incentives; and a healthier basis for sustained, rural economic activity. A substantial reduction of the Taliban’s rank-and-file numbers — and, even better, the organization’s compromised ability to recruit new foot soldiers — would signal the untenable continuation of the leadership’s goals.

IIIb. Talking About Talking

March 2010 marked an initiation of peace talks between President Karzai’s government and insurgents from HiG. The group, considered the least significant insurgent faction by many analysts and the ripest for reconciliation, presented a 15-point peace plan in Kabul, entitled “National Rescue Agreement,” which included a demand for the withdrawal of foreign troops within six months, by July 2010 — a full year ahead of President Obama’s then-intended withdrawal date. As reported by Salahuddin and Graff of Reuters, “An eventual peace deal [between the Karzai government and HiG] could signal a split in the insurgency and alter the balance of power on the ground as Karzai seeks to woo fighters off the battlefield . . . .” Owing perhaps to HiG’s well-known ties to al-Qaeda and Osama Bin Laden, specifically, its defection from the insurgency might have encouraged some Taliban commanders — even, perhaps, the Quetta shura — to explore their own peace deals.

A subsequent flurry of negotiating activity was reported in October 2010 by several reputable Western newspapers. And, despite momentum having stalled after the September 2011 assassination of Burhanuddin Rabbani, the former Afghan president and head of the country’s High Peace Council, talks about negotiation had reignited in
seeming earnest by 2011’s end. Filkins of the *New York Times* reported in October 2010 that Afghan reconciliation talks “[have involved] extensive, face-to-face discussions with Taliban commanders from the highest levels of the group’s leadership.” Then-ISAF Commander and current Director of the Central Intelligence Agency, General David Petraeus confirmed that coalition forces had facilitated the safe passage of several “senior Taliban leaders” who were talking to the Afghan government in Kabul. While some journalists were tripping over each other to report these “high-level” talks, the Taliban released a statement denouncing the accounts as unsubstantiated Western propaganda. It appears the Taliban were right: the supposed senior commander, who twice held talks with Karzai, turned out to be a Pakistani shopkeeper who was paid $65,000 for his troubles each time he came to Kabul.

Yet, Afghans are quite comfortable talking while still fighting. Exum observes the contrasts between the Western and Afghan perceptions of the fighting-negotiating continuum:

In the American public’s mind . . . wars take place sequentially: First, you fight; second, you negotiate a settlement. The word ‘negotiations’ conjures up hopes for an end to the conflict in the minds of Americans and other Westerners—when all that really might be occurring is another round of jockeying for position between Afghanistan’s warring political forces.

For a war increasingly described as “un-winnable” on the battlefield, this is hardly unusual. Preliminary talks (“talks about talks”) often provoke fighting to improve negotiating positions.

**IV. How to Negotiate with Insurgents**

As discussed by Byman, “talking with insurgents is often a necessary first step toward defeating them or reaching an acceptable compromise.” Yet, contrary to the turn of phrase, talk is not cheap and has the potential to backfire. The logic of negotiations is intimately linked to the use of force—both its continuance and cessation. Rather than being seen as alternatives—one can either fight or talk—their linkage can often coerce insurgent groups to negotiate if they believe their chance of success on the battlefield is waning. A myriad of plans and discussions have been advanced to bribe or co-opt “moderate” insurgents—presently given form through the Afghan government’s Peace and Reintegration Program—whose will and commitment are seen as more pliable than the hard-core extremists. The strategy most frequently bandied, and the one that has achieved most traction, is that advocated by Kilcullen: “. . . co-opt the reconcilables, make peace with anyone willing to give up the armed struggle, but simultaneously kill or capture all those who prove themselves to be irreconcilable . . . .”

There are a number of important considerations covered by this advice worth unpacking. First is the politically sticky reality that the international coalition and Afghan government would essentially be cutting deals with groups and individuals with Afghan and coalition blood on their hands. Byman says this is a political price worth paying, considering the potential benefits of securing a settlement. Perhaps even more daunting
are the human rights implications facing successful negotiations. As discussed above, many of the insurgents favor—and their leaders demand—extremely conservative social policies. For instance, what place will women’s rights or secular education have in peace talks, let alone an actual settlement? Politically expedient compromises will likely be made with people responsible for committing heinous crimes against Afghans, like the disfigurement of young Aisha, whose face adorned the 9 August 2010 cover of *Time* magazine. It is likely that if the Taliban were to gain political power in areas of the country, particularly in the Pashtun belt stretching from eastern Afghanistan and running to the south-west of the country, many if not all, non-Islamic schools would close completely as part of the implementation and return to other exceptionally repressive social policies. This begs the question: On whose terms will a settlement be dictated?

Second, to make peace there have to be partners willing and able to negotiate. This fact involves both “positive” and “negative” aspects of peacemaking. On the one hand, it recognizes that insurgents who hold hard and fast to irreconcilable, extremist views must be fought, captured or killed; this follows into the positive duty that calls for military progress being made to convince some of the more reconcilable elements of the insurgency to embrace negotiations. From the negative standpoint, however, coalition forces and their allies must stop killing or capturing those insurgent leaders with whom negotiations and reconciliation are known—or even suspected—to be possible. Afghanistan’s insurgents, including the Taliban, are not monolithic. While it is incontestable that Mullah Omar wields ultimate decision-making authority through the Quetta *shura*, coalition members may be able to gain traction by allowing potentially dissenting voices to rise above the din.\(^59\)

The substance of negotiations should focus on a phased withdrawal strategy, rather than, to the extent now possible, a fixed date for withdrawal. The international coalition possesses a major political weapon in its ability to implement “a progressive and focused scaling down of combat troops on our own terms.”\(^60\) But a complete withdrawal or even commitment to a specific timetable, in addition to signaling potential weakness and defeatism, will not maintain the critical elements of potential harm for defection from the settlement. As Dorronsoro details, the coalition should seek to obtain the legal right to strike non-Afghan terrorist groups operating from Afghanistan, either from bases within Afghanistan or from outside the country. Such a policy would guarantee continued third party engagement, and demonstrate resolve and willingness to punish potential spoilers of an Afghan peace settlement. Preferably with UN approval, it will be “essential to establish a legal base for future counterterrorism operations,”\(^61\) which may present a challenge to the current overuse of drone strikes. In exchange, coalition members must extract insurgent guarantees not to attack western bases and Afghan authorities in the areas from which forces withdraw.

Meanwhile, the Taliban must renounce their violent struggle against the government and pledge not to permit sanctuary for al-Qaeda. In return, the Taliban should be allowed to form a political party, “which could take local power in many Pashtun areas through the political process and share in central government in Kabul.”\(^62\) This would require the insurgents to accept the constitutional framework of the government, although, as mentioned previously, there would most likely have to be some flexibility for
the constitution to be reexamined and for specific elements possibly to be renegotiated. Reconciliation efforts received a boost in June 2011 when the UN Security Council, pursuant to resolution 1267 (1999), adopted resolutions 1988 (2011) and 1989 (2011), establishing separate sanctions regimes targeting individuals, groups, undertakings, and entities associated with the Taliban and al-Qaeda, respectively. Beyond the substance of this decision, the symbolism behind splitting the sanctions regimes offers the Taliban a branch along the path toward political reconciliation should its leaders formally renounce ties to al-Qaeda. The July 2011 de-listing of fifteen former Taliban names from resolution 1988’s sanctions list was another important confidence-building measure. And, most critically, the Taliban announced in early January 2012 that the group will open a political office in Qatar—giving Afghan and international peace negotiators a future “address” at which legitimate Taliban intermediaries may be contacted. The demand that the United States release high-ranking Taliban officials from Guantanamo Bay should also be met as a goodwill gesture.”

In the negotiations leading to a final settlement, a credible third party interlocutor should guarantee the security and neutrality of Kabul. This international force may be composed of troops from Muslim countries, such as Turkey, Saudi Arabia, and Qatar, under a UN “Chapter VI” peacekeeping mandate; more general engagement, too, under the auspices of the UN might be necessary to gain credibility in the eyes of all parties. A refusal to comply with these basic and central terms must be met with a robust pursuit of counterterrorism, thereby imposing the costs necessary to coerce insurgents to “sue for peace.”

Challenges and Opportunities for a Brighter Future

In summer 2009, President Karzai declared: “I will continue this process of participation so that all Afghans have a stake in the Afghan government, so that every Afghan feels that ‘I belong to this land and I am its owner and there is a place for me in its government and society.’” Clearly the most effective reconciliation strategy is one that involves bringing many more Afghans inside the political system, as well as getting Afghanistan’s friends, neighbors, and vested stakeholders onside with a political settlement. Required above all is security for Afghans, with the minimum conditions for “negative” peace existing so that Afghans can begin to reconstruct their state according to their wishes and desires. Admittedly, this is a more sobering and less ambitious approach to peacebuilding than many have hoped for. It even allows for the possibility that the pursuit of “negative” peace, which mitigates the insecurity caused by immediate violence, might override the elimination of structural violence required for the gradual movement toward “positive” peace in Afghanistan. In other words, there will inevitably be a tension between doing what is “right” by the Afghan people and what is possible, considering the full panoply of challenges and demands presented by multiple political realities.
Bringing the national publics of Afghanistan and the international coalition on board with negotiations will be difficult. Too many lives have been lost in this conflict to disregard the unavoidable role that emotions have on discussions and policymaking. Indeed, “the very public nature of [this] debate has meant that those who have advocated negotiations have been tarred in the media for either moral turpitude or defeatism.”

Yet, for the very purpose of avoiding more casualties and destruction, and in the interest of securing immediate peace for Afghans, serious, nuanced consideration of the full-range of policy options is absolutely necessary. It will be difficult to reconcile competing interests: either the negotiation process becomes more transparent, trying to account for the wishes of a broader spectrum of the Afghan people who likely revile the Taliban, or, negotiations become a closed-door affair with the major stakeholders imposing their will on the majority of Afghans. This will neither be an easy process nor an easy outcome. Taking advantage of an opportunity for settlement “requires both political dexterity to do what was once unthinkable and a long-term view that accepts both the possibility of real change as well as the risks of failure.”

Thus far, this display of finesse has been lacking in most high-level and public discussions. The question is no longer whether settlement talks will take place but when, and on what (and whose) terms. This war will neither be won nor lost on the battlefield, but, instead, settled at the negotiating table. Challenges abound, not least of which is including the regional powers. Importantly, international perceptions of what is possible must also undergo a meteoric shift. It is naïve and irresponsible to believe that Afghanistan will look like anything close to a technocratic democracy in the Western sense. Nonetheless, with a concerted push toward settlement—and the maintenance of a military option for recalcitrant spoilers—Afghans may begin to reclaim their country from years of fighting. This negative, minimalist vision is what peacebuilding owes Afghanistan.

—Mark Redmond served as Lead Editor for this article.

NOTES

7 Stephen John Stedman, introduction to Ending Civil Wars: The Implementation of Peace Agreements (Boulder: Lynne Rienner, 2002), 1-40.
8 Mendeloff, 362.
9 Call and Cousens, 4.
10 For an excellent overview of these and other related concepts and terms, see Call and Cousens (2008), Table 1.
12 Daniel L. Byman, Keeping the Peace: Lasting Solutions to Ethnic Conflicts (Baltimore: Johns Hopkins University Press, 2002).
NEGOTIATING THE INSURGENCY

Mendeloff, 363.


Defining what is meant by military victory, Toft describes these as “... situations in which one side in a war is defeated, with the other party emerging as the victor. Although the losing side is not necessarily required to formally accept defeat, there is nevertheless an understanding that it will not have the privilege to be part of the government unless the victor allows it to do so.” Monica Duffy Toft, Securing the Peace: The Durable Settlement of Civil Wars (Princeton: Princeton University Press, 2010), 10.


Toft, Securing the Peace.

Toft, “Peace through Security.”


Call and Cousins (2008, 2) remark that while the various data sets of post-1945 civil wars (some listed in the preceding note) conflict in some dimensions, “all agree on the dramatic increase in percentage of wars ended without victory or defeat.”

Call and Cousins (2008, 2) cite Licklider (1995) and Lacina (2006). Licklider finds civil wars that ended through victory (1945–1993) recurred only 15 percent of the time, whereas those that ended differently (through both negotiated settlements and petering out) recurred 50 percent of the time. Lacina reaches similar figures for internal armed conflicts (1946–2004): 15 percent for victories and 42 percent for negotiated settlements, excluding petering out, which recurred more often.


Hampson, 533–49.

Ibid.

Ibid.

Ben Lombardi, e-mail message to author, 17 June 2010.


The logical alternative to negotiating would be to continue fighting. Though understanding the logic and motivations behind a continued desire to fight (maintaining the insurgency or counterinsurgency, depending on the actor) is critical to gain an appreciation for how fighting may end and negotiations may succeed, it is not the subject of this essay. Nevertheless, it is an important question to consider, and certainly remains “in play” as policymakers look to craft solutions to effect a peaceful conclusion to the Afghan war.

This discussion is intended to foster thought and controversy over motivations and incentives for negotiations. Some of the ideas put forward may sound politically incorrect; moreover, some of the incentives for each side are clearly conflictual with those of other actors. Nevertheless, to negotiate successfully, it is important to have a very clear picture of each party’s “red lines” and ultimate demands.


Miliband; Dizikes.

Research on insurgencies by the RAND Corporation indicates that it takes an average of 14 years for governments to defeat insurgent groups; many also end in a draw, with neither side winning the contest. Insurgencies may also have “long tails”: approximately 25 percent of insurgencies won by the government and 11 percent won by insurgents lasted more than 20 years. See Seth G. Jones, “U.S. Strategy in Afghanistan,” Testimony presented before the US Congress, House Foreign Affairs Committee, Subcommittee on Middle East and South Asia, 2 April 2009, http://www.rand.org/pubs/testimonies/CT324/.
While some Afghans contend that ethnicity largely is a foreign, rather than Afghan, preoccupation, it remains true that there is not one candidate who can unite Afghanistan's multi-ethnic peoples and be able to represent confidently multiple, often competing, interests. A detailed exposition of each group's composition, dynamics, and motivations is not possible herein. Because much of the literature on negotiating an end to the Afghan insurgency conflates these groups by referring to “the Taliban” as the sole insurgent (potential) negotiating partner, in the interest of consistency I will do the same, unless specified otherwise.

An additional concern to the Taliban's leadership is the need to avoid fighting a two-front war against Afghan and coalition forces in Afghanistan, and Pakistani security forces in the areas of Pakistan in which it has taken sanctuary. Though Pakistan has, for years, tolerated the Afghan Taliban's presence, tactical moves by its military in 2010 indicate that Pakistan's "will to pursue the Afghan Taliban has grown," if only incrementally—and, admittedly, when it suits Pakistani interests. See Michael E. O’Hanlon, “Pakistan’s War of Choice," New York Times, 24 March 2010, http://www.nytimes.com/2010/03/24/opinion/24ohanlon.html? (accessed 4 April 2010).


On the options (or lack thereof) for a presidential alternative to Karzai, Lieven makes the following observation: “... all the names that have been put forward to replace Karzai look equally unsatisfactory. Either they have no real support within Afghanistan, like former Finance Minister and World Bank official Asmara Ghani, or they have plenty of support but exclusively among non-Pashtuns, like the Panjshiri Tajik former Foreign Minister and Northern Alliance representative Abdullah Abdullah." Lieven, “The War in Afghanistan,” 349.

While some Afghans contend that ethnicity largely is a foreign, rather than Afghan, preoccupation, it remains true that there is not one candidate who can unite Afghanistan's multi-ethnic peoples and be able to represent confidently multiple, often competing, interests.

A detailed exposition of each group's composition, dynamics, and motivations is not possible herein. Because much of the literature on negotiating an end to the Afghan insurgency conflates these groups by referring to “the Taliban” as the sole insurgent (potential) negotiating partner, in the interest of consistency I will do the same, unless specified otherwise.

An additional concern to the Taliban's leadership is the need to avoid fighting a two-front war against Afghan and coalition forces in Afghanistan, and Pakistani security forces in the areas of Pakistan in which it has taken sanctuary. Though Pakistan has, for years, tolerated the Afghan Taliban's presence, tactical moves by its military in 2010 indicate that Pakistan's "will to pursue the Afghan Taliban has grown," if only incrementally—and, admittedly, when it suits Pakistani interests. See Michael E. O’Hanlon, “Pakistan’s War of Choice," New York Times, 24 March 2010, http://www.nytimes.com/2010/03/24/opinion/24ohanlon.html? (accessed 4 April 2010).


O’Hanlon and Sherjan., 71.

Ibid., 26.

Ibid., 29. O’Hanlon and Sherjan define the poverty line as a monthly income of $14 or less. However, the so-called "$10 per-day" moniker for some of the more greed-motivated insurgents cheapens (pardon the pun) serious debate on what to do to pry these fighters from the insurgency. While bribes may work for some fighters, this is not a sustainable policy by any means. Instead of disincentivizing insurgent motivations, a moral hazard problem may emerge, thereby actually incentivizing insurgency. Indeed by throwing money at insurgents to stop fighting, there is a strong likelihood that more Afghans will resort to insurgency—or, at least, to demonstrating their intent to fight—as they have observed what to do to pry these fighters from the insurgency. While bribes may work for some fighters, this is not a sustainable policy by any means. Instead of disincentivizing insurgent motivations, a moral hazard problem may emerge, thereby actually incentivizing insurgency. Indeed by throwing money at insurgents to stop fighting, there is a strong likelihood that more Afghans will resort to insurgency—or, at least, to demonstrating their intent to fight—as they have observed the monetary-rewarding of such conflictual behavior.

Nur Laiq has broached a sensible alternative: “... it might have been worth exploring the idea of creating employment through local public work schemes in order to provide guaranteed long-term incomes, as opposed to one-off cash handouts which surely could not go a long way.” Nur Laiq, “New Strategy Emerges on Afghanistan,” IPI: Comment and Analysis, 4 February 2010, http://www.ipinst.org/events/podcasts/147-new-strategy-emerges-on-afghanistan.html (accessed 3 April 2010).

Speculation has arisen as to Pakistan's motivations behind the arrests. Some experts believe the arrests actually may have been aimed at removing so-called “moderates” within the Taliban who were considering reconciliation talks with Karzai’s government. It has been reported that Baradar was not known to be among the most hard-line group within the Taliban. What the arrests demonstrate, above all, is Pakistan's effort to influence the negotiation and reconciliation process between the Afghan government and the Taliban that Pakistan's leaders believe is both imminent and inevitable. See Tellis (2010); Rashid, “The Way Out of Afghanistan”; Dexter Filkins and Carlotta Gall, “Taliban Leader in Secret Talks Was an Impostor,” New York Times, 22 November 2010, http://www.nytimes.com/2010/11/23/world/asia/23kabul.html?hp (accessed 22 November 2010).


Byman, “Talking with Insurgents,” 125.

I am indebted to Ben Lombardi (personal communication, 17 June 2010) for offering the following point: Nonetheless, some observers maintain the fundamental dichotomy between diplomacy and war—especially vis-à-vis the Taliban as a potential negotiating partner. For example, it is unclear whether jihadist ideology-subscribing insurgent groups are engaged in the discourse between adversaries often represented by war. Rather, said groups may actually engage in a monologue with a supernatural Creator, demonstrating their fervency and offering their “credentials” as believers. If true, how might one engage in a political discourse with an adversary that is not interested in “conversing” with you, or that does not regard you as the principal subject of the conversation?


Many others, including O’Hanlon and Sherjan, have cautioned this same point. Critically, however, coalition forces and their allies do not appear to be heeding this advice. Case in point: in February 2010, Mullah Abdul Ghani Baradar, the Afghan Taliban's second-in-command and the head of its military committee and day-to-day operations, was apprehended in Karachi in a secret joint operation by Pakistani and US intelligence operatives. This was not the first “headline-worthy” arrest in 2010, but it is the most significant.

Indeed, the international press has reported widely that Mullah Baradar, among others, was involved in efforts to respond to President Karzai’s negotiation overtures. Kai Eide, the UN’s former envoy to Afghanistan, also reported that discussions he and others from the UN had with senior Taliban members since spring 2009 (“talks about talks”) were halted because of Pakistan’s spate of arrests. Furthermore, Eide suggested that talks could not have taken place without the blessing of Mullah Omar (“I cannot say with certainty, but I’m pretty sure.”)

Speculation has arisen as to Pakistan’s motivations behind the arrests. Some experts believe the arrests actually may have been aimed at removing so-called “moderates” within the Taliban who were considering reconciliation talks with Karzai’s government. It has been reported that Baradar was not known to be among the most hard-line group within the Taliban. What the arrests demonstrate, above all, is Pakistan’s effort to influence the negotiation and reconciliation process between the Afghan government and the Taliban that Pakistan’s leaders believe is both imminent and inevitable. See Tellis (2010); Rashid, “The Way Out of Afghanistan”; Dexter Filkins and Carlotta Gall, “Taliban Leader in Secret Talks Was an Impostor,” New York Times, 22 November 2010, http://www.nytimes.com/2010/11/23/world/asia/23kabul.html?hp (accessed 22 November 2010).

Byman, “Talking with Insurgents,” 125.

I am indebted to Ben Lombardi (personal communication, 17 June 2010) for offering the following point: Nonetheless, some observers maintain the fundamental dichotomy between diplomacy and war—especially vis-à-vis the Taliban as a potential negotiating partner. For example, it is unclear whether jihadist ideology-subscribing insurgent groups are engaged in the discourse between adversaries often represented by war. Rather, said groups may actually engage in a monologue with a supernatural Creator, demonstrating their fervency and offering their “credentials” as believers. If true, how might one engage in a political discourse with an adversary that is not interested in “conversing” with you, or that does not regard you as the principal subject of the conversation?


Many others, including O’Hanlon and Sherjan, have cautioned this same point. Critically, however, coalition forces and their allies do not appear to be heeding this advice. Case in point: in February 2010, Mullah Abdul Ghani Baradar, the Afghan Taliban’s second-in-command and the head of its military committee and day-to-day operations, was apprehended in Karachi in a secret joint operation by Pakistani and US intelligence operatives. This was not the first “headline-worthy” arrest in 2010, but it is the most significant.

Indeed, the international press has reported widely that Mullah Baradar, among others, was involved in efforts to respond to President Karzai’s negotiation overtures. Kai Eide, the UN’s former envoy to Afghanistan, also reported that discussions he and others from the UN had with senior Taliban members since spring 2009 (“talks about talks”) were halted because of Pakistan’s spate of arrests. Furthermore, Eide suggested that talks could not have taken place without the blessing of Mullah Omar (“I cannot say with certainty, but I’m pretty sure.”)

Speculation has arisen as to Pakistan’s motivations behind the arrests. Some experts believe the arrests actually may have been aimed at removing so-called “moderates” within the Taliban who were considering reconciliation talks with Karzai’s government. It has been reported that Baradar was not known to be among the most hard-line group within the Taliban. What the arrests demonstrate, above all, is Pakistan’s effort to influence the negotiation and reconciliation process between the Afghan government and the Taliban that Pakistan’s leaders believe is both imminent and inevitable. See Tellis (2010); Rashid, “The Way Out of Afghanistan”; Dexter Filkins and Carlotta Gall, “Taliban Leader in Secret Talks Was an Impostor,” New York Times, 22 November 2010, http://www.nytimes.com/2010/11/23/world/asia/23kabul.html?hp (accessed 22 November 2010).

Byman, “Talking with Insurgents,” 125.

I am indebted to Ben Lombardi (personal communication, 17 June 2010) for offering the following point: Nonetheless, some observers maintain the fundamental dichotomy between diplomacy and war—especially vis-à-vis the Taliban as a potential negotiating partner. For example, it is unclear whether jihadist ideology-subscribing insurgent groups are engaged in the discourse between adversaries often represented by war. Rather, said groups may actually engage in a monologue with a supernatural Creator, demonstrating their fervency and offering their “credentials” as believers. If true, how might one engage in a political discourse with an adversary that is not interested in “conversing” with you, or that does not regard you as the principal subject of the conversation?