Terrorism and the Phenomenon of Radicalisation

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It is well known that the phenomenon of terrorism can be analyzed from different perspectives and two of the most relevant are Psychology (more specifically Forensic Psychology) and Law (more specifically Criminal Law), due to the fact that both the primary protagonists (the terrorists), as the effects of their actions (victims), fall basically on people (and their behaviors) and it is precisely the human being, and its different forms of action, the essence of the study of these sciences or areas of knowledge.

Terrorism is not the same as other types of crimes and terrorists are not typical criminals, they are unusual and distinctive. Consequently, their management can pose exceptionally difficult problems.

When analyzing terrorist acts from the psychological perspective of the terrorist himself it is clear that for them their actions do not have the slightest irrational character, despite being socially abnormal under the prism of the codes of any civilized society. In addition, it is known that the intention of the terrorist goes beyond murder or sabotage, because his goal invariably includes the devastating psychological effect that originates in his victims.

The terrorist thinks and feels that what he does has a purpose and an aim beyond the means he uses, and even perceives his acts as saviours of the society, or at least of "his society". Within his thinking, he feels that he must generate changes, but that these are not possible but through the damage to third parties, which cease to be considered victims since the terrorist reifies his victims and become part of the sack of tailors of the "anything goes" in a dispute between equals. That is, they also see themselves as victims (of a society, of a state, of a government, etc.), and justify their actions under the protection of their own defence and the expression of their rights, and strike out their victims, in the last instance, as the usual and inevitable collateral effects of any war.

Their way of thinking without remorse, allows them to violate social norms without feeling guilt or anxiety during or after performing their actions. In addition, the factors that cause these behaviours are diverse, including psychological, social, political, and religious, among others.

We cannot forget that, within the present analysis, it is pertinent to include elements of the role that group behaviour plays in terrorist actions, given that the manifestations of these groups occur mostly within organized and coordinated groups, and not as isolated or individual behaviours. The sense of belonging and cohesion, sought by these people through their integration into gangs, organizations or terrorist groups, is relevant.

In this way, the sum of all these elements presented simultaneously and systematically facilitates the generation of ideas of change, which are shared with the group and reinforced by the strength of the cohesion of its members, through the identification between them of a greater common purpose. That is, the group as a whole has a greater identity and importance than the mere sum of its members.

However, the channelling of these common ideas and the materialization of them in a terrorist plan is far from being invariable to temporary, cultural or ideological influences. That is to say, the terrorist manifestations are infected and modulated by an infinite number of variables, many of which will determine the ultimate nature of the terrorists´ "modus operandi", the relationship with their terrorist groups of membership and, ultimately, their purposes and functions within their organizations.

Closely linked to the group, we find the phenomenon of "radicalisation", and then the questions that arise are clear: how do people become radicalized before they become terrorists? Can anyone be a terrorist? Are we all potential terrorists?

During the last years of research, the need to conceptualize radicalisation as a process rather than as a personal or psychological condition has been highlighted. After 9/11 and the realization that the vast majority of terrorists were radicalized in the countries where they attempted, numerous models emerged that tried to explain how it was possible to radicalize people living in the heart of advanced democracies.

Those who radicalize are people. In general, there are three factors that motivate individual radicalisation: the search for meaning and identity, the need for physical protection or social support, and the desire to challenge authority or fight a grievance.

At least four mechanisms are known that use radical movements in radicalisation processes: due to personal grievances; due to political grievances; by self-persuasion (transition from sympathizer to radical activist by progressively assuming greater commitment, risk or sacrifice); and by social facilitation (individuals are recruited through a specific social network which includes other radicalized individuals).

The mechanisms are generic representations of recruitment or radicalisation procedures. That is to say, it is not necessary to exist only these four. In fact, the development of social dynamics is what leaves "shadow areas" which are exploited by radical movements.

Following the recommendations of the Rome Memorandum on good practices for the rehabilitation and reintegration of violent extremist criminals, the basic principles of the International Center for Combating Terrorism in The Hague, the rules of the United Nations Standard for the Treatment of Prisoners (now known as the Mandela Rules), and the foundations of the EU Radicalisation Prevention Network, evaluation, management and intervention with violent extremist terrorists must be tailor-made in order to be adapted to the unique characteristics of this type of terrorism. In other words, radicalized terrorists need a different kind of approach to non-radicalized terrorists, even if they are suspected of having equally extreme extremist views.

As a result, different programs of de-radicalisation and rehabilitation for extremist terrorists have emerged around the world in recent years. When analysing and comparing these programs, we find the problem that although these programs generally include similar interventions (for example, education and professional training, psychological and religious counselling, etc.), they actually pursue a wide range of objectives.

The question of radicalisation brings a unique set of problems and challenges, including concerns about the prevention of the spread of violent extremist ideologies among the world's population. Therefore, to compensate and control the process of radicalisation, it is essential to launch a series of policies that take into account all the different aspects.

The following elements are not discussed in any particular order of chronology or importance; however, they must invariably occur so that we can speak of a successful and consolidated de-radicalisation:

- **Rehabilitation:** Rehabilitation is an intentional and planned intervention instead of an accidental occurrence that aims to change the characteristics of the terrorist (attitudes, cognitive abilities and processes, personality or mental health, and social, educational or vocational skills) which are the cause of terrorist behaviours, to reduce the chances that the terrorist will offend again.

- **Disconnection:** People or movements disengage when they reduce or stop using violent methods. The disconnection may or may not imply de-radicalisation, which requires not only a change in behaviour but also a change in belief.

- **Reintegration:** In general, intervention policies must aim to prepare terrorists to re-enter society and live as law-abiding citizens. More specifically, reintegration includes a safe transition to the community, as well as a change in attitudes and behaviour.

Changing of theoretical perspective, and although the issue of radicalisation has become a popular topic of discussion in recent decades, it has a long history in history. Although there is no clear agreement on this issue, there is a phenomenon that starts with the Hashshashi movement extremism and terrorism, which is considered as a result of radicalisation, is of interest in many disciplines. In fact, the issue is not easily solved stems from the complexity of the issue. Sometimes categorized reasons are insufficient to explain and understand the issue. Because each case has its own features and originality. For example, in one real case, a woman who went to Syria to join ISIS said, "I joined to live my faith better". However, she could not make a reasonable explanation for the large amount of money she had with her. Many such cases show that the issue of radicalisation is not a one-dimensional one, necessitating a multidisciplinary approach.

Law is one of the instruments in the fight against radicalisation. Criminal law basically evaluates the concrete actions of individuals, not their thoughts not reflected to the outside. This is the main difference that separates modern criminal law from the medieval Inquisition law and its courts. This process has been successful with the payment of significant costs and has achieved a humanistic dimension. The process of radicalisation continues with discomfort from the system and sometimes with activism following it. In democratic jurisdictions, expressions or organization of individuals that do not invite violence are subject to legal protection. As a matter of fact, the case-law of the ECtHR (Gerger vs. Turkey) reveals a libertarian approach. Criminal law therefore does not interfere with radicalisation that falls below a certain threshold.

Criminal law comes into play when discourse and acts that invite violence are mentioned. Every country has a common anti-terrorism reflex on terrorism. Although there is not a complete agreement on the definition of terror, there is a broad agreement on minimum commons. No one can be punished for an act not written in the law and the laws try to make the definition of the crime as clear as possible. However, the texts of the law are abstract texts and the basic criterion is judicial practice. Judicial practice and judicial culture are also shaped by judicial decisions.

Criminal law must pay attention to the delicate balance between public security and personal freedoms. For example, attitudes against individual freedoms that are incompatible with the law do not prevent radicalisation, but adversely encourage radicalisation. Therefore, criminal law and its practices need to be adjusted to a very delicate balance. Otherwise, the antidote measures can become poison. Günther Jakobs's "enemy criminal law" theory covers the basic principles of the concept of the fight against terrorism. In general, there are some discrete arrangements for terrorist crimes. In fact, such measures are vital. Because terrorist organizations and perpetrators are more organized and dangerous than ordinary perpetrators.

Prisons and probation units are the main units of penitentiary. There are important measures to be taken to prevent radicalisation of forensic offenders or to disengage terror convicts from the organization. In this context, separate assessments should be made regarding the forensic and terrorist offenders in prisons:

- In theory, forensic prisoners feel some discomfort and they chose to struggle with the authoroty. However, in practice the situation is not in this way unless they had idea that they subjected to unequal treatment or unjustice.The forensic prisoner, who feels he deserves the sentence, can wait for the completion of his imprisonment in harmony. Another mistake about judicial prisoners is the change in daily rituals.Although radicalisation applies not only to the right wing but also to the left wing, nowadays radicalisation is unfortunately only perceived as religious exploitation In this context, for example, the fact that a forensic prisoner turns to religion while he is in prison and concentrates in this direction is considered as a signal of radicalisation. In fact, such assumptions do not work. Particularly in communities where the majority belong to the same religion, it is quite normal for a prisoner to

concentrate religiously and to desire a connection. It is also sometimes seen as a sociological observation that this religious practice was terminated individually after being released from prison. From this point of view, it can be said that the basic character of the society and the psychology of the person should be well known when determining the signal about radicalisation. Tailored approaches should be preferred rather than template approaches.

- Terror prisoners are at a different nature than forensic prisoners. Rehabilitation tools has an essential importance for terror prisoners who are considered to be at the top of the radicalisation process. First of all, measures should be taken to break the pressure of the group in the context of institutional architecture and room accomodation. Otherwise, the members who want to break away from the organization will be subjected to the pressure of the organization. In particular, room layouts for 1 or 3 persons can play an important role. The single room system complies with the European Prison Rules, provided that communication with other prisoners is also respected. Thus, the charismatic leadership effect in the organization is eliminated and individual initiatives are allowed. Intervention programs implemented through psycho-social assistance services may also be beneficial for disengagement. Again, as a prison benefit, transfer of terror prisoners form close type prison to open type or probation can be the main motivators.

For both groups of prisoners, the effective use of the prison chaplaincy and the correct comment-explaining of religion are of paramount importance. It cannot be claimed that this road is a completely stone free highway. Because, especially in radical groups based on religious abuse, the psychology of rejection can prevail against these representatives. Therefore, it would be appropriate for prison chaplaincies to face prisoners with a structured curriculum. Again, the effective implementation of prison inspection and rule of the law will prevent individual discomfort. In addition, the close relationship of prisoners with family members gives them a sense of belonging and reduces their needs for the terrorist organizations. For this reason, the family must be included in this rehabilitation/disengagement process.

In short, in the process of radicalisation exists "the all or nothing", "the white or black", a phenomenon where there is no place for other types of tonalities. The radicalisation can be carried out through social networks or YouTube, which is very difficult to control and extends exponentially like a virus.

Therefore, it is also necessary to use new technologies to counteract this new wave of terrorists addicted and mobilized on the Internet. We must use the "if you cannot with your enemy, join him". That is, following the study of new types of terrorists, and through the use of different research and intervention protocols, we will have more information on the variables involved in the ethology of radicalisation, the factors that maintain it and, on how the benefits acquired by belonging to terrorist groups could be combated, replacing them by others equally attractive but that were, if not normalized, at least non-violent.

We do not intend to elaborate a ruling in this opinion article, but we can affirm, in conclusion, that the few successes that are being collected in the context of the disengagement and rehabilitation of terrorists (especially from the community and penitentiary spheres) come from this line of work, which still has a long way to go ... let's hope it ends in good port and does not end up getting lost in narrow paths.

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