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INTRODUCTION

Crime is one of the most popular topics for coverage across all popular media, with documentary and dramatization being two of the most popular forms produced and broadcast globally. Sumser (1996) explains that crime dramas in particular present polarized conflicts between good and evil, with Kelner (1995) providing further contextualisation by outlining that the things that we see, hear and read in the media "help shape our view of the world and our deepest values; what we consider good or bad, positive or negative, moral or evil" (p. 24). A logical link might then be inferred that to at least some extent, the ways in which those that break the law are consistently presented through different forms of media, the more the perceptions of the general public may be shaped by that presentation.

Poniewozik (2004) notes that the number of crime dramas in particular have increased since the September eleventh terrorist attacks in 2001, and linked with this Shaheen's (2009) research shows that there is a greater presence of both Arab and Muslim individuals within crime dramas in America today than there was prior to the attacks on the World Trade Center. Importantly, Shaheen argues that the negative portrayals of these people significantly outweighs the number of positive portrayals, where those individuals will often be scripted to be the criminal or antagonist. Saleem and Anderson (2013) go a stage further and note explicitly that across this form of media, Arab and Muslim individuals are consistently portrayed as being involved in terrorism or with other violent tendencies, reinforcing stereotypes that many have already internalised. The real consequence of this is then shown by Greenhouse (2010) who argues that in the years following the events of 2001 the workplace for both Arabs and Muslims, and importantly also those that others simply *perceived* to be Arab or Muslim, became a hostile environment where they suffered increases in discrimination compared to the years prior to 2001.

The nature and frequency of different categories of crime is further misrepresented through the media, where the most frequent forms of crime being reported or portrayed fall under the categories of violent or predatory offences, whereas official crime statistics consistently show that these types of criminality are by far a minority of offences as compared to non-violent ones (Chermak, 1997; Garofalo, 1981). Sacco explains that this overrepresentation of violent crime has helped to create a widely held, but false, perception amongst the general population that there is an "epidemic of random violence" (1995, p. 149), whereby there is a high chance of anybody falling victim to a violent crime at any given moment. Indeed, Reiner, Livingstone and Allen further quantify the problem of false perception when they argue that around two-thirds of crime-related news stories reported cover sexual or other violent offences, yet "these account for less than ten percent of crimes recorded by the police" (2003, p. 19). Pollak and Kubrin (2007) conclude that the reason for this exaggeration is perhaps a cynical one on the part of the media who seek to increase the value of any news item by including an element of drama within it. This conclusion is backed by Chermak (1997) who argues that the reality perceived by those that consume media, and broadcast news in particular, is socially constructed through bureaucratic decision-making by producers regarding which stories are selected for reporting, and how such stories should be reported.

A further problem linked to the social construction of perceived realities of crime can be found when considering the reasons that many people tend to believe as to why offenders do become involved in perpetrating violent acts. Scholars including Fabianic (1997) and Soulliere (2003) have explained that it is common within crime dramatization to set out simplistic, expressive and individual motivations held by a perpetrator. This can be problematic when, as

Soulliere argues, these overly simplified motives "tend to locate the 'cause' of crime within the individual" (2003, p. 28). Conveying such simplified understanding of the genesis of violent or mass criminality in this way can be damaging to the efforts to tackle the true root causes of such crimes as the message prevents the realities behind such offences being widely understood and accepted. As Cecil explains, the popularised and misleading explanations "allow the viewers to absolve themselves of any responsibility for the crime problem, as it is caused by bad individuals not criminogenic factors in society" (2007, p. 254), and so more complex and evidence-based explanations of root causes are frequently rejected in favor of the narratives that have been constructed through mass media. Lopez et al characterise this by explaining that the media have "become a tool that can shape public attitudes through entrenching naturalized perceptions, reaffirming the dominant social, political, and cultural discourses in society" (2020, p. 24). The effects of such naturalization of inaccurate understanding of the real root causes of violent offending, whether individual or mass in nature, may have extremely damaging consequences for social cohesion then, whereby a minority population or 'out group' may be subject to unjustified suspicion or even become directly victimized, which in itself may exacerbate the *true* root causes.

In this chapter, there is an examination of a selection of theory that seeks to explain potential root causes of radicalization and extremism, and why an individual may become involved in the commission of crimes of mass violence. There is further analysis of issues faced by former perpetrators seeking a return to mainstream society, focussing on issues of reintegration and how this is made difficult not by the former perpetrator themselves, but by a combination of policy and social construction of the perpetrator and the role they are expected to play as they are reintegrated. This is followed by dedicated sections on the effects of media representations of perpetrators of mass violence, and issues associated with reintegration of perpetrators of crime. To complement the more theoretical and academic analysis, two case studies with contrasting outcomes are then discussed in detail; the first examining the United Kingdom's CONTEST counterterrorism strategy and the recent case of Shamima Begum and her attempted return to the UK from Syria, and the second discussing strategies of reintegration in Rwanda related to perpetrators of the 1994 genocide against the Tutsi.

THEORY ASSOCIATED WITH ROOT CAUSES OF MASS VIOLENCE

For anybody that ascribes to Cesare Lombroso's 1876 *atavistic form* theory, whereby criminals are born and not made, with physical characteristics that can allow criminal behaviour to be predicted then they might argue that indeed these individuals were always destined to become criminals, and in the relevant context being discussed, terrorists.

Most credible criminologists and psychologists however have long since debunked Lombroso's interesting yet flawed theory in favour of later developed approaches such as Sutherland's 1947 *differential association* theory . Sutherland noted that modern societies are heterogeneous, and that different groups in society will always come into conflict with one another as a result of this heterogeneity. Behaviour that is appropriate or inappropriate, criminal or non-criminal, and at its basic level what is right and wrong, are all learned. Specifically Sutherland theorised that motivations, drives, rationalisations, and attitudes are formed and normalised within intimate personal groups. Although Sutherland first opined his theory in 1939, he continued to develop it and in 1947 revised the theory to argue that even normally law abiding individuals can develop emotions and interpretations that are strong enough to

overpower a normal disinclination to break the law. Essentially Sutherland argues that such behavior is structural rather than pathological.

An later theory that corroborates and further develops Sutherland's arguments can be found on examining *labelling*. In discussing Becker's 1963 examination of labelling it can be argued that the way in which people act can be explained through examination of the ways that they were treated by those around them, or perhaps in response to the way they perceive that they have been treated (Crossman, 2020; Slattery, 2003). The implications are that if labelling theory is to be accepted, then "deviants and criminals can, with the right treatment and response from others, be rehabilitated and even 'cured'" (Slattery, 2003, p. 134). If there is optimism from this side of labelling however, there is equally pessimism in terms of the ways in which such labels are in fact utilised in society, and who has the power to apply them. Lopez et al. (2020) argue that it is the media which has the power to widely assign labels, and explain that when a negative label such as 'criminal' is applied by the media to a group, that this results in negative treatment by others against members of the group in question which further results in members of that group beginning to act in a manner consistent with what the applied label expects of them. This is described by Lopez et al. as being a form of "self-fulfilling prophesy" (2020, p. 25).

Specific to the matter of those that have committed an act or acts of criminality in the past, Becker states that in the eyes of mainstream society such a person is regarded as being:

> …a special kind of person, one who cannot be trusted to live by the rules agreed upon by the group. He is regarded as an outsider. But the person who is thus labeled an outsider may have a different view of the matter. He may not accept the rule by which he is being judged and may not regard those who judge him as either competent or legitimately entitled to do so. Hence, a second meaning of the term emerges: the rule-breaker may feel his judges are outsiders. (1963, pgs. 1-2)

Becker's theory may begin to explain then how the internalized labels, communicated initially through both media and policy application, create a process of othering both from mainstream society against the former offender, and from the former offender against those that have formed such negative opinions not grounded in the recent behavior of the individual, rather grounded in stereotypical labels that have been drip-fed to that mainstream society. The consequences of this situation have been argued as being a major impediment to the ability of a former offender to then be successfully reintegrated into society (Lopez et al, 2020).

The media stronghold on the reinforcement of such labels and the subsequent effects can be further evidenced when considering Noelle-Neumann's (1984) spiral-of-silence theory, which sets out that as media reporting and portrayal of certain groups becomes more homogenized and closely aligned to existing stereotypes, the less accepted any deviation from that now standardized label will be. The effect here becomes the elimination or silencing of any potential diversity of opinion, and refusal to accept any legitimacy amongst such opinions that differ from the norm.

When considering this combined theoretical lens further in conjunction with Bandura's social learning theory (1977) and Huesmann's script theory of aggression (1986; 1998) it becomes a difficult position to then legitimately adopt a contrary perspective to rebut the argument that the media in all of its forms bears at least a significant responsibility related to how those that have committed criminal acts in the past will be viewed on attempting to reintegrate within 'normal' society.

In progressing the theoretical analysis more specifically toward acts of mass violence then, Moghaddam (2005) theorised 'the staircase to the terrorist act', arguing that the ascent to committing acts of terrorism are is not a naturally occurring phenomenon. Instead it is argued that there are several stages that individuals will go through before they will engage in such mass violence. Moghaddam outlines six main floors, beginning with the ground floor 'Psychological Interpretation of Material Conditions' and ending with the fifth floor 'The Terrorist Act and Sidestepping Inhibitory Mechanisms'. Moghaddam bases his theory upon ideas linked with areas previously discussed in this chapter in asserting that within society some people will feel perceptions of injustice and frustration when they do not have the ability through ordinary means to effect any change on a negative situation they are experiencing. Importantly, individuals can perceive that they are deprived in comparison to others in the mainstream. Moghaddam borrows from Runciman's (1966) theory of egoistical deprivation if related to perception of personal position, or fraternal deprivation if related to the position of a group they identify as being part of. Moghaddam stresses that it is the individual *perception* of injustice rather than the existence objectively of factual deprivation that is crucial in creating the conditions whereby an individual begins the ascent to terrorism beginning at the ground floor, which would explain why it is only certain individuals from groups and not whole groups that eventually become radicalised.

Moghaddam's metaphor of a staircase with different floors is perhaps most easily understood when examining the first floor above ground "perceived options to fight unfair treatment" (2005, p. 163), where he discusses that each floor may have several doors that can lead to an exit or prevent the individual from needing to move further up the staircase. On this first floor, Moghaddam discusses that of crucial importance in terms of diversion away from radicalisation, there should ideally be options available for an individual who is in the early stages of the ascent to be able to effect some kind of positive change that might change the issue causing perceived injustice against themselves or the group they are a part of. Some individuals, Moghaddam explains, might become politically active, or join a lobby group whereby they might have an ability to influence or change policy. The key here as argued by Moghaddam is that there must be doors that have the potential to lead to social and educational mobility. Without these doors, or if the doors in question are blocked, then an individual may move further up the staircase to the next floor.

It is here, when considering much of the theory discussed, particularly the causes and effects of labelling, that a major problem becomes apparent. If it is accepted as explained that mainstream views regarding minority groups such as Muslims (in terms of being predisposed to radicalization and acts of terrorism) have been homogenized through consistently reinforced media stereotyping, and where the legitimacy of any counternarratives is not accepted, then this is a situation whereby the exit doors on the first floor of Moghaddam's model have been effectively slammed shut, as the ability to enact any positive change related to the perceived injustice both on an individual and group basis is made significantly more difficult due to these now internalized beliefs. As such, for many people in this situation, the most obvious route taken is onward and up to the next floor.

Moghaddam's next stage has similarities with Anderson and Bushman's (2002) general aggression model, where on the second floor be discusses the "displacement of aggression" (2005, p. 164). It is here that the real beginnings of potential for terrorism become apparent, and Moghaddam notes that existing terrorist factions, whether in existing terrorist group home States such as Iraq, Afghanistan, or Syria, or through individuals in westernized countries, will

strategically deflect blame for any obstacles to mobility onto specific factors. Through propaganda techniques, individuals and groups are educated and / or encouraged to displace their frustrations or aggression to blame America, or the wider western *culture* even though the root causes of the lack of mobility are significantly more likely to be attributable to State / structural factors such as lack of democratic process, participative justice, or even corruption. Of course, not every individual targeted will displace their aggression or fully ascribe to such propaganda; however it is at this point that Moghaddam explains that:

> …individuals who develop a readiness to physically displace aggression and who actively seek out opportunities to do so eventually leave the second floor and climb more steps to try to take action against perceived enemies. (2005, p. 164)

And so it is presented by Moghaddam that those most at risk of ascending the staircase are those who may have been searching for a means of improving their own life or circumstance rather than being sought out by the terrorist group itself. It is the act of searching that could be seen as being the evidence of vulnerability that renders that individual both vulnerable and susceptible to buy in to a terrorist ideology. The third and fourth floors in Moghaddam's model explain the individual then engaging morally with that ideology, and then buying into the legitimacy of the specific strategic approaches taken by the terrorist organisation in question, such as working in small cells, violent acts, and even suicide bombing. The fourth floor then explains the final steps before the individual moves on to commit an act of mass violence, arguing that:

> …the new recruit is socialized into the traditions, methods, and goals of the organization. Over a century of research on social influence… suggests that conformity and obedience will be very high in the cells of the terrorist organization, where the cell leader represents a strong authority figure and where nonconformity, disobedience, and disloyalty receive the harshest punishments. The recruits at this stage face two uncompromising forces: From within the terrorist organization, they are pressured to conform and to obey in ways that will lead to violent acts against civilians (and often against themselves); from outside the terrorist organization… they face governments that… (are not) addressing perceived injustices… During their stay on the fourth floor, then, individuals find that their options have narrowed considerably. They are now part of a tightly controlled group from which they cannot exit alive. (Moghaddam, 2005, p. 166)

In other words, once the individual has progressed to level four of Moghaddam's staircase model, they are now effectively at a point of no return. They are trapped within the terrorist group system with very little chance of their situation being reversed. If they do not end up becoming a perpetrator of mass violence, it is more than likely because either they were intercepted by authorities prior to the commission of the act, or because there was some failure during the attempted perpetration of that act. Indeed the fifth floor, whereby the individual has had any inhibition removed by this point and commits the terrorist act in question, is that final step on Moghaddam's staircase.

Considering the staircase to terrorism then, it is clear that when analysing all of the relevant areas that differential association, labelling, social learning, spiral-of-silence, and script theory are all working in conjunction with each other as the theoretical backdrop to Moghaddam's explanatory model, making it a theoretically inclusive and all-encompassing explanation as to

how ordinary people may embark on a journey with several transitionary stages that eventually results in the act of mass violence in question. These terrorists are unquestionably made, and not born.

Of course terrorism is not the only type of mass violence perpetrated in societies. The crime of genocide is another major issue that has historically resulted in mass loss of life through violence. In the past century there have been substantial examples of genocide in both Western and non-western continents, including the Holocaust perpetrated by Nazi Germany, the Bosnian genocide / Srebrenica massacre, and the Genocide against the Tutsi in Rwanda as some of the most widely reported examples. Here, the crime of genocide is found within the United Nations 1948 Convention on the Prevention and Punishment of the Crime of Genocide, outlining that genocide is:

> …any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group. (United Nations Convention on the Prevention and Punishment of the Crime of Genocide 1948, Article II)

The mass violence requirement is simply ascertained both from the massive loss of life in each of the examples cited above, and also within the definitional requirements of the violence in question being perpetrated against an identifiable group of people. Again, a range of theory has been suggested that explains many of the areas linked both to the perpetrators themselves, and also to how the wider societal conditions can be created that allow an event as extreme as genocide to occur.

In many cases it may be established that there has been a history of constructed division in the region in question (Uvin, 1999; Hintjens, 2001), and similarly to Moghaddam's assertion that it is *perceived* injustice rather than the objective existence of injustice that is crucial vis-à-vis terrorism, when it related to the build up to a genocide, Gurr (1993) asserts that it is the *perception* of another group of people being different, untrustworthy or dangerous that raises the likelihood of that group being subject to violence up to and including genocide. This would align with any potential theorising that how a group is portrayed by those in power, whether State power or the mass media, will play a central role in whether or not there is a homogeneity of constructed knowledge as to how a potential target group is intended to be understood in an epistemological sense by the receiver of any information.

It is here that positioning theory becomes a relevant consideration, as the stronger the hold on power by those with a particular constructed narrative the intend to communicate, the more difficult it is for anybody outside of that group to gain any sort of footing as part of any public dialogue and allow an alternative narrative to be communicated (Moore, 2020). Indeed, efforts will frequently be made by those in power, when there is a group that eventually falls victim to genocide to intensify the negative portrayal of the target group through a range of propaganda targets, intended to influence the thinking of the in-group and rationalization of hatred against that out-group. In this regard, there can be said to be a centralized power-knowledge-discourse theory, which combines the complementary theories on power established by Foucault (1978), Weber (1978), and Dahl (1957). Here, Foucault argues that

power and knowledge are inseparable, and Weber and Dahl each argue that it is through the irresponsible use of power that an individual or group are able to influence others to do things that they would not ordinarily believe are correct to do. Sheridan (1980) discusses how Foucault's theory is applied in reality through the necessity for the knowledge in question to be recorded and communicated. In other words, it is not enough for a State to hold the knowledge it wishes to be conveyed, rather the knowledge in question has to be distributed, and so there will frequently be links between the State and different forms of knowledge distribution including mass media. Again, as there will then be established links between State and media, this furthers the relevance of positioning theory as the out-group will find penetrating the system of propaganda to be virtually impossible. This centralization of power then renders the out-group at great risk of falling victim to whatever the ultimate intention of the State (or whoever it is that holds such power) might be, up to and including the commission of acts of mass violence and genocide.

Considering the different theory analysed then in relation to the forms of mass violence highlighted, we can conclude that regardless of the specific form, there are a number of similarities that can be drawn, each of which will make the process of reintegration of a perpetrator of mass violence difficult. First, it is clear that those that are committing such acts tend to frequently have been intentionally manipulated by an existing group that has the intention to either acquire or retain power to act in a way that they would not have done prior to that psychological manipulation. This is true whether or not the perpetrator is one of a terrorist act of one of genocidal acts. In other words, the root cause of that ultimate violence should not be viewed to have been some naturally occurring internal factor, rather the root cause more often than not will be the source of power which has strategically used such individuals as pawns in a larger game. Ultimately, these people, whilst having committed objectively evil acts, should not therefore be viewed as inherently evil individuals. Instead, a logical perspective ought to be adopted that those who have been conditioned to align with a particular ideology should be equally capable of being reconditioned using similar techniques to be realigned with mainstream society again. The major problem comes from the fact that when it comes to human conditioning with regard to acts of mass violence, it is not only perpetrators that are subject to such conditioning, but also the masses through the media representations of certain groups of people who they portray as being inherently suspicious, as discussed in the introduction to this chapter. In the next section therefore, there is a more in-depth analysis of the media's role in making reintegration for perpetrators of mass violence more problematic than it otherwise might be.

THE MEDIA AND PERPETRATORS OF MASS VIOLENCE

The media in all of its forms has the ability to shape individual and collective understanding of whatever the subject of reporting or discussion is at any given time (Gilliam & Iyengar, 2000; Iyengar, 1991; Moore, 2020). The viewer or reader tends to believe that the subject being reported on is being discussed in an objective or factual manner (Rogers, 2019), then applies their own interpretation and construction of the content in light of any previous contextual understanding or experiences they may already have of the area in question (Weitzer & Kubrin, 2004). As the subjectivity of the reporter, editor, director, or corporation is downplayed (Rogers, 2019), the reality that the media in fact 'frames' issues and individuals in ways that they intend their audience to understand them (Druckman & Parkin, 2005; Gerth & Siegert,

2012; Lipschultz & Hilt, 2002) is an issue that is not commonly understood by the consumer. Entman (1996) explains that framing "operates to select and highlight some features of reality and obscure others in a way that tells a consistent story about problems, their causes, moral implications, and remedies" (p. 78), and as such a completely objective account of a controversial or populist issue, or one whereby political stance might be a factor, is rarely reported. Instead, as argued by Nacos (2005), reporting, directorial, and editorial decisions are frequently made within the media in terms of what to report, and how it should be reported on i.e. how any given issue should be framed for the target audience. This aligns with the explanation given by Lopez et. al. (2020) who argue that prior to any reporting, a series of potentially biased and subjective value-based judgements are made by those in power, in terms of what is known objectively about any act, and what aspects of that issue then should be reported on one hand, and censored or left out of reporting on the other.

Some important topics for consideration in this context then are media framing of offenders and ex-offenders in general and with regard to reintegration, as well as framing of terrorism and those that have committed terrorist acts in particular. Jewkes (2004) examines factors such as the uncommon nature of some types of crime, the level of perceived danger or risk that the viewer or reader may believe they are to suffering at the hands of the similar criminal act, any element of sexuality or extreme violence, and whether there is any eye-catching or graphic imagery that can be harnessed, which are all factors in whether or not an issue may be reported upon at all. Extending the prior discussion of theoretical understanding further, it is here that models such as Christie's (1986) *ideal victim* theory become relevant. Here, Christie argues that crimes involving certain types of victim, and certain relationships between the victim and offender, render a particular incident more or less 'newsworthy' in terms of media reporting. Christie highlights certain factors such as where the victim can be shown to be very young or very old, virtuous or blameless in terms of where they were or what they were doing, particularly if the crime they were a victim of was in public, then these factor render an act more newsworthy than otherwise. Added to this is if there is an element of 'stranger danger', whereby the offender can be characterised as being predatory or unambiguously bad, and according to Christie, the likelihood of an event catching the eye of the media and deemed suitable for reporting on becomes higher still.

Much of the theorising of Christie and Jewkes, as well as the arguments of Entman and others discussed in this section begin to show why terrorist acts, or any event where there might be a suggested terrorist component, will be at the forefront of media reporting when they occur. Nacos (2005) explains that when terrorism is presented in the media it tends to focus on the specific act, what the perpetrator did, where they did it, and the method by which they carried out their actions. Conversely, Nacos argues that there is rarely any attempt to contextually deconstruct the situation and assist with the exploration of any deep understanding of the social or political circumstances that might have led to the act in question. Doyle (2003) explains that with reporting on television "emotional and sensory involvement" (p. 15) are prioritised at the expense of the facilitation of any attempt to foster deeper understanding of the issue in hand, and related to this, Pollak & Kubrin (2007) argue that the media take known widespread cultural stereotypes and use these to their advantage by tapping into issues that they know will result in viewership or readership. In reality this caricatured portrayal has clear implications, as the research conducted by Nacos (2005) shows that when people are exposed to those more simplistic and one-dimensional reports and portrayals of terrorists then they are more likely to align their views with tough punitive sanctions being given to offenders, whereas those that

engage with more complex reporting which analyses those root social and political issues are more likely to be in favour of a wider response to terrorism, including policy change, that attempts to address such root causes.

Further tangible effects are presented by Greenberg, Mastro, & Brand (2002), and in particular by Saleem and Anderson (2013), when they argue that prejudice toward individuals of Arab descent has in the USA overtaken similarly negative attitudes toward African Americans, which is of significance when considering the historical levels of prejudice African American people have suffered. Saleem and Anderson place the blame for this at the feet of the media again, explaining that repeated stereotypical portrayal of Arab individuals as being suspicious and inherently violent, in crime dramatizations for example, has resulted in others developing anger and in some cases aggressive attitudes toward members of that group. In their conclusions, Saleem and Anderson found after a series of social-psychological experiments that there was "an overall implicit anti-Arab attitude within our population" (2013, p. 97) that can be directly linked to the issues of media portrayal. Indeed Pollak and Kubrin (2007) conducted a study analysing seventy-one crime-related stories that were each reported across a variety of media formats. They analysed the different coverage from print media on one hand, and television reporting on the other, for the same story in each of those seventy-one cases. The authors distinguished between the objective fact of the reporting (neutral and unbiased, indisputable facts necessary to accurately report on the crime in question), and the subjective fact of the reporting (a fact that may be technically correct but is unnecessary in terms of facilitating the reader or viewer's understanding of the crime), including the race of the offender, race of the victim, subjective interpretations of aggravating circumstances and other factors. The researchers did find differences that persisted in specific forms of media, for example that the race or ethnicity of the alleged perpetrator "is more frequently implied in the television news (typically through pictures shown during the segment)… (and) it is important to remember that the mediums are reporting on the exact same crime story" (Pollak & Kubrin, 2007, p. 70). It would appear then that Pollak and Kubrin's study reinforces the importance of the visual and other sensory elements of television reporting as discussed by Doyle previously, where the use of images in themselves have the potential to communicate emotion and reinforce or validate (misguidedly) any internal bias or prejudice that the viewer may already hold.

Indeed, the general unwillingness for the media to engage in those more complex discussions in order to better understand and communicate the root causes of terrorism, and their general preference for the prejudicial narrative is shown by Nacos (2005), where she draws attention to at least one instance where the media source in question had implied surprise that victim and the perpetrator could appear so similar visually, with the inference drawn that people would not expect that a terrorist could appear to be a 'normal' or attractive human being, and that the expectation of the perpetrator to the media consumer would be for the perpetrator to obviously appear to be an inhuman monster of some description. Nacos discusses the issue of media framing of female terrorists, which she argues is further counterintuitive to the monster narrative, and has created a "(f)eminine Paradox for Anti- and Counterterrorism" (2005, p. 445) where even at the level of security service policy and response there may be issues with moving beyond such framed representations. Nacos argues that this materialises through women being viewed as being less dangerous, and less likely to be initially thought of as suspects in the aftermath of a terrorist attack, and highlights that the more prevalent such stereotypes are, the more that "terror groups will increasingly exploit the tactical advantages

of female terrorists in target societies that deem women far less suspect and dangerous than men" (2005, p. 448).

From all of this then, it is clear that there are problems with the framing by the media of terrorists or other perpetrators of mass violence, in that the reporting is often overly simplistic and stereotypical in nature, preying on and intensifying existing underlying societal concerns in a cynical manner that causes widespread damage to groups who are frequently portrayed as being a likely source of future terrorist activity. It stands to reason then that similarly complex issues would be downplayed or ignored when it comes to the issues of rehabilitation and reintegration of offenders at the end of a custodial sentence. The next section in this chapter will look in more detail at issues of reintegration in general, however just to note in brief that from the media perspective there has been research conducted in this regard. Lopez et al (2020) argue that ex-offenders are framed as being prone to reoffending even where there may be no objective evidence that supports the contention in many cases. The narrative that is framed serves to justify ongoing intrusion by the state into the life of the ex-offender beyond the conclusion of their sentence. Problematically, Lopez et al explain, messages of success that are frequently used as evidence for the success of state interventions will include the use of "ex-offender voices that express gratitude for the help received, further justifying the need for these interventions, and undermining the individual capability of ex-offenders to help themselves" (2020, p. 37). The argument is presented that such an approach overemphasises the agency of the individual offender related to the criminal act they carried out, and minimizes the realities of political and societal failings that may have also contributed to the genesis of the criminal act in question. This, Lopez et al state, confirms for those in mainstream society, that ex-offenders are lesser people who cannot be trusted to be responsible on their own, and instead need to be guided and helped to become something close to 'normal'. Importantly, specific words such as 'help' and 'give' are commonly used according to Lopez et al, which "points to the one-way beneficiary-benefactor relationship between the state or community and ex-offenders as a result of the power differential between the two actors involved" (2020, p. 37). With this continually framed narrative, it is difficult to envisage a situation whereby those released from custody will ever be viewed as being a potentially normally functioning individual that can genuinely reintegrate to mainstream society in any environment where their past offending history is known. Indeed, Lopez et al refer to the current state approaches to 'reintegration' as instead achieving the opposite effect; non-integration, whereby both media narrative and ongoing state intervention serve as extreme barriers to any possibility of true reintegration.

When the different framed narratives for each of the areas covered in this section exist as part of the same story or dramatization in the media then, it becomes easy to understand how toxic attitudes and behaviours from the mainstream can be developed toward relevant segments of society, making life for people who are part of those segments an unpleasant experience.

REINTEGRATION OF PERPETRATORS OF MASS VIOLENCE

The complexity of the issues related to reintegration of those who have perpetrated acts of mass violence in the past cannot be understated, and especially so when considering issues faced by those who have simply committed even a more 'normal' or frequently seen criminal act. It is important from the outset to clarify what, for the purposes of this chapter, we are referring to

when discussing the concept and process of reintegration in order to establish a clear understanding.

Fox (2014) clarifies, for example, that reintegration and rehabilitation may be two concepts that are often conflated, but that there is a clear distinction between both concepts. Rehabilitation, Fox argues, is psychological and inherent within the past offender themselves, whereas reintegration is social process that requires positive action and buy in not only from the former offender, but also from all of those around them. This perspective is further validated by Sommers et al (1994) who explain that even when an individual may be rehabilitated, whereby the former offender may or may not then be reintegrated in a social sense. Pratt (2000) argues that repeat offending, or recidivism, is often likely to be mislabelled as being due to unsuccessful rehabilitation, when deeper analysis often uncovers that in many cases the issue is more specifically due to barriers being in place that prevent access to opportunities that might aid reintegration for an individual who is trying to make a positive contribution to society. Maruna (2006) further argues that if there is not a significant role for community involvement in the process of reintegration, then whatever is happening is not really reintegration at all. Maruna is critical of the most common processes used to aid reintegration whereby they involve close supervision by professionals from or linked to the state who are more often than not simply assessing risk. Instead, Maruna argues that it would be more useful to focus on a restorative approach to reintegration whereby there should be higher community involvement and more informal support mechanisms utilised, with key principles of acceptance, forgiveness, and reconciliation being at the heart of such processes. Indeed, the word 'process' is crucial here, as reintegration may be a goal that must be worked toward by both the former offender and the community rather than something that can be a quick expectation. Indeed, Laub and Sampson (2001) define reintegration as being a transitional phase between imprisonment and eventual free community living, whereby there will be a period of adjustment and the expectation to carry on an objectively positive lifestyle that conforms to normal expectations of a 'good' citizen.

This does, however raise the problem of who it is that decides what these normal expectations are, if they are reasonable, and how any judgements can be made on whether or not that former offender has done enough to be deemed fully reintegrated. Lopez et al (2020) argue that former offenders tend to be bestowed a lower social status by society around them, and that this is effectively a retributive action, indicating that it may be difficult to convey the wider benefit of the restorative process discussed above, if retribution is the default position adopted. Former offenders, Lopez et al argue, have limited agency due to this, as if they wish to reintegrate, then they have to work hard to be deemed as having earned the right to redemption in the eyes of those around them, and constantly have their right to be deemed reintegrated informally reviewed by society. In other words, the status of being regarded as fully reintegrated is not permanent, and indeed could be viewed as being precarious, subject to revocation at any time.

Payne and Gainey (2004) conducted interviews with former offenders who upon release from prison were subject to restrictions on travel or communication, as well as those who as a condition of release were subject to the wearing of an electronic tag for a period of time. A number of those individuals reported that some of the most problematic aspects of the punishment / restriction raised by the subjects correlate with much of the discussion in this section such as shame and embarrassment at having to constantly explain the sanctions to both existing and new acquaintances, and the limitations on planned or possible interactions. In the

example of the mandatory wearing of an electronic tag, which can have conditions as severe as absolutely no travel outside of the home, to curfews and limitations on distance travelled in even the more relaxed of conditions, critics such as Grace (1990) and Houk (1984) have likened the experience to simply converting the home environment into a prison outside of prison, and Payne and Gainey agree that this is at least in some cases possible. When examining the consequences of these restrictions then, as well as the constructed / forced public admission of past offending, it becomes clear that each of the restrictions, whilst potentially being objectively justifiable in terms of the offences for which the individual had been originally punished, equally has the potential to be a substantial barrier to reintegration into 'normal' society. Reconciling the punitive requirements on one hand, and the reintegrative ones on the other, may not be a simple problem to solve, however arguments can be outlined that might show some of the issues doing more damage than good for all concerned.

Such a lived reality for former offenders could be psychologically damaging more than it is healing, as the individual is constantly having to consider how their behaviours might affect others, not purely related to their past actions, but relating to any individual in society who might have the power to influence the opinions of others. Awareness of this potentially constant scrutiny could be exhausting for the individual that is subject to it. So it is not simply about the deviant ex-offender thinking twice about going back to their former evil ways, as might be crudely understood by many. Rather, it would be more accurate to say that the former offender may have to walk on eggshells in everything they say and do for a prolonged period of time, where any minor non-criminal indiscretion or conflict that for another citizen with no criminal past would be uncontroversial or laughed off, carries the danger of being regarded as confirming the suspicions that some may already hold, that the former offender has not been rehabilitated and should still be viewed with suspicion.

The inference here could be then, that to a large extent, the actual participation of the former offender in the reintegration process is peripheral to the more central opinions and viewpoints of wider society surrounding that individual. With that in mind, Lopez et al (2020) argue that:

> (T)here is a need to create a representative space for discussion and debate about 'reintegration' that incorporates the ex-offenders' perspectives. The representations of ex-offenders cannot be limited to showing how they have benefited from existing programs, stereotyping of salient characteristics, or framing ex-offenders as being helpless individuals. True representation requires the communication of the person and not what the person has to do, has done, or needs. (p. 40)

Such an approach does not argue for the removal of state programmes, or that there might not still be a legitimate expectation placed upon a former offender to take responsibility for changing perceptions others may hold regarding them. Rather, the argument presented advocates for the voice of the individual who is subject to these expectations and judgement to be given a voice or a platform so that they can genuinely participate in the reintegration process and whereby their experience can be communicated and listened to. Perhaps an approach such as this might lead to a higher proportion of successful reintegration of former offenders than is the case at present.

Further validation can be found for this argument when reconsidering the issue of how the majority of people come to form a perception of who a former offender is in a wide sense. Linking into the previous discussion of theory and media discourse, if the voice of the individual themselves is missing, this does not mean that members of society will not come to

their own understanding regarding such individuals. It just means that their understanding will come from elsewhere and will be subject to whatever information they receive, accurate or otherwise. Lopez et al (2020) explain that the omission of the voice of the former offender results in a lack of understanding of realities, and the message conveyed instead by the media in particular is a prescribed version of what reintegration means that aligns to the views of the state, often one that involves ongoing narratives of repaying debts to society even when punitive elements of sentencing have been completed, and with messages of the need for risk management and control. These views are then the ones that tend to be projected onto mainstream society, and may not assist actually assist with social reintegration at all. Indeed, Lopez et all argue that this "erasure of ex-offender voices is likely to neglect the complex needs of ex-offenders across society for the sake of propagating the narrow definition of 'reintegration' prescribed by the state" (p. 41).

Having previously discussed Bandura's social learning theory, it is here that a further social theory becomes an important consideration, where Hirschi's (1969) social control theory asserts that individuals have different strengths of bonds to society, and that those with the weakest bonds are the most likely to commit deviant or criminal acts. If ascribing to this theory, then the belief would be that the way to ensure successful reintegration would be to have a strategy that tries to foster those strong bonds and positive connections to society, as the greater the bond, the lower the likelihood of recidivism or even radicalisation. The reasons why this reintegration frequently fails then, become apparent then when examining what may be actually happening in reality, where the necessary strong ties are never formed. When considering the discussions of both state and media portrayal of either offenders in general, or specific identifiable groups such as Muslim or other minority ethnic groups, we can look to Anderson and Carnagey (2004) who found that it is likely that ordinary people come to identify particular groups or types of people as being a threat through a combination of the existing cultural messages that surround them, and exposure to media portrayals assigned to members of the group in question. Concerningly, Anderson and Carnagey explicitly assert that this exposure and conditioning of the masses can easily lead to violence being committed against members of that group for no other reason than the implanted suspicion with which mainstream society might view *any* act carried out by a member of that group. Saleem and Anderson (2013) further emphasise this hypothesis in explaining that:

> Automatic use of these knowledge structures may influence aggressive perceptions and attitudes (e.g., Arabs are terrorists/violent), related emotions (e.g., anger and fear), and behaviors (e.g., aggressive actions) toward members of these groups. (p. 86)

It is here that we begin then to draw parallels between reintegration in general, and the excluded 'other' in particular. This can relate to both the ordinary Arab Muslim, or indeed any person of Arab descent who may or may not be a Muslim but may be perceived as such by a majority or in-group. Where various sources have pointed out the negative implicit association that have seen negative labels attributed to a group such as the Arab-Muslim, what has not been included in those discourses is that holding this inherent demographic characteristic on its own could be likened to the experience of weaking an electronic tag in a metaphorical sense. To explain, particularly where an individual's skin color or general outward appearance might result in that previously discussed negative implicit association, that individual might feel nervousness, fear, or even shame when embarking on normal everyday activities that the majority take for granted. Lopez et al (2020) argue that due to the influences of wider society

and the media as discussed, individuals may be "internalizing the narrative about them and performing their scripted role in the hopes of being (re)accepted into their society" (p. 38). This could reasonably be perceived as a loss of freedom by the individual that experiences such behavior, and presents a problem which potentially draws parallels with the electronic tag-wearer in terms of the difficulties of integration with mainstream society, in that the individual is effectively forced to modify their behavior on a constant and ongoing basis. Again, the potential negative psychological effects on the individual affected could be extremely harmful in the long term. Certainly, such lived realities prevent the formation of strong bonds that might be required for reintegration to be genuine and successful in nature under Hirschi's social control theory as discussed.

Overall then and as discussed at the beginning of this section, reintegration is a complex issue. Whilst shallow consideration might lead a person to believe that it is in the hands of the former offender alone to reintegrate themselves into society, the reality is that for reintegration to be consistently successful, responsibility extends beyond the individual to wider society, the state, the media, and what processes are put in place upon the former offender when released from prison. Two cases studies show a number of these factors in action, one on the case of Shamima Begum, a young woman born in the United Kingdom, who the UK government have fought through several court cases in an attempt to prevent her return following four years in Syria married to a known terrorist, and another looking to the successful reintegration of those who engaged in violence during the 1994 genocide against the Tutsi in Rwanda.

CONTEST: THE UNITED KINGDOM'S STRATEGY FOR COUNTERING TERRORISM - CONNECT AND PREVENT

Perhaps due to traditional societal patriarchal gender norms, when people hear about a terrorist act or incident they tend to think of a male perpetrator, and so when it is revealed that the perpetrator was in fact female, there may be a greater shock factor or sense of disbelief (Nacos, 2005). Due to the framing of female offenders in the media s discussed previously, and in particular in dramatizations involving terrorism or mass violence, the narrative presented to the public often conveys messages of the need for punishment rather than the need for rehabilitation and reintegration (Cecil, 2007). These factors, and the real world implications have played out between 2015 and 2021 in the United Kingdom through the case of Shamima Begum, where the approach of the UK government has effectively rendered the possibility of reintegration impossible through acting contrary to the guidance contained within its own official counterterrorism strategy.

In 2015, three schoolgirls aged fifteen and sixteen flew from London to Turkey, crossing the border into Syria with the intention to join Daesh. After four years including the known death of one of the girls and the disappearance of another during the intervening time, the remaining woman Shamima Begum, now nineteen and heavily pregnant, was found at a Syrian refugee camp in February 2019. It was described in the case of Begum v Secretary of State for the Home Department ([2020] H.R.L.R. 7) that "at the age of 15, she travelled to Syria, allegedly to join the so-called Islamic State 10 days after her arrival, she married a Dutch national" (pp. 161) giving the account that her Dutch-born husband had surrendered to Syrian fighters and that she had fled from their home in Baghuz. Having "had three children born in Syria, two of whom died" (pp. 161) Begum indicated that she wished to return to the UK . The media and public frenzy that then unfolded was unprecedented when related to the issue of an

individual potential returnee from Syria (or other global areas where an individual may be have been linked with a terrorist group) and in effect the Begum case has become the litmus paper for how future potential returnees may be treated by the UK State, and how both the CONNECT and associated Prevent strategies that are in place would be implemented. In February 2019, then UK Home Secretary Sajid Javid made the decision to strip Begum of her British citizenship, which she had held since birth (Walker & Mason, 2019), and then in September 2019, Priti Patel (who had during that year taken over the Ministerial post), repeatedly told the press that Begum would never be allowed to return to the UK, with a number of populist statements being attributed to Ms Patel including that "We don't need people who have done harm and left our country to be part of a death cult and to perpetuate that ideology" (Wyatt, 2019), and "I am simply not willing to allow anybody who has been an active supporter or campaigner for IS (Islamic State) in this country" (Drewett, 2019). Questions have been raised as to whether the approach taken by the successive Home Secretaries has been in keeping with the guidance and direction given within the official counterterrorism strategy of the United Kingdom, and if the UK has deviated from that strategy, what rationale has been presented to explain the exception that appears on the surface to have been made.

CONTEST (2018), is the publicly accessible official counterterrorism strategy that the United Kingdom currently has in place, intended to address all aspects of the terrorism and extremism process from trying to prevent radicalisation taking place, through to the handling of an offender in the aftermath of a terrorist attack. The strategy was first developed in the immediate aftermath of the attacks on the World Trade Center on September eleventh 2001 and brought into force in early 2003, with several revised versions of the strategy being made until the most recent iteration, published in 2018. Throughout this section, it is the current 2018 version of the strategy that will be referred to consistently as the one applicable to the case of Shamima Begum and the UK government's response to her case through multiple court cases, the last of which to date being judged in February 2021.

CONTEST follows a strategic framework based upon four 'P's': Prevent (in order to try and stop individuals becoming radicalised or engaging with terrorist or extremist groups to begin with), Pursue (to try through intelligence work to stop planned terrorist attacks from being carried out), Protect (to ensure that all relevant agencies and institutions are strengthened in order to protect against terrorist attacks), an Prepare (to ensure that all relevant agencies and institutions are equipped to mitigate against the potentially serious effects in the event of a terrorist attack) (2018, p. 8).

The strategy demonstrates clear contextual understanding that people are targeted and groomed by terrorist organisations, explaining that young and / or vulnerable individuals are often selected to be inspired through propaganda with the end purpose of committing violent acts (2018, p. 7). Indeed this is further contextualised in more detail within the strategy where it sets out that:

> The existence of a broadly consistent set of ideas and narratives is an important factor in motivating terrorist groups of all kinds, including Daesh, Al Qa'ida and extreme right-wing organisations. Their propaganda also inspires individuals who maintain no formal affiliation with a particular group. Although individuals may also be attracted to terrorist groups for social, cultural, material, psychological and other reasons, ideology remains a strong driver. (2018, p. 16)
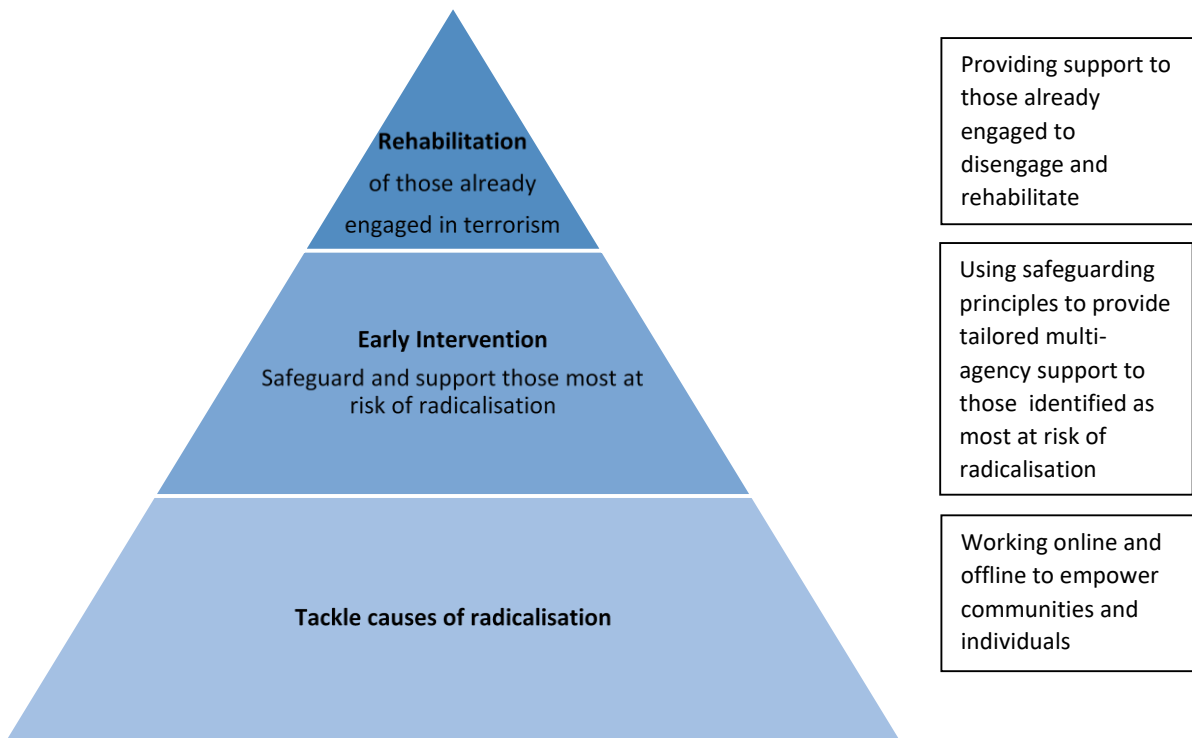
From this then, it is explicit that security services in the UK, and the UK Government are operating with full awareness that whilst a terrorist may commit violent and objectively evil acts, there is a strong likelihood that many of those individuals were in fact ordinary, but vulnerable, people who were manipulated and effectively brainwashed through the cynical and deliberate acts of a much larger and strategically focussed set of people who sit at the heart of the terrorist organisations in question. Indeed as a part of the prevent part of CONTEST, the strategy sets out that the UK Government will act through safeguarding and support for vulnerable people and communities, and crystalises what those actions will look like by committing to develop "a series of multi-agency pilots to trial methods to improve our understanding of those at risk of involvement in terrorism and enable earlier intervention" (2018, p. 10), and further emphasising that preventing and avoiding exploitation and grooming sits "at the heart" (2018, p. 10) of the strategy. Explaining the approach the UK will take related to the need to deradicalize then, it is explained that:

> We recognise that radicalisation is a complex process for individuals, and that there is no single factor at work. Counter-radicalisation forms one part of a wider effort to counter broader extremist messages and behaviours… to protect our communities from the wider social harms beyond terrorism caused by extremism. This includes tackling the promotion of hatred, the erosion of women's rights, the spread of intolerance, and the isolation of communities. …We will work to address these root causes of terrorism and other national security problems by helping to tackle conflict, marginalisation, discrimination and human rights abuses through our development programmes, integrated with wider diplomatic and defence efforts. (2018, pgs. 23-24)

Importantly here, the strategy explicitly that the strategy to deradicalize does not only target those that are vulnerable to being radicalized and committing terrorist acts in the future, but also specifically those that have already engaged in terrorism to help those people to disengage from the extremist groups they may have been affiliated with, outlining that:

> Our Prevent work also extends to supporting the rehabilitation and disengagement of those already involved in terrorism… Success means an enhanced response to tackle the causes of radicalisation, in communities and online; continued effective support to those who are vulnerable to radicalisation; and disengagement from terrorist activities by those already engaged in or supporters of terrorism. (2018, p. 31)

Indeed within the CONTEST strategy official document, a visual representation is shown of how the strategy should work in practice:

	Providing support to those already engaged to disengage and rehabilitate
Rehabilitation of those already engaged in terrorism	
Early Intervention Safeguard and support those most at risk of radicalisation	Using safeguarding principles to provide tailored multi-agency support to those identified as most at risk of radicalisation
Tackle causes of radicalisation	Working online and offline to empower communities and individuals

(2018, p. 32)

The strategy goes further in depth here where the situation in Syria with Islamic State / Daesh is outlined, and statistics are given that of approximately 900 people from the UK who are known to have travelled from the UK to Syria, 20% are known to have been killed, and approximately 40% have since returned to the UK and were investigated on their return to the country (2018, p. 18). Speaking specifically about the period 2016-2018 the report states that the number of returnees has lowered in number, with the majority of those returning being women with young children (2018, p. 18).

Whilst it is true to say that there is provision within the strategy for immigration and nationality controls, including "powers to deprive individuals of their British citizenship… lawful temporary seizure of passports at the border, and the introduction of Temporary Exclusion Orders (TEOs)" (2018, p. 50), it is of crucial importance to explain that in order to more fully contextualise how the CONNECT strategy is intended to be implemented in the real world, hypothetical scenarios are given within the strategy document for what types of measures and approaches should be adopted in what types of circumstance, and it is here that the UK Government's approach in the Begum case loses credibility, as one of these scenarios sets out the following:

> In 2015, a British woman travels to join Daesh. In 2017 the individual flees Daesh-held territory with a new born baby and they make their way to Turkey. On arrival in Turkey the mother and the child are detained for entering the country illegally.
>
> Following the mother's detention the British authorities are notified. DNA testing of the child is conducted to establish their entitlement to a British passport. Given that the mother has lived in Daesh-held territory, the Home Secretary and a judge approve the use of a Temporary Exclusion Order (TEO) to manage her return to the UK. The TEO allows us to specify the route of return to the UK and to impose obligations upon the

individual once they return to help protect members of the public from a risk of terrorism.

> The mother and her child are subsequently deported to the UK from Turkey via the route specified by the TEO. On arrival in the UK the police launch an investigation into the woman's activities in Syria to determine whether any crimes have been committed. If there is evidence that a crime has been committed then the mother will be charged and the Crown Prosecution Service will conduct criminal proceedings. If there is no evidence of criminality, the mother is assisted in reintegrating into society, for example, by requiring her to attend a series of sessions with a specially trained de-radicalisation mentor. In the meantime the mother is also obliged – as part of her TEO – to report regularly to a police station and to notify the Home Office of any change of address. The local authority is involved to ensure that the child is not at immediate risk and appropriate measures are put in place to help safeguard the child's welfare. (2018, pgs. 50-51)

Particularly when it became known that Shamima Begum had not only lost two young children, but was in fact heavily pregnant at the point that the UK Government became of her location and desire to return to the UK, her situation could barely be any more of a carbon copy of the specific example and approach contained within the CONTEST strategy. Related to the example scenario then, the strategy continues to specify the relevant course of action that should be followed:

> Only a very small number of travellers have returned in the last two years and most of those have been women with young children. Managing the risks from travellers combines interventions from our Prevent and Pursue work strands. We use the expertise built up through Prevent to mitigate the risk they may pose by challenging their views or tailoring our response as appropriate. This can include mandating attendance on the Desistance and Disengagement Programme. Many will be subject to post-traumatic stress, which may impact their future behaviour if not addressed. Children may meet statutory thresholds for social care, or new born children may have experienced poor care after being born in Daesh controlled territory. In order to ensure that their needs and risks are addressed, the Home Office and Department for Education have been working with local authorities and external organisations to ensure support is available to local authorities dealing with this small number of returning families, including that suitable advocates are available for children to act in their best interest and ensure there are responsible adults engaged in their lives. (2018, p. 51)

When the 'pursue' section of CONTEST is then examined, it discusses what constitutes success in terms of achieving justice relating to those responsible for carrying out individuals responsible for terrorism, and concludes that:

> Conviction in court and imprisonment is the most effective way to stop and deter terrorists and deliver justice for their victims. Success therefore means that the police and prosecuting authorities are able to detect, investigate and then secure convictions in terrorist cases, or otherwise disrupt terrorist activity. (2018, p. 43)

The issue of deradicalization being a key priority is further emphasized under the key objectives that the prevent aspect of the strategy is intended to meet, noting under objective

three that a focus should be on "enabling those who have already engaged in terrorism to disengage and rehabilitate" (2018, P.40) and that the strategy should focus:

> (t)hrough the piloting of new multi-agency approaches… the development of the new Desistance and Disengagement Programme, and our work with returners from conflict zones such as Syria and Iraq… we are working to reduce the risk from terrorism through rehabilitation and reintegration. Success over the next three years will mean more people are disengaged and rehabilitated from terrorism. (2018, p. 40)

Yet regardless of these clear statement on what strategic approaches are proportionate, highest in terms of effectiveness, and best deliver justice, the UK Government again actively chose not to follow its own guidance in the Begum case through its arbitrary decision to revoke Ms Begum's citizenship and abandon her in the refugee camp she was known to be residing in.

The logical questions stemming from what has been documented in this section thus far, and particularly when reviewing the scenario and appropriate response illustrated above, then are; firstly, what differences are there between the acknowledged hundreds of returnees, many of whom will not have had the further mitigating factor of being legally children when they travelled to Syria, as compared to the Begum case? And secondly, what justification has been offered as to why a different approach has been taken by the UK Government to the clear example contained within the CONTEST strategy as quoted?

SHAMIMA BEGUM: THE THREE CASES

In order to try and address these questions, and further understand the overall circumstances, it is important to analyse the substance of each of the main published court judgments in order in order to ascertain what verifiable facts can be uncovered, and what arguments have been presented in the context of the deprivation of Ms Begum's UK citizenship. These cases in order are:

1. **Begum v Secretary of State for the Home Department [2020] H.R.L.R. 7**, hereafter referred to as *'the first case'*, heard through the UK's Special Immigration Appeals Commission with judgment published on seventh February 2020.
2. **Begum v Special Immigration Appeals Commission [2020] 1 W.L.R. 4267**, hereafter referred to as *'the second case'*, heard in the Court of Appeal (Civil Division) with judgment published on sixteenth July 2020.
3. The joint cases of **R (on the application of Begum) (Appellant) v Special Immigration Appeals Commission (Respondent) R (on the application of Begum) (Respondent) v Secretary of State for the Home Department (Appellant) Begum (Respondent) v Secretary of State for the Home Department (Appellant) [2021] UKSC 7**, hereafter referred to as *'the final appeal case'* heard in the United Kingdom Supreme Court with judgment published on twenty-sixth February 2021.

Due to the length of each case judgment, where specific points are being referred to in this section, even if not direct quotations, they will be accompanied by a paragraph number from the case judgment in question as without this it would be difficult for the reader to find and verify or contextualise the information being discussed.

The first case confirmed that after more then three years with a lack of confirmation of her whereabouts, Shamima Begum was discovered in early 2019 to be living in the Al-Hawl camp in north-east Syria, shortly thereafter being relocated to the Al-Roj camp, where the conditions in camp were stated in court as being "squalid" and "wretched" (2020, pp. 165). In that early 2019 period, Begum gave birth to a baby boy, and having stated prior to that that she had concerns about losing a child under the circumstances she was in and desire to return to the UK in part on the basis of providing care for her child, who would legally have been regarded as a British citizen at the point of birth. Sadly those concerns were confirmed to have been well-founded when on or around the seventh of March 2019 the infant was reported to have died of pneumonia in the camp (2020, pp. 165). Whilst arguments might be presented in support of the conflicting opinions on whether or not Begum herself should be entitled to return to the UK, it is difficult to envisage any legitimacy in a perspective that the UK authorities should not have acted in a way that tried to protect the life of her infant child where it had the power to do so. It is here that related both to the child and to Ms Begum that the discussion on human rights and the ideologically selective basis on which the UK government chose to consider these.

Within CONTEST, the commitment made is that "The Government stands firmly against torture and cruel, inhuman and degrading treatment or punishment. We do not condone it, nor do we ask others to do it on our behalf" (2018, p. 73). This leads logically to the conclusion that when dealing with the issue in question upon a terrorism suspect returning to the UK, the process must comply with recognised human right law, and that even if the suspect is not returned to the UK, the UK authorities will work to ensure that legal standards are met in the separate jurisdiction in question. The problem that then emerged in the first Begum case was when the judgement in the case outlines that whilst the European Convention on Human Rights (ECHR) of course does not extend to Syria, in that Syria is not a State within Europe or a signatory to the Convention itself, that "We accept that conditions in the Al Roj camp would breach (Begum's) rights under art.3 , if art.3 applied to her case" (2020, pp. 185). Article three of the ECHR referred to in the judgment relates to prohibition of torture, inhuman or degrading treatment or punishment, and is one of those areas that the CONTEST strategy has explicitly committed to upholding through the course of its counter-terrorism activities. In summary then, the judges in the case fully accepted that in reality the conditions Begum was in would be regarded as contrary to human rights law in substance, however the matter could not be legally enforceable as the camp in question was not in a jurisdiction bound by the ECHR. Here then, the UK Government had a binary choice to make:

1. Operate on the understanding that the relevant conditions as acknowledged by the judges in the first case fell short of minimum acceptable human rights conditions created a moral obligation if not a legal one to ensure that an, at that time, British citizen should not continue to suffer those (in reality) human rights breaches. This is in keeping with the principles of CONTEST.
2. Invoke a legal technicality to abdicate moral responsibility and the principles of CONTEST and allow the (in reality as confirmed by the judges in the first case) human rights breaches to continue.

Importantly, also in the first case, the issue of removal of British Citizenship was examined, and whilst it is correct to say that under international law an individual cannot be stripped of citizenship if to do so would render them stateless, however in Ms Begum's case, although she had never visited the country, she would be regarded as legally holding citizenship of

Bangladesh without having to make any formal application, through the fact that her father was a permanent citizen of the country (2020, pp. 182-3). Again, the judges explicitly noted that Begum may logically at some point in the future then be returned to Bangladesh (2020, pp. 185) and that "Open-source reporting indicates that there is a risk that people in Bangladesh could be subject to conditions which do not comply with the ECHR" (2020, pp. 185). This further noted risk of de facto breaches of acceptable human rights standards adds further weight to the legitimacy of the first of the binary options discussed above.

The UK Government, through the Home Secretary, chose however to follow the latter of these choices, and not only abandon Ms Begum, but to then also strip her of her British citizenship as previously discussed. From an objective standpoint, the choice made here does call into question the UK Government's true commitment not only to upholding acceptable human rights standards, but also the wider principles of CONTEST where a choice has been made not to map onto any of the indicators of success under the strategy, including those related to rehabilitation / reintegration.

Begum's lawyer in the first case argued that the Syrian Democratic Forces (SDF) who administered the refugee camp was actively appealing to countries of origin for foreign detainees, which Begum is one of, to repatriate their citizens. Under these circumstances, it would be logical / reasonably foreseeable that Begum may be transported to Bangladesh, rendering the human rights argument to be a relevant one, particularly as "(t)he evidence suggested that if (she) were sent to Bangladesh she could face the death penalty or detention in conditions breaching art.3" (2020, pp. 186). Perhaps of even greater concern from the human rights standpoint though was that there was evidence already known to the UK government that a number of women in Begum's situation had been transported to Iraq where "the evidence showed that more than 40 women who were suspected of being terrorists had been sentenced to death in Baghdad after hearings lasting 10 minutes. That evidence had been disclosed to (Begum) by the Secretary of State" (2020, pp. 186). The phrasing here from the verbatim quote tends to suggest that the evidence of potential transportation to Iraq was known to the Home Secretary and provided to Begum's lawyer through requirements to disclose evidence rather than an angle of defence created by the lawyer himself.

The arguably cynical and overly-simplistic perspective given from the UK Home secretary on the perilous circumstances Begum was in, was that Shamima Begum "was in that situation as a result of her own choices, and of the actions of others, but not because of anything the Secretary of State had done" (2020, pp. 187). Perhaps crucially at this point, the court clarified that they were "not deciding this question on its merits. We must approach it, rather, by applying the principles of judicial review" (2020, pp. 187), inferring that they would not be in the position to base their judgment on the merits of the case, rather on the technicalities of if the process that had been followed was a lawful one. It may be that the lack of the court's ability to form a judgment on merit is what is most problematic to the first case then, as the stance adopted by the UK Government does not stand up to basic scrutiny when considering the substance of the case. For the Home Secretary to make an argument that Begum at age fifteen had travelled to Syria to join a terrorist group, and was married less than two weeks later, having three children by age nineteen, was truly following 'her own choices' would be unlikely to stand up to any legitimate expert-led evaluation of the circumstances. A much more credible assessment would be likely to result in the conclusions explicitly covered centrally within CONTEST that Begum was in fact almost a perfect fit for the vulnerable and targeted grooming and conditioning that large terrorist organisations were known to be carrying out.

Under these circumstances, again it appears that conversely, the UK Government did make their own free choice, to make an example out of Begum and follow the populist monster narrative rather than uphold the principles contained within CONTEST. The result of that first case then was that Begum's appeal was partially upheld, but only on the basis that due to her current residence in the refugee camp in question, she was unable to properly engage in the appeal process and so risking a potential breach of the right to a fair trial.

Five months after the conclusion of the first case, the second case was heard in the Court of Appeal (Civil Division), and indeed the SCU (Special Cases Unit - the immigration department that is involved when there are issues of potential extremism linked with an immigration case in the UK), explicitly accepted that "individuals such as Begum who were radicalised whilst minors may be considered victims" (2020, pp. 4276) though their submission also went on to provide a rationale for deprivation of British citizenship by arguing that "(w)hilst accepting that Begum may well have been a victim of radicalisation as a minor, SCU does not consider this justifies putting the UK's national security at risk" (2020, pp. 4276). However again, unless the SCU is effectively asserting that they do not believe that the commitments of the UK Government should be upheld, or are arguing that they do not believe rehabilitation or reintegration are possible in a case which has an extremist element, then again the argument put forward remains unsubstantiated. No specificity is given as to the nature of the risk in question is, or rationale how other measures open to the government, ordinarily implemented in the case of returnees, would not be effective in reducing or managing any such risk in Ms Begum's case. It remains confusing and illogical for the SCU to explicitly concede that an individual such as Begum was probably a victim of radicalization on one hand, yet refuse to adhere to the official processes set out in the CONTEST strategy on the other. Indeed the SCUs submissions become further confused in nature when having conceded the strong likelihood of targeted radicalization and as such Ms Begum's own lack of truly free choice in those earlier decisions, they revert to setting their position as being "where she has been out of the UK for several years through her own choice, we would argue that it would be incorrect to allow her to return to the UK to engage with her appeal" (2020, pp. 4276). The problem here is that each stance is mutually exclusive and cannot coexist; either Begum was a victim of radicalization and as such was not acting with an objectively speaking free choice, or she made a rational and uninfluenced free choice. The acceptance of the former precludes the existence of the latter.

These points were later picked up in the second appeal case where the lawyer acting on behalf of Begum submitted that:

> When Ms Begum left the UK she was only 15 and had not taken her GCSEs. The ministerial submission recognised… that she may have been the victim of radicalisation. He also relied upon various newspaper articles about young people being brainwashed by extremists over social media… The Secretary of State relied on the media interviews Ms Begum had given which could not be taken at face value. One simply does not know what the position is and cannot draw conclusions. (2020, pp. 4290-1)

The second part of the quote is arguing that the Home Secretary as part of the assessment of risk posed by Ms Begum and argument put forward, reliance was placed on media interviews Ms Begum had engaged with, without the provision of any verification of any editing or context related to the interviews in question, which should not be viewed as a valid means of evidence

to the standard required by a competent court or tribunal for a range of the reasons discussed relating to the problems with media reporting on cases similar to that of Ms Begum discussed previously in this chapter. Indeed the point is later proven when the Government submission states that "there were no findings or suggestions in the media interviews that Ms Begum had been trafficked or groomed and radicalised…" (2020, pp. 4295). It is not an exaggeration to say that it is startling that any lawyer would lodge such an assertion, and would be incredible for a court to view this as an acceptable means of arguing a case, where the argument is not made regarding what was said in interview, rather the attempt to have inferences drawn from the absence of information contained in the interviews in question. As potentially unreliable as any such media interview may be, the very minimum that could be judged to have any validity would have been had any question of radicalization been raised but rejected by Ms Begum. No such point was provided in evidence or even argued to exist. Indeed, none of the Government submissions provided any further evidence on this point beyond the vague media references highlighted here.

It was at the stage of this second case, that the court's judgment began to engage with these points. Although not making a decision based upon the merits of the argument, procedurally the court set out an understanding of why the procedure and the merits were at least to some extent linked, explaining that:

> I would be uneasy taking a course which, in effect, involved deciding that Ms Begum had left the UK as a 15-year-old schoolgirl of her own free will in circumstances where one of the principal reasons why she cannot have a fair and effective appeal is her inability to give proper instructions or provide evidence. One of the topics that could be explored on her appeal before SIAC is precisely what were the circumstances in which she left the UK in 2015, but that could only properly be determined after a fair and effective appeal. The Secretary of State's submission risks putting the cart before the horse. (2020, pp. 4299)

In short, the court explained that where the submissions from the Government raised the lack of mention in the media interviews in question of the circumstances of Ms Begum's initial departure from the UK, the answer to such a relevant point could only be conclusively discovered through a fair process with the subject of the issues in question having the ability to take part in the appeal in question. The Government was effectively aiming both to assert the point without any reasonable evidence, and to deny the opportunity for any verifiable evidence to discussed and scrutinized. This should not be viewed as anything other than at best cynical, and at worst extremely sinister in terms of how low the bar was being set by the Government in terms of what evidence it was willing to base its already reached decision upon in a matter as extreme as depriving an individual of their citizenship and potentially exposing them to danger to their own life as a consequence of that decision.

After a lengthy discussion on the potential options where it had already been decided that Ms Begum did indeed have the right to appeal against the revocation of her citizenship, the court in the second case were unable to find a perfect solution which balanced both that right, but also respecting the unspecified national security concerns asserted by the UK Government. The court accepted that whilst ordinarily a person might be able to engage in such a process remotely, this would not be possible from the position of the refugee camp Ms Begum was living in, and that "simply to stay her appeal indefinitely is wrong in principle. It would in effect render her appeal against an executive decision to deprive her of her British nationality

meaningless for an unlimited period of time" (2020, pp. 4305). In other words, to state an individual has a right of appeal, but then refuse any of the possible ways in which that person would then be able to actually invoke that right of appeal would effectively be *de facto* denying that individual the right in question; an indefinitely stayed right of appeal could be viewed in practice as being the same thing as the outright denial of the right of appeal where the practical effect is identical for both. Ultimately then, the court in the second case ruled that:

> the only way in which there can be a fair and effective appeal is to allow the appeals in respect of the refusal of LTE (Leave to Enter)… the national security concerns about her could be addressed and managed if she returns to the United Kingdom. If the Security Service and the Director of Public Prosecutions consider that the evidence and public interest tests for a prosecution for terrorist offences are met, she could be arrested and charged upon her arrival in the United Kingdom and remanded in custody pending trial. If that were not feasible, she could be made the subject of a TPIM (terrorism prevention and investigation measure notice which can be made to restrict movement, communication, and other activities)… Notwithstanding the national security concerns about Ms Begum, I have reached the firm conclusion that given that the only way in which she can have a fair and effective appeal is to be permitted to come into the United Kingdom to pursue her appeal, fairness and justice must, on the facts of this case, outweigh the national security concerns, so that the LTE appeals should be allowed. (2020, pp. 4305-06)

And so in balancing a subjective or summary decision made by the executive on one hand, and the longstanding universal legal principle of the right to a fair trial on the other, the court in the second case passed judgment that the right to a fair trial should be viewed as being of higher importance when considering the competing assertions. Perhaps unsurprisingly however, such was their determination to win their case rather than to uphold their own counterterrorism CONTEST policy and mitigate the series of *de facto* human rights concerns and implications that had been credibly evidenced, the Government lodged a further and to date final appeal case to the UK Supreme Court, the judgment for which was published in February 2021.

In the final case, the threats as argued by the Government are slightly better defined, outlining that a person in Ms Begum's situation might pose an ongoing danger of:

> (1) involvement in ISIL (Islamic State of Iraq and the Levant)-directed attack planning, (2) involvement in ISIL-enabled attacks, (3) radicalising and recruiting UK-based associates, (4) providing support to ISIL operatives, and (5) posing a latent threat to the United Kingdom. (2021, pp. 18)

However it is crucial to explain here that a general expression of threat here should be viewed to be of relevance when then constructing a general policy for the Government and general immigration and criminal justice systems to follow, rather than to apply in a clear exception to the rule. It can only be logically deducted that these general threat factors were key considerations in the preparation of the revised 2018 CONTEST strategy that the government had gone to great lengths to set aside in Ms Begum's case for unspecified reasons. A further logical conclusion should be understood that quite the opposite of the submission of the Government, if a policy such as CONTEST has been developed through consideration of the general risk factors noted, then a deviation from or exception to that policy should only be

made based upon specific evidence related to the person who is the focus of the case in question, such as that there is evidence they pose an untypically high threat in one or more of those five areas of threat quoted. In the Begum case, at no point was any evidence of such specific threat discussed or proven.

It is here though, in the final appeal case, that the realities of the arbitrary decision-making process become clarified, this time in a more certainly sinister manner. It would be both reasonable and proportionate to argue that in a matter as important as deprivation of citizenship, a specific risk analysis should be carried out and evidenced, mapping onto the five general threat criteria quoted, through a thorough assessment by independent experts in areas such as psychology, counterterrorism, and psychosocial support, which would then result in a report of risk posed by the person subject to such measures. However according to the judgment of the Supreme Court, this is unnecessary under British law as it stands, where the court explained that effectively the Home Secretary has full discretion to make their own subjective or summary judgment, as long as there is any mention of national security as a consideration. The court reasoned that:

> The Secretary of State ... is not merely finding facts but forming an executive judgment or assessment. There must be material on which proportionately and reasonably he can conclude that there is a real possibility of activities harmful to national security but he does not have to be satisfied, nor on appeal to show, that all the material before him is proved, and his conclusion is justified, to a 'high civil degree of probability'… he was "undoubtedly in the best position to judge what national security requires" (2021, pp. 51-53)

This is especially troubling, as the implication of such clarification is that the judgment of the Home Secretary is regarded as being beyond reproach based upon an automatic presumption that they will always act in good faith and on the basis of a full analysis of the evidence, purely by virtue of being the officeholder. When considering the substantive submissions made by the Government in the first two cases however, it is clear that much of the evidence relied upon in the Begum case is highly questionable in nature, leading to real concerns regarding the basis on which the Home Secretary's decision-making was reached.

Consideration was given by the Supreme Court to past authoritative immigration cases, where in particular there is a problematic analysis of the case of Secretary of State for the Home Department v Rehman ([2001] UKHL 47; [2003] 1 AC 153). What followed was a debate about the contrasting positions of the Lords in that case, where Lord Hoffman had surmised that "…it is necessary to take into account not only the degree of probability of prejudice to national security but also the importance of the security interest at stake and the serious consequences of deportation for the deportee" (2021, pp. 58) and Lord Slynn had stated an alternative position that "it might be described, under which some facts had to be proved on a balance of probabilities, and the evaluation based on the facts had to be reasonable" (2021, pp. 59). The Supreme court explicitly stated that two of the other judges in the case sided with Lord Hoffman, whilst another two sided with Lord Slynn. However the Supreme Court then appears prima facie to misquote Lord Hoffman when they agree with that previously stated opinion where they explain that "Lord Hoffmann rejected the concept of a standard of proof… (t)he question of whether the risk to national security was sufficient… could not be answered by taking each allegation seriatim and deciding whether it had been established to some standard of proof" (2021, pp. 58). The misquote can be seen where the

Supreme Court in the final Begum case state that Lord Hoffman rejected the concept of a standard of proof, when he did not, rather he stated clearly and precisely that it is important *'not only'* to take such a standard of proof into account. The phrasing here suggests, contrary to the interpretation, that standard of proof should be considered, but should not be the only consideration. When scrutiny is applied then, the meaning attributed to Lord Hoffman's statement by the Supreme Court related to the specific quote they rely upon, in the context of the necessity for a certain minimum threshold of acceptable evidence before making such a crucial decision on the deprivation of citizenship, appears to be substantially flawed.

The balance here of an equally sided argument from the Rehman case as quoted by the Supreme Court, suggests that further serious consideration ought to have been given to this crucial point, however this does not happen, with the court simply concluding that:

> Whatever conclusion one might draw as to how the law stood at that time, the subsequent repeal of section 4 of the 1997 Act, and the absence of any similar provision in the current legislation, indicate that it is Lord Hoffmann's approach which is now the more relevant. (2021, pp. 59)

For clarity, section four of the Special Immigration Appeals Commission Act 1997 as referred to in the quote above, would have given authority to the Special Immigration Appeals Commission (SIAC) at the time of the Rehman case the powers to allow an individual's appeal "where the decision or action involved the exercise of a discretion by the Secretary of State or an officer, that the discretion should have been exercised differently" (S.4(1)(a)(ii)). In short, if it was clear to the SIAC that an executive decision on immigration status had been made without consideration of reasonable evidence, then the SIAC had the discretion to overturn that decision when the actual evidence associated with the case in question was examined. And so in the final Begum case, the Supreme Court gave recognition that this provision is no longer in force, and with no similar provision currently within any immigration legislation, it appears that the ability for the judiciary to give legitimate scrutiny to a potentially overreaching executive has been removed, granting at least that government department a de facto unlimited power that is beyond legal challenge. The court gave no further consideration of this arguably sinister realisation of the stripping of judicial authority that had previously existed under the 1997 Act, instead simply adopting the stance that the Home Secretary indeed has unlimited discretion on any matter where national security is a consideration, and whilst some might argue that the purpose of the court is to state what the law is, and not what the law should be, on such a point of potentially huge public importance, they could have documented an *obiter dicta* (additional opinion that does not form part of the judgment) statement as has been included in countless past judgments where similarly important issues have been uncovered.

Ultimately the Supreme Court gave two explanations to justify the stance they adopted. Firstly from a relevant intelligence perspective, clarification was given that the Home Secretary "has the advantage of a wide range of advice from people with day-to-day involvement in security matters which the Commission, despite its specialist membership, cannot match" (2021, pp. 60), and secondly that there should be democratic accountability related to those that make such decisions, where the court again quote Lord Hoffman in stating that:

> It is not only that the executive has access to special information and expertise in these matters. It is also that such decisions, with serious potential results for the community, require a legitimacy which can be conferred only by entrusting them to persons responsible to the community through the democratic process. If the people are to

accept the consequences of such decisions, they must be made by persons whom the people have elected and whom they can remove. (2021, pp. 62)

Whilst the first part of the given rationale on access to advice and information on security matters has a degree of validity, there are significant flaws in the reasoning of the second point. The Home Secretary is a ministerial position within the executive, and in the UK all ministers in the executive are appointed by the Prime minister and not elected to their ministerial post. As explained by the Institute for Government regarding ministerial accountability to parliament:

> (T)he principle of individual ministerial accountability – that ministers are democratically elected and drawn from Parliament, and they are the ones who take decisions in government, so should primarily be answerable to Parliament – is based on convention and precedent. It is not set out in law. (Haddon, 2020)

So whilst it is true to say that ministerial accountability is set out within the ministerial code, this is not subject to legal enforcement. As such, for the Supreme Court to suggest that a Minister such as the Home Secretary is subject to democratic accountability is a technically flawed rationale, when the accountability they refer to has no legal basis, and is purely a historical convention.

The final nail in the coffin for Shamima Begum in the final appeal case then arrived when the Supreme Court stated that the appeal court in the second case had been mistaken in the conclusion it had drawn that "fairness and justice must ... outweigh the national security concerns" (2021, pp. 110). The Supreme court stated that that earlier appeal court in the second case had regarded that fairness and justice should be viewed as a 'trump card', but that in the opinion of the Supreme Court this was an incorrect default position to have adopted, reiterating that the earlier court was not in a position to make a decision on how serious a matter of national security might or might not be, or on what basis the executive had made their initial decision on. The implications of this stance adopted by the Supreme Court then establishes a clear divide between the right to be afforded a fair trial in a case where national security is not a consideration, versus any case where it is. It is difficult to understand or agree with the Supreme Court's judgment on this point, which *de facto* removes the enshrined principle of the right to a fair trial in all cases of that nature. Ultimately, the Supreme Court judged that:

> The appropriate response to the problem in the present case is for the appeal to be stayed until Ms Begum is in a position to play an effective part in it without the safety of the public being compromised. That is not a perfect solution, as it is not known how long it may be before that is possible. But there is no perfect solution to a dilemma of the present kind. (2021, pp. 135)

And so in summary, the court have not technically removed the right of appeal from Ms Begum or any other person that might be in a similar position in the future, but this is the *de facto* effect of the ruling where there is no guarantee that she will ever be in such a position to be able to take part in her appeal. It is of further interest to note that the Supreme Court somewhat hypocritically then moved on to judge that "the Court of Appeal mistakenly treated the Home Secretary's policy, intended for his own guidance in the exercise of the discretion conferred on him by Parliament, as if it were a rule of law which he must obey" (2021, pp. 136) when this is the very same same error the Supreme Court itself made within the judgment

when relying upon democratic accountability of a ministerial position, which as evidenced is not based upon any enforceable rule of law, rather based upon policy alone.

The cumulative results of the three Begum cases then are that her case remains in limbo at the time of writing, with a technical acceptance that there is a legal right of appeal, but that there is no way in reality for her to engage with that appeal whilst she is in her current circumstance of living in the SDF refugee camp in question. There are substantive arguments surrounding foreseeable material risks to her safety or even her life if she were to be transported to either Iraq or Bangladesh, however the Supreme Court has overruled the consideration that was given to these matters by the Court of Appeal judgment in the second case, on the basis that the Court of Appeal did not have jurisdiction to consider those matters as they were not within the scope of the specific points of appeal it was to consider. The UK Government through the Home Secretary, have aggressively pursued this particular case in a manner contrary to multiple provisions of their own CONTEST counterterrorism strategy as highlighted, and rendered through their own decisions and actions, the possibility of reintegration an impossibility. Instead, the Government made the decision not to tackle the underlying reasons that led to Ms Begum as a child aged fifteen engaging with terrorist ideology, and instead sidestepped the issue altogether and render her the 'problem' of another country which she had never visited, by stripping her of her nationality on the basis of a technicality. For the UK government to continue to argue that it is seeking to address the root causes of terrorism or that it believes in any principles of reintegration for persons who have engaged in any form of extremism, would be contentions that are difficult to objectively justify when faced with the evidence of their approach throughout the Begum cases. Much of the approaches that the successive UK Home Secretaries adopted throughout the Begum cases reflects the narratives of female terrorists and the reaction to them outlined at the beginning of this section by Cecil. Indeed Cecil argued further, that "For the most part these characters do not appear (in the reported narratives) to suffer from real problems. Instead these women are demonized. This demonization sends the message that these females are completely responsible for their criminal behavior, which over-endows them with agency" (2007, p. 253). With the Home Secretary's case acknowledging the potential reality of individuals such as those in Begum's original circumstances being targeted and groomed in the second case, yet refusing to accept such factors as being potentially mitigating, or accepting that they State has any responsibility on the state to try to help such people as per the CONTEST strategy, this matches perfectly with Cecil's assertion and shows that the UK government in reality holds an ideological, rather than evidence-led, opposition to potential rehabilitation or reintegration of such offenders.

Regarding the questions asked early in this section; 'what differences are there between the acknowledged hundreds of returnees, many of whom will not have had the further mitigating factor of being legally children when they travelled to Syria, as compared to the Begum case? And what justification has been offered as to why a different approach has been taken by the UK Government to the clear example contained within the CONTEST strategy as quoted?' The only discernible and logical conclusions are that Ms Begum's situation became a matter of public debate through press and other media reporting, which has been generally absent in the great majority of other cases where individuals have returned to the UK without facing the same level of ferocity and determination not to follow CONTEST. The populist media and public discourse characterised Begum overly-simplistically as a monster, and rather than engaging with its own counterterrorism strategy in the clear and precise way that is illustrated

within CONTEST, the UK government instead deviated and acted in accordance with that publicly constructed 'monster' narrative. As explained at the outset of this section, CONTEST sets the explicit language of what 'success' should be viewed as in terms of counterterrorism response. By its own measurements then, the UK Government has failed in its response to the Begum case. It has undermined its own strategy for response to extremism, and from all of the available evidence appears to have been led by a media, which as grounded in the existing academic research and literature has a long history of reporting in an unscrupulous manner on precisely this typology of crime. The approach of the UK Government here may have caused irreparable damage to any legitimate discourse relating to the possibility of future reintegration of any such offender, as any critic will be able to point to the Supreme Court judgment in the Begum case as a means of shutting down such legitimate discussion.

THE IMPOSSIBILITY OF ADOPTING THE 'NOT OUR PROBLEM' APPROACH – RWANDA 1994

Between April and July 1994, a genocide carried out with unprecedented speed was carried out against the Tutsi population in Rwanda, resulting in the death of over a million Rwandan people, with the large majority from those that were identified as 'Tutsi' ethnic identity on their official national identification cards (SURF, 2020). This has resulted in the official categorisation of those events as being *the 1994 genocide against the Tutsi*. In the course of the immediate five years prior to the genocide, the Rwandan Armed Forces (FAR), led by incumbent president Juvenal Habyarimana, had more than quadrupled in terms of the number of combatants, with the potential for aggression against the minority Tutsi population growing as there was a "rapid para-militarisation of Rwandan society, with the creation of hundreds of civil defence associations and covert death squads" (Hintjens, 1999, p. 257). Rwanda had a history of division along grounds of socially constructed ethnic identity going back to the early part of the twentieth century colonial administration of the country by Germany, prior to the conclusion of World War One, and Belgium thereafter, prior to gaining full independence in 1962 (Moore, 2020). This escalated significantly between the 1970s and early 1990s under Habyarimana's presidency with targeted propaganda and impunity for those that perpetrated violent acts against the minority Tutsi Population (Caplan, 2007). Hilker (2011) identified that by immediate period before the genocide that took place in 1994, for several decades the majority Hutu and minority Tutsi population had been essentially conditioned into positions of fear and distrust of whichever ethnically identified group they did not belong to.

This targeted victimisation of the Tutsi minority took place through both state discourse (Baisley, 2014; Dallaire, 2007; Hintjens 2001) and the media (des Forges, 1999; Scull, Mbonyingabo, and Kotb, 2016), and although this victimisation was more extreme, the sources of information and manner of constructed narrative have clear similarities with the discourse that sees ordinary Muslims and people that are perceived to be Muslims become the target of hatred by the wider population in the west in recent years. Baisley (2014) argues that the information being framed by both the media and the state strategically mystified and conflated those individuals of Tutsi heritage actively fighting as part of the civil war in the north of Rwanda prior to 1994, with *all* ordinary citizens identifiable as Tutsi living throughout the country. This can be argued to be a very similar problem faced by ordinary Muslims in the west who are faced with the media framing of terrorism in a way that places all Muslims under suspicion by the majority population.

Unlike the West however, and specifically unlike the UK with the case of Shamima Begum, in the aftermath of the eventual genocide against the Tutsi that took place in 1994, with the sheer number of perpetrators involved in the killing of over a million Rwandan citizens, there could be no possibility of regarding the perpetrators as 'not our problem' in the manner that the UK Government treated Begum. Indeed the evidence shows that Rwanda has engaged in strategies that have done the very opposite. It is thought that throughout and in the direct aftermath of the genocide that over two million individuals fled Rwanda, a great proportion of those crossing the border into the Democratic Republic of the Congo (DRC then Zaire), and a large number of those having been perpetrators of the genocide seeking to escape justice. The fact that a significant number of those fleeing to the DRC were perpetrators and not only ordinary citizens can be evidenced from the fact that from that time and still ongoing to date "the eastern part of the DRC has been the scene of violent conflicts perpetrated by internal and external armed groups, which claimed around 6, 000,000 lives" (Kanyangara, 2016, p. 10), as an extension of that violence against the Tutsi in Rwanda has continued in the borderland areas of Rwanda's largest neighboring country. Due to the scale of the problem in and around Rwanda then, the new Rwandan government realised early on in the aftermath of 1994 that in order to establish a peaceful Rwanda and wider great lakes region, they would have to tackle the root causes of violence and the division that had allowed such a humanitarian collapse to occur.

Rwanda introduced a range of efforts aimed at reintegrating those that had been involved in violence, including members of both the former FAR and informal paramilitary as previously identified, to normal Rwandan society through a process of demobilization. Coletta et al (1996) discuss that reintegration of ex combatants is essential if there is to be an effective transition from conflict to peace, and further emphasising the necessity for some form of demobilization, Ginifer (2003) argued that successful reintegration of ex-combatants can create a highly positive contribution to both conflict resolution / transformation, and the peacebuilding efforts of an affected community. Punishment for acts of violence cannot be overlooked, but neither should reintegration be ignored if a country is serious about reducing recidivism or further violence following an ideology-based conflict. The beginnings of a move towards a mass demobilization strategy came in 1999 with the signing of the Lusaka Ceasefire Agreement, which sought to stop the conflict in the DRC, and disarm those that were involved in the fighting (MDRP Secretariat, 2010). Initially the Lusaka Agreement stagnated, with a lack of political will to progress its aims in a practical sense, however, on the forced change of presidency in early 2001 within DRC, the new President Kabila was keen on undertaking peace talks, eventually signing the Global and Inclusive Agreement on Transition (MDRP Secretariat, 2010).

The ongoing instability in the great lakes region, whereby the activities of combatants (official and unofficial) from not only the genocide against the Tutsi in Rwanda, but also others in surrounding countries, ensured that major conflict became almost an intractable issue that required a broader response than any one country could establish on its own. The World Bank took the initiative to tackle the issue with the establishment of the Multi-Country Demobilization and Reintegration Program (MRDP), in 2002, creating an overseeing body and program that could collaborate with country-specific demobilization institutions (MDRP Secretariat, 2010). The MDRP identified that disarmament, demobilization, and reintegration (DDR) is a complex process that can have better outcomes if recognising two distinct stages of the process, with the first stage tackling the issues of disarmament and demobilization, and the

second stage tackling reintegration. Here they explained that "there is broad-based consensus among practitioners and policymakers that DDR must represent a transition from politically driven security-based to developmentally driven agendas for human development" (2010, p.4). The MDRP here is recognising that whilst certain aspects of the DDR process may be technical or clinical, that this is not the case when it comes to reintegration which requires consideration of social and human development issues in order to be successful. This is affirmed by Bowd & Özerdem when they argue that previous demobilization programs have been flawed when they have focused on reintegration in terms of the ability to become economically active or access to training and general education. Instead they argue that those approaches have not shown a full understanding of what reintegration actually requires as they do not always include a central focus on:

> …the issue of social reintegration, which is vital for effective reconciliation and, therefore, sustainable peace. Consequently, an alternative perspective from which to view the process of reintegration that emphasizes the importance of social reintegration, and appropriate indicators, rather than focusing on conventional commitments to economic indicators is necessary. (Bowd & Özerdem, 2013, p. 454)

Further problems with many underdeveloped DDR programs are argued to exist by Bowd & Özerdem when they explain as previously discussed that due to the social nature of reintegration requiring community involvement, all programs for reintegration should take this into account and have a defined strategy to facilitate community inclusion. They argue both in a general sense, and when discussing female combatants specifically that:

> (m)uch of the stigmatization… is related to communities not understanding them and fearing of them, regardless of whether or not they are seen as liberators or freedom fighters or human rights violators. This is primarily because information is limited and community sensitization is, in most programming, weak and/or non-existent. Women who have fought are often seen as having 'acted against culturally determined gender roles'. (2013, p. 458)

Importantly here, the authors explain that these issues are broadly similar regardless of whether the individual being reintegrated is a legitimate member of armed forces, or an individual who may have been a perpetrator of violent offences in the context of a conflict. As shown in the quote above, some evidence of reintegration of females may be argued to include further barriers due to being potentially viewed as further deviant in terms mainstream gender norms. In this sense, and with regard to wider issues of demobilization and reintegration, Rwanda has been viewed by MDRP as being the most active country in the region with the most successes evidenced. For example, the MDRP Secretariat reported that "(r)eaching and meeting the needs of female and disabled ex-combatants was not easy… Rwanda… was the only country to have investigated these groups… advocating for female ex-combatants to apply for additional reintegration support" (2010, p. 27). The wide differences between countries under the MDRP umbrella exist because as previously highlighted, the MDRP do not act exclusively in the countries in question, rather they partner with either existing or newly established demobilization and reintegration institutions and programs in each country. With the genocide against the Tutsi still in recent memory, Rwanda established its own informal demobilization and reintegration service in 1997, the Rwanda Demobilization and Reintegration Commission (RDRC) was then granted official institutional status in 2002 by

Presidential Decree (No 37/01 of 09/04/2002), coinciding with the launch of the transnational MDRP.

In March 2017, this chapter's author met with three members of the RDRC to discuss the issue of reintegration of those that had been part of the genocidal forces and unofficial paramilitary, including the Chairman of the Commission at that time (since deceased), Jean Sayinzoga. When asked about balancing the issues punishment on one hand, and reintegration on the other, Sayinzoga explained that:

> We have punishment, and we have forgiveness. The question that is often asked is, do we start with the punishment or the forgiveness? In Rwanda, we prioritise both. We manage both punishment and forgiveness at the same time. We discuss the issues that ex-combatants might face when reintegrating into civilian life, and show them that rather than thinking of themselves as being different, together in common they should share the core values of the country. (Jean Sayinzoga, Speaking at Hotel Le Printemps, Kigali, March 24th 2017)

When asked about the complexities of gender and reintegration, RDRC Program Coordinator (Secretary General as of 2019) Francis Musoni explained that gender specific issues are understood and built in to the reintegration programs facilitated. Musoni gave the example that masculinities and aggression in male former combatants had the potential to be problematic, and in this regard the RDRC had partnered with the the Rwanda Men's Resource Center (RWAMREC). The activities and successes in this regard have been captured by the World Bank through their 2014 report; *A Study of Gender, Masculinities and Reintegration of Former Combatants in Rwanda* (Slegh et al., 2014). Here the problem statement in terms of gender and reintegration explains that:

> programs should specifically address the gendered needs and realities of program beneficiaries to increase effectiveness and sustainability of program results. In order to achieve this, a clearer image of gender norms, roles and identities in this specific context should be developed… (p. 12)

In addressing this problem statement then, some of the areas actively shown to have been targeted through reintegration programs include transition from the types of aggressive masculinities deployed in armed conflict toward the types of masculinities associated with taking pride in protection and leadership in family and community life. Specific themes and areas included in the reintegration program for men include gender equality, gender based violence, violence against women, intimate partner violence, physical violence, psychological violence, sexual violence, and economic violence (Slegh et al., 2014). Ultimately the report makes important conclusions around the complexities of reintegration and the dangers of recidivism, finding that:

> Reintegration should be approached as an interactive process between the ex-combatant and his social environment, and programs need to include active participation of family and community. Given the many challenges these men may still face, the reintegration of ex-combatants in society cannot be separated from the reintegration of their minds. While they have left the war zones, many ex-combatants carry the memories of their time as combatants with them. These memories can become like psychological mines, ready to explode when danger and stress increase. (Slegh et al., 2014, p. 55)

Again this approach matches with the academic literature, where it has been argued that many of the social problems that ex-combatants face as part of the reintegration process are heavily based on psychological issues that stem from their experiences either as traumatic after-effects of combat such as post-traumatic stress disorder, or through post-demobilisation issues such as stigmatisation or other negative responses from the communities they have tried to integrate into. Bowd & Özerdem argue in this regard that those reintegrating frequently suffer from psychosocial difficulties "which negatively impact on their ability to operate in civilian life… Ex-combatants frequently describe community perceptions of them as negative and indeed many experience stigmatization" (2013, p. 458).

With these conclusions in mind, RDRC have ensured that their reintegration programs include family and community participation and involvement, and psychosocial support for the individual going through the reintegration process. As identified in Slegh et al's 2014 report, program participants:

> are screened for physical and mental health… the RDRC program includes… models of formal and informal peer support that help strengthen the emotional and psychological wellbeing of the ex-combatants… basic counseling for ex-combatants and refer severe cases to local health facilities. (p. 10)

In terms of family and community participation, RDRC programs involve sensitization activities including the Commission hosting and arranging sporting and cultural activities where communities and those being reintegrated can come together and jointly participate in positive activities, with the RDRC explaining that:

> sensitization has been one of the communication tools used… to help inform and educate the beneficiaries and the public.... It has also been a tool that communicates messages of peace building and conflict transformation… It has enabled the ex-combatants to be reintegrated well in the community. (RDRC, 2019, p. 13-14)

Whilst the programs the RDRC has developed have grown from the acute need for peace and security and have been created to facilitate mass reintegration of combatants, ultimately when examined at the micro level, the issues in Rwanda are not fundamentally different from those faced by the western world, including the UK in the case of Shamima Begum. Both types of case have clearly identifiable similarities, namely:

1. A perpetrator(s) of crimes of mass violence, whether terrorism or genocide.
2. The crimes in question each involve an element of ideology / conditioning that allowed the perpetrator(s) to engage in such crimes on the basis that from their perspective at the time the crimes were commissioned were 'justifiable' under that ideology.
3. Linked to 2, there will be a need for careful psychological / psychiatric assessment and potentially intervention in order to address any lingering problems that the perpetrator(s) might suffer from.
4. Due to the nature of the crimes in question, there is a fear and / or distrust held by the wider community against the perpetrator(s) that requires to be addressed.
5. There may be gendered issues that require to be addressed with the perpetrator(s), and possibly also the wider community, through intervention, support, and education.

Ultimately there do not appear to be any major differences when placing both types of circumstance under scrutiny, and in fact the wider community in Rwanda could be argued to

have a greater justification to feel anger and resentment toward such perpetrators as with the scale of the 1994 genocide nearly the entire population of the country that survived will have suffered the loss of family and / or friends, or even suffered direct victimisation causing physical or psychological trauma. The only notable difference is the one included in the title of this section, where due to the scale of the issue and the number of perpetrators, Rwanda and the wider Great Lakes region of Africa did not have the ability to wash their hands and declare that it was 'not our problem' in the manner that the UK has demonstrated with Shamima Begum. The successes of Rwanda's efforts can be observed through the fact that since 1994 there has been no major re-escalation of violence linked with genocide ideology in the country, even though between the beginning of 2009 and the end of 2018 the RDRC has assisted with the reintegration of 69,648 former combatants, including more than 24,000 that were a part of either official or unofficial armed groups that were involved in the perpetration of the genocide against the Tutsi in 1994 (RDRC, 2019, p. 26). With such a scale of reintegrated former combatants that had fought both in perpetration and in defence of genocide, the potential for conflict to re-escalate without such careful intervention and reintegration would have been very real, and yet at least in part due to those demobilization and reintegration efforts, this has not happened. Rwanda is a clear example of a country where the circumstances forced the issue of reintegration to be taken seriously, and the benefits have been clear.

REINTEGRATION IN RWANDA – MEDIA FRAMING

In consideration of the way that the media frame genocide perpetrators seeking reintegration in Rwanda, there is a clear difference in the narratives presented in comparison to the issue of terrorism perpetrators in the west. In the aftermath of the 1994 genocide, Radio has been said to be the most widespread form of mass media (Hendy, 2000; McIntyre & Sobel, 2017), and indeed prior to and during the genocide, the Rwandan Government backed *RTLM* radio station engaged in anti-Tutsi propaganda, even encouraging the targeting of named Tutsi individuals through the reading out of lists of names on air (Moore, 2020). Similarly in the printed press including through the popular *Kangura* magazine, Tutsi were consistently dehumanized and subject to both ridicule and suspicion (Moore, 2020). This framing of the Tutsi over a number of decades, which had intensified by the early 1990s, contributed to the genocidal ideology which eventually led to the events of 1994. It is interesting then that media framing has also been a major factor in the reconciliation efforts of the country, perhaps as policymakers are all too aware of the power the media has to influence a nation.

One example here is the Dutch NGO Radio La Benevolencija, who created the radio dramatization *Musekeweya*, translated as *New Dawn* in 2004, with it continuing to date every week. The show is broadcast on two of the main radio stations in Rwanda, Radio Rwanda and Radio Izuba. In the show, the premise is related to:

> …a set up that is easily recognizable for most Rwandans: two villages… on… opposing hills with a marshland in between. The villages live through years of… disputes… Tensions are further heightened by the fact that people have different (but unnamed) ethnic identities… The soap has negative and positive characters, and as in real life, people intermarry. The soap is an excellent means of reducing intergroup prejudice and tensions by encouraging all social groups to interact and engage with one another in deeper, meaningful life projects. (Radio La Benevolencija, 2021)

Musekeweya is designed to communicate peacebuilding theory via an accessible medium, as explained by Radio La Benevolencija that the plots include elements of Staub's continuum of violence, covering elements of conflict prevention, achieving reconciliation, and appropriate bystander intervention. Essentially then, unlike the overly simplistic framing and narratives presented by western media of terrorism and perpetrators, discussed earlier in this chapter, here related to the underpinning causes of genocide in Rwanda, dramatization is underpinned by genuine academic theory which addresses the root causes of division in a positive manner.

In terms of the wider media and printed press, again there is a different approach to framing of the core issues, including the perpetrator. To an extent this is directed by the State, as anything that is written and could be perceived as inciting ethnic division can result in criminal sanctions (McIntyre & Sobel, 2017), however whether state oversight of aspects of the press is a good or bad thing may not be as sinister or clear cut as it might be in a country where there has not been an episode of mass violence in recent memory. In Rwanda's context, the care taken over the avoidance of ethic division is arguably understandable. Indeed McIntyre and Stobel, on interviewing twenty-four journalists from both state and independent press reported that:

> Rwandan journalists from across the spectrum highlighted one role they value that is atypical in Western countries: every interviewee, including those who work for independent outlets, said it is a journalist's duty to promote unity and reconciliation. (2017, p. 12)

Multiple direct quotes are provided within McIntyre and Stobel's article, with specific explanations given by reporters including: "We have a responsibility to build and to rebuild a united society" (2017, p. 13), and "when it [a story] is something to do with genocide ideology, if I promote it… it culminates into...a conflict. I will automatically be affected [along] with my family… so...as a media practitioner, I'd always want something that would contribute to the well-being of… the community" (2017, p. 13). Importantly, the article also covers specifically the framing of genocide perpetrators and not just the general issues related to promoting peace. Here, the issue is characterised as being a restorative narrative, with one of the interviewees explaining that:

> you have some cooperative for those who have come from prison, convicted of genocide, and victim of, survivors from genocide. If they are working together… and we broadcast such program, it is just our one example of unity and reconciliation. (2017, p. 16)

Such examples of reporting on the positive achievements of former genocide perpetrators, and of positive relationships between victim and perpetrator communities are common and normalized in Rwanda. Whilst it may be difficult to declare certainty that this is *the* reason for the low levels of conflict that have occurred between the groups (Paluk, 2009), when considering the theoretical work on framing alongside the negative effects of irresponsible and inaccurately portrayed and reported narratives earlier in this chapter, it is highly likely that the more responsible and positive media framing observed in Rwanda, in conjunction with other efforts including demobilization as outlined, has been at least *one of* the main factors in the successful reintegration of such perpetrators back into mainstream society.

CONCLUSION

In conclusion, the issues associated with reintegration of perpetrators of mass violence are wide and varied. The problems appear to arise when two major factors sit side by side. Firstly whilst the theory behind why an individual might transition from being a 'normal' person to become an eventual perpetrator are complex and grounded in social and political exclusion, those complex factors are rarely portrayed in western media narratives either in fictional portrayal or factual reporting, instead framing is frequently cynical and simplistic, playing into the 'big bad monster' caricature and preying on existing stereotypes and fears. Secondly, where the state in question deviates from its own evidence-based counterterrorism or counter-extremism strategy in favour of that same overly simplistic narrative and abandons even the basic elements of reintegration strategies. With these factors and state approaches, the problems of extremism, both real and perceived, will never be eliminated, as the root causes of extremism continue to be ignored or overlooked, whether by design or by accident.

On the other hand, where a state takes steps to confront the root causes of extremism and address them alongside efforts to reintegrate, and where the media both in terms of fictional portrayal and factual reporting share a common goal of tacking the difficult and complex issues in a responsible and evidence-based manner, the monster narrative of the perpetrator of mass violence can be minimised and reintegration can be successful even where the crimes a perpetrator has committed have involved the very most serious imaginable.

The examples shown of the United Kingdom / Shamima Begum, and Rwanda / demobilization and reintegration illustrate these points well, and align well with the existing theory and body of literature in all relevant areas. Overall it is interesting to note with regard to Rwanda in the context of humans and monsters, that whilst in 1994 and during the preceding decades the state and the media *dehumanized* the eventual victims, when considering post-genocide reintegration, the state and media have helped to *rehumanize* the perpetrators. Rwanda has successfully killed the monster; hopefully one day many other countries might recognize how this has been achieved and follow suit.

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