CHAPTER 2

TERRORIST TRAJECTORIES: FROM AN ATTEMPT TO EXPLAIN TO THE PROSPECTS OF COLLABORATION

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Introduction

Questioning the relevance of a collaboration policy with "reformed" perpetrators of terrorist offences includes a three-dimensional reflection: understanding the terrorist phenomenon and its meaning in our contemporary societies; studying the explanatory elements that allow an understanding of the path led by some perpetrators in committing so-called "terrorist" actions; and questioning the issues of "collaboration" with the justice system, a key element in the framework of this research.

The literature is vast on these different questions. Without in any way claiming to be exhaustive, on the basis of a recent study of the literature[1], our proposal is to proceed in three stages: firstly, to clarify the concept of "terrorism" itself, a widely controversial notion and prone to multiple interpretations as well as its genealogy in Europe. The aim is to better understand the framework in which terrorism exists today and the answers that we are trying to give to it, including collaboration with the judiciary (I). Secondly, to provide a summary of the major categories explaining the involvement in a terrorist trajectory. The understanding of collective and environmental, individual and procedural elements which lead a person to engage in a terrorist "career" is central in order to assess the relevance (or lack thereof) of the use of collaboration mechanisms with the justice system in the fight against terrorism today (II). Finally, a reflection on the issues of collaboration with the justice system will conclude the analysis. The question that arises is the chances of success of a collaborative process marked by negotiation and denunciation dimensions in the specific field of terrorism (III).

I. *Terrorism in Europe: characteristics and evolution*

Terrorism is not a new phenomenon – the origin of the term can be found at the end of the 18th century and references to it can be found well before that[2]; its contemporary expression responds to two specific concerns and shows specific characteristics. In order to better understand the terrorism that is currently hitting Europe, it is useful to go back to the notion of terrorism first (1), before presenting a summary of the main developments of terrorism in Europe in the past years, on the basis of a classical distinction between the political terrorism of the 1960s, sometimes qualified as "traditional terrorism"[3] and "contemporary terrorism"[4] marked by a jihadist reference (2).

1. *Terrorism: between a controversial notion and a plural reality*

Even though terrorism is a widely-used concept in the political, legal

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[1] In the framework of this project, it is impossible to provide a "bibliographic update" that covers the countries involved in the project. We thus decided to focus on the literature in English and French, whose contributions were compared with the results of a similar study based on Italian and Spanish sources (F. Rossi, *The multifactorial process of radicalisation to «jihadi» fundamentalism*, 2020, available at *www.criminaljusticenetwork.eu*; F. Rossi, "Brevi note sul processo multifattoriale di radicalizzazione", *Rassegna italiana di criminologia*, 2021, 2, p. 122 to 129). This position highlights significant convergence of the key readings used in the different languages, especially the multifactorial and procedural dimensions of the trajectories leading to a terrorist action.

[2] Terrorism was defined for the first time in the French Academy Dictionary of 1798 ("Système, régime de la terreur", Dictionnaire de l'Académie française de 1798, Supplément, 1798 p. 775.) Certain authors have pointed out its existence in Roman times with the "sicaires", an organization fighting against Roman occupation in Judea (V. Flavius, *La guerre des Juifs*, éd. De Minuit, 1988).

[3] T. Delpech, *Le terrorisme international and l'Europe*, 2002, Paris, Institut d'Études de Sécurité, 2002, p. 7; D. Benjamin, "Le terrorisme en perspective", *Politique étrangère*, 2006, p. 894.

[4] R. Letschert and A. Pemberton, "Addressing the needs of victims of terrorism in the OSCE region", *Security and Human Rights*, 2008, 19, 4, p. 299.

and media fields, its definition is still controversial[5] (1.1). Particularly at the international level, consensus on a legal definition of terrorism is proving difficult to find. At a doctrinal level, however, a number of characteristics seem to be accepted to qualify and action as a "terrorist" one (1.2).

1.1. *Lack of a consensual legal definition*

From a legal perspective, there is no comprehensive, complete and universally accepted legal definition by all States[6]. At the international level, years of debate have not led to a consensual definition. Three draft definitions focusing on the traits generally associated with terrorism by the international community will be presented in this paper. The first one is the result of the United Nations Security Council Resolution 1566 from 8th October 2004 whereby States are called to define as terrorists the criminal offences targeted at civilians with the intention to cause death or serious injuries, or with the aim of spreading terror among the population, in a group of people or by individuals, to intimidate a population or to constrain a government or an international organisation to perform or abstain from performing acts[7]. In 2005, the Organisation of the United Nations (UNO) in turn proposed a draft definition at the General Convention on International Terrorism in 2005; emphasis was placed on offences which caused the death of others or serious physical damage to others, offences which caused serious damage to public or private goods of various kinds and whose aim is to intimidate a population or put pressure on authorities to perform or abstain from performing any act[8]. Finally, in the European Union (EU), the framework decision of 13th June 2002 relating to the fight against terrorism defines more clearly in article 1 terrorist offences as deliberate acts aimed at points *a*) to *i*)[9], "as defined as offences under national law which, given their

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[5] M.-H. Gozzi, *Le terrorisme*, Paris, Ellipses, 2003 p. 39; J.-F. Gayraud, "Définir le terrorisme, est-ce possible, est-ce souhaitable?", *Revue internationale de criminologie and de police technique*, 1988, 2, p. 190 to 193.

[6] A. Masset, "Terrorisme", *Postal Mémorialis*, 2017, p. 1 to 27; H. L'Heuillet, *Aux sources du terrorisme*: *de la petite guerre aux attentats-suicides*, Paris, Fayard, 2009.

[7] Resolution 1566 (2004) adopted by the UN Security Council at its 5053th meeting on 8th October 2004, available at *https://www.un.org/ruleoflaw/blog/document/security-council-resolution-1566-2004-on-threats-to-international-peace-and-security-caused-by-terrorist-acts/*.

[8] The draft general convention on international terrorism proposed for the first time by the special committee of the United Nations on terrorism, 29th July 2005, art. 2. The latest version of the draft is available at *http://www.un.org/ga/search/view_doc.asp?symbol=A/C.6/65/L.10&Lang=F*.

[9] (*a*) attacks upon a person's life which may cause death;

(*b*) attacks upon the physical integrity of a person;

(*c*) kidnapping or hostage taking;

(*d*) causing extensive destruction to a Government or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private property likely to endanger human life or result in major economic loss;

(*e*) seizure of aircraft, ships or other means of public or goods transport;

(*f*) manufacture, possession, acquisition, transport, supply or use of weapons, explosives or of nuclear, biological or chemical weapons, as well as research into, and development of, biological and chemical weapons;

nature or context may seriously damage a country or an international organisation, were committed with the aim of seriously intimidating a population, or unduly compelling a Government or international organisation to perform or abstain from performing any act, or seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation"[10].

The three broad definitions emphasise two elements specific to terrorist actions which are largely shared by the international community[11]: the commission of a "criminal" material act damaging the life or body of persons or causing material damage of a certain intensity, and the presence of a specific moral or intentional element (intimidating a population or spreading terror, destabilising of putting pressure on a state or an international organization.)

From the perspective of national law, the content of these definitions will have to be transposed and specified in the national laws, as many countries have adopted specific legislation in recent years specifying the types of "terrorist" offences and their scope[12]. It follows that, in practice, the legal classification of an act as a terrorist act and its penal construction remain variable and protean, depending on the cultural context and legal traditions specific to each country, but also on the interpretation of the events in which the act takes place and the geopolitical interests it raises for each State concerned[13].

1.2. *The characteristics of a terrorist offence*

From a political perspective, the terrorist offence undoubtedly underlines in an exemplary manner the socially constructed nature of any criminal offence, the result of conflicts of values and interests[14]. An act perceived and incriminated by one individual as a "terrorist act" will be interpreted by

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(*g*) release of dangerous substances, or causing fires, floods or explosions the effect of which is to endanger human life;

(*h*) interfering with or disrupting the supply of water, power or any other fundamental natural resource the effect of which is to endanger human life;

(*i*) threatening to commit any of the acts listed in (*a*) to (*h*).

[10] Framework Decision 2002/475/JAI of 13 June 2002 on combating terrorism.

[11] R. Letschert and A. Pemberton, "Victims of terrorism in the OSCE (Organization for Security and Co-operation in Europe) region. Analysis of a questionnaire on the practice of OSCE participating states on solidarity with the victims of terrorism", Report commissioned by the OSCE Office for Democratic Institutions and Human Rights, 2009, Poland. See also on this topic: R. Letschert and A. Pemberton, "Addressing the needs of victims of terrorism in the OSCE region", Security and Human Rights, 2008, 19, 4, p. 298 to 311.

[12] As an example, Belgium adopted by an act of 19th December 2003, a specific chapter to the penal code entitled "terrorist offences" articles 137 to 141-*ter* of the Penal Code).

[13] H. L'Heuillet, *op. cit.*, 2009, p. 69; A. Conte, *Human Rights in the Prevention and Punishment of Terrorism*, Heidelberg, Springer, 2010, p. 11 and 12; A. Pemberton, "Needs of Victims of Terrorism", *Assisting Victims of Terrorism. Towards a European Standard of Justice*, R. Letschert, I. Staiger and A. Pemberton (eds.), Dordrecht, Springer, 2010, p. 127.

[14] On this topic, see D. Duez, "De la définition à la labellisation: le terrorisme comme construction sociale", K. Bannelier, Th. Christakis, O. Corten and B. Delcourst (eds.), *Le droit international face au terrorisme. Après le 11 septembre 2001*, Paris, Pedone, 2004, p. 105 to 118.

another as an act of resistance or a legitimate act of liberation[15]. An act condemned by a State as a terrorist offence in one context will be supported by the same State in another context[16]. Likewise, the line between terrorist offence and other forms of political violence, such as acts of insurrection, guerrilla warfare or even civil disobedience, is not always easy to draw[17].

To consensually define terrorism, to agree on the scope of this concept and the acts that could qualify it as a "terrorist" offence remains an arduous task, as the semantic field in question gives rise to diverse and contextual interpretations. If need be, this is evidenced in that the proposal of integrating the crime of terrorism on the list of crimes included in the Statute of the International Criminal Court resulted in failure, given the lack of a political consensus on its definition[18]. Through the literature, there is nonetheless room for drawing a series of characteristics that are relatively consensual in the Western world around the notion of a terrorist act. Compared to other criminal acts or forms of social or political protest, terrorism will be distinguished by the following features.

The first one is *committing or repeating material acts of violence* against people or goods, generally incriminated by national laws. This violence can be "blind"[19], aimed at indeterminate and arbitrary targets, or otherwise "targeted", aimed at specific figures with a high symbolic content[20]. However, some believe that an act of violence is not a requirement and that the mere "threat" of such an act might suffice, provided that other criteria of an intentional nature are present[21].

The second one is the will to *create a situation of lasting fear and terror* within a targeted community[22], using a *communication strategy* that turns the terrorist act into a message to society. Besides its instrumental dimension, terrorist violence has a strong symbolic dimension: the act is part of a "psychological warfare"[23], aimed at creating a state of emotional shock within the targeted group, with a view to making them aware of a situation,

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[15] R. Drake, *The Revolutionary Mystique and Terrorism in Contemporary Italy*, Bloomington, Indiana University Press, 1989, p. xiv; A. Pemberton, *op. cit.*, 2010, p. 127; P.C. Kratcoski, *and al.*, "Terrorist Victimization: Prevention, Control and Recovery", *International Review of Victimology*, 2001, 8, 3, p. 257.

[16] Islamist terrorism, widely condemned nowadays, was supported by the West when it came to finding against the expansion of the USSR in Afghanistan (D. Souchon, "Quand les djihadistes étaient nos amis", *Monde diplomatique*, février 2016, p. 14 and 15).

[17] L. Weinberg, A. Pedahzur and S. Hirsch-Hoefler, "The Challenges of Conceptualizing Terrorism", *Terrorism and Political Violence*, 2004, 16, p. 777 to 794.

[18] M.-H. Gozzi, *op. cit.*, 2003, p. 53.

[19] P. Gueniffey, "Généalogie du terrorisme contemporain", *Le Débat*, 2003, 126, p. 160 and 161.

[20] R. Letschert and A. Pemberton, *op. cit.*, 2008, p. 299.

[21] L. Weinberg, A. Pedahzur and S. Hirsch-Hoefler, *op. cit.*, 2004, p. 786.

[22] A.P. Schmid, J. Albert and A.J. Jongman, *Political terrorism: A new guide to actors, authors, concepts, data bases, theories and literature*, New Brunswick, Transaction Publishers, 1988, p. 5; M.-H. Gozzi, *op. cit.*, 2003, p. 31; S. Freedman, "Psychological Effects of Terror Attacks", *Essentials of Terror Medicine*, S. Shapira, J. Hammond and L. Cole (eds.), London, Springer, 2009, p. 405 to 424; H. L'Heuillet, *op. cit.*, 2009, p. 69.

[23] H. L'Heuillet, *op. cit.*, 2009, p. 79; M.-H. Gozzi, *op. cit.*, 2003, p. 65; D. Spinellis, "Terrorism", *Revue hellenique de droit international*, 1994, 47, p. 446 to 462.

influencing them or forcing them to adopt certain positions[24]. The terrorist act therefore seeks to benefit from the widest possible publicity and, in this context, its direct victims are merely "collateral damage": they are in fact exploited, set up as messages to influence more broadly the social group that is the main target of the terrorist action[25].

The third one is to *promote a specific ideology* of a philosophical, social, cultural, political or religious nature[26]. This ideological dimension allows to distinguish terrorism from other types of violent crimes[27] and its perpetrators from other criminals such as those belonging to organised crime (the Mafia or Cosa Nostra in Italy, the cartels in Latin America, etc.) However, the line between these two worlds is sometimes blurred[28]. The perpetrators of the terrorist act perceive it as a legitimate means of propaganda, in the context of a political conflict where an attempt is made to defend a cause that does not have (or not enough) legitimacy (the terrorist act is then analysed as being linked to an "impatience to act" in a conflict that lacks popular support and/or has an imbalance of forces)[29]. This ideological-political dimension of terrorism as a "weapon of the weak" mired in a battle for influence is clearly supported in cases of nationalist terrorism, liberation, resistance, secession or insurrection faced together with an authoritarian regime or an invading State[30]. It is also claimed nowadays in the framework of jihadist terrorism which presents itself in many ways as the vanguard of the fight against the West and its posture of domination and exploitation[31].

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[24] P. Gueniffey, *op. cit.*, 2003, p. 158 to 161; M.-H. Gozzi, *op. cit.*, 2003, p. 31.

[25] B. Pfefferbaum, "Victims of Terrorism and the Media", *Terrorists, Victims and Society. Psychological Perspectives on Terrorism and its Consequences*, A. Silke (eds.), West Sussex, Wiley, 2003, p. 175 to 187; P. Mannoni, *Les logiques du terrorisme*, Paris, In Press, 2004, p. 119; A.P. Schmid, "Magnitudes and Focus of Terrorist Victimization", *Victims of Crime and Abuse of Power*, A.P. Schmid (eds.), Bangkok, UN Congress on Crime Prevention and Criminal Justice, 2005; R. Letschert and I. Staigner, "Introduction and Definitions", *Assisting Victims of Terrorism: Towards a European Standard of Justice*, R. Letschert, I. Staigner and A. Pemberton (eds.), Dordrecht, Springer, 2010, p. 8; J. Paust, "A Survey of Possible Legal Responses to International Terrorism: Prevention, Punishment, and Cooperative Action", *Georgia Journal of International and Comparative Law*, 1975, 2, 5, p. 431 to 469; A. Schmid and A. Jongman, *Political Terrorism*: *a new guide to actors, authors, concepts, data bases, theories and literature*, Brunswick, Transaction, 1988, p. 5; L. Weinberg, A. Pedahzur and S. Hirsch-Hoefler, "The Challenges of Conceptualizing Terrorism", *Terrorism and Political Violence*, 2004, 16, p. 777 to 794.

[26] D. Spinellis, *op. cit.*, 1994, p. 446.

[27] R.A. Friedlander, "Sowing the Wind: Rebellion and Violence in Theory and Practice", *Denver Journal of International Law & Policy*, 1976, 6, 1, p. 83to 93. The latter all the successfully summarised that "terrorism is different from criminal violence in that its purpose is symbolic, its means psychological, and its ends political". (*Ibid.*, p. 88).

[28] M.-H. Gozzi, *op. cit.*, 2003, p. 41 and following.

[29] M. Crenshaw, "The Logic of Terrorism: Terrorist Behavior as a Product of Strategic Choice", *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind*, W. Reich (eds.), New York, Cambridge University Press, 1990, p. 13; D. Spinellis, *op. cit.*, 1994, p. 446; M.-H. Gozzi, *op. cit.*, 2003, p. 28 and following.

[30] Some authors therefore insist on the distinction between illegitimate terrorism and legitimate national liberation struggles (the especially P.C. Kratcoski, M.M. Edelbacher and D.K. Das, "Terrorist Victimization: Prevention, Control and Recovery", *International Review of Victimology*, 2001, 8, p. 257).

[31] S. Garcet, "La question de la privation relative au sein du processus de radicalisation", *Revue de droit pénal et de criminologie*, 2019, 1, p. 53.

In a way, it is also reinforced by the answer it receives, often presented as a "war against terrorism", against its perpetrators and the values it defends[32].

The fourth and final feature of a terrorist act, central to this "ideological war"[33] is the will to *destabilise a social group, its institutions and its values*. Terrorism generally targets a specific group, its fundamental values and its representations in the name of opposing values and representations. In this context, it may seek to exacerbate the conflict and fragment opinions in order to widen the gap between them and win over potential members who are sympathetic towards the values it promotes, the discrimination it denounces and the struggle it defends[34].

We shall therefore retain that the terrorist act, if it has a material element (an act of violence against people and goods), is characterised above all by the particularity of its moral element. It is the intention linked to the act, which can be broken down into various elements revolving around the ideological core, which gives the terrorist act its true specificity. This is also what makes the largely privileged criminal response difficult: on the one hand, the more it is exacerbated, which is often the case[35], the more the criminal response reinforces the war logic that the terrorist strategy aims to create, potentially fuelling recruitment channels it wants to fight against. On the other hand, the traditional objectives of sentencing in terms of deterrence, moralisation and reintegration, already widely questioned in response to ordinary crime, are even more difficult to imagine in a dispute with such strong ideological connotations[36]. This also makes the conceptualization of discussion or collaboration mechanisms of a "repentant" type more difficult with authors engaged in a struggle against a system they wish to destroy.

2. *A genealogy of terrorism in Western Europe (1960-2020)*

Terrorism took on a specific dimension in Europe after the Second World War. In this regard, two periods can be distinguished quite clearly. The first is the period of the "Years of Lead" (1960-1980), marked by the development of political terrorism, but also by autonomist or separatist terrorism (2.1). The second is the contemporary terrorism of the beginning of the 21st century, characterised by a weakening (although not the disappearance)

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[32] G.W. Bush, Speech before Congress, 20 September 2001, cited in T. Delpech, *op. cit*., 2002, p. 37.

[33] H. L'Heuillet, *op. cit*., 2009, p. 79; M.-H. Gozzi, *op. cit*., 2003, p. 71.

[34] T. Delpech, *op. cit*., 2002, p. 679; M.-H. Gozzi, *op. cit*., 2003, p. 10 and 41.

[35] Penalties are generally harsher, procedural rules are more flexible, and certain general principles of criminal law (legality, proportionality) are undermined in "special regimes". M.-L. Cesoni, "Nouvelles méthodes de lutte contre la criminalité: paradigme de l'efficacité et désuétude des principes fondamentaux. Introduction générale", *Nouvelles méthodes de lutte contre la criminalité*: *la normalisation de l'exception. Étude de droit comparé (Belgique, États-Unis, Italie, Pays-Bas, Allemagne, France)*, M.-L. Cesoni (eds.), 2007, Bruxelles, Bruylant, p. 1 to 56.

[36] R. Letschert and M. Groenhuijsen, "Global Governance and Global Crime - Do Victims Fall in Between?", *The New Faces of Victimhood, Globalization, Transnational Crimes and Victim Rights*, R. Letschert and J. van Dijk (eds.), 2011, p. 40.

of this political terrorism and especially by the rise of a jihadist terrorism which mobilises the political-religious reference (2.2).

2.1. *Terrorism during the Years of Lead: political polarisation and autonomist claims*

The expression "Years of Lead" refers to the period of political violence in which several European countries were confronted between the end of the 1960s and the end of the 1980s[37].

This period is characterised in several European countries by political radicalisation phenomenon against the background of a left-right split, accompanied by terrorist movements resorting to armed struggle in order to assert their political message. While the two countries most dramatically exposed to this type of political terrorism were West Germany and Italy, resonances were heard in France, Spain and Belgium as well. Characteristically enough, these countries will experience an alternation of attacks attributed sometimes to the extreme left and sometimes to the extreme right, against a backdrop of marked (if not absolute) differences: the extreme-left movements, anxious to attack the capitalist system and to win the popular masses in their struggle, develop a targeted terrorism, aiming at symbolic figures representative of the system to be brought down[38]. Extreme right terrorism is more marked by a blind and indiscriminate violence intended to spread fear and create reflexes of identity or conservative withdrawal among the population[39].

Italy is without doubt the most representative country of this dual terrorism of extreme left and extreme right that will develop for 20 years starting in the 1960s. The attacks claimed by the extreme left (the *Brigate Rosse* but also to a lesser extent *Prima Linea* or the *Nuclei Armati Proletari*) will combine the "black terrorism" of the *Fronte Nazionale Rivoluzionario*, d'*Ordine Nuovo* or the *Nuclei Armati Rivoluzionari*, marked by indiscriminate and unclaimed attacks, against the backdrop of what some call "the tension strategy"[40] and a judicial activity very regularly blocked by invoking state secrecy[41].

In (Western) Germany, la *Rote Armee Fraktion* (RAF) or "Baader-Meinhof group" resort to armed struggle and to "urban guerrilla" in order to fight

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[37] M.-H. Gozzi, *op. cit*., 2003, p. 11 and following.

[38] M.-H. Gozzi, *op. cit*., 2003, p. 16.

[39] G. Bocca, *Il terrorismo italiano 1970-1980*, Milano, Rizzoli 1981, p. 133.

[40] G. Flamini, *Il partito del golpe, La strategia della tensione e del terrore dal primo centrosinistra organico al sequestro Moro*, Bologna, Bovolenta, 1981-1985. The tension strategy refers to a strategy promoted by the extreme right in Italy aimed at creating fear and to disqualify the "historical compromise" under negotiation between the Christian Democracy and the Italian Communist Party against the backdrop of the intervention of the P2 lodge and, potentially, the "gladio" cells (see specially, G. Panvini, *Ordine nero, guerriglia rossa*, Turin, Einaudi, 2009; G. Flamini, *op. cit*., 1981-1985).

[41] Y. Cartuyvels, "Justice et intérêt: la lutte contre le terrorisme noir et le secret d'État politico-militaire en Italie", *Droit et intérêt. Droit positif, droit comparé et histoire du droit*, Ph. Gérard, Fr. Ost and M. van de Kerchove (eds.), Brussels, F.U.S.L., p. 115 to 138.

against capitalism and state imperialism[42]. Mainly practising targeted terrorism on the national scene, the RAF laid down its arms in 1992 and announced its dissolution in 1998. As a counterpoint, between 1950 and 1980, Germany saw the development of various neo-fascist groups such as the *Wehrsportsgruppe Hoffman*, which carried out indiscriminate attacks in public places[43]. In France, the Direct Action ("AD") group, inspired by communism and libertarianism developed the project of creating along with the *Rote Armee Fraktion*, a common revolutionary front of the extreme left in Western Europe[44]. In Belgium, the Communist Combatant Cells (CCC), created in 1983, resorted to targeted attacks directed at material targets before its leaders were arrested in 1985. These years are also marked in Belgium by bloody and unclaimed attacks, the "Brabant killings" (28 deaths between 1982 and 1985). The source of these attacks, which has not been clarified to date, has been attributed sometimes to organised crime and sometimes to paramilitary forces as part of an Italian-style tension strategy[45]. Finally, in Spain, the *Grupos de resistencia antifascista primero de octubre* ("GRAPO") resort since 1975 to armed struggle and revolutionary guerrilla warfare to fight against Franco's regime, bourgeois domination and imperialism[46].

In addition to this political terrorism, some European countries such as France, Spain or the United Kingdom have been facing separatist or independence terrorist movements since the mid-20th century. Since the end of the 1950s, Spain has been confronted with Basque separatist terrorism, represented by the *Euskadi Ta Askatasuna* ("ETA") organization[47]. Gradually losing influence with the democratisation of the Spanish regime, Basque terrorism is undoubtedly one of the deadliest in Europe, claiming countless victims (more than 800 dead and thousands injured between 1959 and 2008)[48]. In response to this separatist terrorism, an extreme right-wing neo-fascist movement developed at the end of the 1970s, namely with the *Groupe Anti-terroriste de Libération* ("GAL"), a group that uses methods of armed struggle and targeted assassination against ETA members[49]. In Northern Ireland, the Irish Republican Army ("IRA") is a group of nationalists fighting for the annexation of Ulster to Eire and the recognition of a single sovereign state out-

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[42] S. Aust, *Baader-Meinhof, The Inside Story of the R.A.F.*, Oxford, Oxford University Press, 2009.

[43] P. Chassaigne, *Les années 1970. Fin d'un monde et origine de notre modernité*, Paris, Armand Colin, 2012, p. 230 and following.

[44] See Action Directe and RAF, bilingual press release entitled in its French version "pour l'unité des révolutionnaires en Europe Occidentale", January 1985. Available at *http://www.socialhistoryportal.org/sites/default/files/raf/fr/0019850100_01%2520FR_2.pdf*.

[45] House of Representatives, "Parliamentary enquiry into the necessary adjustments to the organisation and functioning of the police and judicial system in light of the difficulties that arose during the investigation into the Brabant killers", 14 October 1997, No. 573/7-95/96. Available at *http://www.lachambre.be/FLWB/PDF/49/0573/49K0573007.pdf*.

[46] *Ibidem*.

[47] R. Alonso and F. Reinares, "L'Espagne face aux terrorismes", *Pouvoirs*, 2008, 124, 1, p. 107 to 121; G. Ménage, *L'oeil du pouvoir. Face aux terrorismes 1981-1986. Action directe. Corse. Pays basque*, Fayard, Paris, 2000, p. 12.

[48] R. Alonso and F. Reinares, *op. cit*., 2008, p. 107.

[49] R. Alonso and F. Reinares, *op. cit*., 2008, p. 112.

side the United Kingdom[50]. In this case once again, in response to the actions of the IRA, small terrorist groups emerge that oppose the demands for independence[51]. In France, there are the actions of the *Front National de Libération de la Corse* ("FNLC"), which become more violent as of the 1990s[52].

2.2. *The transformation of terrorism in Europe in the 21st century*

Although political and/or separatist terrorism has not completely disappeared in the 21st century, it has clearly declined in intensity, with the result that from 2010 onwards the various groups and entities linked to such terrorism will no longer be included on the list drawn up by the Council of the European Union[53].

In practice, after the turning point of the attacks of 11 September 2001 in the United States, 21st century Europe has been faced with a "new phase" of terrorism[54], of political and religious inspiration and with a significant transnational character which embodies "Islamist jihadism"[55]. Originating in the Israeli-Palestinian conflict in the 1970s, gaining strength in the context of the war against the Soviet Union in Afghanistan in the 1980s, jihadist radicalism flourished in Africa and the Middle East in the 1990s before reaching Europe at the beginning of the 21st century[56]. The armed intervention in Iraq initiated in 2003 by the United States and followed by some European states – the coalition forces – favoured the expansion of jihadist terrorism, whose aim is to attack the West, its posture of domination and its logic of exploitation, its values and principles[57].

Unlike the previous "political" terrorism, jihadist terrorism would be characterized by claiming a religious ideological inspiration[58], relying on a

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[50] N. Bernheim, "I.R.A. (Irish Republican Army)", *Encyclopædia Universalis* [en ligne], disponible sur: *http://www.universalis.fr/encyclopedie/irish-republican-army/*; J. Tarnero, *Les terrorismes*, Paris, Milan, 1997, p. 16 and 17.

[51] T. Delpech, *op. cit.*, 2002, p. 7 and 8.

[52] J. Tarnero, *op. cit.*, 1997, p. 37. Still active in the 21st century, the organisation announced their commitment to a demilitarisation process on 25 June 2014 (Le Monde, "Corse: le FNLC annonce qu'il dépose les armes", article du 26 June 2014).

[53] Council Common Position 2009/468/CFSP of 15 June 2009 updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2009/67/CFSP, Official Journal of the Union 1/45; Council Decision 2010/386/CFSP of 12 July 2010 updating the list of persons, groups and entities to which Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism apply.

[54] D. Benjamin, "Le terrorisme en perspective", *Politique étrangère*, 2006, 4, p. 887 to 900.

[55] R. Jackson, "Constructing Enemies: 'Islamic Terrorism' in Political and Academic Discourse", *Government and Opposition: an International journal of comparative politics*, 2007, p. 394 to 426.

[56] C.R. Lister, *The Islamic State: A Brief Introduction*, Washington, Brookings Institution Press, 2015; G. Kepel, *Jihad. The Trail of Political Islam*, Harvard, Harvard University Press, 2002.

[57] A. Laoukili, "Emprise de l'idéal, pacte dénégatif et répétition: l'islamisme comme matrice idéologique du terrorisme djihadiste", *Connexions*, 2017, 107, p. 87 to 106.

[58] R. Guolo, *L'ultima utopia. Gli jihadisti europei*, Guerini e Associati, Milano, 2015, p. 14.

largely transnational[59] structure and seeking to produce mass victimisation in order to accentuate its message. Endorsing a war logic at the expense of blurring the boundaries between crime and act of war[60], it would have the effect, instead, of toughening the response of Western states both inside[61] and outside[62] their borders, this time at the expense of blurring the boundaries between criminal and military response[63].

The *religious reference*, regularly instrumentalized and producing a conflation between Islam and terrorism, unfortunately echoed by various Western leaders[64], is very present. The perpetrators of some thirty attacks on European soil since those in Madrid in March 2004[65], members of Al Qaeda first of all, and then of the Islamic State, invoke radical Islam to justify a fight aimed at destroying the enemy[66]. If, unlike the "political" terrorism of the Years of Lead, the religious banner is well raised, not all the political dimension has been removed: where revolutionaries of the Years of Lead claimed the defence of the working class against an oppressive capitalist system, the jihadists invoke the defence of the Muslim community exploited and persecuted by the modern West, both in the South (colonisation, armed interventions in Afghanistan and Iraq, etc.) and in the North (exclusion, Islamophobia, racism, etc.)[67]. Jihadist terrorism in fact functions, perhaps in the end no less than its "political" predecessor, on a double political-religious level[68].

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[59] I.B. Gomez de la Torre, *El terrorismo en el siglo XXI: del terrorismo nacional al terrorismo global*, *Revista penal*, 2018, 42, p. 5 to 30.

[60] M. Llobet, "Terrorism: Limits Between Crime and War. The Fallacy of the Slogan 'War on Terror'", *Post 9/11 and the State of Permanent Legal Emergency. Security and Human Rights in Countering Terrorism*, A. Masferrer (eds.), Dordrecht, Springer, 2012, p. 101 to 117.

[61] K. Roach, "Sources and Trends in Post-9/11 Anti-terrorism Laws", *SSRN Electronic Journal*, 2006, (disponible sur *http://ssrn.com/abstract=899291*); C. Walker, *Terrorism and the Law*, Oxford, Oxford University Press, 2011, p. 386; C. Walker, "The Impact of Contemporary Security Agendas Against Terrorism on the Substantive Criminal Law", *Post 9/11 and the State of Permanent Legal Emergency. Security and Human Rights in Countering Terrorism*, A. Masferrer (eds.), Dordrecht, Springer, 2012, p. 122 and 123.

[62] T. Degenhardt, "The Use of War as Punishment in the International Sphere: Special issue on 'War, Law and Global Order'", *Jura Gentium. Journal of Philosophy of Law and Global Politics*, 2007, p. 15.

[63] M. Trapani, "Guerra e diritto penale. Sull'adeguatezza degli strumenti penalistici nei confronti del c.d. terrorismo islamico", *Politica criminale e cultura giuspenalistica. Scritti in onore di Sergio Moccia*, A. Cavaliere, C. Longobardo, V. Masarone, F. Schiaffo, A. Sessa (eds.), Napoli, 2017, p. 249 and 250.

[64] R. Jackson, *op. cit.*, 2007, p. 394 to 426.

[65] We will mainly cite the attacks in Madrid in March 2004, in London in July 2005 and in June 2017, in Paris in January and in November 2015, in Brussels in March in 2016, in Nice in July 2016, in Berlin in December 2016, in Manchester in May 2017 and in Barcelona in August in 2017.

[66] W.R. Louis and D.M. Taylor, "Understanding the September 11 Attack on America: The Role of Intergroup Theories on Normative Influence", *Analyses of Social Issues and Public Policy*, 2002, p. 10 and following.

[67] W.R. Louis and D.M. Taylor, *op. cit.*, 2002, p.10 and following.

[68] A traditional distinction tends to oppose political terrorism at the end of the 20th century to the jihadist terrorism against the backdrop of a double distinction: "traditional" terrorism would intend to alter the social structures whereas jihadist terrorism would aim at "destroying the enemy" (P. Gueniffey, *op. cit.*, 2003, p. 169). The religious ideology typical of the latter deepens the divide and facilitates the resort to mass victimization. Some, however, rightly point out that the gap is probably less important than it seems: on the one hand, the

Another characteristic of this contemporary terrorism is its *transnational* character. While terrorism of the 20th century was generally (although not exclusively[69]) local, domestic or internal[70], jihadist terrorism is international both in its structure and organisation, its functioning and its intentions and in the issues it raises[71]. The aim is to take the fight to an international level, with transnational recruitment that promotes a discourse centred on a "conflict of civilisations" and mirrored by the conviction that the "war on terrorism" can no longer be thought of on the basis of a strictly national approach[72].

A third specificity of contemporary terrorism is the *emphasis put on mass victimisation* designed to fuel fear and increase the divide within European societies. While it has not escaped blind and indiscriminate forms of violence[73], political terrorism at the end of the 20th century is more generally described as "individual", local and targeted terrorism[74]. Contemporary terrorism, for its part, clearly pursues mass violence, with the conviction that the greater the victimisation, the greater the media repercussions will be and the greater the strength of the message it seeks to deliver. In this regard, the mass media coverage of contemporary terrorism, though not new[75], is a central strategic issue. Today's communication technologies (the Internet, social networks) facilitate a wider and faster dissemination of terrorist acts, facilitating the spread of terror and manipulation of the popular audience[76].

A fourth characteristic of contemporary terrorism is to mark a *turning point in the response to it*. The political terrorism of the 20th century was, for the most part, regarded as a crime and fought with the weapons of criminal law, even if this was at the expense of emergency laws. Jihadist terrorism has led to a questioning of the criminal approach: if classical criminal law remains mobilised, it is largely overwhelmed by the creation of a "criminal law

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ideological reference of the political terrorism of the Years of Lead could also have a "quasi-religious" dimension, (D. Benjamin, *op. cit.*, 2006, p. 887 to 900; P. Gueniffey, *op. cit.*, 2003, p. 169), seeking to destroy the "class enemy" and resorting to "indiscriminate" attacks targeting an undetermined number of people; on the other hand, contemporary jihadist terrorism also claims behind a religious reference, a political dimension with an outspoken will of using violence to protect an oppressed community.

[69] 20th-century terrorism, particularly extreme left on, already had four in elements whether at logistics, planning or even operational level (G. Ménage, *L'œil du pouvoir, t. 2, Face aux terrorismes*, Paris, Librairie Arthème Fayard, 2000, p. 6).

[70] H. L'Heuillet, *op. cit.*, 2009, p. 243.

[71] R. Letschert and A. Pemberton, *op. cit.*, 2008, p. 305.

[72] See especially: Report of the Secretary-General's High-level Panel on Threats, Challenges and Change, AMore SecureWorld: Our Shared Responsibility, UN Doc A/59/565 (2004), para 145.

[73] "Blind" violence was more readily practised by the extreme right.

[74] E. Marenssin and A. Squirrel, *La "bande à Baader" ou la violence révolutionnaire*, Paris, Champ libre, 1972, p. 162 and following.

[75] P. Gueniffey, *op. cit.*, 2003, p. 158 and 159.

[76] G. Weimann, *Terror on the Internet. The New Arena, the New Challenges*, Washington, United States Institute of Peace, 2006; T. Garcin, *Terrorisme, Médias et Démocratie*, Lyon, Presses universitaires de Lyon, 2001; U. Yanay, "Victims of terrorism: Is it a 'Non-issue'?", *Hebrew university of Jerusalem*, 1993, 20, p. 28; J. Breckenridge and P. Zimbardo, "The strategy of terrorism and the psychology of mass-mediated fear", *Psychology of Terrorism*, B. Bongar, L. Brown, L. Beutler, J. Breckenridge and P. Zimbardo (eds.), Oxford, Oxford University Press, 2007, p. 116 to 133.

of the enemy" derogating from the basic principles of criminal law for efficiency reasons[77], as well as by a militarisation of the fight against "enemy combatants"[78], or even against "unlawful combatants"[79], at the expense of a potential depersonalisation and dehumanisation of the other, which are precisely part of the objectives of the jihadist strategy[80].

II. *Understanding the terrorist trajectories: from socio-political factors to individual paths*

The causes of contemporary terrorism and the explanation of the trajectories leading to radicalisation and jihadist terrorism have been the subject of numerous studies in Europe[81]. Without going into a detailed analysis of the various explanatory models, we propose in this paper a synthetic analysis of the main types of explanations put forward in the literature to explain the success of radicalisation and the slide of some towards a terrorist trajectory. In this regard, a dual framework can be organized. The first one emphasizes the general or environmental factors ("a clash of civilisations", geo-political power relations, mechanisms of exclusion and discrimination) which concern more or less large groups of individuals and which are regularly shared in the literature to explain the success of contemporary terrorism (1). The second emphasises the truly individual dimension of involvement in a terrorist trajectory, highlighting the role of various elements of a subjective nature (personality of the subject, conditions of a cognitive encounter with the terrorist narrative, the procedural dimension of a violent path) in the construction of such a trajectory (2).

1. *The contextual dimension: clash of cultures, geopolitical power relations, social exclusion and racial discrimination*

Three factors of an environmental character are generally put forward, which constitute a sort of "backdrop" or reservoir of elements to explain the rise of contemporary terrorism, in its jihadist version. The first is the success

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[77] J. Alix, O. Cahn, "Mutations de l'antiterrorisme et émergence d'un droit répressif de la sécurité nationale", *Revue de sciences criminelle et de droit pénal comparé*, 2017, 4, p. 845 to 868.

[78] R.A. Duff, "Notes on Punishment and Terrorism", *American Behavioral Scientist*, 2005, 48, p. 758.

[79] See mainly H. Carvalho, "Terrorism, Punishment, And Recognition", *New Criminal Law Review*, 2012, 15, p. 345 to 374; R.A. Duff, *op. cit*., p. 760.

[80] A. Pemberton, *op. cit*., 2010, p. 109; A. Laoukili, *op. cit*., 2017, p. 92.

[81] For a summarised approach, see F. Rossi, "Brevi note sul processo multifattoriale di radicalizzazione", *op. cit*.; M. Hafez, C. Mullins, *The radicalizazion puzzle: a theoretical synthesis of empirical approaches to homegrown extremism*, in *Studies in Conflict & Terrorism*, n. 38/2015, p. 967; C. Guérandel and E. Marlière, «Les djihadistes à travers Le Monde", *Hommes et migrations*, 2016; P. Gueniffey, *op. cit*., 2003, p. 166 and following; A. Laoukili, «Emprise de l'idéal, pacte dénégatif et répétition: l'islamisme comme matrice idéologique du terrorisme djihadiste", *Connexions*, 2017, 107, p. 87 to 106; D. Benjamin, *op. cit*., 2006, p. 887 to 900; D. Bachet, "Le terrorisme djihadiste: ses causes, ses effets et ses suites", *L'Homme et la Société*, 2015, 195-196, p. 25 to 28.

of a culturalist argument that links terrorism to the "clash of civilisations" between the West and the Muslim world (1). The second underlines the role played by a second mobilising narrative, focusing on the geo-political and economic power relations between the West and the Muslim world (2). The third focuses on the links to exploitation and discrimination experienced in Europe by people of the Muslim faith (3). These three elements are likely to nourish a feeling of injustice among a certain number of actors prone to being sensitive to terrorist discourse.

1.1. *The "clash of civilisations": a culturalist argument*

The culturalist explanation associates jihadist terrorism to a conflict of civilisations, referring to the theory on "clash of civilisations" by S. Huntington. According to him, the end of the Cold War and the East-West divide would give room to a conflict of civilisations at the heart of which Islam would play a driving role[82]. Against the backdrop of a historical conflict with the West, which goes back to the Crusades and more recent episodes of colonisation, the Islamic religion would serve as a sounding board for a jihadism seeking to place the Muslim world in a logic of war against non-Muslims[83].

Regardless of the relevance of the concept of "clash of civilisations"[84], it is clear that this culturalist argument has been mobilised by jihadist propaganda[85] and symbolised by the choice of certain emblematic targets of the culture of the adversary to be destroyed[86]. From this perspective, the West, its values (democracy, pluralism, freedom, secularism, modernity, respect for human rights, the rule of law, etc.) and its "infidel" populations represent the enemy of Islam: if the West is presented as the source of the political, economic and social problems of Muslim societies[87], it also, if not above all, in this culturalist perspective, represents a danger of the "deterioration of values"[88], of corruption and moral decay for Islam. Terrorism therefore appears

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[82] S. Huntington, *The Clash of Civilizations and the Remaking of World Order*, Simon & Schuster, New York, 1996, p. 98 and following.

[83] M. Lazar, "Le terrorisme en Italie et en France. Questions de recherche", *Vingtième siècle. Revue d'histoire*, 2017, 2 p. 42; M. Gauchet, *Le Monde*, 19 March 2016, p. 1.

[84] Huntington's thesis is based on "the absence, in the Muslim world, of the matrix political values that underpin representative democracy in Western civilization: the separation of political and theological authority, the rule of law, social pluralism, parliamentary institutions of a representative government, the protection of individual rights and civil liberties, which act as a buffer between citizens and the power of the State" (R. Inglehart and P. Norris, "Le véritable choc des civilisations", *Le Débat*, 2003, 126, p. 77). Some global studies (World Values Survey), show the empirical weakness of this thesis, since they allow us to conclude that "today throughout the world, societies, both Muslim and Judeo-Christian, consider democracy to be the best form of government". (*Idem*, p. 77).

[85] S.J. Baele, K.A. Boyd and T.G. Coan, "The Matrix of Islamic's Propaganda: Magazines", *ISIS Propaganda. A Full-Spectrum Extremist Message*, S.J. Baele, K.A. Boyd and T.G. Coan (eds.), New York, Oxford University Press, 2019, p. 84 to 126.

[86] The attack of Charlie Hebdo in Paris in January 2015 comes to mind, or the attack in the Jewish museum in Brussels in May 2014.

[87] W.R. Louis and D.M. Taylor, *op. cit.*, 2002.

[88] R. Guolo, *op. cit.*, 2015, p. 31 and following; J. Raflik, *Terrorisme et mondialisation. Approches historiques*, Paris, Gallimard, 2016.

to be an act of resistance by a civilisation defending its culture in the face of a "cultural westernization of the globe" or "westoxification"[89], characterised by a "religious exit"[90] as well as by the spread of widely shared Islamophobic sentiment. This also explains why jihadist terrorism has developed intensely and as a priority within the Arab-Muslim world itself, in order to fight against the secularisation of Islam, a sort of Trojan horse of the Westernization of the world[91].

This culturalist argument has also been abundantly echoed by many European politicians during various attacks. Several of them did not hesitate not to qualify each new attack as an attack on European civilisation, its principles and fundamental values[92], at the risk of encouraging the confusion between Muslims and jihadists, of increasing polarisation within European societies between the Muslim community and the rest of the Western population, and of increasing the stigmatisation of Muslim immigrants[93].

1.2. *The geopolitical issue: an asymmetric relationship between the West and the Arab-Muslim world*

The culturalist argument crosses and is based on a second mobilising "great narrative", which is that of the geopolitical relations between the West and the Arab-Muslim world[94]. Sometimes associated with a "Third World" reading, the analysis here highlights the role played by the policy of Western domination over the Muslim world in the context of colonisation and decolonisation in Africa and the Middle East[95]. From the Sykes-Picot agree-

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[89] R. Guolo, *op. cit*., 2015, p. 18 to 22.

[90] M. Gauchet, "Le fondamentalisme islamique est le signe paradoxal de la sortie du religieux", *Le Monde*, 22-23 November 2015.

[91] P. Gueniffey, *op. cit*., 2003, p. 169.

[92] Certain reactions from European leaders following the attacks in Brussels in March 2016 illustrate this fact well: "Through the attacks in Brussels, the whole of Europe is being hit" (the French President, François Hollande); "These attacks were not only aimed at Belgium, but also at our freedom of movement, our mobility", values that "are part of the European Union" (German Interior Minister Thomas de Maizière); "This is an attack on democratic Europe. We will never accept that terrorists attack our open societies" (Swedish Prime Minister Stefan Löfven); "Europe has been touched in the heart but we remain who and what we are: an open and democratic society" (Dutch Prime Minister, Mark Rutte). The excerpts of speeches and reactions of European leaders were taken from the website of la libre Belgique dated 22 March 2016: *http://www.lalibre.be/actu/politique-belge/toutes-les-reactions-politiques-a-travers-le-monde-apres-les-attentats-a-bruxelles-56f1139f35702a22d59e03ad*.

[93] Report prepared by the "Migration Policy" group of the OSCE entitled "Policies on Integration and Diversity in some OSCE Participating States - An Explanatory Study", thus concluded that the war on terrorism mainly affects Muslim immigrants by making their integration into Western populations more difficult. See also V.M. Esses, J.F. Dovidio and G. Hodson, "Public Attitudes Toward Immigration in the United States and Canada in response to the 11 September, 2001 'Attack on America'", *Analyses of Social Issues and Public Policy*, 2002, 2, 1, p. 69 to 85; L. Sheridan, "Islamophobia Pre and Post September 11th 2001", *Journal of Interpersonal Violence*, 2006, 21, 3, p. 317 to 336.

[94] J-P. Filiu, *Les Arabes, leur destin et le nôtre. Histoire d'une libération*, Paris, La Découverte, 2015; F. Khosrokhavar, *La radicalisation*, Paris, Maison Des Sciences de l'Homme, 2014.

[95] R. Lioger, *La Guerre des civilisations n'aura pas lieu. Coexistence et violence au XXe siècle*, Paris, CNRS, 2016; D. Benjamin, *op. cit*., 2006, p. 887 to 900; D. Bachet, "Le terrorisme djihadiste: ses causes, ses effets et ses suites", *L'Homme et la société*, 2015, 195-196, p.185.

ments redrawing the borders of the Middle East (1916) to the military intervention in Syria (2011-2017), from support for the creation of Israel (1948) to contempt for the Palestinian cause since the Six Day War (1967), the invasion of Iraq (1991 and 2003), to the war in Afghanistan (2001) and the armed intervention in Libya (2011), or the opportunistic support of certain dictators in the Middle East, the attitude of the Western world provides powerful elements for jihadist propaganda.

Perceived as an expression of contempt for the Muslim world, a source of political and socio-economic destabilisation in the Arab world[96], the Western stance which does not hesitate to exploit the conflicts in the Middle East for economic purposes is a source of humiliation and resentment in the Muslim world[97]. The logic of domination and exploitation poorly masked by Western interventionist policies appears then to be a powerful driver of jihadist terrorism, which can promote itself as a defender of the oppressed and an actor in the fight against injustice. In the same way, the disastrous humanitarian consequences caused by Western (especially the US) armed interventions, which are considered illegitimate[98] or, on the contrary, the disengagement of Western forces according to their interests, reinforce bitterness and feed the desire for revenge or vengeance of young people who are more receptive to calls for radicalisation[99].

1.3. *The duplication of a relationship of domination within the Western world: exclusion and discrimination*

The geopolitical context, when marked by international conflicts, can generate a sense of injustice and influence a process of violent engagement[100]. Reinforced by a culturalist interpretation of the conflict, the overall sense of injustice, fuelled by radical propaganda, is likely to reinforce the individual's identification with a group perceived as persecuted and threatened, whose honour and dignity must then be repaired, at the heart of a battle between the just and the unjust placed under divine arbitration[101].

Moreover, this feeling of injustice can be intensified for a certain number of people when the logic of domination denounced on the international scene finds an echo within European countries, in a kind of duplication of North-South relations within the Western world. This feeling of injustice, a source of frustration, anger or revolt, is based on two elements, distinct from

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[96] D. Benjamin, *op. cit.*, 2006, p. 887 to 900.

[97] P. Gueniffey, *op. cit.*, 2003, p. 169; D. Bachet, *op. cit.*, 2015, p. 25 to 28.

[98] The war in Iraq in particular, the theatre of more than a million deaths, would have offered a new "field of Jihad" from which the Islamic State would be created in 2006. (D. Benjamin, *op. cit.*, 2006, p. 887 to 900; T. Degenhardt, *op. cit.*, 2007, p. 15.

[99] F. Khosrokhavar, *op. cit.*, 2014.

[100] X. Crettiez, "'High Risk Activism': essai sur le processus de radicalisation violente (deuxième partie) ", *Pôle Sud*, 2011b, 35, p. 100.

[101] M. Hafez and C. Mullins, "The Radicalization Puzzle: A Theoretical Synthesis of Empirical Approaches to Homegrown Extremism", *Studies in Conflict and Terrorism*, 2015, 38, p. 967.

each other but often experienced as cumulative and sometimes associated with the title of "social reasons"[102].

The first highlights the reality of *social and economic exclusion* experienced by Muslim populations in European countries. The various forms of economic exclusion (difficulties in access to employment and discrimination in hiring, legal access prevented by the consumerist model) and social exclusion (relegation to certain schools, poor access to higher education) can feed a feeling of revolt[103]. This will be all the stronger as this type of exclusion is often coupled with forms of *spatial segregation* (confinement in ghetto suburbs) or is based on a high visibility and proximity to the wealth of others[104]. As Piazza points out, "Countries that permit their minority communities to be afflicted by economic discrimination make themselves more vulnerable to domestic terrorism. (…) The overall economic status of a country has a smaller effect on terrorism than does the economic status of a country's minority groups"[105]. Furthermore, if it turns out that the process of marginalisation is perceived as the result of an *intentional policy* of the authorities in place, the sense of injustice increases.

The second is the feeling of being subject to *cultural and racial discrimination* in societies that present themselves as multicultural but do not provide themselves with the means to do so[106]. While the promotion of multiculturalism gives "the appearance of (an) equal dignity to all cultures", Islam in Europe is still conceived as an illegitimate subculture[107] and some members of the Muslim community feel discriminated against and are regularly discriminated against. In this context, the interactions experienced with the police and the judiciary play a significant role. On the one hand, the feeling of being a victim of police targeting (ethnic profiling)[108] or of being subjected to discriminatory judicial treatment[109] feeds the discriminatory reading. It is also known that imprisonment, particularly when accompanied by ill-treatment or even torture[110], regularly contributes to the process of radi-

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[102] A. Silke, "Becoming a terrorist", *Terrorists, Victims, and Society: Psychological Perspectives on Terrorism and its Consequences*, A. Silke (eds.), 2003, Chichester, Wiley, p. 29 to 53.

[103] F. Khosrokhavar, "Le nouveau terrorisme djihadiste", *La pensée de midi*, 2010, 31, p. 188 and 189; D. Lapeyronnie, *Ghetto urbain, ségrégation, violence, pauvreté en France aujourd'hui*, Paris, Robert Laffont, 2008; X. Crettiez, "'High Risk Activism': essai sur le processus de radicalisation violente (première partie) ", *Pôle Sud*, 2011a, 34, p. 49.

[104] L. Van Campenhoudt, *Comment en sont-ils arrivés là? Les clés pour comprendre le parcours des djihadistes*, Malakoff, Armand Colin, 2017, p. 54 and following.

[105] J. Piazza, "Poverty, Minority Economic Discrimination and Domestic Terrorism", *Journal of Peace Research*, 2011, 48, p. 350.

[106] C. Torrekens, "Pour une analyse interdisciplinaire des processus de radicalisation", *L'effet radicalisation et le terrorisme*, F. Brion, C. De Valkeneer and V. Francis (eds.), Brussels, Politeia, 2019, p. 107.

[107] F. Khosrokhavar, "Le nouveau terrorisme djihadiste", *La pensée de midi*, 2010, 31, p. 186.

[108] L. Mucchieli, *Violences et insécurité. Fantasmes et réalités dans le débat français*, Paris, La Découverte, 2007.

[109] C. Adam, J.-F. Cauchie, M.-S. Devresse, F. Digneffe and D. Kaminski, *Crime, justice et lieux communs. Une introduction à la criminologie*, Brussels, Larcier, 2014.

[110] S. Labat, *Les islamistes algériens. Entre les urnes et le maquis*, Paris, Le Seuil, 1995; X. Crettiez X. and R. Sèze, *Saisir les mécanismes de la radicalisation violente*: *pour une*

calisation, both through the creation or accentuation of traumas and through the phenomenon of acculturation to radical Islamism and socialisation into existing networks, which it encourages[111]. Sommier shows, however, that repression (torture, incarceration) can have opposite consequences; depending on its "degree" and "timing", it can either discourage the activist (because of the imbalance between the benefits of violent action and, on the other hand, the risks and costs involved) or cause a moral shock and (morally) justify the struggle in the eyes of the activist[112]. On the other hand, in the context of the fight against terrorism, preventive police and judicial actions can escalate the phenomenon of radicalisation instead of combating it. While certain administrative police measures (closing down premises, enforcing curfews, etc.) may discourage some "moderates", they may also exasperate others, encouraging their radicalisation and leading them to take action in a more clandestine context[113]. A political-judicial discourse of "war on terrorism", opposing "defenders of freedom" to the "axis of evil" accentuates the divide and can have the same effects[114] on those who consider the reactions unjust or outrageous.

Against a backdrop of socio-economic exclusion and sometimes political marginalisation[115], the feeling of cultural and racial discrimination is likely to stir up an identity problem, particularly among young people who

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analyse processuelle et biographique des engagements violents, Rapport de recherche pour la Mission de recherche Droit et Justice, 2017.

[111] A. Silke and T. Veldhuis, "Countering Violent Extremism in Prisons: a review of key recent research and critical research gaps", *Perspectives on Terrorism*, 2017, 11, p. 2 to 11; F. Khosrokhavar, "Radicalization in prison: the French case", *Politics, Religion and Ideology*, 2013, 14, p. 284 to 306; A. Mac Gilloway, P. Ghosh and K. Bhui, "A systematic review of pathways to and processes associated with radicalization and extremism amongst Muslims in Western Societies", *International Review of Psychiatry*, 2015, 27, p. 39 to 50; F. Khosrokhavar, "Nouveau paradigme de radicalisation en prison", *Cahiers de la sécurité et de la justice*, 2014, 30, p. 17.

[112] I. Sommier, "Engagement radical, désengagement et déradicalisation. Continuum et lignes de fracture", *Lien social et Politiques*, 2012, 68, p. 22. Fillieule also insists, though in a different fashion, on the ambivalence of repression (O. Fillieule, "Le désengagement d'organisations radicales. Approche par les processus et les configurations", *Lien social et Politiques*, 2012, 68, p. 49). According to the author, if repression only concerns the leaders and active members of a movement, it could cause activists' disengagement. On the other hand, if it is indiscriminately directed at all of its supporters, their engagement could increase. Amghar and Fall believe that fear of prison could have a demobilising effect on the accused persons than prison itself. (S. Amghar and K. Fall, "Quitter la violence islamique. Retour sur le phénomène de désaffiliation djihadiste", *Revue du MAUSS*, 2017, 1, 49, p. 123).

[113] D. della Porta, "Radicalization: a relational perspective", *Annual Review of Political Science*, 2018, 21, p. 461 to 474; S. Malthaner, "Contextualizing Radicalization: the Emergence of the 'Sauerland-group' from Radical Networks and the *Salafist* movement", *Studies in Conflict and Terrorism*, 2014, 37, p. 638 to 653; I. Detry, B. Mine and P. Jeuniaux, "Revue des études empiriques concernant la radicalisation et la justice", *Revue internationale de criminologie et de police technique et scientifique*, 2019, p. 285.

[114] A. Garapon, "Le terrorisme du XXIe siècle, une coproduction de la mondialisation", *La pensée de midi*, 2010, 31, p. 198.

[115] If a social group is, intentionally or unintentionally, excluded from traditional political decision-making arenas, terrorist violence is a possible resource for trying to penetrate political life in order to establish itself as a credible interlocutor (M. Humphreys and J. Weinstein, "Who Fights? The Determinants of Participation in Civil War", *American Journal of Political Science*, 2008, 52, p. 440). This was the case, for example, in 1991 with the banning of the Islamist Salvation Front and the imprisonment of some of its leaders. (S. Amghar and K. Fall, *op. cit.*, 2017, p. 123).

do not find their place in the dominant culture. Sometimes distancing themselves from their "integrated" parents, these young people feel torn between "an Islamic culture which fascinates them but which they know little about and a Western society which seems to reject them"[116]. Engaging in violent behaviour can then be understood as a revenge strategy based on a "stigma reversal": having experienced various processes of exclusion and discrimination, these young people claim their stigma in order to better turn it against the perpetrators[117], some of them overplaying the role assigned to them by taking on a "rigid identity to respond to an Islamic ideal wounded by the West and its values"[118]. Adherence to jihadism then allows these young people to rediscover an identity that their parents would have dishonoured, with religion becoming a place for asserting their identity rather than a sign of submission to religious dogmas[119]. The jihadist commitment of these young people in an identity crisis would therefore be more the result of the Islamisation of a radical revolt against the world around them ("Islamisation of radicalness") than the fruit of a religious drift ("radicalisation of Islam")[120] and which could just as easily have resulted in the adoption of other types of disruptive behaviour[121].

This explanation focuses on structural elements whose effects are highlighted both outside (geopolitical context) and within the European territory (exclusion, Islamophobia, racism, etc.)[122]. The diversity of these factors would explain why, as was the case with the extreme left-wing terrorism of previous years, radicalisation has not only affected "excluded young people" in revolt against a society of discrimination[123], but also young people who are educated and well-integrated. They see the jihad as a form of "humanitarian commitment" and solidarity or as a "duty" to react against the imperialism of the Western project[124].

These explanatory factors provide an interesting macro-sociological backdrop for understanding various forms of radicalisation and their dri-

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[116] X. Crettiez, "Penser la radicalisation", *Revue française de science politique*, 2016a, 66, p. 724.

[117] E. Goffman, *Stigmate*: *les usages sociaux des handicaps*, Paris, Minuit, 1963; H. Becker, *Outsiders*: *études de sociologie de la déviance*, Paris, Métailié, 1985.

[118] "The individual who has experienced exclusion, racism, inner indignity finds in radical Islam the instrument of the desire for revenge". (R. Guolo, *op. cit*., 2015., p. 66); See also K. Yusoufzai and F. Emmerling, "How identity crisis, relative deprivation, personal characteristics, and empathy contribute to the engagement of Western individuals in Islamist terrorist behavior", *Journal of Terrorism Research*, 2017, 8, 1, p. 68 to 80; X. Crettiez, *op. cit*., 2016a, p. 725. This may also explain Benslama's concept of "super Muslim". (F. Benslama, *Un furieux désir de sacrifice. Le surmusulman*, Paris, Seuil, 2016).

[119] V. Cret and M. Pantea, "Islamic fundamentalist terrorism issues", *International Journal of Juridical Sciences*, 2013, p. 17; O. Roy, *Globalised Islam*, London, Hurst, 2004.

[120] O. Roy, *Le djihad et la mort*, Paris, Seuil, 2016.

[121] Such as engagement in an anorexic, drug-addicted or artistic trajectory (D. Le Breton, "Jeunesse et djihadisme", *Le Débat*, 2016, 188, p. 130).

[122] R. Lioger, *La Guerre des civilisations n'aura pas lieu. Coexistence et violence au XXe siècle*, Paris, CNRS, 2016; D. Benjamin, *op. cit*., p. 887 to 900; D. Bachet, *op. cit*., p. 25 to 28.

[123] D. Bachet, *op. cit*., p. 25 to 28; J-P. Filiu, *op. cit*., 2015; F. Khosrokhavar, *op. cit*., 2014; C. Guérandel et É. Marlière, *op. cit*., 2016, p. 10 and following.

[124] A. Garapon and M. Rosenfeld, *Démocraties sous stress. Les défis du terrorisme global*, Paris, PUF, 2016, p. 109 and 110.

vers. They have, moreover, been largely mobilised by terrorist propaganda, in a differentiated way to adapt to the diversity of individual profiles.

2. *The individual dimension: subjectivity: cognitive encounter and procedural engagement*

The contextual elements, or environmental variables evoked so far constitute a relevant but insufficient framework to explain a radicalisation trajectory that remains, each time, singular. This individual trajectory refers to categorical or personal variables specific to the subject (2.1) and presupposes the existence of an environment capable of generating a cognitive encounter between the subject and the radical ideology (2.2). It also has a strong procedural dimension that can be associated with the construction of a "career" (2.3).

2.1. *The importance of elements related to subjectivity in the radicalisation trajectory*

A sociopsychological literature emphasises several elements of an individual nature that would make certain subjects more receptive to radical ideology and the transition to violent acts.

The focus is first on certain "personality traits", such as psychopathy, anti-sociability, low self-esteem, anxiety, depression, aggressiveness, mental fragility, impulsiveness, instability or a strong sensitivity to injustice[125]. This pathologising approach is debatable: apart from the fact that it employs vague concepts – what is "anti-sociability"? what is a "strong sensitivity to injustice"? – it regularly pushes "open doors": for someone who is aggressive, radicalisation provides an excuse and an outlet[126]; for someone suffering from depression, radical ideology provides an escape route[127]; for someone suffering from a disorder of self-esteem, becoming a fighter helps to strengthen that self-esteem beyond one's true social identity[128]. As in other areas of deviance[129], the heuristic potential of this type of pathologising explanation remains low and, moreover, regularly contributes to masking the social sources of behaviour deemed problematic[130].

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[125] V. G.M. Nanna, *Minori, radicalizzazione e terrorismo*, Bari, 2018; C. Torrekens, *op. cit.*, 2019, p. 111; X. Crettiez, *op. cit.*, 2016a, p. 723; D. Bouzar, "Repérer les idéaux proposes par les groupes radicaux pour refaire du lien humain", *Le sociographe*, 2017, 58, p. 74; F. Khosrokhavar, «Nouveau paradigme de radicalisation en prison", *Cahiers de la sécurité et de la justice*, 2014, 30, p. 17.

[126] C. Torrekens, *op. cit.*, 2019, p. 112.

[127] J. De Bie, C. De Poot and J. Van Der Leun, "Jihadi networks and the involvement of vulnerable immigrants: reconsidering the ideological and pragmatic value", *Global Crime*, 2014, 15, p. 275 to 298.

[128] J. Wilhelmsen, "Between a Rock and a Hard Place: The Islamisation of the Chechen Separatist Movement", *Europe-Asia Studies*, 2005, 57, p. 41.

[129] Y. Cartuyvels, "L'avenir de la criminologie en question. Réflexions à partir du débat français", *Revue de droit pénal et de criminologie*, 2017, n° 7, pp. 703-723.

[130] M. Sageman, *Understanding terror networks*, Philadelphia, University of Pennsylvania Presse, 2004; J. Horgan, *Walking Away from Terrorism. Accounts of disengagement from*

On the other hand, other variables of an individual nature seem more relevant. In this way, moments of critical transition in the construction of a subject's identity, such as *adolescence*, make the subject more permeable to radical ideologies and their staging work[131]. This would help to explain the recruitment of younger minors[132]. Similarly, individual motivations for violent engagement may differ by *gender*. For women, reasons related to a personal situation such as to avenge a relative[133], a desire for emancipation or, on the contrary, a way of assuming tradition[134] would be motivating factors. For men, environmental (peer pressure and fear of being seen as a coward) and ideological motives would be more effective[135].

Finally, a *material or symbolic gain* is also presented as a potential incentive. A material incentive, such as the lure of gain from violent engagement, may encourage an "opportunistic activist" to take action[136]. This is particularly the case when the violent engagement allows parallel racketeering activities or when the offer of engagement holds out the prospect of escaping from a situation of poverty[137]. These material gains, which are not systematically discovered at the beginning of the radical engagement, are analysed as a "reward for radical sacrifice"[138]. But sometimes it is a symbolic incentive that will act as a driving force. By providing an official status (e.g. martyr, hero), violent engagement can fill an existential void or a lack of recognition, compensate for the futility of a daily life experienced as trivial, reinforce one's self-esteem (being the "just", the "avenger", the "guide" of a community...) or even the perception of one's ability to act (at the level of history or one's destiny)[139]. Besides this logic of filling the existential void, some underline the real pleasure of engaging in radical actions, which pro-

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radical and extremist movements, London and New York, Routledge, 2009; J. Victoroff, "The mind of the terrorist: A review and critique of psychological approaches", *The Journal of Conflict Resolution*, 2005, 49, 1, p. 405 to 426.

131 C. Torrekens, *op. cit*., 2019, p. 112. Thomson speaks of "selfie djihad" to interpret the stagings that some young people post on social networks (D. Thomson, *Les revenants*, Paris, Seuil, 2016).

132 *European Union Terrorism Situation and Trend Report*, TE-SAT 2017, p. 13.

133 K. Jones and P. Taylor, «Male and Female Suicide Bombers: Different Sexes, Different Reasons», *Studies in Conflict and Terrorism*, 2008, 31, p. 304 to 326.

134 X. Crettiez, *op. cit*., 2011a: p. 48 and 49.

135 K. Jones and P. Taylor, *op. cit*., 2008.

136 F. Khosrokhavar, *L'Utopie sacrifiée. Sociologie de la révolution iranienne*, Paris, Presses de science po, 1993; A. Bloom, "Les kamikazes du Cachemire, 'martyrs' d'une cause perdue", *Critique internationale*, 2003, 20, p. 143.

137 While the impact of this economic factor is undoubtedly more crucial in certain countries devastated by the war in the Middle East, it is not absent in Europe. On the role played by this factor, see A. Sperini, "I Modelli Sistemici del jihadismo: aspetti evolutivi in chiave anti-sistema", *Comprendere il terrorismo. Spunti interpretativi di analisi e metodologie di contrasto del fenomeno*, R. Razzante (eds.), Pisa, Pacini, 2019, p. 87; E. González Calleja, "Las oleadas históricas de la violencia terrorista", *Revista de Psicología Social*, 24, 2, 2009, p. 119 and following; C. del Prado Higuera, E. Sánchez de Rojas Díaz, *Terrorismo islamista: El caso de Al Gama'a al Islamiya*, Valencia, Tirant, 2018, p. 74 and following.

138 I. Sommiers, *op. cit*., 2012, p. 23.

139 J.M. Post, *The Mind of the Terrorist*: *the psychology of terrorism from the IRA to Al-Qaeda*, New York, Palgrave MacMillan, 2007; X. Crettiez, *op. cit*., 2011a, p. 51; V. Nikolski, *Le moment escapiste. Militantisme et production théorique dans une conjoncture de crise. Deux mouvements de jeunesse radicaux (NBP and ESM)*, Thèse de doctorat, Paris I, 2010; X. Crettiez and R. Sèze, *op. cit*., 2017; I. Sommiers, *op. cit*., 2012, p. 23.

vide excitement and narcissistic rewards[140]. This type of symbolic incentive is clearly employed by terrorist organisations which, like Daesh, do not hesitate to offer young people a positive personal dream with a concrete chance of realization[141]. It would also explain the conversion of certain offenders into radical terrorist involvement[142].

2.2. *The cognitive dimension or the encounter between an individual and the terrorist discourse*

In addition to the existence of predisposing factors, involvement in a terrorist trajectory presupposes an encounter of a subject with a cognitive framework offering a "reading" or "interpretation mechanisms" that encourage the use of violence[143]. These acculturation channels can be multiple and, in order to be fruitful, presuppose that the proposed cognitive framework be rooted in a cultural background capable of making it resonate.

2.2.1. *Diverse acculturation channels in the jihadist discourse*

Access to "cognitive radicalisation"[144] or to the reading framework offered by the radical ideology specific to contemporary jihadism can be provided through various channels of acculturation to this type of discourse. A first traditional channel of socialisation is *family*. Family plays an important role in reinforcing the jihadist narrative when it is itself caught up in an ancestral conflict, where it transmits its memory and favours the cause, even instilling a desire for vengeance in its youngest members[145]. If, in some countries, a second actor in the socialisation of the cause may be a *clan*, i.e. a group structured around (male) village populations[146], in the Western world the second type of access to radical discourse is more likely to take place through *friendly and relational networks*[147]. It is through the interactions that take place in small groups operating on this gang model (a group

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[140] V. Nikolski, "Lorsque la répression est un plaisir: le militantisme au Parti national bolchevik russe", *Cultures et conflits*, 2013, 89, p. 13 to 28; Thus, Venhaus indicates, with regard to Al-Qaeda fighters, that beyond "revenge seekers" and "identity seekers", there are 30% of individuals that he qualifies as "status seekers" and "thrill seekers". (J. Venhaus, «Why Youth Join Al-Quaeda", *United States Institute of Peace*, 2010, 236, p. 8).

[141] S. Atran, "Looking for the roots of terrorism", *Nature*, 15 January 2015, interview available at *https://www.nature.com/news/looking-for-the-roots-of-terrorism-1.16732*.

[142] T. Holman, "Belgian and French Foreign Fighters in Iraq, 2003-2005: A Comparative Case Study", *Studies in Conflict and Terrorism*, 2015, 38, p. 603 to 621; M. Van San, "Lost Souls searching for answers? Belgian and Dutch converts joining the Islamic state", *Perspectives on terrorism*, 2015, 9, p. 47 to 56.

[143] X. Crettiez, *op. cit*., 2011a, p. 52.

[144] X. Crettiez and R. Sèze, *op. cit*., 2017; F. Demant, M. Slootman, F. Buijs, J. Tillie, *Decline and Disengagement. An Analysis of Processes of Deradicalisation*, Amsterdam, IMES Reports Series, 2008, p. 12 and following.

[145] A. Elorza, J.M. Garmendia, G. Jauregui, F. Dominguez and P. Unzueta, *ETA, une histoire*, Paris, Denoel, 2002, p. 272.

[146] This clan logic explains why, in some cases in Afghanistan and Kurdistan, the members of entire villages have become involved in armed struggles. (X. Crettiez, *op. cit*., 2011a, p. 53).

[147] M. Sageman, *Understanding terror networks*, Philadelphia, University of Pennsylvania Presse, 2004, p. 113; X. Crettiez, *op. cit*., 2011a, p. 54.

of peers) that ideologies and beliefs can be mobilised and exploited, which also helps to strengthen group cohesion facing the rest of the world[148]. This shows the role that local places of socialisation such as sports halls, schools, associations, youth centres, places of worship or buildings' entrance halls can play[149].

The channels of acculturation to the radical discourse mentioned above are procedural, they proceed in phases and are marked by the relationship and are engraved in time. Today, they are complemented by more individual and sometimes more instantaneous modes of indoctrination, which are reinforced by new communication technologies. On the Internet or with social networks, the encounter with jihadist discourse and "moral entrepreneurs" (some being real "professional recruiters")[150] is done virtually. The radicalisation "process" can here be compressed over time, giving rise to forms of "express radicalisation" that are much more difficult to circumvent[151]. Indeed, with regard to jihadist terrorism, the Internet makes it possible to spread information on the struggle, to create "emotional communities", to have access to political or politico-religious speeches encouraging violent engagement, to images valuing the combatants and to give practical advice[152]. However, the impact of the Internet needs to be contextualised, which is underlined by authors who criticise the thesis of self-radicalisation through the Internet[153].

2.2.2. *The prior existence of a favourable cultural breeding ground*

In order for the encounter with an ideological discourse advocating violence to have an effect on the subject, it still needs to resonate with *a cultural breeding ground* capable of legitimising this violence. In other words, a discourse advocating radicalisation is all the more likely to have a larger effect if it unfolds against the backdrop of an experience of injustice or oppression experienced by the individual, awakening or accentuating emotions of fear, hatred or moral indignation[154]. As Crettiez points out, ideology "feeds action only if it confirms in the eyes of activists a situation of injus-

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148 L. Van Campenhoudt, *op. cit*., 2017, p. 41.

149 S. Atran, "Genesis of Suicide Terrorism", *Science*, 2003, 299, p. 1534, C. Torrekens, *op. cit*., 2019, p. 117; X. Crettiez, *op. cit*., 2016a, p. 720.

150 L. Bonelli and F. Carrié, "La radicalité djihadiste en France. Quelques enseignements tirés d'une recherche récente", *L'effet radicalisation et le terrorisme*, F. Brion, C. De Valkeneer and V. Francis (eds.), Brussels, Politeia, 2019, p. 88.

151 A. Garapon, M. Rosenfeld, *op. cit*., 2016, p. 98.

152 B. Ainine, T. Lindemann, X. Crettiez and R. Sèze, *Saisir les mécanismes de la radicalisation violente*: *pour une analyse processuelle et biographique des engagements violents*, Rapport de recherche pour la Mission de recherche Droit et Justice, sous la direction de X. Crettiez and R. Sèze, 2017, p. 10 (disponible sur *www.gip-recherche-justice.fr*); G. Weimann, *Terror on the Internet*: *The New Arena, the New Challenges*, Washington, United States Institute of Peace, 2006; Ph. Seib and D. Janbek, *Global Terrorism and New Media: The Post al-Qaeda Generation*, London, Routledge, 2010; X. Crettiez, *op. cit*., 2016a, p. 722.

153 I. Von Behr, A. Reding, C. Edwards and L. Gribbon, *Radicalisation in the digital era. The use of the internet in 15 cases of terrorism and extremism*, Rand, 2013 (disponible sur *www.rand.org*); D. Benson, "Why the Internet is not Increasing Terrorism", *Security Studies*, 23, 2, 2014, p. 293 to 328.

154 X. Crettiez, *op. cit*., 2011a, p. 56.

tice or oppression that is actually felt and allows negative emotions to be fuelled"[155].

The power of radical ideology must therefore be recontextualised with regards to the unique path and environment of the individual. In order to be effective, it must lead the subjects to agree on three elements. It is first necessary to stir consent *on the diagnosis* of the situation, by proposing a convincing cognitive framework and identifying those responsible of the problem (diagnosis frame). It is then necessary to stir *consent on the (violent) means* to remedy the problem, highlighting the powerlessness of traditional actors (e.g. religious leaders considered "lethargic") or of public authorities to solve problems in a fair and equitable manner (prognostic frame). Finally, *agreement must be reached on the need for action* to achieve the desired change (motivational frame)[156].

In light of this threefold requirement, the jihadist discourse adapts to the backgrounds and needs of the candidates to be recruited[157]. Far from being unequivocal or necessarily centred around religion, the proposed cognitive framework proves to be flexible, likely to insist on elements of a social, political or religious nature, depending on the emotions to be mobilised in the subject in order to encourage radicalisation[158].

2.3. *Violent engagement, the result of a gradual process*

The presence in a subject's environment of various factors predisposing him/her to a violent engagement and/or the existence of individual variables likely to influence it do not automatically lead to an act of violence. Whatever the impact of these factors, they must always be recontextualised taking into account local situations and individual experiences. In other words, violent engagement is always part of a particular biographical itinerary which mobilises these contextual factors in a unique way each time.

This subjective perspective, which highlights how a factorial logic in search of universal categories or "profiles"[159] is incomplete, emphasises the importance of the process in engaging in terrorist violence. Speaking in terms of "a process" allows us to underline the time and interaction dimen-

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[155] X. Crettiez, *op. cit.*, 2011a, p. 57.

[156] C. Torrekens, *op. cit.*, 2019, p. 107. See also J. Jackson, A. Huq, B. Bradford and T. Tyler, "Monopolizing force? Police legitimacy and public attitudes toward the acceptability of violence", *Psychology, Public Policy, and Law*, 2013, 19, p. 479 to 497; B. Bradford, "Policing and social identity: procedural justice, inclusion and cooperation between police and public", *Policing and Society*, 2014, 24, p. 22 to 43.

[157] N. Bouzar, *op. cit.*, 2017.

[158] Thus, if the unconscious needs of young people are to flee the real world to build a "just" world, the ideological discourse will insist that jihad will enable them to build a truly egalitarian and solidary society. Whereas if the young person wishes to take revenge and protect Muslims perceived as victims, the ideological discourse will focus on the fact that the jihad will allow him to fight against the army of Bashar Al-Assad, dictator and torturer. (N. Bouzar, *op. cit.*, 2017, p. 68). If the young person has a bad self-image and seeks recognition and dignity, the speeches will insist on self-sacrifice in the name of the cause, his violent commitment will allow him to pass from the status of a slave of Western imperialism to that of a courageous adversary (capable of giving death and sacrificing himself as a martyr).

[159] L. Bonelli and F. Carrié, *op. cit.*, 2019, p. 93.

sions that are most often present in building a violent engagement, at the antipodes of an approach that sometimes dramatically emphasises the notions of "turnaround" and "lone wolf"[160].

This process approach is compatible with using two complementary reading grids derived from interactionist sociology to understand engagement in terrorist violence. The first uses the notion of a *deviant career*[161] to shed light on a gradual trajectory that is built up in stages. The second is concerned with the strengthening of a *deviant subculture* fostered by the functioning of a group that helps to anchor a new identity for the subject in question[162].

2.3.1. *Entering the "violent career": diversity and stages*

Thanks to Howard Becker[163], the notion of "deviant career" makes it possible to underline that a behaviour is the result of "a series of different sequences ordered in relation to each other"[164]. These series are the stages experienced by those who share the same career. However, the duration, contexts and organisation of these stages vary from one individual to another, and each career thus presents singularities. Although *facilitating factors* (previous experience of violence, devotion to friends, etc.) and *precipitating factors* (solidarity towards a friend who has been arrested, death of an activist, the need to go underground to escape prosecution, etc.) are mentioned in the literature[165], they do not all influence people's careers in the same way.

In our field, the notion of "career" is used to emphasise the time it takes for "dispositions to", objective factors and radical thinking to be translated into real action[166]. The modification of the cognitive framework and the acquisition of skills that lead a person to violent engagement are gradual and some authors speak in this regard of "step-by-step radicalisation"[167], by "successive stages"[168].

Schematically, three types of violent careers can be distinguished[169]. The *vocational* career is the result of a decision to oppose inequalities or injustices whose existence is no longer tolerated. The *accidental* career is more

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[160] X. Crettiez, *op. cit.*, 2016b, p. 7; X. Crettiez, *op. cit.*, 2011b, p. 103; O. Fillieule, "Propositions pour une analyse processuelle de l'engagement individuel. Post scriptum", *Revue française de science politique*, 2001, 51, p. 199 to 215; M. Hafez and C. Mullins, "The Radicalization Puzzle: A Theoretical Synthesis of Empirical Approaches to Homegrown Extremism", *Studies in Conflict and Terrorism*, 2015, 38, p. 958 to 975.

[161] H. Becker, *op. cit.*, 1985.

[162] R. Cloward and L. Ohlin, *Delinquency & Opportunity*, The Free Press, 1960.

[163] H. Becker, *op. cit.*, 1985.

[164] X. de Larminat, "Sociologie de la déviance: des théories du passage à l'acte à la déviance comme processus", *Ressources en Sciences Économiques et Sociales*, 2017, *http://ses.ens-lyon.fr/articles/sociologie-de-la-deviance*.

[165] D. della Porta, *Social Movements, Political Violence and the State*, Cambridge, Cambridge University Press, 1995.

[166] O. Filieule, *op. cit.*, 2001.

[167] A. Collovald and B. Gaïti, "Questions sur la radicalisation politique", *La démocratie aux extrêmes. Sur la radicalisation politique*, A. Collovald and B. Gaïti (eds.), Paris, La dispute, 2006, p. 32.

[168] I. Sommier, *op. cit.*, 2012, p. 23.

[169] M. Felices-Luna, "Déviance et politique: la carrière des femmes au sein des groupes armés contestataires", *Déviance et Société*, 2008, 32, p. 163 to 185.

circumstantial and random. The actor's observation of an injustice, for example, does not create a precise desire for violent action, but leads to the gradual and sometimes unconscious inclusion in an environment or a referential universe that will lead to it. Violent engagement then resembles a "non-choice" [and] is rather a mechanism, sometimes invisible to the actor, in which integration into a group of friends or an association, learning in this or that school or attending [this or that place of worship] induces a gradual insertion into a militant universe"[170]. Finally, some careers are due to *constraint*. The entry into a violent career is experienced here as an obligation which may be the result of various sources: the person may think that his or her survival or that of his or her family is at stake; social pressure may prove to be such that "inaction would become more costly than the violent action itself"[171]; the need to obtain protection from the violent organisation or the terror it inspires, such as the desire to follow a companion who has already committed himself or herself to it[172].

Regardless of the type of career being considered[173], different steps must be taken for the commitment to become a reality. The first and central step is *meeting the violent group*. Entry into an organisation, which is often clandestine, presupposes that the applicant meets some of its members or "authorised smugglers" who are likely to introduce him or her into the group[174]. The notion of "tutor" or "recruiting agent" must be understood in the broadest sense: some authors thus point out that in current careers, the *Internet* can be considered as a "fictitious tutor"[175]. The encounter therefore plays a central role in the career. Thus, the inability to meet one of the necessary contacts can put an end to a budding career. However, despite a "promising" encounter, a career may stagnate or come to a halt due to factors specific to the individual or the context (such as the presence of dependent children, the existence of an established job, low self-confidence or low trust in the violent group)[176].

After this first stage, the career continues to be built through the *learning of rules, uses and techniques* useful in the violent struggle (e.g. making explosives, handling weapons, escape techniques, etc.). The individual will also have more access to "radical" ideological discourses, so that he/she

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[170] X. Crettiez, *op. cit.*, 2011a, p. 54. We are then close to Beker's notion of "commitment by default", which "occurs through a series of acts, none of which is capital, but which, taken together, constitute for the actor a series of subsidiary bets on such a scale that the actor finds himself in a situation where he does not want to lose them". (H. Becker, "Notes sur le concept d'engagement", *Tracés. Revue de Sciences humaines*, 2006, 11, p. 188).

[171] X. Crettiez, *op. cit.*, 2011b, p. 104.

[172] M. Felices-Luna, *op. cit.*, 2008, p. 167 to 169.

[173] Contrary to Crettiez (X. Crettiez, *op. cit.*, 2016b, p. 104), we believe that these different stages are also fruitful to understand certain careers by constraint.

[174] D. Mac Adam, "Recruitment to High Risk Activism. The case of Freedom Summer", *American Journal of Sociology*, 1986, 92, p. 66; I. Sommier, *La violence révolutionnaire*, Paris, Presses de sciences po, 2008, p. 88. If the violent organisation is not really clandestine, this stage of the career is facilitated. (K. Chaib, "Parcours de militantes", *Le Hezbollah. État des lieux*, S. Mervin (eds.), Paris, Actes Sud, 2008, p. 293 to 315).

[175] A. Boubekeur, "La violence islamiste en Europe: des approches incertaines, un objet aux enjeux multiples", *Les violences politiques en Europe. Un État des lieux*, L. Mucchielli and X. Crettiez (eds.), Paris La découverte, 2010, p. 31 to 43.

[176] X. Crettiez, *op. cit.*, 2011b, p. 104.

gradually becomes accustomed to a culture of violence[177]. The roles played by the individual in the organisation can gradually evolve from the support of the follower, to basic logistical or administrative tasks (e.g., name-taker to rent a flat, information transmitter, tracker, etc.) to the actor responsible for violent interventions in the field[178].

Moreover, during this learning process, a phenomenon of *attachment to and identification with the group* occurs: the actor gradually becomes part of a subculture that he shares with the other members of the group, who are often confronted with the same difficulties (educational, professional, economic, social) as him and with whom he shares a socio-cultural and ideological background[179]. This process of identification with the group also leads the individual *to conform his or her behaviour to the group's expectations*. The priority that guides his behaviour is the recognition and respect of "*significant others*", i.e. those who now matter to him[180]. This attachment to group members may be accompanied by a loss of empathy for others[181]. The separation between the *in group* and the *out group* is experienced as increasingly rigid. This objective of recognition explains why the individual is ready to sacrifice his relations with his family, to risk prison or to sacrifice his life and why any turning back is perceived as difficult or even impossible[182]. A new identity is constructed within the group, which tends to become exclusive and to veil the previous identity markers[183]. In the words of Berger and Luckmann, an "identity alternation"[184] occurs, i.e. a radical change in the world due to a secondary socialisation that breaks completely with primary socialisation.

2.3.2. *The functioning of the violent group, a reinforcing factor*

The attractiveness and functioning of the group are important elements in the radicalisation process. Built on a logic of *solidarity*, often reinforced by the *clandestine* nature of its structure[185] and the mutual *dependence* (emotional, financial, etc.) of its members, the radical group becomes a new family for candidates for radicalisation, a tribe that provides a sense of belonging to a "cause" or a "(transnational) movement"[186]. The core of a *cause*

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[177] I. Sommier, *op. cit*., 2008.

[178] I. Sommier, *op. cit*., 2012, p. 24.

[179] According to Crettiez, "the actor becomes cognitively and emotionally in love with the identity image he has of himself and his entourage". (X. Crettiez, *op. cit*., 2011b, p. 105).

[180] L. Van Campenhoudt, *op. cit*., 2017, p. 44 and 45.

[181] A. Bandura, "Mechanisms of moral disengagement", *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind*, W. Reich (eds.), New York, Cambridge University Press, 1990, p. 161 to 191.

[182] C. Guibet Lafaye, "Engagement radical, extrême ou violent: basculement ou 'continuation' de soi?", *Sens public*, 2017, p. 1 to 42; E. Goffman, *Encounters: Two studies in the Sociology of Interaction*, Indianapolis, Bobbs-Merrill Company, 1961; L. Van Campenhoudt, *op. cit*., 2017, p. 45 and 46.

[183] I. Sommier, *op. cit*., 2012, p. 25.

[184] P. Berger and T. Luckman, *La construction sociale de la réalité*, Paris, Armand Colin, 1986, p. 262.

[185] Certain uses of social networks and the Internet facilitate clandestine communications between members of terrorist groups. (P. Gueniffey, *op. cit*., 2003, p. 162).

[186] C. Le Thomas, "Formation et socialisation: un projet de contre-société", *Le Hezbollah. État des lieux*, S. Mervin (eds.), Paris, Actes Sud, 2008, p. 153.

shared by all, on the basis of common experiences, makes it possible to respond to an individual's need for meaning and belonging[187] and is likely to overturn his mental economy. In the name of the cause, the sacrifice of one's life (suicide) or that of others (murder) takes on a different meaning and no longer carries sufficient weight to avoid violence[188]. An *"esprit de corps"* is created in the group, and this in a double sense: an "internalization in the biological body of the gestures (…) and attitudes constitutive of the group's culture ('way of doing, feeling, thinking')" and an "externalization of its ways of being together in a 'body of specific rules'"[189].

Within the group, solidarity is often expressed through the mobilisation of *codes*[190] and the carrying out of *loyalty rituals* that testify to a "desire for exclusive allegiance to the group and submission to its practical imperatives"[191]. This solidarity can increase the radicalisation of the group when the group feels threatened[192]. Defending the security of the group is a powerful justification for violent behaviour towards those who would threaten the group. A tendency to radical violence has more to do with group logic than with the individual predispositions of its members[193]. The importance of this group logic makes it possible to understand Atran's advice: "forget the profiles [to] understand the cells (in the sense of links in the group)"[194].

Solidarity also increases the radicalisation of the group when it is caught up in *intergroup competition*: competing on its own ground with other organisations with similar aims, the group can take harder action to show its determination and demonstrate its greater radicalness[195]. On the other hand, this solidarity may be called into question when the group is subject to *intra-group competition*, while paradoxically producing an identical radicalisation effect[196]: some members may seek to instrumentalise violent action in order to assert their place or acquire a status within the group. No less than the spirit of solidarity, a competitive dynamic within the group can therefore encourage the transition to violent acts[197].

If the group is small, a conclusion that some authors regularly draw[198] is that the internal links within the group are more important than ideolog-

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[187] C. Torrekens, *op. cit.*, 2019, p. 117.

[188] D. Casoni and L. Brunet, "Processus d'idéalisation et violence sectaire", *Déviance et Société*, 2005, 29, p. 80.

[189] I. Sommier, *op. cit.*, 2012, p. 25.

[190] For example, the use of similar clothing, similar tattoos or haircuts, the use of nicknames and pseudonyms… (C. Torrekens, *op. cit.*, 2019, p. 118; X. Crettiez, *op. cit.*, 2016a, p. 721).

[191] Thus, Al-Qaeda is familiar with the practice of "Bayat" which is an "oath of total allegiance to the organisation and its leader". (X. Crettiez, *op. cit.*, 2016a, p. 721).

[192] C. Mac Cauley and S. Moskalenko, "Mechanisms of Political Radicalization: Pathways Toward Terrorism", *Terrorism and Political Violence*, 2008, 30, p. 415 to 433. This is the case when a "counter-movement" emerges and its violence is supported by a government.

[193] C. Mac Cauley and S. Moskalenko, *op. cit.*, 2008, p. 422.

[194] S. Atran, "The moral logic and growth of suicide terrorism", *The Washington Quarterly*, 2006, 29, 2, p. 141.

[195] X. Crettiez, *op. cit.*, 2011b, p. 107.

[196] P. Collier and D. Horowitz, *Destructive generation. Second thoughts about the sixties*, New York, Summit Books, 1989, p. 147.

[197] L. Van Campenhoudt, *op. cit.*, 2017, p. 49.

[198] For example, Atran has shown that radicalisation takes place in groups that generally do not exceed eight people. (S. Atran, *op. cit.*, 2006, p. 141).

ical factors because it is these concrete bonds that provide "emotional and social support [and promote the] development of a common identity"[199].

3. *Conclusion*

Engaging in a terrorist trajectory is based on the intersection of multiple macro and micro social factors. More general factors, most often referring to relations of domination at the international level and relations of exclusion or discrimination at the national level, provide a backdrop against which individual trajectories are constructed.

Some have attempted to construct typologies that make it possible to identify typical trajectories or "typical profiles" leading to terrorist radicalisation. This is based on "ideal-typical" categories reconstructed on the basis of psychological criteria ("Loners", "Thrill seekers", "Identity seekers", "Moral crusaders", etc.)[200] or psycho-social criteria ("entrepreneurs", "dropouts", etc.)[201] and remains random, as it seems difficult to identify linear sequences leading to terrorist involvement[202]. On the other hand, the notions of career and deviant subculture remain interesting for understanding the gradual entry of an individual into a violent group.

III. *The challenges of cooperating with the judiciary in matters of terrorism*

Before tackling the delicate question of the willingness to collaborate with the judicial authorities, it seems necessary to first briefly raise the issue of individuals capable of collaborating usefully with the judicial authorities (1). Next, it will also be necessary to present the sociological aspects of a notion that is at the heart of collaboration: betrayal (2). Finally, we will be able to propose some hypotheses on the elements that may influence the terrorist's acceptance or refusal to collaborate (3).

1. *Capability of collaborating with the judiciary*

In Europe, and under the influence of the European Union among others[203], many States have increased the number of behaviours labelled as ter-

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[199] M. Sageman, *Understanding terror networks*, Philadephia, University of Pennsylvania Press, 2004, p. 135.

[200] I. Awan, "Cyber-Extremism: Isis and the Power of Social Media", *Society*, 2017, 54, 2, p. 146.

[201] P. Nesser, "Joining jihadi terrorist cells in Europe. Exploring motivational aspects of recruitment and radicalization", *Understanding violent radicalization: terrorist and jihadist movements in Europe*, M. Ranstorp (eds.), London-New York, Routledge, 2009, p. 91.

[202] See P. Giannetakis, "Psicologia del terrorismo", *Comprendere il terrorismo. Spunti interpretativi di analisi e metodologie di contrasto del fenomeno*, *op. cit.*, 2019, p. 29. See also E. Dieu, L. Testouri and O. Sorel, "Proposition d'une méthodologie d'évaluation de l'identité en voie de radicalisation", *Revue internationale de Criminologie et de Police Technique et Scientifique*, 2019, 72, 4, p. 457 to 483.

[203] Framework Decision 2002/475/JAI of 13 June 2002 on combating terrorism.

rorist and punishable under criminal law. This increase in terrorist behaviour may correspond to an increase in the number of individuals who may be offered to collaborate with the judiciary to help fight terrorism. Even if the exercise is oversimplified and overly abstract, we can try to distinguish some of these figures that are likely to collaborate.

First, if a State's criminal law so provides, it is possible for an individual who has committed (or is suspected of having committed) a "common law" offence to be offered collaboration in exchange for information relating to a terrorist offence. This case (collaboration of a "non-terrorist") does not seem to be a priority since it is only rarely that this type of person has relevant information.

The next figure is that of the *non-radicalised terrorist*, i.e. an individual who has committed (or is suspected of having committed) a terrorist offence that is not characterised by engagement in violence. This figure does exist in European countries, due to the new terrorist criminal offences introduced in the legislation of many EU Member States. In the Belgian Penal Code, for example, there are many non-violent terrorist offences: it is indeed possible to "finance" a terrorist activity, to "acquire objects likely to cause considerable economic loss", without violence. This figure will not keep our attention because, while the individuals concerned will probably find it easier to "talk" than the following figures, they will also have "less to say".

The figure of the *radicalised and isolated terrorist* does not seem to us to be the most interesting either. The scope of such "isolation" is debated in doctrine[204], but in any case, such a characteristic renders the individual incapable of collaborating, as he is incapable of betraying anyone (except an innocent person).

Finally, the figure of the *radicalised terrorist who is a member of an organisation* seems to be the one that should be given priority attention. It is indeed in such a configuration that we find individuals capable of holding information relevant to the judicial authorities. But before considering the question of accepting or refusing to collaborate, let us first look at what collaboration implies for the person to whom it is offered.

2. *Collaboration is a form of treason*

Collaboration, when it involves denunciation, is a form of betrayal. A betrayal implies a rupture and therefore presupposes the pre-existence of a bond based on trust and loyalty[205]. Acts of betrayal are of two types: acts relating to the disclosure of information and acts relating to physical or men-

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[204] Crettiez criticizes the notion of the "lone wolf". (X. Crettiez, «Interventions de Xavier Crettiez", *Radicalisation, processus ou basculement?*, Paris, Fondation Jean Jaurès, 2016b, p. 7) while Davies attributes more than 70% of the violence committed between 2011 and 2015 by jihadists to isolated individuals. (W.A. Davies, "Counterterrorism Effectiveness to 'Jihadists' in Western Europe and the United States: We are Losing the War on Terror", *Studies in Conflict and Terrorism*, 2018, 41, p. 281).

[205] S. Schehr, "Sociologie de la trahison", *Cahiers internationaux de sociologie*, 2007, 2, p. 313 and 314.

tal subtraction (an "exit")[206]. In both cases, there is indeed a rupture: betrayal presupposes an "Us"[207] and a "Them" as well as a "movement from the inside to the outside"[208]. In fact, from the moment a "We" is formed, a certain number of elements (action, belief, representations…) can no longer be shared with the outside world. In the case of collaboration, there will always be a question of a transfer of information and possibly a question of "conversion" (to non-violence).

Betrayal always presents a triangular configuration: there is the traitor ("Ego"), the betrayed (group) ("Us"), and the one with whom one makes a pact or for whom one betrays ("Them")[209]. Betrayal involves two friends and a stranger, one of the friends striking a deal with the stranger. After his betrayal, "Ego" will appear as a third party both in the eyes of "Us" and in the eyes of "Them"[210]. In the framework of collaboration, "Ego" will sacrifice the interest of "Us" to its private interest since the negotiation with "Them" which precedes the betrayal is indeed a bargaining which serves its own interests.

The sensitivity of the "Us" to betrayal varies depending on the context. In the situation at hand – collaboration following terrorist actions – we are faced with a contentious context: "Us" (the terrorist group) and "Them" (the negotiating state or the justice that represents it) are in a friend-foe relationship. Hostility towards the common enemy strengthens the cohesion of the members of the "Us" and the demand for loyalty is particularly strong. In such a context, more acts are likely to be regarded as betrayal (a simple "distancing" might sometimes suffice), and fantasies of betrayal will also be more frequent. Paranoia will more easily invite itself into the "Us". This contentious context will also reinforce the immoral connotation of betrayal (even if, paradoxically, the latter could be considered as a "necessary evil" by "Them"). It also makes it more difficult to adopt a neutral position (especially if the conflict lasts, because sooner or later, anyone who stands in a position of neutrality will be considered a traitor). Finally, in such a contentious context, the desire to collaborate will be calmed, before the arrest, by joint surveillance between the members of the "Us" and, after the arrest, by the fact that it is not a question of helping any third party but the former enemy.

In the context of terrorism, another contextual element must be taken into account: the perception of the traitor by another social actor, the "public". In the context of collaboration with the justice system, the traitor will not be perceived by the public as a "whistle-blower" since the public is un-

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[206] M. Akerström, *Betrayal and Betrayers: The Sociology of Treachery*, New Brunswick, Transaction Publishers, 1991.

[207] An "Us" can only emerge if there is mutual trust and minimal loyalty; moreover, this trust and loyalty are standards to be respected within this "We".

[208] S. Schehr, *op. cit.*, p. 315.

[209] A. Petitat, *Secret et formes sociales*, Paris, PUF, 1998; E. Pozzi, "Le paradigme du traitre", *De la trahison*, D. Scarfone (eds.), Paris, PUF, 1999, p. 9.

[210] "How can we not despise our agent who is a foreigner who betrays his country, since our compatriots who betray for the enemy will be considered disgraceful?" (A. Dewerpe, *Espion*: *une anthropologie historique du secret d'État contemporain*, Paris, Gallimard, 1994, p. 330, cited by S. Schehr, *op. cit.*, 2007, p. 322).

likely to recognize "good reasons"[211] for his actions. The public will generally believe that the collaborator's rupture is linked to "bad reasons" and, in the best case scenario; the collaborator will be supported (discreetly) by the public as an occasional ally. In the worst case scenario, it will not be supported by the public and will be unanimously opposed[212]. The lack of public support can therefore also hinder the willingness to collaborate.

For collaboration to be conceivable for "Ego", its relationship with "Us" would have to be weakened. Collaboration would therefore presuppose the initiation of disengagement or de-radicalisation. These two concepts are not synonymous. Disengagement refers to the idea that a member of the group leaves or moves away from the group. He distances itself from the other members of the organisation. De-radicalisation, on the other hand, refers to the "progressive and evolutionary reduction of a rigid way of thinking, an absolute and non-negotiable truth, where logic structures the actors' vision of the world, who uses violent repertoires of action to make it be heard"[213]. It may happen that the collaborator moves away from his or her former group without this disengagement reflecting a form of de-radicalisation[214]. Distancing may be linked to personal interests and does not necessarily imply an awareness of the misuse of violence, a conversion to the democratic order and a willingness to normalise one's future behaviour.

3. *Some hypotheses on the elements influencing the acceptance or refusal to collaborate*

The main explanatory elements of the terrorist trajectories taken up in the previous section are repeated here in order to formulate hypotheses on the chances of success of a proposal for collaboration with the justice system. Two preliminary remarks are in order. Firstly, we can only formulate hypotheses that would have to be confronted with an empirical system in order to be challenged or validated. Secondly, it is important for the reader to bear in mind the unethical nature of collaboration in order not to end up in Machiavellian practices aimed at maximising the chances of success of these collaborations at all costs[215].

Having said that, six elements seem to us to have a role to play in the chances of collaboration in the fight against terrorism. The purpose and cost

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[211] If good reasons are recognised by the "public", the rupture made by "Ego" in the face of "Us" will not be perceived as a betrayal. (S. Schehr, *op. cit.*, 2007, p. 321).

[212] On this question of public support for the act of treason, the situations of "jihadist" and "nationalist" terrorists are probably not entirely identical. It is assumed that the European public will more readily regard the former as a "convenient ally" and the latter as "despicable".

[213] B. Ainine, T. Lindemann, X. Crettiez and R. Sèze, *op. cit.*, 2017, p. 10.

[214] I. Sommier, "Repentir et dissociation: la fin des 'années de plomb' en Italie", *Cultures et conflits*, 1999, 40, 1, p. 43.

[215] We would find it problematic if our scientific work were used by the negotiator to artificially increase the confidence of the candidate collaborator. This negotiator should not mobilise political or religious messages that do not correspond to reality (see below) or invent judicial elements to increase pressure on the individual in the context of the "prisoner's dilemma" (see below).

of terrorist action (3.1), the weight of the religious (3.2) and political (3.3) dimension in the transition to the terrorist act, the weight of material (3.4) and/or symbolic (3.5) gains and the role of the bond between the perpetrator of a terrorist offence and the group which he/she belongs to (3.6).

3.1. *The purpose and the cost of terrorist action*

What can be the place of negotiation when the aim of terrorist action is to intimidate a population, to constrain a government or an international organisation to perform or abstain from performing any act, or to destabilise them in their fundamental structures? To answer this question, two types of terrorist actions can be distinguished.

Some perpetrators of terrorist acts are described as "absolute"[216]. They carry out actions they wish to be murderous (bomb attacks, attacks in public spaces…). They seek to "advertise" their actions and "get a message across": they are prepared to perpetrate violent actions to build another world in line with their aspirations[217]. These terrorists (and perhaps part of the population) define their actions as acts of liberation, rebellion or resistance in the face of a government considered illegitimate[218]. Such violent actions are initially in contradiction with a betrayal negotiated for personal ends and the possibility of negotiation for these "absolute" terrorists seems practically non-existent. On the one hand, the willingness to "resist" the opponent may, on the activist's side, make him or her prefer to stay in the conflict rather than enter into negotiations with someone perceived as illegitimate, especially if the issue at stake in the negotiation is only personal and not related to the cause[219]. On the other hand, on the government side, entering into negotiations with "such individuals" also seems unattractive in that it would be perceived as an "admission of weakness" and an abandonment of the ideal of equality of all before the law[220].

Other perpetrators of terrorist acts, referred to as "contingent"[221], act with the aim of negotiating. Through their instrumental actions (hostage-taking and kidnappings), they seek to negotiate in order to exchange their victims for something else: media visibility, the release of activists, a ransom,

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[216] G.-O. Faure and W. Zartman, "Négocier avec les terroristes?", *Négociations*, 2011, 2, 16, p. 137 and 140.

[217] A. Schmid and A. Jongman, *Political Terrorism: a new guide to actors, authors, concepts, data bases, theories and literature*, Brunswick, Transaction, 1988, p. 5; L. Weinberg, A. Pedahzur. and S. Hirsch-Hoefler, "The Challenges of Conceptualizing Terrorism", *Terrorism and Political Violence*, 2004, 16, p. 780.

[218] A. Pemberton, "Needs of Victims of Terrorism", *Assisting Victims of Terrorism. Towards a European Standard of Justice*, R. Letschert, I. Staiger and A. Pemberton (eds.), Dordrecht, Springer, 2010, p. 127.

[219] The cost of agreement may be perceived as higher than the cost of persistent disagreement. (R. Bourque and C. Thuderoz, *Sociologie de la négociation*, Rennes, Presses universitaires de Rennes, 2011, p. 21).

[220] R. Bourque and C. Thuderoz, *op. cit.*, p. 30. Faure and Zartman (*op. cit.*, 2011, p. 142) mention a discursive strategy that a government could adopt in order to avoid being accused as weak if it agrees to negotiate with terrorists: it should state that it only accepts negotiations with "former terrorists"; the concepts of "collaborators" and "repentant" are then very useful.

[221] G.-O. Faure and W. Zartman, *op. cit.*, 2011, p. 137.

political change… [222]. These instrumental actions, which are from the outset part of a logic of negotiation, make it possible to imagine, in the event of arrest, a greater interest on the part of the perpetrator in a negotiation concerning his criminal situation than in the case of "absolute" terrorists. Collaboration here could be more fruitful from the point of view of justice, even if the chances of success remain low and conditional on other factors.

Another (double) distinction proposed by Mc Adam[223] proves useful in analysing the chances of successful negotiation with the justice system. This distinguishes between *low-cost or high-cost* radical engagement, "depending on the time, energy and money involved"[224] and *low-risk or high-risk* radical engagement, depending on the anticipated physical, social, legal and financial dangers associated with the engagement. The hypothesis can be formulated that if an individual has devoted an important amount (*high cost*) of resources to carry out his violent engagement, he might refuse to collaborate in order not to ruin the high costs to the (free) members of his group preparing a violent action[225]. However, a high-cost radical commitment can sometimes end in disappointment or even "burn-out"[226], which could then facilitate a negotiated betrayal. Sometimes this disappointment and burn-out can result in the activist behaving unconsciously which lead to his or her arrest[227]. If an individual has accepted a radical, high-risk commitment, he or she might also find it easier to accept the criminal risks associated with repression and would therefore not be very interested in the idea of reducing these risks through collaboration.

Finally, at present, a terrorist act is often defined as an "act of war"[228], implying a martial reaction (militarisation of the reaction, torture…)[229]. Such a metaphorical[230] (and potentially legal[231]) qualification of the terrorist act as an act of war seems to dictate solutions that are more collective (amnesties, rehabilitation policies) than individual (negotiation-bargain-

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[222] G.-O. Faure and W. Zartman, *op. cit*., 2011, p. 138 and 150.

[223] D. Mc Adam, "Recruitment to High Risk Activism. The case of Freedom Summer", *American Journal of Sociology*, 1986, 92, p.67.

[224] I. Sommier, "Engagement radical, désengagement et déradicalisation. Continuum et lignes de fracture", *Lien social et Politiques*, 2012, 68, p. 19.

[225] Bateson was able to show that the more expensive an engagement was, the more likely the individual is to ignore information that calls him into question (G. Bateson, *Vers une écologie de l'esprit*, Paris, Seuil, 1977).

[226] J. Ross and T. Gurr, "Why Terrorism Subsides: A comparative Study of Canada and the United States", *Comparative Politics*, 1989, 21, 4, p. 420; M. Ribetti, "Disengagement and beyond. A case study of demobilization", *Leaving Terrorism Behind. Individual and Collective disengagement*, T. Bjorgo and J. Horgan (eds.), London and New York, Routledge, 2009, p. 152 to 169.

[227] I. Sommier, *op. cit*., 2012, p. 27.

[228] M.-H. Gozzi, *op. cit*., 2003, p. 53; T. Delpech, *op. cit*., 2002, p. 37.

[229] J. Burger, "Terrorism", *Military Law and Law of War Review*, 2003, 42, p. 467 to 478.

[230] We use the concept of "metaphor" because when we speak of an act of war when we refer to a terrorist act, we can only refer to a "low intensity" war. (P. Gueniffey, *op. cit*., 2003, p. 162). Indeed, even the attacks of 11 September 2001 (the bloodiest in the history of terrorism) are incomparable to the acts of war that Europe experienced in the 20th century.

[231] M.-L. Cesoni, "Terroriste et combattant: une confusion pernicieuse", *L'effet radicalisation et le terrorisme*, F. Brion, C. De Valkeneer and V. Francis (eds.), Brussels, Politeia, 2019, p. 123 to 154.

ing)[232]. Moreover, the war-like reactions of the State (this time we are no longer in the metaphor but in a very concrete reality) suppress, due to the death of many potential partners, the possibility of a series of negotiations for lack of purpose.

3.2. *The weight of the religious dimension*

When the religious dimension appears important in the radical engagement of a jihadist terrorist, it is necessary to understand the place of religion in that individual's life. Interviews with imprisoned jihadists were able to show that "entry into Islam was mainly in the form of a rupture" in the sense that these "returns to religion respond to the search for a standardized and orderly life as one enters adulthood"[233]. In this religious market, the Salafist offer is particularly accessible (via the Internet) and makes it possible to achieve the expected rupture in that it invites to a hyper standardized life, shaped by the demands of rigour and discipline. Ethical righteousness, associated with loyalty to the group, is then valued and may explain the low relevance, in the eyes of the arrested terrorist, of a negotiated proposal of betrayal stemming from human justice and associated with a secular State. Some authors[234] conclude (very quickly[235]) that such a religious ideology makes people insensitive to punishment, which would be an obstacle to collaboration.

When the use of violence is perceived as an obligation to make the divine Word triumph, the terrorist's abandonment of this violence seems particularly complicated[236]. This would be all the truer when the terrorist makes a link between a religious text and a demand for violence against non-believers, when he is convinced of the decline of Arab-Muslim civilisation and fascinated by conspiratorial and eschatological discourse[237]. However, researchers have been able to show that disengagement can occur in certain circumstances that weaken the weight of this religious factor. On the one hand, certain "quietist" or "pietist"[238] Salafist discourses can create doubt about the relevance of the use of violence by terrorists. These speeches call for an end to the fighting by indicating that it is immoral (the killing of innocents is opposed to the values of Islam) or, more pragmatically, that it is counterproductive ("What is the point of killing one of theirs if, in return, it

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[232] S. Mullins, «Rehabilitation of Islamist Terrorist: Lessons from Criminology», *Dynamics of Asymmetric Conflict. Pathways toward terrorism and genocide*, 2010, 3, 3, p. 162 to 193.

[233] B. Ainine, T. Lindemann, X. Crettiez and R. Sèze, *op. cit*., 2017, p. 62 and 63.

[234] R. Duff, "Notes on Punishment and Terrorism", *American Behavioral Scientist*, 2005, 48, p. 758 to 763.

[235] H. Carvalho, "Terrorism, Punishment, And Recognition", *New Criminal Law Review*, 2012, 15, p. 345 to 374.

[236] F. Glowacz, "Mineurs judiciarisés pour participation à des activités d'un groupe terroriste. Analyse des processus et dynamiques de radicalisation", *Revue internationale de criminologie et de police technique et scientifique*, 2019, p. 275.

[237] B. Ainine, T. Lindemann, X. Crettiez and R. Sèze, *op. cit*., 2017, p. 81, 92 and 95.

[238] S. Amghar and K. Fall, "Quitter la violence islamique. Retour sur le phénomène de désaffiliation djihadiste", *Revue du MAUSS*, 2017, 1, 49, p. 119.

eliminates a thousand of ours?")[239]. These ideological reversals – some speeches sometimes use very harsh words to talk about the fighters ("dogs of Hell"[240]) – certainly contribute to reducing the symbolic gains of violent engagement. This shows that the link between Salafism and Jihadism is more complex than is usually presented[241]. On the other hand, it has also been shown that some individuals who joined the Islamic State came back with much disappointment. Their personal aspirations to help the suffering Muslim population or to live in a climate more in line with their religion were faced to a reality on the ground made up of infighting, corruption, brutality against civilians, and arbitrary executions of hostages[242]. While these elements may lead to disengagement on the part of some, it is far from certain that this disengagement is accompanied by a willingness to betray and negotiate with justice.

3.3. *The weight of the political dimension*

The political dimension can play an important role in jihadist terrorism (see above). Many activists want to depict an asymmetrical relationship between the West and the Arab-Muslim world, denouncing the injustice of a logic of domination and exploitation unfavorable to the latter. They identify with a group of individuals perceived as persecuted and threatened, whose interests must be defended and their suffering even avenged. As a certain number of exclusions and discriminations are not without foundation, the negotiation proposal risks being perceived by the potential collaborator as allowing the injustice denounced to prevail.

Negotiation strategists believe that, in this framework, the negotiator must "take into account the motivation(s)"[243] of the activists. He must show the terrorist that his voice was heard, that his cause was understood[244]. The negotiator's objective here is not to change the terrorist's belief system[245] but to make him understand that his "tactical actions are counterproductive"[246]. In other words, the negotiator must convince the terrorist that there are better ways than violence to achieve his political objective. The negotiator must make the terrorist aware that his violent actions do not serve his cause and that what is true for him is also true for his free comrades: denouncing them makes it possible to put an end to counterproductive tactics and thus to

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[239] S. Amghar and K. Fall, *op. cit.*, 2017, p. 119 and 120.
[240] S. Amghar and K. Fall, *op. cit.*, 2017, p. 119.
[241] B. Ainine, T. Lindemann, X. Crettiez and R. Sèze, *op. cit.*, 2017, p. 10, 25, 36, 40, 64, 79 and 80.
[242] S. Amghar and K. Fall, *op. cit.*, 2017, p. 126.
[243] G.-O. Faure and W. Zartman, *op. cit.*, 2011, p. 139.
[244] G.-O. Faure and W. Zartman, *op. cit.*, 2011, p. 152.
[245] G.-O. Faure and W. Zartman, *op. cit.*, 2011, p. 141.
[246] G.-O. Faure and W. Zartman, *op. cit.*, 2011, p. 142. In order to show that the objectives of the political struggle are inaccessible through violence, the negotiator must avoid "condescending" attitudes that could lead to a feeling of inferiority. It is to be feared that the meeting between an arrested person and a magistrate will not facilitate the fulfillment of these conditions of possibility of negotiation. The presence of a lawyer could restore a sense of equality between the protagonists and thus be conducive to negotiation.

make the political cause triumph in the medium term (with, it is true, short-term collateral damage for the individuals betrayed). If the reasoning can be understood theoretically, it seems unlikely to us that, in practice, negotiators will be able to convince many terrorists on this point. Swapping violent action for political action is a process that can take "years, even decades"[247] and convincing someone who has just been arrested (and often not yet convicted) to make the switch and denounce those who persist in violent action seems unrealistic. It seems to us, in this respect, that individualised denunciation policies are less promising than collective amnesty or rehabilitation policies[248].

3.4. *The role of material gains or the chances of a possible bargaining*

Individuals for whom material gains have (become) central to violent engagement (see above the notion of "opportunistic militant") are likely to react most positively to proposals for collaboration, as long as they are convinced that this is where the maximisation of their personal interests lies. This utilitarian calculation, attributed to a rational individual is analysed by game theory and often illustrated using the "prisoner's dilemma"[249].This dilemma is presented as follows. Two prisoners are interrogated and:

– if one of them denounces the other and the other does not denounce him, the one who denounces will have his sentence removed, while the other will have his sentence increased to the maximum;

– if both denounce, they will both receive a medium sentence (their guilt is proven but their cooperation with the judicial authorities is taken into account);

– if neither of them denounces the other, they will both receive a minimal sentence (their guilt for the most serious acts cannot be proven, the judge can only condemn them for less serious acts for which he has sufficient evidence).

This prisoner's dilemma is usually illustrated in the form of a table[250]:

	Does not denounce	Denounces
Does not denounce	1 year, 1 year	5 years, 0 years
Denounces	0 years, 5 years	3 years, 3 years

In the situation at hand, legislation generally only accepts a reduced sentence if the statements are "revealing" and bring new information to the public prosecutor's office. It is therefore not enough to denounce, but to be the first to denounce. The previous table would then become:

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[247] G.-O. Faure and W. Zartman, *op. cit.*, 2011, p. 146.
[248] S. Mullins, *op. cit.*, 2010, p. 162 to 193.
[249] N. Eber, *Le dilemme du prisonnier*, Paris, La Découverte, 2006.
[250] This table is borrowed from N. Eber (*op. cit.*, 2006, p. 3).

	Does not denounce	Denounces first	Denounces second
Does not denounce	1 year, 1 year	5 years, 0 years	
Denounces first	0 years, 5 years		0 years, 5 years
Denounces second		5 years, 0 years	

For the negotiator (often the public prosecutor himself[251]), it is important to know whether the individual in front of him is rather "selfish" (and ready to denounce) or rather "cooperative" (and not ready to denounce). There is a large body of literature that has attempted to identify the determinants of cooperation. Despite contradictory results, some research shows that women cooperate more than men[252]. In terms of personality traits, individuals who think they are masters of their own destiny, who have considerable self-control and who are sensation-seeking are more cooperative[253]. If the two "prisoner-players" have been able to communicate beforehand (which is possible in the context of terrorist offences), the level of cooperation will increase[254]. It is therefore important to isolate the person with whom one wishes to negotiate from the person to be denounced and, in general, from any person (co-prisoners) who can convince him or her not to denounce[255]. If the "prisoner-players" know each other[256] (which is always the case in the situations we are dealing with), they will be more cooperative. And the more they know each other (presence of a "group spirit"[257]), the more this will be the case. If the "prisoner-players" know that denunciation can lead to a sanction, even an informal one (gossip, ostracism), they adopt a more cooperative behaviour[258].

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[251] Negotiation strategists favour a "strict application of the principle of separation between those who negotiate and those who decide" (G.-O. Faure and W. Zartman, *op. cit.*, 2011, p. 150). In the negotiations of interest to us here, it is often the magistrate of the public prosecutor's office who negotiates and decides on the criminal advantage granted. It is true that it also happens that another actor – a judge – intervenes to approve the content of the agreement (see the national reports above).

[252] A. Ortmann and L. Tichy, «Gender differences in the laboratory: evidence from prisoner's dilemma games", *Journal of Economic Behavior and Organization*, 1999, 39, 3, p. 327 to 339.

[253] C. Boone, B. De Brabander and A. van Witteloostuijn, "The impact of personality on behavior in five prisoner's dilemma games", *Journal of Economic Psychology*, 1999, 20, 3, p. 343 to 377.

[254] D. Sally, "Conversation and cooperation in social dilemmas: a meta-analysis of experiments from 1958 to 1992", *Rationality and Society*, 1995, 7, 1, p. 58 to 92.

[255] G.-O. Faure and W. Zartman, *op. cit.*, 2011, p. 144.

[256] D. Sally, "A general theory of sympathy, mind-reading, and social interaction, with an application to the Prisoners's Dilemma", *Social Science Information*, 2000, 39, 4, p. 567 to 634.

[257] N. Eber, *op. cit.*, 2006, p. 51.

[258] E. Fehr and S. Gächter, "Cooperation and punishment in public goods experiments", *The American Economic Review*, 2000, 90, 4, p. 980 to 994; D. Masclet, C. Noussair,

For the negotiation-bargaining process to succeed, attention must also be paid to the *relationship of trust* between the terrorist and the negotiator. This relationship produces a sequential dilemma in which the first actor must show trust and the second must be loyal. The terrorist must trust the representative of the judicial institution in thinking that his statements will indeed lead to a reduction of the sentence and the judicial actor must be loyal and keep his promise of reward. There is also extensive literature on the elements that can influence levels of trust and loyalty during a negotiation. These include greater loyalty from women[259], the impact of the difference in ethnic origin between the partners[260], the personality type of the negotiators (cynical, manipulative, opportunistic, who believes that the end always justifies the means)[261], or even the existence of social ties between the two partners[262], especially if the second partner (i.e. the one who will have to be loyal[263] after the trusting attitude of the first partner) adopts positive attitudes (smiles) during the interaction[264]. However, the weight of these factors in a judicial negotiation remains to be determined.

When the instrumental dimension of the terrorist action is significant, negotiation is initially facilitated because the stakes are also mainly instrumental (reduction of the sentence). However, the scientific conclusions on the chances of negotiation linked to game theory (often resulting from simplified experiments[265]) that we have just presented, seem to us to overvalue the economic rationality of the players[266] . In the real world, it is not self-evident for actors to identify their interests so easily, immersed as they are in a complex social world in which access to relevant information and the ability to process it is limited. Moreover, this desire to maximise these interests probably takes too little account, in our field, of other factors such as the need for recognition and symbolic gains linked to terrorist action (see below).

S. Tucker and M.-C. Villeval, "Monetary and nonmonetary punishment in the voluntary contributions mechanism", *The American Economic Review*, 2003, 93, 1, p. 366 to 380.

[259] R. Crosson and N. Buchan, "Gender and Culture: International Experimental Evidence from Trust Games", *The American Economic Review*, 1999, 89, 2, p. 386 to 391.

[260] E. Glaeser, D. Laibson, J. Scheinkman and C. Soutter, "Measuring trust", *Quarterly Journal of Economics*, 2000, 115, 3, p. 811 to 846. For a different reading, see J. Bouckaert and G. Dhaene, "Inter-ethnic trust and reciprocity: results of an experiment with small businessmen", *European Journal of Political Economy*, 2004, 20, 4, p. 869 to 886.

[261] A. Gunnthorsdottir, K. McCabe and V. Smith, "Using the Machiavellianism instrument to predict trustworthiness in bargaining game", *Journal of Economic Psychology*, 2002, 23, 1, p. 49 to 66.

[262] E. Glaeser, *and al.*, *op. cit.*, 2000.

[263] In the configuration we are interested in, it is the magistrate.

[264] C. Eckel and R. Wilson, "The human face of game theory: trust and reciprocity in sequential games", *Trust and Reciprocity: Interdisciplinary Lessons from Experimental Research*, E. Ostrom and J. Walker (eds.), New York, Sage, p. 245 to 274. Men seem to be more influenced than women on this point.

[265] Thus, the procedural dimension of action is not taken into account, or only superficially, in these experiments.

[266] Certainly, contrary to classical economic theory in which the *homo economicus* only acts selfishly, game theory makes it possible to explain the rationality of cooperative behaviour.

3.5. *The role of symbolic gains or recognition offered by the judiciary*

Violent engagement can provide symbolic benefits to the terrorist (see above). The latter can obtain an official status (martyr, hero, warrior), he can strengthen his self-esteem by reinforcing his "actority" (ability to act) and by fighting a feeling of non-recognition or powerlessness. Powerlessness, as a factual and/or perceived reality, plays an important role in the transition to a terrorist act. Through the recognition it provides, the terrorist act is sometimes described as the weapon of the weak trying to compensate for this powerlessness.

Faced with this narcissistic wound that the terrorist act compensates for, negotiators must, according to some, try to restore the terrorist's decision-making capacity by insisting on other ways of taking power[267]. We have already mentioned the delicate transition between violent action and legitimate political action (see above). Collaborating with the judiciary would be another way of regaining power, no longer linked to a political objective but to the management of one's own life. The negotiator can insist here on the fact that the arrested person is not powerless, that he or she can conquer a real decision-making capacity by denouncing. Here again, the reasoning seems to encounter serious limitations in practice. The proposal to collaborate with the judiciary is undoubtedly not a very realistic way to increase the arrested terrorist's "actority". Any action does not contribute to strengthening the feeling of recognition and it is unlikely that the proposal to collaborate with justice will allow "congruence between the self-image we claim for ourselves or our community of reference and the image that others have of us"[268].

In the longer term (after the enforcement of the sentence), the individual who enjoyed "hero status" within the violent group might be tempted to seek the same role (and the symbolic gains associated with it), but this time as a key player in de-radicalisation. This leads some to see former activists as key actors in de-radicalisation programmes[269]: not only is a "repentant" – not in the sense of a collaborator, but in the sense of a person who has committed violent acts and has become aware of his or her mistakes – best placed to shake the certainties of other activists[270]. But moreover, this role contributes to restoring its status and reintegrating it into the human bond.

It should also be noted that the attractiveness of symbolic gains may change over time and that it is interesting for the negotiator to identify possible changes in the terrorist's trajectory on this point. Changes in the biographical trajectory (the individual is getting older, is in a relationship, has children, has a job…) can change the attractiveness of these symbolic gains.

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[267] G.-O. Faure and W. Zartman, *op. cit*., 2011, p. 147.

[268] X. Crettiez, *op. cit*., 2016a, p. 724; T. Lindemann, *Causes of War*, Colchester, ECPR Press, 2010, p. 9.

[269] D. Bouzar, *op. cit*., 2017, p. 69.

[270] D. Bouzar, *op. cit*., 2017, p. 75; D. Bouzar and M. Martin, «Méthode expérimentale de déradicalisation: quelles stratégies émotionnelles et cognitives", *Pouvoirs*, 2016, 158, 3, p. 91.

Commitment can be experienced as a sacrifice (daily deprivation, moral rigour, military discipline, loss of autonomy…) that is increasingly burdensome[271].Testimonies from "returnees" show that the fascination of some people for a death as a martyr can be shaken by the experience lived within the Islamic State: when death presents itself concretely (having seen "brothers in arms" die), a fear of death can appear and curb the warrior impulse[272]. If the negotiator is aware of these changes, he or she will be able to adjust their arguments in the negotiation. Knowing the state of advancement in the violent career is important in order to know the level of identification and attachment to the violent group. The greater the involvement in the career, the more the disengagement will be perceived as inconceivable or symbolically risky since it destroys the new identity as a member of the group. It is therefore essential for the negotiator to gather information about the arrested persons in order to conduct the negotiation effectively or, if there are several arrested persons, to determine with whom the chances of success are greater.

3.6. *The impact of group bonding*

The more clandestine the radical group operates, the stronger the dependence on the group. The reduction of the individual's life to his or her role in the group limits the possibilities of disengagement. Indeed, in these groups, emotional tension, solidarity and pressure to conform are particularly important, which encourages a sense of guilt to leave and to betray[273]. This is why individual voluntary disengagement is in this case infrequent but not impossible, since the symbolic attraction to life in the violent group may be reduced on certain occasions: tensions in the group (lack of loyalty, paranoid atmosphere), loss of an enviable role, a level of violence considered excessive…[274].

If the group is marked by strong internal competition, one can imagine that collaboration is more easily accepted in order to oust an internal competitor within the group. If there is strong intergroup competition, it is easier to imagine the denunciation of members of the competing group (as long as the individual has useful information on the activities of this other group).

In any case, in order to hope for collaboration, it will always be necessary to be attentive to the different costs of collaboration for the activist: costs for the mental integrity of the activist's self, costs related to the lack of social perspective, or costs related to the loss of protection from the group. The collaborative arrangement should therefore possibly be accompanied by psychological support, credible protection measures and help in building a new life.

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[271] S. Amghar and K. Fall, *op. cit.*, 2017, p. 128 and 129.
[272] D. Thomson, *Les Revenants*, 2016, Paris, Seuil.
[273] I. Sommier, *op. cit.*, 2012, p. 26 and 27.
[274] S. Mullins, *op. cit.*, 2010, p. 165.

Conclusion

Throughout this text, we have tried to show that radicalness has no essence but that it is constructed "through a dialectical relationship between acts that transgress established norms (…) and the reaction to these acts"[275]. To be defined as radical, transgressive behaviour must be perceived as subversive to the political or social order. The State is the main guarantor of respect for this political or social order, so its reaction is crucial in drawing "the distinction between acceptable and unacceptable subversion"[276]. In the current context, more and more acts are considered as "terrorist" and lead to increasingly stronger penal reactions. We have been able to show that the subversive nature of terrorist action undermines the credibility of collaborative measures: can we expect many betrayals, to the benefit of the State above all, of those who justify their actions by "overturning existing hierarchies and principles of division"[277]? It appears, however, that where terrorist action is strongly linked to material gains – this action would then be closer to certain delinquent behaviour – the criminal reward could probably be perceived as more attractive.

This work, centred on collaboration and therefore focused on a reaction addressed to an individual, must not completely neglect "collective" reactions to terrorist acts. Recent history has shown that the reduction of terrorist acts can be achieved through these collective strategies[278]. The chances of successful collective disengagement are greater when there is a public offer of exit, such as political negotiations leading to an amnesty, or when the individuals who can benefit from it can then (easily) join socially and economically structured circles. The reduction in violent terrorist behaviour would therefore be linked less to de-radicalisation than to the possibility of alternative "re-engagement". As for this alternative re-engagement, regarding the reintegration into more structured environments, it would seem that there is no equality between all terrorists. The political and independence activists of the Years of Lead were probably better off than the current jihadist activists. While the former was able to benefit from a range of opportunities offered by environments that were favourable to them, it would seem that the latter could less easily rely on groups to reintegrate after their experience. The label of "terrorist" is likely to be a very persistent stigma. Would States agree to alleviate these difficulties by putting in place specific reintegration policies themselves? We believe that proposals for collaboration specifically aimed at terrorists only respond very imperfectly to the fundamental social issues raised by these violent actions.

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[275] L. Bonelli and F. Carrié, *La fabrique de la radicalité. Une sociologie des jeunes djihadistes français*, Paris, Seuil, 2018, p. 67.

[276] L. Bonelli and F. Carrié, *op. cit.*, 2018, p. 67.

[277] L. Bonelli and F. Carrié, *op. cit.*, 2018, p. 67.

[278] This was the case in Algeria in 1999 when President Bouteflika granted pardons to 2,300 imprisoned Islamist militants. An amnesty policy was also conducted in 2016 in Niger for some members of Boko Haram. (See S. Amghar and K. Fall, *op. cit.*, 2017, p. 121).