Prosecution or Rehabilitation?
A Mapping of the Debate on Counterterrorism in Major Western Newspapers

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Abstract

Returning Western foreign fighters are one of the most discussed topics within politics today. It is foreseen that the amount of foreign fighters who return back home is going to be drastically increased and one of the main fears is that they will continue with their jihad on home ground. As this thesis will show, the West is divided between those who promotes rehabilitation for returning foreign fighters and those who promote prosecution. Furthermore, the articles which the analysis consist of show that the action plans for the foreign fighters are not the only issue politicians cannot agree upon. In fact, there also seems to be disagreement on the most fundamental aspect, namely, how to define foreign fighters: are they criminals or did they just make a bad mistake?

The results show that the West is not as united as it should be in order to fully cooperate on this matter. The different action plans and views of the returning foreign fighters display inconsistency within the West, this inconsistency is not only unjust because of different legal measures for the same committed activities, but it is also the cause of perplexity which can be aimed at questioning the efficiency of international organizations such as United Nations and the European Union.

Key words: terrorism, counterterrorism, foreign fighter, radicalization, the West
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1. Introduction

In 2013, the world began to see the uprising of the organization which we today call IS, Islamic State. The organization is believed to be a branch out of Iraqi based Al-Qaeda with the aim of establishing an Islamic caliphate in the Middle East and they are especially known for their brutal violent actions against civilians and their prisoners. In the beginning, IS was stationed in Syria fighting against President Bashar al-Assad and his army. However, after taking the city of Raqqa and claiming it as the capital of their caliphate, the organization has continued to grow rapidly and their territory stretches between eastern Syria and northern and western Iraq (Syria Iraq 2014) (What is Islamic State? 2014) No one really knows the true magnitude of IS and how many supporters and fighters it has. In November 2014, it was estimated that about 3200 Westerners, also known as foreign fighters, have left their homes in the West in order to join IS and fight for the organization in Syria and Iraq (Saltman, Winter 2014: 45). As a consequence, the debate on terrorism and counterterrorism has become an even more important matter among politicians and with media outlets. Never before has the concept of foreign fighters been so discussed and never before has the fear of terror attacks been so evident in the West as it is today.

The debate on foreign fighters consists of mainly two questions: how should they be treated once they return back to the West and how likely is it that they would continue their radicalized agenda once they return? These questions are at the moment impossible to answer and the West appears to be quite divided on the matter. States within the West are now facing a new kind of problem, a threat as some might say. The threat of terror attacks on home ground is by no means new but this magnitude of foreign fighters has never been seen before and governments are not sure what to expect once they return. The importance of these questions cannot be denied as the answers would indeed be the foundation for future action plans on how to handle foreign fighters once they return back home. To simply ignore them is not a solution since many of them require help to reintegrate to society and help to overcome the traumatic experiences they have had. The division in the West seems to mainly depend on whether or not foreign fighters should be considered as criminals. If they are defined as criminals they should thus be prosecuted, however, if they are not defined as criminals they should be able to enter a rehabilitation program with the aim of reintegration. Therefore, this thesis will look further into the discussion on returning foreign fighters in order to present a structured overview of the current debate.
2. Research problem and research questions

The purpose of this thesis is to study the debate concerning returning foreign fighters in the West and whether or not they should face rehabilitation or prosecution. Furthermore, the aim is to bring clarity to the main arguments in the debate for, and against, prosecution by mapping the main arguments found in major newspapers from the West. This chapter will explain why this matter is of interest and present the research problem which this thesis is built on, and the research questions which this thesis is structured upon. Furthermore, this chapter will be the foundation for this thesis and will dictate the decisions concerning all aspects of the thesis.

2.1 State of problem

In the UK, a man has been sentenced to jail for 12 years after returning from jihad in Syria and at the same time, foreign fighters enters a rehabilitation program in Aarhus, Denmark (British jihadist 2015). These two instances are a good example of how divided the West is when it comes to the returning of foreign fighters. Not only do they present different approaches on how to handle the ones that returns from jihad, but they also portray the ideological values which dictates the course of action in each country. In November of 2014, it was estimated that roughly 3200 fighters have left Europe to join jihad in Syria and Iraq. Out of these 3200, 700 out of them are believed to be from France, 500 from Britain, and 100 from Sweden (Saltman, Winter 2014: 45). For Europe, and the rest of the West, returning foreign fighters is by no means a new phenomenon (Bakker, Paulussen, Entenmann 2013: 2). However, never before have the issues been so severe and never before has the debate on counterterrorism been so divided.

The focal point of the debate concerns how the states in the West should handle the foreign fighters once they return. There are two main approaches in focus, namely if they should: a) be prosecuted, or b) be rehabilitated. Some countries have been more clear on which approach they prefer than others and some have not made any official statements at all. At the moment, there are no clear guidelines on how to handle returning foreign fighters in Sweden but there need to be some before the problem increases mainly because of two factors: the problem becomes too complex and there will be a lack of consistency among different institutions and counties within the nation. The lack of consistency is of great importance since it would
contribute to injustices for the returners in terms of different consequences depending on where in the country the person lives. The consistency has to increase in order for there to be compatible to the fundamental values of equal rights and democracy in Sweden.

This research is of great importance and interest mainly for two reasons. The first reason is that the field of social sciences is facing a new type of issue which is difficult to grasp. Since it is fairly new, not enough studies have been carried out to gather further knowledge on the different approaches for the returning of foreign fighters. The second reason is that this thesis can be used at a later stage, by other researchers to see how the debate has changed and what kind of approach turned out to be the most successful. The value of this thesis can therefore be found in the structuring of the divided debate and that it creates a good foundation for further studies within the social sciences and counterterrorism.

### 2.2 Research questions

Due to the chosen methodological approaches, which will be discussed in the following chapter below, it is possible to ask open questions. The benefits of asking open questions are that the researcher does not need to be as defined in terms of highlighting a specific aspect of a problem and being restricted to that particular area only. The open questions allow the researcher to explore the field and find interesting materials and contexts that otherwise would have been missed. There are of course downsides of having open questions as well, such as the risk of having an inconsistent research. However, in this case, relatively open questions are only benefitting this thesis since the aim is to study and to map out key arguments in a debate, thus no need to be very specific and restricted. This thesis will be based on one primary question. This primary question is an open question with the aim of presenting the area and the broad focus of this thesis. Furthermore, in order to get some structure, the primary question will be somewhat specified with other secondary questions. The primary research question that will determine the focus of this thesis is the following:

- How is the debate on returning Western foreign fighters and the West's action plans concerning foreign fighters portrayed in major newspaper in the West?

This research question is an open question, thus the need for some restriction or guidelines during the analysis. Therefore, the secondary research questions that will bring more of a structured nuance to the discussion are the following:
➢ What are the most common arguments in the debate supporting of prosecution?

➢ What are the most common arguments in the debate supporting of rehabilitation?

➢ How can we understand the context of the arguments presented in the debate by looking at previous studies and theoretical frameworks?
3. Previous studies and theoretical frameworks

In this chapter, relevant previous studies made within the field of social science regarding counterterrorism will be presented. Also, the sections of previous research and theoretical frameworks have been combined due to a better structure of this thesis. The aim with these studies is to present a form of explanation to the increasing phenomenon of returning foreign fighters. The choice of studies has been made based on their content. First of all, they have to be related to the topic of this thesis, namely counterterrorism. Second of all, the studies should in some way highlight aspects that are important to consider when deciding what to do with those who return to the West. Therefore, the theories presented in this chapter will continue to be a part of the analysis later on because they can bring a more nuanced discussion. Each of the first three studies represent the steps of the process of becoming a foreign fighter and the choice of returning back home. The first study discusses who they might be, the second study looks into the motivation for fighting abroad, and the third study presents deradicalization and the factors that are present when a foreign fighter decides to return home. This chapter will end with a fourth study where the relationship between media and terrorism is discussed. This fourth study is merely good background knowledge for this thesis because of the articles which will be used as material. Therefore, the fourth study will not be a part of the actual analysis.

3.1 Myths and realities of terrorism

In order to understand the foreign fighters, one has to understand who they are (Jacques, Taylor 2013: 35). It is not only important to know this for further theorizing of the matter but also when it comes to the decision making of how to handle foreign fighters once they return. In this study, Karen Jacques and Paul J. Taylor looked at female fighters and the myths around them, but also if there were any differences between male and female terrorists. Their result is interesting because it is the opposite of the common stereotypes when it comes to the individuals who become terrorists.

In this study, they looked at 222 female terrorists and 269 male terrorists. They then looked at some hypotheses related to previous conceptions of who these terrorists are. For instance, they looked at factors such as: education, marital status, employment and so on. The results showed that the stereotypes of terrorists to be unemployed, uneducated and experience social isolation is in fact not true (Jacques, Taylor 2013: 36-37). For example, out of the 222 females
and 269 males, the researchers were able to get a hold of educational information about 99 females and 143 males. The information showed that the majority of both male and female were undergoing, or had completed, some form of higher education (Jacques, Taylor 2013: 39-40). The same goes for employment, because the result showed that 92% of the terrorists, both female and male, had an employment or were full time students when they came in contact with a terrorist network. This clearly indicates that the decision to become a terrorist was not based on frustration or boredom. Nor does the terrorists have criminal backgrounds, in fact, only five out of 491 cases had a criminal history (Jacques, Taylor 2013: 40-41).

Furthermore, other interesting aspects that were seen in the results were the link between the families and the terrorists. Out of 119 females and 83 males, 37% of them were single and just as many were likely to be married but they were all active family members and did not experience any isolation from the family. However, one interesting note is that females "were more likely to be divorced than men ... and they showed a marginally higher rate of widowhood." (Jacques, Taylor 2013: 40) In these families, the results also showed that 32% out of both females and males did experience some form of activism in the families. To be more specific, out of these 80 terrorist, 49 of them were influenced by their families to join a terrorist network (Jacques, Taylor 2013: 41). This result is also highlighting yet another misconception of the terrorist stereotype.

The summary is thus that the people who are most likely to join terrorist networks are "normal" people. That is, normal individuals with a good relationship with the family and who are possibly married with a family of their own, they have a good education and are not unemployed. More important, the far majority of them do not have a criminal past and do not experience pressure and influences from their families to join terrorist networks. The decision to become a terrorist is made by them, based on other factors that are still fairly unknown.

This study clearly indicates that there needs to be more research done on this matter because the previous perceptions of terrorists have proven to be quite wrong. Furthermore, even though this study presents quite many similarities between male and female terrorists, Jacques and Taylor makes it clear that this result should not be generalized and there need to be continued studies made in terms of gender and terrorism (Jacques, Taylor 2013: 4141-42).

This study presents information that, combined with the two other studies that will be presented below, present a good picture of foreign fighters and the motivational factors that
triggers them to join jihad. By understanding these aspects, it is more likely to create a program that is successful at rehabilitate those who returns.

3.2 "Should I stay or should I go? Explaining variation in Western jihadists’ choice between domestic and foreign fighting"

In the previous chapter the focus was on who becomes a terrorist, both among males and females. The results showed that the majority of them are considered to be "normal". In this case, normal means a life where poverty and unstable conditions are not contributing factors. Moreover, an individual who decides to become a terrorist are educated and do not experience some kind of social isolation. The discussion in this section will continue looking at the next step of the process. When someone has decided to join jihad, the person stands in front of an important decision; should the jihad be here in the West, or should it be outside of the West? Furthermore, this section will discuss the motivations that are present during this decision.

In 2013, Thomas Hegghammer published his study Should I Stay or Should I Go? Explaining Variation in Western Jihadists’ Choice between Domestic and Foreign Fighting. Hegghammer based his study on the topic of Western jihadists and the differences between foreign fighters, jihadists who decides to join jihad outside of the West, and domestic fighters, jihadists who fights in the West on home ground, and their motivations for joining jihad. He saw that there was a need to better understand Western jihadists and their motivations due to the increased fear of domestic terrorist attacks. Furthermore, his study is aimed to look at how jihadists motivate their decision to fight abroad or at home and he argues that fighting abroad is more preferable than fighting at home, thus the majority does not continue with attacks once returning home (Hegghammer 2013: 1). His results are interesting, according to his research, eight in nine foreign fighters would not commit violent actions in the West mainly because of three hypothetical factors; opportunity, training, and norms. However, as he explains, these hypothetical factors can do the opposite and motivate a fighter to stay within the West as well and instead become a domestic fighter. It has to do with the individual and that person's own preference (Hegghammer 2013: 2, 6, 10).

The first factor, opportunity, is based on the fact that it is far more easier to operate in, for instance, the Middle East than in the West due to lower security. However, there are other dangerous aspects to consider instead, such as "navigating unfamiliar territory ... dealing with unknown new contacts ... risk of being arrested, tortured, wounded, or killed" (Hegghammer
If a fighter would reach his destination, then yes, it might be easier to operate there than it would be in the West but this is changing due to the cooperation with security between states. Also, in the West, the chances of being able to strike a second attack are very low but it would be more possible to fight for a longer period of time if they were in an actual conflict zone. The second factor, training, revolves around the belief that "foreign fighters are domestic terrorists in the making" (Hegghammer 2013: 6). It is true in some way because training abroad would indeed make a person more lethal but the training is far from necessary because most information is available online, thus no need to go through the risk of traveling to a conflict zone as mentioned above. Also, the majority of the foreign fighters will only get a basic training, not including how to make bombs for instance (Hegghammer 2013: 6). The third factor, norms, is based on conceptions that may be wrong. For instance, there are no official rules or laws in jihad, but there are different opinions and thoughts. The only rule that seems to be agreed upon is that a jihad is between Muslims and non-Muslims (Hegghammer 2013: 7). In fact, most Muslim clerics do not feel that it is right to attack civilians or places outside of the conflict zone (Hegghammer 2013: 8).

These factors does show that there are more motivation for fighting abroad than back home and according to Hegghammer, most of the foreign fighters who return do not have "the intention of returning for domestic attacks" (Hegghammer 2013: 10). Moreover, foreign fighters might not be as big of a threat as many believe, instead, we need to look more into the ones who are radicalized here in the West and is looking to be a domestic fighter. He continued by stating that some foreign fighters, however, do get that intention of returning for domestic attacks while being abroad. There are several reasons for that; "peer pressure, a sense of loyalty, and/or a lack of exit options" (Hegghammer 2013: 10). His result is interesting because one of the main topics today within the debate on counterterrorism is how big of a threat the foreign fighters are once they return. If the vast majority of the foreign fighters are not intending to continue with their jihad once they return, how should they be treated? Should they be prosecuted or offered rehabilitation? What happens if they do get sentenced to jail and they get even more radicalized? There are many questions to be answered but one has to understand the fundamental content of the matter and the theoretical background of counterterrorism in order to make any decisions as politicians. Studies, just like Hegghammer's study, are important because they bring clarity to an issue that we do not know much about.
Not only is Hegghammer's result interesting for further discussion during the analysis, but the terminology used by him will be used in this thesis as well. Furthermore, the concepts of foreign- and domestic fighters will be used here because it is important to have the distinction between those two so that there is no room for misunderstanding the content of the discussion. That is, this discussion will be based on foreign fighters coming back to the West, and not domestic fighters who are already in the West. The use of the word "jihadist" might open up for misunderstandings that can be prevented by another choice of terminology. Therefore, from this point on, the terminology of foreign fighter will be used instead of jihadist.

3.3 Deradicalization and rehabilitation programs

This last study presents the process of deciding to return back home and the different factors that are involved in that decision. Furthermore, this last step is well connected to the life after being a foreign fighter and the consequences that are waiting; prosecution or rehabilitation programs. During this step, it might be of value to consider the two previous presented studies and their content and put it into a bigger context along with this study.

Concepts that are often seen in the discourse of counterterrorism is radicalization and deradicalization. Deradicalization is not discussed as often as other concepts and is therefore unfortunately undertheorized in terrorism related literature. Since deradicalization is revolving around changes in attitudes, both ideological and behavioral, it is the most important aspect to consider when planning for actions against foreign fighters (Noricks 2009: 299-300). Deradicalization is important because no matter if a state chooses to prosecute the fighters or rehabilitate them through programs, they do have to get some kind of help to deradicalize. If they do not get the help to do so, they will most likely continue to share those opinions that motivated them to join jihad in the first place. Also, deradicalization is an important step towards understanding the individual fighter and his or hers motivation for joining jihad.

Once their motivation have been detected, the state can work towards implementing programs to prevent radicalization from the beginning. Just as it is important to know the contributing factors for radicalization it is also important to know the contributing factors for wanting to move away from radicalization.

For instance, Tore Bjorgo wrote about the push and pull factors (Noricks 2009: 302). The push and pull factors explain the contributing factors to why someone would leave a group. Push factors, such as a decreased faith in beliefs, criminal prosecution, or social isolation and
so forth, can be described as "negative social forces and circumstances which make it unattractive and unpleasant to remain in a particular social environment" (Bjorgo 2005: 9). That is, push factors for a foreign fighter could be that he or she feel that the situation is more violent than expected or that the cause he or she has fought for is turning out to be wrong. Also, the foreign fighter might feel exhausted after a while and is sensing a lack of loyalty among other members. Pull factors, on the other hand, can be defined as "longing for the freedoms of a normal life" (Bjorgo 2005: 11). Pull factors for a foreign fighter could be to not have to be on guard at all times and to be relaxed and to get away from the fear and the violence. Some might have the longing of starting a family and wants that "normal" family life (Noricks 2009: 303) (Bjorgo 2005: 9, 10, 11). Usually there is more than one factor involved when someone leaves a group and it is important for the state to know which factors that have been taken places in order to understand if the return back home is genuine or not.

Norick continues the discussion by writing that one of the main reasons for leaving a group is how the person experience the violence in the group and that leaving a group is a process that takes a long time to go through (Noricks 2009: 304-305). She also presents some rehabilitation programs in Saudi Arabia, Algeria, and Indonesia etc. The main focus of these programs are deradicalization and they have been up and running for some years now. When discussing deradicalization programs, she mentions a vital question for these foreign fighters; "will former terrorists be welcomed back into society, or will they be treated as outcasts?" (Noricks 2009: 304, 306). The program in Saudi Arabia, for example, began in 2004 and is based on therapy in small groups and meetings where high profile leaders of religion and society talks to the radicalized people. Here the key is to make the radicalized individual understand that their beliefs have been wrong and that violence cannot be justified by religion. Also, the government program includes making the family life better and by that, hopefully prevent yet another radicalization process. For instance, while the individual is going through the program, the family is provided with social assistance and health care. Once the person is free to go and has completed the program, there are job programs, stipends for cars, and also available apartments. The government wants to be sure that by offering a stable life, the person will not feel the need to share those radical ideas (Noricks 2009: 307).

However, the ones that are picked to join these programs are the ones that have been seen with jihadi literature or someway expressed such thoughts. Those who have committed more serious acts of violence, like being a foreign fighter, are most likely not to be accepted to a program but will instead be prosecuted. Therefore, Saudi Arabia is a country where both of
these two methods have been implemented, which also makes it possible for other states to have some kind of combined approach. However, one focal point of Noricks' discussion is that even though these programs have been up and running for some years and they have been able to report some success, there are still many questions when it comes to how successful the programs have actually been and the data to prove it (Noricks 2009: 308). This is somewhat problematic because it is likely that some governments would have wanted more data on how successful the programs have been some years in before deciding to implement the same strategy on home ground. However, deradicalization is a concept that needs to be further studied because it is such an important part of rehabilitation of, not only foreign fighters, but all kinds of members to radical movements and organizations.

3.4 The symbiotic relationship between media and terrorism

Since the data for this thesis will be based on newspaper articles it is a good idea to look at the relationship between the media, in this case newspapers, and terrorism. This will not only bring an interesting aspect to the discussion, but it will also show the evident context between the two. As stated in the headline for this section, many theorists believe that there is a symbiotic relationship between media and terrorism, meaning that the two parties involved are both benefitting from each other (Tokgöz 2012: 105, 108). That is, the media wants to report news which will interest people into buying their newspaper while terrorists are in need of the media to report their actions and gain publicity. Thus, they have a symbiotic relationship because they are dependent on each other in some way. Furthermore, a quite famous metaphor once stated by Margaret Thatcher is that "publicity is the oxygen of terrorism" (Perl 1997: 1), but what is it that terrorist need from the media?

According to Raphael F. Perl, terrorists need the media because it is their primary source of communication with the rest of the world. They need media to report their violent actions in order to spread fear and panic among people but also to show off their capacity. By showing the world what they are capable of, they are at the same time aiming negative publicity towards the government of the region because it has failed to provide security for its citizens. More importantly, the failure of the government could also harm the economics because tourists are less likely to visit the region due to violence and instability. This is an important aspect because by highlighting the failure of the ruling government, they are hoping to
increase the number of sympathizers for their cause since it often comes naturally to support the stronger party. Also, terrorists need media because the media is a tool for them to spread their ideology and make people understand their cause. The more publicity the terrorist group can get, the more successful are their campaigns for new recruits and legitimization of their cause, thus the media plays an important role for the terrorists (Perl 1997: 1-3) (Tokgöz 2012: 111).

So why does media need terrorism? This question might be a sensitive subject since they do not intend to support terrorism in any way. However, what they do need is to draw people's attention to their newspaper and they do so by report events that are dramatic and that are new. In other words, the key of selling their newspaper is to be the first one to report about something that have happened. Kenan Tokgöz even wrote that "There is a fierce competition in the media to be the first with the story ... A reporter would rather be the one who gives the news first than being the one who gives it correctly." (Tokgöz 2012: 108) (Perl 1997: 5). The need to attract readers could therefore be unintentionally supporting terrorism because they contribute to spreading the fear and the message of the terrorists, as was mentioned above. By studying the connection between terrorism and the media it could also result in a new approach for counterterrorism and a stronger cooperation between governments and the media.

Also, it is important to look at the structure of the newspaper articles that are mentioning terrorism and terrorist events. For instance, one study showed that many of the newspaper reports in the U.S were based on a narrowly focused coverage. That is, the newspaper articles that reported on terrorist actions were focused on who did what, when, and where. Instead, the articles could have looked at the issues within the society that would allow for things like that to happen in the first place (Nacos 2006: 437). These narrowly focused articles are thus contributing on creating a stereotype of who these terrorists are, where they come from and what religion they belong to. By focusing on these kind of facts, the media tends to single out certain groups of people. The producers and the reporters can thus control how they want the news to be reported and how their readers should form their opinions (Nacos 2006: 436) (DiMaggio 2008: 8).

The conclusion is that it is important how media decides to portray terrorists and their actions because it can be, unintentionally, positive for the terrorists.. It is also possible for media to decide how its readers should think about these terrorists. Thus, it is easy to create certain
stereotypes that does not have to be true but it seems to be more important to be the first one to publish something than it is to reflect on what message they are giving their readers. To write about terrorists and their violence is probably not a good idea, but at the same time, people do have the right to know what is going on. This is a dilemma that is indeed complex but it seems like the studies presented in this section indicates that there might be a good idea to have some kind of regulation when it comes to reporting terrorist actions, even though this might be a threat towards the basic democratic values such as freedom of speech. What the media should focus on is to not glorify terrorist actions and be clear to portray them as criminals and condemn their actions. Another possible approach would be to not mention them at all. This is an obvious dichotomy, but as Tokgöz wrote "If an act of political violence is not reported, it is almost as if it has never occurred." (Tokgöz 2012: 108) To not report the violence and their actions would therefore be to deny them their platform which they are dependent on. The consequences of not being able to get the attention they want/need and not reaching out to people to spread their ideology and gain sympathizers, might result in their defeat (Perl 1997: 3).
4. Methodology and material

In this chapter, the methodological approaches and the chosen material for this thesis will be presented and discussed. This chapter focuses on giving a clear and structured presentation of the course of action for this thesis. The aim is to be as clear as possible and thereby implement a transparency throughout the thesis. The following text will be divided in to several sections and each section will treat an important aspect of writing a thesis. The first section is about methodological approaches in general, followed by the presentation of the two chosen approaches for this master thesis, namely argument analysis and ideology analysis. Thereafter the empirical data, which is the material this thesis will be based on, is presented. Then, to end this chapter, the important aspects of validity and reliability will be discussed.

4.1 Methodology

As mentioned, the purpose of this master thesis is to study the debate concerning returning foreign fighters in the West and whether or not they should face rehabilitation or prosecution. Furthermore, the aim is to bring clarity to the main arguments in the debate for, and against, prosecution by mapping the main arguments found in major newspapers from the West. Once a research problem has been defined, as it has been in the previous chapter, it is appropriate to turn to the methodological aspect of a thesis which is often considered to be the most important part of a study within many of the social sciences. Thus, in order to conduct a successful research it is crucial to choose the most appropriate methodological approach and this might be difficult since there are many different approaches to choose from. Therefore, one might say that it is very important to spend enough time researching the different methods before starting the actual thesis because "the process of developing a research design is more like trying to resolve a puzzle" (Marsh, Stoker 2010: 181-182). By doing a proper examination of possible methods, one is eliminating the risk of a failure with the analysis at a later stage of the process.

Furthermore, the world of methodology is usually divided into two groups: qualitative methods and quantitative methods, and it is crucial for researcher to understand which of the two that would benefit the study the most. Overall, qualitative methods are considered to be more about interpretations while quantitative methods are more about counting and
mathematical statistics. For example, a qualitative approach could be to conduct interviews or a text analysis in order to answer the research question. These methods are in need of personal interpretations while analyzing the material since the answers are often hidden or found between the lines. Quantitative methods are more calculating in a sense that they often incorporate statistical facts and numbers. The analysis is thus not in need of personal interpretations since the data is as clear and evident as it can be. These two distinctions dictate the type of material that should be used for each approach and while quantitative approaches are in need of a large amount of material, qualitative approaches are more focus on in-depth analysis regarding a smaller amount of material, thus more detailed (Marsh, Stoker 2010: 182, 249, 255). Examples of appropriate qualitative methods to be used in a qualitative method are interviews, different kinds of text analyses, and observations of groups while quantitative methods of gathering data could be through the use of surveys, mathematical modeling, but also text analyses.

As mentioned above, it is important to know whether to use a qualitative or a quantitative approach at an early stage of the research process. The choice will be based on how the researcher chooses to define and formulate his or hers research questions and statement of problem. In this case, the research questions and statement of problem have already been presented and discussed. By looking at some of the research questions; How is the debate on returning Western foreign fighters and the West's action plans concerning foreign fighters portrayed in major newspaper in the West? What are the most common arguments in the debate supporting of prosecution? What are the most common arguments in the debate supporting of rehabilitation?, one can tell that they are fairly open questions and they seek to investigate a certain social phenomenon by the use of some newspaper articles. That is, the method needs to allow for interpretations in order to analyze the content. Therefore, the research questions presented indicates that this master thesis will be taking a qualitative approach. Also, since the material will be based on newspaper articles, one can also tell that some form of text analysis will be used.

Furthermore, the text analysis will be carried out in two steps. The first step is to analyze the material by using an argument analysis. When the arguments have been identified and structured, an ideology analysis will take place so that the arguments can be connected to relevant theories in support of the arguments. Both text analyses contributes to form a well structured master thesis that, most importantly, will be a good contribution within the field of social science.
4.1.1 Argument analysis

The aim of this master thesis is to do a mapping of the main arguments for, or against, rehabilitation for returning foreign fighters in the West. In order to do so, one has to choose the right methodology. One can say that the methodology of a research is like the foundation of a building and one has to have the right foundation for the building in order for it to be stable. Since the aim is to study arguments in the debate in the West, the most appropriate methodology would be a comparative argument analysis, which has its roots in rhetoric (Hellspong 2001: 115).

An argument can be seen everywhere, at any time. The function of an argument is to make a statement and then support that statement (Bergström, Boréus 2005: 92). The argumentation can be used by a politician to convince the voters to support his or hers ideas, and an argument can also be used by sellers who are trying to convince the customers to buy their products (Bergström, Boréus 2005: 89). Arguments are a central part of our communication and most people use arguments frequently in their daily lives. By studying arguments, they can tells us something about our communication and our understanding of the society (Hellspong 2001: 108). The content of an argument, and how it is constructed, says a lot of what the speaker actually wants to state. Not only that, sometimes it might be necessary to deconstruct an argumentation, reorganize it, and then reconstruct it again in order to be able to analyze it. An argument analysis methodology will help the researcher to be able to understand the different layers of an argumentation and if the argumentation is valid. Moreover, it will make it possible for the researcher to compare the different aspects of the arguments in different texts (Bergström, Boréus 2005: 89).

When studying arguments, or rhetoric in general, it is essential to understand how they are structured and there are several ways to conduct an argument analysis, but the one that will be used for this master thesis is the pro et contra, namely for or against. This method was mainly constructed by the philosopher Arne Naess. The main idea of this method is to use a descriptive approach to analyze a text by locating the thesis of the argumentation and then looking at the arguments that are for, or against, the thesis. Moreover, the thesis can be understood as the statement made in a text. This statement could express thoughts of values or be a call for action, and the other statements in the text is either supporting this thesis or
opposing it. There can be more than one thesis in a text and they are sometimes more complex to find, but there can only be one argumentation for a thesis (Bergström, Boréus 2005: 95-96).

The first step in the pro et contra methodology would be to locate the thesis, or theses, by writing down all the arguments found in a text. The next step is to use a method of exclusion by searching for the one argument that does not support or oppose another argument. When the thesis has been found, it is time to look at the remaining arguments and analyze them.

Now, if one is to continue with the pro et contra methods, the following procedures would be to structure the arguments after certain categorizations; is the argument pro (P), or contra (C)? Is the argument of the first order (connected directly to the thesis), or is it an argument of the second order (supports or oppose a first order argument) (Bergström, Boréus 2005: 101). One can also continue to look if there are any written premises or unwritten premises. However, this master thesis aims to do a mapping of the main arguments presented in the debate for and against rehabilitation and then continue and connect the main arguments to relevant theories. Therefore, there is no need to continue with the last steps of the pro et contra methodology (Bergström, Boréus 2005: 143). If the aim would have been to analyze the arguments and study their credibility, for instance, the continuation of this method would have been appropriate. Since that is not the case here, the focus will be on the first two steps; finding the thesis which will be for, or against, rehabilitation of foreign fighters, and then structure the other arguments and continue with connecting the content of the arguments to relevant theories by using an ideology analysis which will be presented and further discussed below. Furthermore, the three most used theses found in the data will be presented in the analysis.

However, there are some problematic aspects when using argument analysis that needs to be considered and addressed as well. The main criticism is that there might be inconsistency in the interpretations of a text (Bergström & Boréus, 2005: 142). This issue will be prevented by explaining and motivating all the choices and interpretations in the analysis. The goal is to be as clear as possible when it comes to how an interpretation was made, why it was made in that particular way. By doing this, the concepts of reliability and validity are also covered, which will be discussed at the end of the methodological chapter.

4.1.2 Ideological analysis

When the arguments have been identified and analyzed in terms of finding the argument thesis and categorized in for or against arguments, the next step of the analysis will be to see
how the main arguments can be connected to already existing theories and ideologies. For instance, is there any strong theoretical support for being against rehabilitation? The main reasons for having this section implemented in this master thesis is that since the debate on retuning foreign fighters is so new, there are no strong theoretical frameworks to explain this particular phenomenon. There are, in fact, many theories on why someone becomes a terrorist, and how big of a threat they are once they return, but they do not fully explain what happens once the foreign fighters return and how they react to certain types of rehabilitation or punishments. The reason for this is simple, there has not enough time has passed by in order to conduct such researchers, yet.

To find out if foreign fighters have responded well to a certain kind of rehabilitation, we have to wait for some more years to pass by. Therefore, the reason for implementing a theoretical discussion to this thesis is so that other researchers can look at the results given here and compare them in the future. Maybe the debate has changed, or maybe a new approach has been presented. In addition, the theoretical discussion will bring a more nuanced discussion and put the content of the arguments into a context. However, to find support for arguments by using theoretical frameworks is an important part of many fields, especially in political science, and the results can give us a better understanding of why certain aspects were presented in an argumentation, or maybe why a political party has decided to change their view from being pro prosecution to being pro rehabilitation. Also, another interesting aspect with doing a theoretical connection to the argumentation is to do further studies on whether or not the arguments are rooted in a party's ideological beliefs.

When looking for an idea in a text, one is using the ideological analysis, as mentioned (Bergström, Boréus 2005: 149). There are many benefits or using a ideological analysis but the main point of this methodology is that the researcher can find underlying content that can reveal interesting facts about our society. Just like the first approach mentioned above, ideological analysis is based on interpretations. That is, the analysis is based on the researcher's interpretations of the texts. There are many kinds of ideological analyses, but there is no official list on what these different approaches are due to some disagreement within the field. However, one common division is to categorize the different directions by the aim and ambition of the research. For instance, the three main directions are descriptive, explanatory, and to take a stand (Bergström, Boréus 2005: 155). Thus, the aim of the research, which is presented in form of the research questions, indicates what direction the ideological approach should take. When it comes to this master thesis, the aim is to see which ideas that
can be detected in the debate, therefore, the aim is descriptive. That is, the aim is descriptive because this research has an open question and intends to analyze the arguments and see how the arguments can be related to theoretical and ideological perspectives. Also, one can use the rule of exclusion by looking at the other two directions. By doing so, one can see that the aim is not to explain why an actor uses a certain type of ideological based argumentation, nor is it to decide which theory or ideology has the best approaches for this particular case. This rules out the two other directions while strengthen the choice of using an ideological analysis with a descriptive aim.

4.2 Material

In this section the material will be presented. As mentioned above, the aim is to study the debate in major newspaper articles in the West. However, before looking more into what the process of gathering material will look like, there are other important aspects that needs to be considered. For instance, the use of major newspaper articles could be questioned by some and they might feel that newspaper articles is not the most appropriate data for a master thesis for different reasons. Nevertheless, there are key reasons for using newspaper articles in this case. The main reason is the language barrier. In order to get a hold of a variety of material from different countries within the West, it is crucial to find a platform where this information is reachable and understandable. Therefore, the use of major newspaper articles is necessary because it is in these articles it is possible to find translated statements and reports that is useful for this master thesis. Using newspaper articles can therefore open up to the ability to find a larger amount of relevant information. Another key factor for using newspaper articles is because it is more interesting to look at the debate that is accessible for everyone. In other words, the debate on foreign fighters is not restricted to only newspapers, however, most people will probably not do the research to go further into the debate unless they do have a strong interest for this matter. Therefore, by looking at the debate which is presented in newspapers, it is possible to get a good overview on the kind of information that reaches out to the majority of the people but also get an idea of how media wants to portray the debate. This last part is probably the most interesting aspect, especially if considering the studies regarding the symbiotic relationship between media and terrorism mentioned in the previous chapter.
The point of mentioning possible aspects that could be used as criticism towards this thesis is important because it shows that the researcher is aware of both the weaknesses and the strengths. Another very evident factor to mention in this case is that the material used here cannot produce a result that can be used to generalize ideas for the entire debate in the West or related debates outside of the West. The point is to look at the main arguments in the debate, but since there is currently a lack of theoretical frameworks for how to handle foreign fighters once they return and what approaches produce the best result, it is most likely that researches will present new studies that can affect the debate within the nearest future. Therefore, the main arguments found presented in this research cannot be used to represent the entire debate since it is very likely that the arguments and the debate itself will change as soon as the new studies will be presented.

Once these acknowledgements have been established, it is time to look at the actual gathering of material. In this case, the material used for the analysis will be found online. To be more specific, they will be found by the use of search engines, such as Google. When using online search engines one has to know what keywords to use, otherwise this might be a very difficult and time consuming process. The main keywords are the keywords presented in the very beginning of this thesis, namely, terrorism, counterterrorism, foreign fighter, radicalization, and the West.

When it comes to the actual articles, there are some criteria that needs to be followed. If these criteria are not followed there is a chance that the amount of material becomes overwhelming but also irrelevant. For example, when choosing data for this thesis, it is relevant to have articles written within the recent year. The reason for this is that the debate is constantly changing and it looked different back in 2013 than it does today. Therefore, the articles used will not have been written earlier than spring 2014 due to relevance issues. Another criteria is the sources of the statements and the information in the articles. It should be possible to trace the statements and facts back to an original source. Sources are not only an important part of writing an academic article or a school paper, it is also important for sources to be mentioned in newspaper articles. For instance, all statements should be presented alongside a name and a title if possible because it is easy to check if this statement is accurate by contacting that person.

Finally, in order to be able to use the argument analysis and find the main arguments in the debate, it is necessary to have a good amount of articles. If one is to single out main
arguments, five articles is not enough and the results can be questioned. Therefore, 71 articles were collected and analyzed. Furthermore, out of these 71 articles, 34 were chosen to represent the debate and used in the analysis when the argument were discussed.

4.3 Validity and reliability

Validity and reliability are a very important part of a thesis and they are often mentioned as indicators of quality in a research. It is during this section the researcher can express his or hers understanding and knowledge for the errors that might be possible to make during a particular thesis. Being aware of possible mistakes will most likely prevent the researcher of doing such mistakes. As it has been stated in previous chapters, there is a significant difference between quantitative and qualitative approaches. Because of the different methods of gathering data, differences are also found when it comes to the concepts of validity and reliability (Wodak, Meyer 2009: 31) (Svensson, Starrin 1996: 209-210). Since this research will have a qualitative approach, this section will only discuss the relevant aspects of validity and reliability in relation to this thesis.

The concept of validity can be explained as a measurement to if the research measured, or analyzed, the content it was intended to measure from the beginning (Baumgarten 2010: 3, 4) (Svensson, Starrin 1996: 210). In other words, a thesis is considered to have high validity if the analysis measures the issues mentioned in the research questions and in the research problem. Some criticisms aimed at qualitative studies and the concept of validity is that they are not compatible for a quality check of a study. Instead, they mean that criteria such as authenticity and credibility should be used opposed to validity (Svensson, Starrin 1996: 211). However, the goal for this master thesis is to reach high validity in terms of having good knowledge of the process of thesis writing and implementing the knowledge to the actual process and to the choice of methodology. To choose the right methodology is crucial for the validity and the quality of the thesis. The combination of argument analysis and ideological analysis is making it possible to conduct an analysis on two levels, one on the texts and one connecting to theoretical frameworks. The results will not only be interesting, but important perspectives that could be used to study changes in the debate in the future (Bergström, Borëus 2005: 142). The results from this thesis could not have been reached if other text analysis methods would have been used.
As mentioned above, reliability and validity is defined differently depending on if the research has a qualitative or quantitative methodology. When a study has a qualitative approach like this one, reliability has to do with how well the work of process is documented. A researcher should aim to be as clear as possible when describing the work process for the research. Also, as a researcher, one has to have accuracy at all levels of the research (Bergström, Boréus 2005: 35). When discussing reliability the word transparency is often mentioned. When a research has transparency the researcher has successfully given accurate details on how the research was done, how the material was gathered, and how the material was analyzed. The researcher must be able to present arguments to support the choices made in the research. This is particularly important for an argument analysis since it is highly dependent on personal interpretations and without any explanations or discussions on how an interpretation was made, the reliability is at risk. Moreover, if another researcher decided to copy the research in the future and do it all over again, he or she should be able to come up with the same result as the original research due to the transparency of the research (Bergström, Boréus 2005: 36).

In other words, the research should be able to be repeated with the same result (Baumgarten 2010: 4). This might be a bit problematic when looking at qualitative analyses since they are often based on the researcher's interpretations. In quantitative studies this might be easier since the result is based on numbers and statistics. However, this is where the term transparency comes into the picture. If a researcher has done a successful job with describing every step of the analysis and explaining the choices and interpretations that had to be made, the reliability and the generalizing factor can still be considered to be high.
5. Analysis

This analysis has been structured into two parts, one for rehabilitation and one for prosecution. Each chapter within these sections represent a main argument found in the debate supporting one of the named approaches, followed by further reflections and supporting theoretical frameworks.

Again, the purpose of this thesis is not to correctly present all the different approaches taken in each country within the West, nor is it to create a result that can be generalized for the entire debate on foreign fighters. The purpose of this thesis is solely to look at the debate in newspaper articles and find the most common arguments for, and against, rehabilitation. Also, the aim is not to promote one strategy over the other, but instead give a fair presentation of the content of the debate found in major newspapers.

5.1 For rehabilitation

The first part of the analysis will argue that it is necessary to rehabilitate and reintegrate returning foreign fighters based on the following arguments: a) insufficient evidence for prosecution, b) prison equals radicalization, and c) they deserve a second chance. These three arguments are the main arguments, or theses as mentioned during the chapter on argument analysis, noticed among the data collected for this analysis. Each thesis will be discussed and further arguments supporting the theses will be presented. Finally, all arguments will be put into context with theoretical frameworks and the rest of the discussions in this analysis.

5.1.1. Cannot always be sure that he/she committed any crimes while being there

The first argument which will be presented is one that will be discussed in the second part of this analysis as well, namely, that there is often a lack of evidence to support criminal actions while being in Syria or Iraq. This section, and the one in the next part of the analysis, both have a main argument that there is insufficient evidence for prosecution. However, the two sections will differ in such way that this section will argue that the insufficient evidence is exactly why the rehabilitation program is needed because one cannot be prosecuted for a crime if there are no evidence supporting that. In the other section below, the argument of
insufficient evidence will be used to promote new legislations and approaches so that it is possible to punish foreign fighters despite the lack of evidence.

For the last six months, Denmark is the country that has had the most attention in the newspapers because of the rehabilitation program in the city of Aarhus. After Belgium, Denmark is the second country with the most foreign fighters in Syria in relation to its population and a majority of them are from Aarhus. In December of 2014, it was estimated that about 100 young men and women had left Denmark to fight for IS in Syria and Iraq. Out of these 100, at least 16 is believed to have been killed in battle and 50 have returned to Denmark. The aim with the rehabilitation program is to stop, and prevent, radicalization of young people in the area but also to help those who have returned from Syria and Iraq (Denmark's jihadist rehab 2014). As mentioned above, the countries that have decided to have a rehabilitation program and not prosecution believe that these young men and women deserve a second chance and a chance to reintegrate with society. Furthermore, most of these states, along with many experts on the subject, believe that far from all foreign fighters have committed crimes during their stay in Syria and Iraq. Some might have been there on humanitarian grounds while others had a glorified picture of the life as a foreign fighter but once they got there and understood the reality of being in a conflict zone, they could not find a way out (Harding 2014). Some might also say that the young men and women who have returned were tricked into going there. Therefore, some experts believe that it is harsh to label them as criminals as many did not know what they were getting themselves in to. Since we cannot always separate the real criminals from those who have been there on humanitarian grounds, prosecution for all returners would be a great injustice and the wrong approach if one considers the long term consequences (Harding 2014).

Some foreign fighters do not agree with the actions conducted by the terror organizations like, for instance, fighting and killing other Muslims. However, once they have gotten there it can be difficult to return back home for several reasons. One reason is of course the possibility of being viewed as a traitor by the terror organization and killed for that, while another reason could be that they feel reluctant about returning home because they fear the consequences of prosecution. Moreover, experts believe that governments need to take a softer approach, like rehabilitation, and help these young men and women who realize their mistake of going abroad to come back home and get integrated to the society (It ain't half hot 2014). If the many of the foreign fighters are viewed as young men and women who made a mistake, then prosecuting them for a crime without any supporting evidence is too harsh and possibly contra
productive. The search for evidence concerning foreign fighters have lead to harsh approaches in some countries that the advocates of rehabilitation would strongly condemn. For instance, in an article from The Guardian one can read; "The Australian Crime Commission has used its coercive powers 50 times since July 2013 to compel Australians to give evidence about terrorism suspects believed to have gone overseas to join conflicts in the Middle East." (Davey 2015). This article mentioned that the Australian Crime Commission have been using intimidation as a tool to get the information they want about foreign fighters from Australia. If someone refused to answer the questions and help the investigation, they could too be prosecuted and sentenced to up to five years in prison. While the Australian Crime Commission claims that this method is necessary in the war against terror, others would argue that this method is wrong and goes against ethical principles. Furthermore, they would argue that family members and friends of a foreign fighter are not criminals. It would be wrong to prosecute them in their search for evidence, or even to intimidate them with prosecution, on such loose grounds. A foreign fighter cannot be prosecuted if there are no strong evidence in support of a crime, thus should neither should friends and family be at the risk of prosecution for a situation they most likely did not have any control over. The lack of evidence for committed crimes could therefore turn into a hunt for information that are ethically and morally wrong. The men and women who return are in need of a support system in order to rehabilitate and not get to the realization that their choices have negatively affected the lives of their friends and family since this could result in a increased distance between society and the foreign fighter.

5.1.1.1 Push and pull factors

In a previous chapter, Tore Bjorgo's push and pull factors were presented. These factors are very applicable to this situation since they could be playing an important part on deciding whether or not a foreign fighter has a genuine intention to deradicalize and integrate back to the society. As mentioned above, the push and pull factors together work as motivators for foreign fighters to deradicalize and return back home from a conflict zone. Push factors are the circumstance which might arise in a conflict zone. These circumstances makes it unpleasant to remain in the conflict zone and the person would most likely start to think about the pull factors. Pull factors include the thoughts and ideas of the future and possibly the longing of returning back to a normal life, having a family, and just have the freedom to do what the heart desires. A rehabilitation program would be a good start for the foreign fighter
to get a chance to find back to the life he or she is longing for. Not only will a rehabilitation program offer support in terms of help to find a job or a residence, but also help with coping with the experiences he or she has lived through in the conflict zone. The push and pull factors could be seen as indicators that the foreign fighter no longer wishes to live the life of an extremist and, or, that he has realized what a mistake it was to go there in the first place. According to the advocates for rehabilitation, as long as there are no strong evidence supporting potentially crimes committed while staying with the terrorist group there should be no reason why he or she should be prosecuted. To send them to prison when they want, and need, the help of a rehabilitation program could produce a negative outcome for the rest of their lives. It would be better for the individual, and the state, to give them the help they want and need so that they can become productive citizens. In fact, it could be potentially dangerous to prosecute foreign fighters just because they have been in a conflict zone, which will be discussed further below.

However, there are negative aspects when looking at the push and pull factors as well. For instance, how can we know that the push and pull factors stated by the foreign fighter are actually true? It is possible to think of a scenario where a foreign fighter with the intention to continue jihad in the West uses the push and pull factors as reasons to why he or she wants to return back home. So how does someone decide whether or not these factors are true? The easiest answer could simply be that no one really knows for sure if they are telling the truth or not but there are some methods to use when facing such problems, such as background checks. For example, there have been many cases where foreign fighters have turned to social media to share, or brag, about their experiences in a conflict zone and with a terrorist group, which will be mentioned in the next section. They upload photos of them posing next to dead bodies, photos of them with weapons, or just status updates on Facebook glorifying their lives as foreign fighters. Once these posts have been shared on social media, it is quite easy for governments and investigators to find them and use them as evidence. These findings could indeed be used to question the sincerity to reintegrate to society and the willingness to change their mindsets and beliefs.

Nevertheless, there is always the chance that a committed foreign fighter do change his mind eventually and then it is up to the respective government to decide what to do with the information found during the background check. As with any method or theory, there is always more than one perspective to take into consideration and in this case, the authenticity of the willingness to change can be difficult to examine because there are valid arguments
which both supports and criticize this process of background checks. Advocates of rehabilitation would still argue that the choice to return back home could be interpreted as if the foreign fighter no longer wishes to live that kind of lifestyle and wishes to return back to a normal life. Thus, it would be wrong to punish these men and women for wanting to return back home if there is not enough evidence supporting criminal activity in the conflict zone.

5.1.2 Jail equals radicalization

The second argument most found in newspapers to argue for rehabilitation over prosecution is that many believe that prisons are a big forum of radicalization. During the last decade, there have been several attacks in the West were the criminals had been radicalized in prison. Not only for Islamic causes, but for other causes as well. A very current example of people who have been radicalized in jail are two out of the three men who carried out the terror attack against the satirical magazine Charlie Hebdo in Paris in January of this year (Charlie Hebdo attack 2015). Jail became the platform of which they were introduced to radicalized ideas that influenced their actions thereafter. The attack in Paris has been used as an example to support arguments by many, both for and against prosecution. In this case, the fact that two of them were radicalized in jail has become important to the debate of rehabilitation, because politicians and some experts claim that to send foreign fighter to jail is like permitting and enabling radicalization. This phenomenon is not new, and radicalization in prisons have been a known fact for a very long time. However, now the topic has become one of the most burning questions in the debate on radicalization in the West due to the debate on foreign fighters and seen in many major newspapers around the West (von Hein 2015).

Radicalization within prison can occur in many different ways, but one known process is through social media. For instance, there are Facebook pages and web pages where people are encouraged to write propaganda letters to inmates pointing out injustices with the society and benefits of, for instance, the struggle carried out by IS. Some wants people to leave donations which will be used to the radicalization process within prisons. To become radicalized has a second meaning as well, because not only do they share the same thoughts and ideas with others in prison, but they will belong to a group. The wanting to belong to a group is a valid reason, especially for young people at juvenile detention because they already feel left out from the society - they are separated from the society because they often feel different from
the norms of society and as a result takes to criminal actions. Thus, radicalization tends to be
more common in juveniles, according to Thomas Mücke, pedagogue and political scientist
(von Hein 2015). Once they have been radicalized, the other members of the group do their
best to assure that the new members continue on this path and do not step away from these
new found ideas. In other words, it is far from easy to step away from the group and the
radicalized ideas once a new member has accepted them. The security of belonging to a group
in juveniles and jails could also be a strong reason to stay within the group and adapt the
ideological concepts shared by that particular group. Young men in juveniles are more easily
convinced to join such a group than men in prisons, according to Mücke, and this could be
that the young men, and women, in juveniles still have not found themselves and their identity
and is therefore easier to influence compared to an adult. Once they have been released from
juvenile, they are most likely to continue to follow the radicalized path because that has
become the most familiar way of living for them and the only source of comfort and safety.

"Look at what happened in [the attacks in] Paris, that is all that I have to say. It is very clear:
you have people there, you don't treat them — what do you expect?" Dr. Wagdy Loza, a
psychiatry professor said in an interview (Harris 2015). According to Loza, jail can be seen as
a breeding ground where radicalization is allowed to spread around among inmates. The
government is not doing enough to prevent this from happening in Canada, he said. There are
prevention programs to be found in schools and mosques but the main focus should be in
prisons because it is there where the prosecuted radicals will be sent and that is where they
will be able to influence other inmates regarding their beliefs. In the next part of the analysis,
one argument will say that foreign fighters pose a serious threat to the national security and
therefore needs to be prosecuted and separated from the other citizens, while Loza claims that
it is the prisons that pose a serious threat to the national security and not the foreign fighters
per se (Harris 2015).

Magnus Ranstorp, Swedish terrorism expert, stated that it is important to see the differences
between prosecution and rehabilitation, but to see them and understand the two approaches
for what they are. The governments who are currently prosecuting all terror-related cases need
to understand that rehabilitation is not the same as rewarding the foreign fighters for their
actions, which is a common belief among the opponents. In fact, they have to work hard on
overcoming the traumatic experiences they have been through. Also, the focal point for both
approaches is to protect society, and according to Ranstorp, protecting society is not done by
prosecuting foreign fighters but instead through rehabilitation. Rehabilitation will deradicalize
those who need it and prevent the anger and hate towards the West to prosper inside prisons (EU anti-terror chief 2015). Gilles de Kerchove, EU Counter-Terrorism Coordinator, agrees with Ranstorp and believes that if there are no strong evidence for committed crimes, then prison should be avoided because sending those without "blood on their hands" to prison is not the right way to go (EU anti-terror chief 2015). However, if there are evidence supporting possible crimes made while being abroad then prison might be the right solution but at the same time, prisons needs to be designed so that the radical foreign fighter do not get the chance to interact with the other inmates and thereby not sharing their beliefs with them.

5.1.2.1 Radicalization does not end once the inmate has been released from prison

During the theoretical discussion in an earlier chapter, as well as in the first argument presented in this chapter, Tore Bjorgo's concept of push and pull factors would work well in giving theoretical support for the argument presented above.

These push and pull factors are an evident part of a debate regarding rehabilitation because these factors supports the argumentation for rehabilitation and that the foreign fighters who returns home are most likely not planning attacks on home ground, but instead, they are sick and tired of the conditions in a conflict zone and realizes their mistake by going there in the first place. The factors indicate that the person is genuinely willing to reintegrate to the society again and leave the violence behind. Some foreign fighters might be traumatized and some might just want to be free to live a normal life again, nevertheless, advocates for rehabilitation will argue that the programs will help them to build up a new life back home. Furthermore, they would also argue that it would not be fair to prosecute someone who has suffered already from the mistake of traveling to the conflict zone. As mentioned above, some might be severed traumatized and incarcerate them could be possibly dangerous due to their vulnerability.

A study from the United States Senate Committee on the Judiciary, showed that "roughly 80% percent of prisoners within America turn to Islam when seeking for faith behind bars" (Mulcahy et al. 2013: 5-6). Furthermore, these 80 percent equals 30,000 conversion, yearly, and a numerous of studies indicate that many of these 30,000 individuals did have little, or no religious calling when entering prison. This result indicates that something happens during their incarceration (Mulcahy et al. 2013: 4-5). These numbers are not interesting because of the converts to Islam per se, but they are interesting because they show the magnitude of
influence some might have within a prison. Influence to convince others to share the same thoughts and ideas, no matter what they are about. Mulcahy et al. wrote that one possible explanation is that there are many inmates who are vulnerable, which has been mentioned briefly above. What they wrote is that it is not uncommon for an inmate to "lose their grip on their individual identity" (Mulcahy et al. 2013: 7). What that means is that there can be different factors in which would result in losing their identity. Maybe the inmate is a foreigner and do not speak the language, this would indeed be a valid cause for being vulnerable. Another possible factor could be that the inmate feel abandoned, or betrayed, by society. Feelings such as anger, humiliation, and hate are some of the unbalanced emotional states common among inmates, which turns them into easy targets for recruiters and their influence (Mulcahy et al. 2013: 7).

Furthermore, the study by Mulcahy et al. presents further interesting aspects of radicalization within prisons, namely, that the radicalization process do not end once the inmate has been released from prison. In fact, the extreme thoughts and ideas most often tend to become even stronger once released. Mulchahy et al. explained that a vulnerable person in prison will continue to be a vulnerable person on the outside. Within prison, the vulnerable inmate has found camaraderie, a sense of belonging, and safety among other radicals and the chances are that the inmate will continue to search for such contacts on the outside. They stressed that the inmates often lack a safety net on the outside in terms of financial support or emotional support through families and friends. Instead, these factors are replaced with extremist groups which have become the source of security and comradeship in prison. Extremist groups do also benefit from this process because they can portray their organization as a legitimate support system for former inmates, as well as being able to make sure that the former inmate stay on the path of radicalization even on the outside (Mulcahy et al. 2013: 11).

As the theoretical discussion above has shown, there is strong support for the argument that prosecution and incarceration of foreign fighters could result in a very increased process of radicalization and possibly lead to more security threats. The theories also shows that prison is not very likely to deradicalize the inmate, thus the importance of rehabilitation programs. In the study of Mulcahy et al. they presented some solutions that could be implemented so solve the problem right now, however, they make it very clear that these solutions are in no way long term solutions and that foreign fighters should need to undergo a rehabilitation program sooner or later. One solution is to redesign prisons so that the foreign fighters are separated from other inmates. This would prevent the foreign fighters to share their thoughts and ideas.
with the other criminals and thereby would the possibility of radicalization be reduced. The other solution is to have special prisons with radical inmates only, which would also separate radicals from other inmates (Mulcahy et al. 2013: 11). Again, these are no long term solutions. However, to have a prison, or only a part of a prison, reserved for foreign fighters only, combined with a rehabilitation program could be a compromise for both parties in this debate. It would give the individual the chance to rehabilitate and get the same assistance as a program on the outside would offer, but he or she would still be separated from the rest of the society and taking the consequences of the possible criminal actions made abroad.

5.1.3 Reintegration and a second chance

The third argument supporting rehabilitation which will be discussed in this chapter is that the young men and women who returns from Syria and Iraq should be able to get a second chance in life and get the help needed to reintegrate with society. Some believe that the more hardened foreign fighters should be prosecuted, especially if there is evidence supporting the crimes. However, the ones who do not have any evidence against them should get the help they want and need (Bacchi 2014). The content of rehabilitation programs varies between different cities and countries, but the most common aims with the program is to make sure that the radicalized person is able to meet with a counselor and get help with coping with the traumatic experience he or she might have been through. Also, help with reintegrating often concerns getting help to apply for jobs, with school applications, and possibly get help to find somewhere to live (Danish jihadist approach 2014). There is another purpose of rehabilitation programs, because not only do experts and politicians argue that rehabilitation is good for integration, but the foreign fighters who have been rehabilitated can be perfect spokesmen and used to convince other young men and women that radicalization is not the way to go. This is indeed a good investment because these young men and women would have another kind of respect for them than, for instance, Danes who are working as mentors within a program. Since they have been in the conflict zone and been a part of the terror organization these young people are being recruited for, they can reach out to people on a more personal level (Bacchi 2014).

There are several foreign fighter who have been discussing the benefits of being a part of a rehabilitation program once they have returned. One of them goes by the name of Osman, from Aarhus. In an interview he says that at first, he did not think it was a mistake to go to
Syria and become a foreign fighter. In fact, he had plans on returning to Syria after visiting his family back in Denmark. However, he got in touch with the rehabilitation program and even though he denied the help of seeing a counselor, he did accept the help of getting in to a college and continue his education. Now Osman realizes that it is too dangerous to go back and would not want to take that risk. He has just started his classes and recently got married and has a more comfortable life back in Denmark (Higgins 2014). The mayor of Aarhus, Jacob Bundsgard, said that “We cannot afford not to include them back in our society and make sure that their path of radicalization is changed, so they can be an active part of our society,” (Higgins 2014). Bundsgard made it clear that it is far more important to make the young men and women who return a part of the society and letting them work and being active rather than prosecuting them. This is more benefitting for the society in terms of economic, as well as security, aspects.

Also, by offering places at a rehabilitation program instead of prosecution might result in more foreign fighters who return home. For instance, some foreign fighters have mentioned that when they arrived in Syria they had a completely different idea of how their lives were going to be like in the conflict zone. However, they hesitated about returning back home because they feared the consequences. Rehabilitation programs would therefore encourage foreign fighters to actually come back home. There have also been some concerns regarding prosecution, which indicates that prosecution of foreign fighters might feel that the government turns them down when they are the most vulnerable and this might result in an increased dislike against the West. Moreover, it is believed that this process of exclusion could make the connection to the radical ideas even stronger (Perticone 2014). By introducing foreign fighters to rehabilitation programs, some believe that they feel they are taken cared off, that they get the kind of help they need in order to process the experiences from conflict zones (Sengupta 2015). It is a good point to mention that since many of the foreign fighters do not know what to expect once they arrive to the conflict zone, many are shocked of the degree of violence. Post-traumatic stress disorder is not a rare syndrome for someone who returns back home and therefore many, including mayor Bundsgard, believes that it is in the interest of the state to help those who come back and not turn them against the state, because by turning them down could be the recipe of disaster in the future.

In the UK, a mother warned the government that they are far too focused on prosecuting and punishing foreign fighters instead of actually tending to their needs and help them to reintegrate to society. There are some rehabilitation programs in the UK, but they are far too
few and they are not able to include all of those who returns. Her son, a British jihadist who joined IS in Syria, has turned his back on terrorism and radical groups but he is severely traumatized and possibly suffers from post-traumatic stress disorder and needs help to rehabilitate. According to her, the government has not offered any help and she feels hopeless and betrayed by the authorities in the UK. The exclusion of them from the society will only bring them back to violence and radicalization if they are continued to be ignored. Furthermore, she fears that attacks on British ground is inevitable because these traumatized young men and women are walking time bombs (Chaudhary 2015).

5.1.3.1 Criminals are products of their environment

As seen in the discussion above, this argument supports the approach of rehabilitation on the grounds of long term goals for the individual and the state. According to the advocates for this particular argument, it should be in the interest of the state to make sure that returning foreign fighters are rehabilitated and helped to re-integrate to society and thereby contribute to the national economy as productive citizens. Also, they believe that rehabilitation is the way to go in order to minimize the chances of having any terror attacks on home ground and that prisons might cause further radicalization instead of deradicalization. There are several theories within the field of criminology and sociology that shares the understanding of how criminals are basically a product of their environment, but with different perspectives, and this understanding goes hand in hand with the argument presented above.

One of these theories is sociological positivism by Lambert Adolphe Jacques statistical Quetelet and André-Michel Guerry. Sociological positivism emphasizes on the importance of science in order to understand social phenomenon. Quetelet and Guerry used statistics to explain where criminals are most likely to appear, as opposed to why criminals become criminals. In other words, they used social data to point out certain sociological factors which could be used as indicators for increased criminal activities. Their findings showed that criminals were most likely to be found among young men in poor neighborhoods where there is a constant change to the area's dynamics due to urbanization and so on. Furthermore, these factors could for example be about poverty, unemployment, and gender. Their understanding was that criminals are products of their environment and that society has created them (Walsh, Hemmen 2013: 77).
Sociological positivism and the argument of rehabilitation and reintegration is compatible because they both would argue how there must have been certain circumstances in an individual's life in order for him to take the decision to become a foreign fighter. On interesting note here is that the study presented in the beginning of this thesis. "Putting the Pieces Together" would argue against that. That study would instead argue that foreign fighters are "normal" people with jobs and education. The decision of becoming a foreign fighter was therefore a rational, thought through, decision, which will be discussed in the second part of this analysis. Moreover, if the individual had not experienced these sociological factors just mentioned, the decision to become a foreign fighter would never have been made and it is also possible to believe that radicalization had most likely not been relevant because there simply was no need for it. Furthermore, if one continues on the path that criminals are created and that their actions are not based on a rational choice but on unfortunate circumstances, then there might not be a need for prosecution since time incarcerated could only intensify the factors which opened up for radicalization in the first place. Instead, all these foreign fighters need is rehabilitation and help to overcome the reasons for the extreme decision to become a foreign fighter in the first place.

Therefore, rehabilitation is what the returning foreign fighters need, not prosecution and incarceration. By rehabilitating and reintegrating foreign fighters, they are no longer national security risks because they will not feel the need to attack a society in which they belong to. To prosecute foreign fighters could therefore, according to advocates for rehabilitation, be dangerous and the real security threats will start when they are released from prison in the future. They will become ticking time bombs and more dangerous than when they first returned home.
5.2 For prosecution

This second part of the analysis will continue the discussion but offer a different perspective. This section will argue that it is necessary to prosecute and incarcerate returning foreign fighters based on the following arguments: a) they are a threat towards a nation's national security, b) they are most likely perpetrators of war crime, and c) insufficient evidence for prosecution. These three arguments are the main arguments, or theses as mentioned during the chapter on argument analysis, noticed among the data collected for this analysis. Each thesis will be discussed and further arguments supporting the theses will be presented. Finally, all arguments will be put into context with theoretical frameworks and the rest of the discussions in this analysis.

5.2.1 A threat to a country’s national security

A main argument found in the debate on foreign fighters is that they pose a threat towards the countries' national security and therefore they need to be prosecuted in order to prevent them from committing crimes on home ground. The use of this argument increased tremendously in the debate after the Charlie Hebdo attack in Paris, which was mentioned above, and the planned attack in Belgium (Charlie Hebdo attack 2015) (Islamists killed in Belgian 2015). These attacks contributed to increase the fear of attacks at home ground and the argument of avoiding such attacks in the future has been focused on prosecution and separating the foreign fighters from the rest of the society.

The approaches of punishment varies from wanting to deport the foreign fighters, seize their passports, or send them to jail, but the most important focal point here is to keep the rest of the population safe by removing the foreign fighters from the society. There are different ways to implement such actions in a country and recently Canada presented its Anti-terrorism Act (Bell 2015). The purpose of this act is to make sure that the police and other institutions have the tools and permissions they need to act at an early stage if there are any suspicions of terrorism. Furthermore, the goal of the act is to "Make it a crime to promote terrorism including attacks on Canadians", "Identify, track and arrest those who pose a terrorist threat", and "Intervene in terrorist plots and detain suspects before they do harm" (Government of Canada). Steven Blaney, Public Safety Minister, stated that the Anti-terrorism Act is one step closer to ensure that proper actions will be taken concerning foreign fighters and that security agencies have the tools necessary for doing their job, which is to protect Canadian citizens.
He continues by arguing that this act should be the focal point for many others to adopt and support as well (Bell 2015).

The general feeling from this statement is that Blaney urges others to follow this path towards rules and legislations that will make it easier to protect the people from terrorist attacks, especially before they even happen. The ideal would be to prevent radicalization from occurring within the national borders and detect early signs of planning an attack. There have been much writing about the case of Jahanzeb Malik, who first arrived in Canada in 2004. It had come to the authorities attention that he had in fact been attending a training camp in North Africa with the aim of conducting bombings of several important government buildings in Toronto. However, the discussion of this debate is not focused on his actual plans of terrorism, but instead on the approach taken by the Canadian government. Moreover, Malik is expected to be deported back to Pakistan without having to face a trial. Some argue that the reason for deportation is that the evidence is not strong enough for Malik to be convicted in an actual trial, and others believe that the government is just eager to send him away and thus get rid of the problem. Malik's lawyer believes that this incident could be more harmful than it could bring justice because since this is a serious matter, he should be held responsible in front of a judge. However, by deporting Malik, "the government is sending a message to those who might want to commit terrorist acts in Canada that all they need to do is ensure they aren't citizens." (Move to deport 2015). At this time, it is still unclear whether or not Malik has already been deported.

There are similar cases around the West where the fear of terrorist attacks is present and the most common argument for supporting these actions against foreign fighters is that they are a security threat towards the nation. Former American House Intelligence Committee Chairman, Peter Hoekstra, stated that since they are fighting with the enemy, they are enemies of the West, and that "They either need to revoke those passports or identify those people who have fought with jihadi groups when they come back to the United States," due to the threat they pose to the American society (Coren 2014). In the UK, Detective Chief Superintendent Tony Mole continued on this path, but added that it is not only the job of the police to get to these threats towards the nation. In fact, he includes all citizens of the UK and encourages them to be "to be vigilant and combat terrorism." (Britton 2015) This strategy is indeed interesting because family, friends, and neighbors are more likely to detect signs of radicalization before the police will know about it. Thus, the citizens are a good resource of information that could be of great value.
The Prime Minister of the UK, David Cameron, has also made it clear that foreign fighters are enemies of the state and that they should be prosecuted for treason towards the UK. This is in line with what Blaney stated and it stresses the importance of separating foreign fighters to the rest of the society in order to be able to protect the society from the people who pose a threat to its well being (Turning them around 2015).

5.2.1.1 Nationalism and imagined communities

The statement made by Tony Mole is interesting because he presents a new aspect, namely to actively involve all Britons. He does so to implement, and strengthen, the idea of "us versus them", that we Britons need to stand up against them, the foreign fighters. It is a good strategy to use and a strategy that has not been seen as evident in most other countries during this research. It is a good strategy because Mole is playing on nationalism to protect the nation from threats from the outside. There are both positive and negative aspects of using nationalism in a situation like this. The positive aspect is that nationalism has the ability to unite people and gather support for a cause, while the negative aspect could be that right winged extremists continues to build on the nationalism spirit and use it to support their own agendas. Furthermore, this aspect of nationalism has been discussed by Benedict Anderson in his book *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Anderson explained the phenomenon of nationalism as an imagined community because it is based on social constructions. It is imagined because nationalism is a tool one can use in order to create a community and the feeling of homogeneity, thus it is not there until it has been created (Anderson 1993: 6-7). What Mole does is to use this tool to; a) unite Britons against foreign fighters and terrorism, and b) to gather support for the action plans against foreign fighters made by the government.

Furthermore, would prosecution frighten others to join jihad because they fear the risk of losing their lives as they were and end up in prison as a criminal? To answer this question, the rational choice theory is probably the most interesting and compatible theory to use, even though some might argue that rational choice theory and religious martyrdom is not compatible. Rational choice theory is very broad and has many theorists who have quite different perspectives on rational choice theory and its function. Nevertheless, in general, rational choice theory is based on the idea that humans are rational; they are rational because during the reasoning process, the individual weighs the benefits of a crime contra the
consequences of the same crime when deciding to proceed or not. There are two different kinds of benefits; tangible and intangible. Tangible benefits are material and can include money or jewelry, while intangible benefits are based on psychological thrill of doing the crime or gaining respect among its peers (Vito, Maah 2011: 63). Therefore, if an individual believes that the benefits, both tangible and intangible, weigh more than being prosecuted than it is most likely that the individual will proceed with the crime event. However, Derek Cornish and Ronald Clarke has another perspective on this matter. They believe that the individual do not actually weigh pros and cons against each other and then decides to proceed. Instead, the focus is on the decision making in terms of being a part of the crime in general rather than to do the crime for the benefits. In other words, Cornish and Clarke argues that it takes a very long time to make up one's mind about committing a crime but when the individual has decided "that he or she is ready to engage in crime" (Vito, Maah 2011: 63) it is more likely that the decision will be based on the host of situation, namely where, when, and how rather than the actual benefits. Here, rational choice theory is the opposite of the theory of sociological positivism presented in the first section. Since the decision was a rational and well thought through, the foreign fighter did indeed know what he or she were doing when going abroad. Therefore, rational choice theory supports the idea of prosecution because it was a conscious decision to go, while sociological positivism would argue that they were in fact not making a rational decision.

The rational choice theory can also be related to the one mentioned in the beginning of the thesis, namely, Hegghammer and his three motivational factors for becoming a domestic, or foreign, fighter. They are both based on the fact that the individual is mostly rational in the decision of becoming a foreign fighter by looking at the different aspects of host situations and motivational aspects. Moreover, rational choice theory contributes with interesting perspective on criminal mind and behavior and in this case, the theories presented shows that prosecution, the consequence, can indeed make others to believe that the benefits are not enough. However, then another question arise; are the tangible benefits more important than intangible benefits? Because if the material benefits outweigh the psychological then the benefit of being a foreign fighter is not even near the magnitude of the consequence of being sent to jail. But if the psychological factors are more important to the individual, then the prosecution might not frighten him, or her. Once one question has been answered there are two new questions that need to be answered. This matter does not have an easy solution,
which makes it even more important to look at theories in order to better understand the motivations and factors that are decisive.

5.2.2 Perpetrators of war crime

The second most commonly used argument in the debate on foreign fighters to why they should be prosecuted is that they are perpetrators of war crimes. The organization IS in Syria and Iraq has been known for killing its prisoners in the most brutal ways. Shiraz Maher, a researcher based at King’s College in London said that it is a war crime to kill prisoners and the Britons that are involved in such activities should be held responsible for their actions. Furthermore, Kristyan Benedict, Amnesty International UK Syria campaign manager, agrees that the ones conducting such actions should be prosecuted (Rayner 2014). There is a valid reason for the argument, according to many like the two mentioned above, because:

"War crimes and crimes against humanity are among the gravest crimes in international law. They are considered so serious that there is no period of limitation for such crimes - which means that those who commit them can be prosecuted and punished no matter how much time has elapsed since the crimes were committed." (BBC Ethics Guide)

The cited paragraph above stresses the extent of war crimes which explains why both organizations and politicians use this argument so frequently. Hanny Megally, chief of the Asia, Pacific, Middle East and North Africa branch of the U.N. Human Rights Office, concluded that war crimes have indeed been committed, especially when it comes to the possibly genocide where the Yazidis were targeted. He continued by saying that "We are very keen to ensure that even as the conflict continues that evidence is preserved, protected and collected because that will be important for future accountability." (Nebehay 2015) What he means is that the evidence connected to the conflict zone in Syria and Iraq will be preserved so that it might be possible to prosecute local, and foreign, fighters if the person can be connected to the area at that time. That means that if there is evidence placing a foreign fighter in the area of where these war crimes have been committed, it might be possible to prosecute him even if one or two decades have passed.

This part cannot be stressed enough because the perspective which indicates that foreign fighters might be perpetrators of war crimes means that there is no limitation for prosecution
to start. In other words there is no time limit on the case and that the case will not become irrelevant once that time limit has passed. U.N. Human Rights Office shares this perspective of war crimes and urged that the International Criminal Court (ICC) should take on cases connected to IS, both domestic and foreign fighters, and prosecuted them (Nebehay 2015). One main platform for gathering evidence for such prosecutions is on social media. Social media is widely used, even by some foreign fighters. For instance, there is a foreign fighter who has been posting comments which mentions the actions he has been participating in accompanied by pictures. This is would be strong evidence in a court and this situation is not rare. The use of social media will probably continue to be a main forum for collecting evidence for a prosecution, because the person is confessing to be involved in war crimes. A former UN judge even said that just by fighting for IS, not necessarily in the area where these crimes are committed, they should be viewed as participating and supporting in war crimes (British jihadist in Syria 2014).

Also, UN has considered to release a list where names of war criminals would be made public. This is something that has been against the policy so far but now they feel that the importance of finding and prosecuting war criminals is more important than respecting their privacy by making their names public. In February of this year, five lists had been made by the UN consisting of such names from different groups. The lists have not yet been made public because they are still weighing the pros and cons of taking such action (Syria crisis 2015). To release such material would be a new step towards new guidelines where the current policies and considerations might not be as important any longer. Some states do have the possibility to release names and pictures of criminals whilst others see this as illegal. However, one general feeling concerning this argument is that it is important for Western states to work together on this matter and it is crucial for all states to find a compromise and meet in the middle no matter the approach of beliefs in each state.

5.2.2.1 Us and them

This argument is very connected to the first argument presented, namely that the foreign fighters who returns are a threat towards the national security and a danger for its citizens. This argument is also very important because of the decision to see them as perpetrators of war crimes would change the approach on how to handle and how to prosecute them. Not only that, if they are considered to be perpetrators of war crimes, many states who have a
rehabilitation approach might have to change their approach because it is most likely that there will be some kind of legislation from EU and U.N. Therefore, this argument will not be directly supported by any theory but instead the focus will be on why this argument is so important for the West and how this argument is connected to the rest of the debate.

If there were directives in which foreign fighters were seen as perpetrators of war crimes and states had to follow these directives, how would this change the dynamics in the West and the current approaches? Well, first of all one has to understand what it means to be labeled as a perpetrator of war crimes. As mentioned above, there will be no time limit on the case which means that a foreign fighter can be prosecuted many decades from now if new evidence is found. This also means that the sentences most likely will become tougher. This perspective is interesting mainly for two reasons; a) states who use rehabilitation will have to start prosecuting more foreign fighters even thought there might be insufficient evidence for criminal activity, b) those who already have returned and have been a part of a rehabilitation program might still be prosecuted in the future. The second reason just mentioned could by many be considered to be very tough because after the rehabilitation program it is most likely that the foreign fighter have a job or studies and might have created a whole new life with a bright future. To be prosecuted in the future could damage this and it could also damage the trust the foreign fighter has built up towards the government, and the West, during the rehabilitation program.

Therefore, there are many possible outcomes which would follow if foreign fighters would be labeled as perpetrators of war crimes. However, the guidelines would have to be more specific than it currently is and not every single foreign fighter might be prosecuted as a perpetrator of war crimes. The main issue will however become the damaged trust between state and citizen and there might be a chance that the rehabilitated foreign fighter finds a new reason to go back to radicalization. States would also have to adopt new legislations and directives which might be conflicting with the fundamental values of the state if it, for example, should be mandatory to release a list of names of all foreign fighters no matter if they have committed crimes or not. This could lead to further division within the West where some states might feel that they have been over ruled by others.

Thomas Hylland Eriksen wrote about the concept of us and them in his book *Ethnicity and Nationalism*. In short, he explains the concept as a necessary action because in order to define and understand your own ethnicity, you have to understand another ethnicity; you need to
have something else to compare yourself with in order to find the distinctions that identifies you and your ethnicity (Eriksen 2010: 19). However, the concept can be used in other situations as well, such as in conflicts or to describe the gap between society and those left out from the society. Us and them is the notion that there is a distinction between two, or more, parties and that the distinctions can be both friendly and unfriendly. If we go back to the theory of sociological positivism mentioned in the first section, one can say that the idea that criminals are created by their environments and by society could be used to explain us and them as well. Criminals, who are a product of society, is not included in society or at least they do not feel included. If they had felt included they would not have turned to criminality. Advocates of rehabilitation and sociological positivism would possibly argue that the “us and them” division in society is what has caused these you men and women to make the irrational decision to become a foreign fighter.

Furthermore, if the foreign fighter has become a part of the society and a productive citizen, only to have that taken away some years from now, one can only imagine what that person would feel and think. The us and them way of thinking would grow strong once again and this could be dangerous if one consider the discussion in the first section, namely, that radicalization tends to strive within prisons. To send a betrayed and angry foreign fighter to prison could be a possible risk for further radicalization within jail and an increased network of possible security threats once they are released from prison.

One the other hand, by implementing such guidelines, states would represent a none-tolerance attitude towards Western foreign fighters and the actions made by the terror organizations no matter if the Westerners have been participating or not. In fact, some might argue that the stricter guidelines could be preventing others from joining terror organizations due to fear. In a globalized world it might be important to show a Western unity of none-tolerance towards terror related activities, even though some states might oppose this. No matter if foreign fighters ever get labeled as war criminals, Eriksen presents an important concept which could be connected to the feeling of being isolated and how it is them versus society. This is an issue which have to be addressed whether or not a state rehabilitates or prosecutes the returning foreign fighters.
5.2.3 Insufficient evidence for prosecution

When it became apparent that men and women are leaving the West to join IS in Syria and Iraq, many states made it clear that the threat towards the West has increased, and many feared that the return of foreign fighters would lead to attacks at home. Furthermore, as the discussion have showed above, many countries in the West made it clear that they would prosecute any foreign fighter who came back from such trip. Not only because they pose a threat towards national security, but because they have committed serious war crimes during their time abroad. So how has this process been going? In the UK, it is estimated that about 500 foreign fighters have returned, and the majority of them have had the chance to return to their normal lives, that is, without any prosecution. Out of these 500 foreign fighters, about 100 of them have been prosecuted or are waiting for trial. Recently, 45 men connected to the organization Sharia4Belgium were sentenced to jail in Belgium, but the general feel from the articles is that the amount of cases going to trial are not near what was expected from the beginning. Thus, the same issue is to be found in Belgium as well, and in other nations within the West, namely that there are often not enough material for continuing with a prosecution (Sharia4Belgium 2015).

Governments were therefore forced to change their plan of action and they realized that it might not be as "easy" to prosecute foreign fighters as they had believed. The most common issue that have been identified in the newspaper articles is the fact that it is very difficult to prosecute someone if there are no evidence to present. Moreover, it is extremely difficult to gather evidence of a crime that has taken place on a different continent (Greenwood 2014) (Owen 2014). However, the states that still are focused on prosecuting foreign fighters are seeing to other methods instead while the legal work is taking place, like focusing more on preventing actions instead. For instance, in the UK, Prime Minister David Cameron stated that they initially wanted to seize the fighters' passports once they have reached English borders and thereafter prosecute them. Now this method has been used to prevent teenagers from leaving the country, thus hoping to reduce the number of foreign fighters from the UK. France is also adopting this method and can seize a passport for up to six months if they believe that the person is intending to go to Syria to become a foreign fighter (France seizes passports 2015).

There was an incident quite recently described as a failure and according to a retired detective, "Lives were put at risk by the failure of UK authorities to prosecute Abid Naseer in Manchester" (Britton UK's failure 2015). Naseer were thought to have planned terrorist attacks
but the authorities felt there was insufficient evidence in order to proceed with the prosecution and he was let free. In March, Naseer was found guilty for planning to bomb the Arndale Centre, a shopping mall in Manchester, and a New York subway. However, he was not found guilty in the UK, but in the US (Britton UK's failure 2015). There has since been strong criticism towards the UK and that their failure to convict Naseer could have resulted in the by far largest terror attack since 9/11.

This incident could very well be seen as fuel to the fire in terms of more strict legislations and the possibility to prosecute even though evidence might not be enough. The fact that Naseer had indeed plans of conducting such attack but were released by the UK might cause fear among its government as well as with the people of UK. It was mere luck that he was convicted in the US, otherwise the result had been devastating. Politicians and other institutions could use this case to demand stricter rules and the prosecution even though the evidence could be ambiguous. Some might say that this is a good thing and that people might feel safer knowing that foreign fighters, and others with connection to terrorist groups, will be taken to court. However, there is a underlying danger with this situation, namely that innocents might be convicted. It would, indeed, be devastating if a case like Naseer's would ever happen again, but it would also be devastating if one single person were convicted of a crime he did not commit, or intended to commit, due to the lack of evidence.

It is not possible to predict what will happen in the future, but it is very likely that the Naseer case will create fear among countries in the West and be used to endorse governments to prosecute more, convict more, and implement harsher punishments.

5.2.3.1 Foreign fighters do not intend to plan attacks on home ground

If one looks back to the chapter of theoretical frameworks, the second study written by Hegghammer is particularly interesting when it comes to the issues of finding evidence and thereby prosecute a foreign fighter. As it was mentioned above, in his article Hegghammer states that one out of nine could be at risk in terms of conducting future attacks back at home. That is, that a vast majority will not commit any violent acts once they return because then they would not have gone abroad in the first place. Instead, they would have become domestic fighters and not put themselves at risk by seeking conflict territory and the possible risks that is associated with that journey. However, does that mean that the one person out of nine should be able to slip through and become a possible risk in the future? This is a difficult
question to answer without having the ability to look into the future. A state for prosecution would say "absolutely not", while a state for rehabilitation might say "the chances are so small, almost none". Thus, the answer would have to come to depend on what ideological perspective the government has when it comes to defining man and his rights. Is the man possible to change and can he find a way out of the thoughts of radicalization? Also, there is an issue with determining who aims to travel to Syria and Iraq and fight for IS. Some cases might be easier than others, but in general there is an issue for the police to tell the purpose of the trip because the individual could be going to visit family or do some kind of local aid work for his community.

A very suitable ideology that needs to be mentioned here is utilitarianism. This ideology is not only applicable to this particular argument, but for all arguments that are used to promote prosecution and punishment of foreign fighters. In short words, utilitarianism;

"is the view that the rightness or wrongness of an action depends only on the total goodness or badness of its consequences, i.e. on the effect of the action on the welfare of all human beings (or perhaps all sentient beings)" (Smart, Williams 1973: 4)

In other words, utilitarianism is, by the look of the name, about maximizing utility. One can say that the goal for utilitarianism as an ideology is to make sure that the majority of the people are happy. In other words, the aim is to look after the greatest number of the people and look after their well-being. In this case, utilitarianism is quite simple to apply because this ideology would assert that it is in the common good to prosecute foreign fighters and separate them from society in order to protect the greatest number of people. Thus, there is no room to only have rehabilitation as an approach because one cannot take the risk of having one foreign fighter causing damaged to the other majority of the citizens. Then if they should undergo rehabilitation during the time in jail is another question, but it is far too risky to have returned foreign fighters mixed with other citizens because it is not possible to know whether or not one of them might plan an attack.
6. Conclusion and results

The aim of this thesis was to map out the main arguments found in the debate on Western foreign fighters in major newspapers in the West. The analysis has been completed and the result will be presented below. Furthermore, after presenting the result, I will be presenting my own thoughts and reflections on this topic. In an attempt of presenting a well structured thesis, the analysis was divided into two parts. The first part discussed arguments for rehabilitation while the second part discussed arguments for prosecution. The argument analysis provided the tools to extract the main arguments, or theses, and also find supporting arguments of these theses which made it possible to create a discussion in the analysis. By following the process explained in the methodological chapter I was able to come up with the result of these arguments. I will begin by discussing the results of the first part, namely rehabilitation.

The first part of the analysis focused on rehabilitation and the main arguments found in the major newspapers were that there is often lack of evidence to support criminal activity, thus it would be wrong to prosecute. The second argument was that radicalization strives within prisons and sending foreign fighters to prison might increase radicalization even more. The third argument was that returning Western foreign fighters deserve a second chance and the help to become productive citizens. The results show that there is a clear division within the West due to different ideological understandings which is reflected through the different action plans. Furthermore, the analysis showed that those who advocates rehabilitation fear that prosecution is only a quick solution to get the foreign fighters out of the way. Moreover, they emphasize on the studies which show that radicalization flourishes within prison and that prison is the perfect place to recruit new members. As one of the studies showed, 30,000 inmates in America converts to Islam every year. Many may have converted because they find peace within Islam to help them cope with the situation of being an inmate, however, there is no doubt that many of the converts are new members of radicalized groups.

The goal is to reduce the risk of having further radicalization among young men and women by rehabilitating them and helping them getting their lives in order to the point where they feel safe and comfortable, thus not going abroad again and continuing on the path of radicalization. The thought is good, but at the same time one can wonder how that process works if rehabilitation programs are not mandatory and the fact that meeting with a counselor
is not mandatory either. Opponents of rehabilitation emphasize on that rehabilitation programs are too easy on the returning foreign fighters. Also, the main question asked by advocates of prosecution was about the success rates but it is still too early to present any results. When some time have passed and some results can be presented, the whole debate will change and the change can go both ways. The results can indicate success or failure, either way, the debate will change.

When it comes to the second part of the analysis, the three main arguments found were that returning foreign fighters are a threat to the national security and should therefore be prosecuted, that many of those who return are perpetrators of war crimes, and the last argument was that there often is insufficient evidence for prosecution and therefore there need to be new legislations which would make it easier to prosecute. Their main point is that returning foreign fighters are criminals because they have potentially been a part of criminal activity in the conflict zone. They feel that prosecuting all foreign fighters, even when there might be a lack of evidence, is the right thing to do because of two reasons. The first reason is that it would send a signal showing that the state do not accept any act of support for terror but also that prosecution is safer in terms of instant results; foreign fighters will be removed from society for a long period of time, hence no new attacks during that time. Those who promote prosecution argue that by prosecuting them, they could intimidate others to not follow their example to become a foreign fighter. Advocates for rehabilitation feel that it would also be a crime to prosecute innocent people and it would be wrong to even risk ending up in a situation where one single innocent gets convicted.

However, promoters of prosecution would argue that it is the risk one has to take in order to keep the rest of the citizens safe. Hence, it is more important to protect the vast majority of the citizens by incarcerate them than it is to risk prosecuting a foreign fighter who might not have been involved in criminal actions. The theories and ideologies used to support and discuss the different arguments give an interesting perspective on the debate and makes it possible to understand an argument in a bigger context. For example, the utilitarianism was used to explain the example just mentioned, namely, that the focus should be to make the majority of the people happy even though it might be on a small majority's expense. Those who argue for rehabilitation would not agree with this at all because the small majority should be valued as well even though they might have made some mistakes.
Both sides seem to feel quite strongly for their approach and the big questions is: which one is the right one? Unfortunately, there is no answer yet. At some point, it might be possible to see some kind of directives on how to deal with returning foreign fighters by the authorities above the states like the European Union or the United Nations. One example which was mentioned during the analysis was if foreign fighters should be considered to be perpetrators of war crimes or not. If such directives should be made the debate would change completely. Some states might feel very negatively towards such directives and would protest against them. However, maybe it would be a good idea to decide on some kind of rules which would contribute to some consistency within the West. Right now, the West seems very divided and a foreign fighter can be treated very well in one country but be treated as a terrorist in the neighboring country. Consistency and cooperation is what the West needs right now but by looking at the debate, those days are far away.

If one looks at the relationship between media and terrorism, their symbiotic relationship is very evident. The debate on foreign fighters is good for both parties because media is reporting on a current topic which many is interested in. It is also through media people can easily access the latest news and developments within politics and events around the world. However, the articles which have been presented in this thesis also support the needs of groups like IS. By that I mean that media is reporting about Westerners who have left their comfortable lives to join jihad in a conflict zone. By discussing this, media is giving the message that there are many IS supporters from the West, which is a positive aspect for IS. It is positive because it would show that there are strong support for their cause and this might result in that more people feel obligated or convinced to join as well. Also, one cannot forget the fear that is very obvious in the debate. This fear is exactly what IS would want media to spread around the Western world. The question is if governments should try to regulate media outlets and control what messages they are giving about terrorists and foreign fighters. Not only would that be violating basic democratic rights, but it would also be kind of pointless because information can easily be accessible due to globalization. If this strategy would be successful, all countries within the West would have to agree upon such regulations which is quite unrealistic.
6.1 My Thoughts and reflections

This thesis have given me a new perspective and I can now understand how very wide this topic really is and how many different forums it expands over. It has been an interesting experience to learn more about the thoughts and ideas which form the action plans in different countries. I will continue to round up this thesis by presenting my own view and reflections on how returning foreign fighters should be handled based on what I have learnt during the process of writing this thesis.

First of all, I would like to emphasize that these are only my reflections and I do not intend to suggest that these ideas are what all states should implement straight away, because these thoughts are not ground breaking in any way. With that being said, I would like to advocate an approach which combines aspects from both methods but first it might be a good idea to explain my view on who these foreign fighters are. My perception of a foreign fighter goes well in line with the first theory presented at the beginning of this thesis, namely, "Putting the Pieces Together". This research shows that foreign fighters are most likely to be "normal" in terms of having a job and/or education, they have a good relation with their friends and families and the majority of them are most likely not to be unemployed, poor, and experience social isolation. Furthermore, I also believe that many of those who leave for jihad know exactly what they are doing, hence it is a rational choice, but I also believe that many are lured into a romanticized picture of a very harsh reality and that they do not know what they are getting themselves into. That might seem contradicting but I feel that their decision is not mainly based on negative circumstances in their environment and how they are products of the society. Instead, at one point, there is some kind of persuasion going on and I believe that the main factor of the drastic decision to become a foreign fighter lies within the individual and whether or not the individual is able to withstand being influenced by actual recruiters and texts. Thus, my perception of an effective approach would be to combine the two approaches discussed in this thesis.

I can see the benefits of a rehabilitation program and how important it is to offer help. However, I also feel that counseling should be mandatory and not something the individual can refuse, as a matter of fact, the rehabilitation program should be mandatory for all returning fighters. The current status in most countries where rehabilitation programs exists is that they are not mandatory and the individual can apply for the program. Also, they can be a part of the program but they can choose to refuse counseling. I feel that these programs, and especially counseling, should be mandatory because if the foreign fighter does not see the
mistakes he or she has made and accepts the help of trying to understand why these decision were made, then how are they going to be able to withstand bad decisions in the future? The point of having a rehabilitation program, in my opinion, is to help the individual understand that the main mistake was to be influenced by others and believe the words spoken by the recruiters. Religion is a beautiful thing, but sadly, there are people who will use religion to gain support for political agendas. Therefore, Islamic leaders and scholars should be used to create a dialogue with returning foreign fighters, but also with the youth around the West. Which takes me to the next step, prevention. I feel that states should work more on how to prevent radicalization among young men and women through social events and seminars. Local authorities and schools need to be more active when it comes to having an open dialogue with the youth about these kind of questions. After all, the people who are becoming foreign fighters do not see themselves as terrorist but as fighters of a good cause. There need to be a more clear discussion with the youth about the relationship between violence and religion and how some might take advantage of people's good beliefs.

Furthermore, I do promote stricter measures to be taken if it is needed. If there are evidence supporting criminal activities, they should be prosecuted. A none-tolerance attitude might be too harsh but at the same time, there need to be some signals showing that such actions are not acceptable. If a foreign fighter is sentenced to prison, he or she should be following through with a rehabilitation program as well. Also, I feel that France has a very good method when it comes to taking the passports of those who are suspected of leaving for jihad. However, the guidelines for this process should be very well formulated because there is always a chance that this action could be abused by authorities. There is a fear that some returning foreign fighters only return to get treated for injuries or to just catch a break before going back to the conflict zone. To take the passport away could prevent the individual from going abroad in the first place, and prevent returning foreign fighters to return back to jihad once they have visited their families and gotten help with possible battle-related injuries. Still, as mentioned, these guidelines need to be very clear so that they will not be over exploit by authorities.

Finally, my general understanding from reading the material for this thesis is that the debate is too focused on what the politicians are going to do about returning foreign fighters and how they can prevent them from leaving the West in the first place. The debate on foreign fighters is not only a topic for politicians, nor is it only restricted to certain academic fields. My concluding thoughts are that it seems like many believe the issues with foreign fighters are strictly a political matter. However, this is a matter that affects everyone in a society, from the
individual and all the way up to the government. In order to find a good and long term solution to this problem, everyone has to be involved in the process and it is the politicians job to make sure that everyone is involved. All citizens can be involved by having a good dialogue between local authorities and the community, for example. The main reason for getting all citizens involved in the process of counterterrorism is that the people who are most likely to find out about radicalization at an early stage are the ones who are in contact with the actual individual, like friends and family. Although, there seem to be many cases where not even the family had any clues that their child had left to join a terror organization, but in most situation there might be someone who suspects something. Therefore, I feel that politicians and the authorities have to include the society more in this process because they do need that help.

6.2 Further research suggestions

As a last step of this thesis, I will suggest further research topics building on this one. This topic is not even close to be fully understood and therefore there is a need of further studies that can bring more clarity on the matter. The aim of this thesis was merely to map out the main arguments of the debate in order to contribute with a structured representation of the debate on foreign fighters in major Western newspapers and there are several suggestions on how to continue with a research based on reading this thesis. However, I will narrow them down into three suggestions.

The first suggestion for a future research would be to see how well these arguments found in the analysis are connected to the political ideology of the ruling party within the states. For instance, is the statement from the Prime Minister of Britain consistent with the ideological thoughts of the rest of the party? This would be an interesting study, especially for someone within the field of political science.

The second suggestion is something that can be done some years from now. It would be interesting to continue and see if the arguments have changed and if they are still based on the same ideological perspective as they were in this thesis. For example, has the debate changed over the last few years? Are the main arguments still the same? Are there any new approaches?
The third suggestion would also be more suitable in the future, but a very interesting study would be to do a research on the result of rehabilitation programs and compare that to the result of prosecuted foreign fighters. Which approach seems to be more successful? Have there been any relapses? Are they reintegrated to society? Have any of them went back to a conflict zone?
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