

This is a pre-publication submission copy before editing of

**“CYBER-GROOMING YOUNG WOMEN FOR TERRORIST ACTIVITY:
DOMINANT AND SUBJUGATED EXPLANATORY NARRATIVES” pp 23-47**

in E. Viano (ed.) *Cybercrime, Organised Crime, and Societal Responses* (Springer 2017),
DOI https://doi.org/10.1007/978-3-319-44501-4_2

Print ISBN 978-3-319-44499-4

Online ISBN 978-3-319-44501-4

Professor Susan Edwards, BA, MA, Ph.D, LL.M; Dean of Law, University of Buckingham UK;
Barrister, Door Tenant, 1 Gray's Inn Square, London, Expert Witness (MEWI)
email: susan.edwards@buckingham.ac.uk

Abstract: In recent years it is estimated that at least 700 men and 50-60 women have travelled to Syria from the UK alone to join IS/ Daesh. This article focuses on young women and schoolgirls who have left their families to join IS. It explores the role of cyberspace in their recruitment and examines their likely motivation for involvement in terrorist activities. It sets out the burgeoning of counter-terrorist strategies within criminal law to prevent and to punish and explores the contrasting protective approach of the family courts.

Keywords: terrorism, IS brides, cybercrime, grooming

1. YOUNG WOMEN, SCHOOLGIRLS AND IS/DAESH

Evidence submitted to the UK Home Affairs Select Committee on Countering Extremism (19th January 2016) estimated that between 700 and 800 people have travelled from Britain to Syria to join IS/Daesh. Of those, the British Home Secretary, in a statement on Counter Terrorism on January 5th 2016, referring to Metropolitan Police statistics, said about half had returned. It is estimated that of those travelling to Syria, 50-60 are young women and teenage schoolgirls. It is widely accepted that these young women are “recruited” and “cyber-groomed” online via social media (Hoyle, Bradford & Frenett 2015). Whilst the UK’s much contested and debated ‘Prevent’ agenda (see Coppock 2014, Edwards 2016) (the subject of objection by University lecturers because of its challenge to freedom of speech and its essentialist vilification of Muslims and the subject of a unanimous vote against the strategy by the National Union of Teachers at its conference on March 28th 2016) has focused on mosques, schools, universities and other public spaces as key venues of potential recruitment it is evident that it is within the private spaces of the study and the bedroom, the park, the street or theatre etc., and in any internet geolocation, that cyber-grooming takes place. Yusra Hussien, (15 years of age) from Bristol, was reported to have travelled to Syria to marry and become a “Jihadi bride” was thought to have been recruited via the internet. Aqsa Mahmood, aged 20, from Glasgow, was reported to have encouraged terrorist acts via social media using the pseudonym “Umm Layth” and was also thought to have been recruited via the internet. Salma and Zahra Halane, both 16 years of age, left their home in Manchester in 2014, and were said to have sent messages home to their families encouraging them to join IS. More recently, in 2015, Shamima Begum 15 years of age, Amira Abase

and Kadiza Sultana (the “Bethnal Green Academy schoolgirls”) left their London homes to join IS. Two of them are said to have entered into marriages arranged by IS. It has been reported that Amira Abase married an Australian “jihadi” who was killed fighting for IS and that Kadiza Sultana also married and her husband has also died. It is believed that cyberspace was used to contact and recruit them. Contrary to the promulgated view that has so exercised the public imagination that such recruitment happens within Muslim communities and places where they gather, which has authorised the over policing and over surveillance of these communities (see Fussey 2013), the communication and grooming is happening in secret online.

The use of young women by terrorist groups was the subject of investigation by the Home Affairs Select Committee on Counter Terrorism on January 28th 2014, but at that time the involvement of young women was still viewed with some scepticism. Paul Flynn MP., a member of the Committee, put the following question to Gilles de Kerchove, EU Counterterrorism Coordinator, “On the 16th of this month, two women were arrested carrying a large sum of money to Syria. Is this, again, another trend that is obvious throughout Europe—of women being used as couriers for large sums of money? Gilles de Kerchove replied: “I had not heard many cases of that sort, but that is probably the first time we have seen that women are going to Syria” (Question 515). Arguably it is the gendered presumption of women’s unlikely involvement in terrorist activity that no doubt contributed to the police failings to apprehend, intercept and return the “Bethnal Green Academy schoolgirls” notwithstanding that their families had reported the disappearance of these school girls who were legally “minors” immediately to the police. Significantly, two of the three girls were only 15 years of age, the oldest being only 16 years old (see Edwards 2015). The schoolgirls were observed at the border control and observed on CCTV standing in a bus station in Turkey for many hours before travelling on to Syria. These and other police failings were the subject of investigation by the Home Affairs Committee on 10th March 2015. (Home Affairs Committee, 10th March 2015 oral evidence). Certainly by 2015, the evidence of young women leaving the UK to join IS was incontrovertible. However the mere leaving the UK to travel to Syria was not criminalised until the Counter Terrorism and Security Act 2015 came into force in July 2015, this was after the young women mentioned above had left for Syria.

By 2015, a number of women were being prosecuted in the UK for using social media as a “tool for terrorism.” For example in Runa Khan pleaded guilty in December 2014 to four offences under the Terrorism Act 2006 ss. 2, 3 which prohibits “dissemination” over the internet of material likely to be useful in terrorist activity. She had posted on Facebook an article entitled “Raising Mujahid Children”, and used “What’s App,” messaging her desire to travel to Syria. She was sentenced to five years imprisonment. On March 27th 2015, Hana Khan was found guilty of funding terrorism (Terrorism Act 2000 s. 15). She had sent a man one thousand pounds, he had duped her into believing was her boyfriend 2015. Tareena Shakil travelled to Syria with her 14 month old son to join IS and posted pictures of him on social media wearing an IS balaclava. In 2015, she returned to the UK. She was convicted of “encouraging acts of terrorism” (Terrorism Act 2006 s. 1) and being a member of IS, a “proscribed organization” (Terrorism Act 2000 s. 11). Her counsel, Tim Moloney QC, said she had developed friendships online after her marriage failed and that she was “groomed” by IS members. Evidence from her friends was adduced as to her character. They described her as an ordinary young woman, who was “fun loving” and who liked “the Spice Girls”. She was sentenced to a term of six years imprisonment on February 1st 2016. In addition to young single women leaving to join IS, in 2015, three families left the UK for Syria to join IS. Muhammed Abdul Mannan and his extended family; Farzana Ameen and her husband Imran and five children, and a third family headed by three sisters the Dawood sisters (left for Syria with their nine children. These families have not been intercepted not have they returned to the UK.

Official statistics on the prosecution of suspects for terrorist related offences under the Terrorism Act 2000 for the period 2014-2015, record 299 arrests, of which 118 persons were charged with an offence, of which 85% were considered to be terrorist related offences. 52 were proceeded against, and of these, 42 (81%) were convicted, of whom 27 entered a guilty plea. The most common offence charged, is “preparation of terrorist acts” (Terrorism Act 2006 s. 5) This section states, “(1)A person commits an offence if, with the intention of— (a)committing acts of terrorism, or (b)assisting another to commit such acts, he engages in any conduct in preparation for giving effect to his intention)”. Significantly, the proportion of women arrested for terrorism related offences has increased since September 11th 2001 and 12 per cent of offences (in 2014-2015) relate to 35 women (Official statistics on the prosecution of suspect terrorist activities and the operation of police powers under the Terrorism Act 2000 and subsequent legislation for year ending 31 March 2015).

2. GROOMING IN CYBER-SPACE FOR TERRORIST RECRUITMENT

Clive Walker and Maura Conway (2015, p.156), examine the role played by mass communications technology in terrorist and extremist movements and identify the several legal measures introduced to deal with the use of the internet by extremist groups including the closing down of some online websites (p. 157), the criminalization of precursor activity as a preventative measure (p. 163), countering the ideology of terrorism through the creation of new crimes (p. 164) and the introduction of preventive measures in the “Prevent” policy. The “Prevent” policy places a duty on “responsible authorities” on a statutory footing Counter Terrorism and Security Act 2015 s 26. To have regard to the need to prevent people from being drawn into terrorism. Fisher and Prucha (2014) in particular, point to the resilient and persistent jihadist presence on Twitter and point to the dedicated “media mujahideen.” Dilipraj (2015) also details the several ways in which “jihadist” groups have developed a network of Twitter accounts, chat rooms and forums etc. including the use of “You Tube” which continually gives them an ideological presence for jihadist propaganda. Certainly, cyber-space has played a significant role in engaging support and recruitment to Syria including the grooming and recruitment of young women to Syria to become “jihadi brides” and to serve in other ways. The cyber-space platform is determined and specific and part of an “electronic ribat” (Fisher and Prucha 2014).

By 2016, the UK governments’ concern with the potential of cyber-grooming for terrorist purposes and its limited understanding of how young people access cyber space resulted in directing its maladroit pre-emptive prevention strategy towards Muslim mothers who the government positioned as the key gatekeepers in preventing adult and teenage offspring being drawn into terrorism. The UK Prime Minister said on BBC Radio 4 on January 16th 2016, “If you're not able to speak English, you're not able to integrate, you may find, therefore, that you have challenges understanding what your identity is and you could be more susceptible to the extremist message that comes from Daesh,” and he went on to say that Muslim mothers unable to read English would be unable to “monitor” the behaviour of those in their families for whom they were responsible. This underscores a fundamental lack of understanding of how social media is accessed in that private space between the internet device and the user. The Home Affairs Select Committee on Countering Extremism on 19th January, 2016, questioned David Anderson QC (Independent reviewer of terrorism legislation) on this very point. Chairman Mr Keith Vaz asked: “One of the points that the Prime Minister made yesterday is that he felt that it was a language problem and that, by giving Muslim mothers, in effect, £20 million to teach them how to speak English, this would somehow have an effect on stopping people going, because it is the Muslim mothers, in particular, who seem to be encouraging people. Do you agree with what the Prime Minister has said? Do you think that that is one way of making sure that people are more integrated?” (Question 930). David Anderson QC

replied, “I think it is unfortunate that this whole question of language learning, which is a very important part of the integration and empowerment of women, should get mixed up with the business of ISIS”.

Few parents, regardless of religion or ethnicity, are able to “police” or exercise this sort of control over their teenage sons or daughters. Michael Ellis, a member of the Home Affairs Select Committee (see Home Affairs Committee on Counter Terrorism 2015, 10th March 2015), put a question to the father of Amira Abase (one of the “Bethnal Green Academy schoolgirls”) in which he indicated his concern and scepticism that the schoolgirls were able to have access to their own passports. “The passports are in your possession and control at home and your daughter knew where they were... So you are assuming your daughter took the passport without your knowledge”? Mr. Abase replied, “Yes, of course, she is trustworthy. They are free.” The reality is that parents have little understanding of social media and even less control over their adolescent offspring’s activities in their use of cyber-space.

How should the law should protect young people including young women from IS and the use by IS of the internet in recruiting them? The response of the UK government to IS/Daesh’s use of cyber-space has been to strengthen existing criminal legislation by the Terrorism Act 2006 to include the internet. Section 3(1) (a) specifically prohibits the “encouragement” and dissemination of publications for terrorist purposes extending the offence to the internet. “(1) This section applies for the purposes of sections 1 and 2 in relation to cases where— (a) a statement is published or caused to be published in the course of, or in connection with, the provision or use of a service provided electronically; or (b) conduct falling within section 2(2) was in the course of, or in connection with, the provision or use of such a service.” But there is even by 2016 still little specific provision for terrorist grooming.

i. Grooming young women

As already pointed out the internet has been used to target young women and schoolgirls who are being groomed online to enlist them in a range of extremist and terrorist activities including leaving the UK to join IS (see “Britain’s Jihadi Brides” 2015). The role of young women is hugely important to IS as an army of domestic workers who provide all the domestic services needed to support IS. Young women also provide the sexual services required by men. Some women are marrying the jihadi fighters but it is unlikely even given the tenets of the interpretation of Islam IS states it adheres to that women are providing sexual services within monogamy. Some women are also being used to provide sexual services to many men. Thus the sexual abuse of women is operating at two levels first, within the context of marriage and second, outside marriage where women are providing a sexual service vicariously to several men. There is considerable agreement on this point. Jacoby (2015) argues that, “many women have accepted as their duty to contribute to violent Jihad by serving in domesticated roles as wives, mothers, caregivers, homemakers, community builders, and symbols of national unity” (p.533). The gender based abduction and tactical use of young school girls by Boko Haram provides an insight into the use and abuse of women in this way (Zenn and Pearson 2014).

Willingness to succumb to a domestic role may well stand in sharp contradistinction to women’s role in nationalist struggles and in revolutionary movements. Young women may well see themselves in this idealized role. Although it may also be the case that women are prepared to sacrifice any gains they can make for women’s equality or for women as a group, to the common good of the so called jihad struggle. Research on “British Jihadists: Preventing Travel Abroad and Stopping Attacks at Home” conducted by the Henry Jackson Society, September 2014, reveals how advice is offered on how to get to Syria, details of the idealized life that awaits young women, and

their role and status as a wife in the Jihad, all of which may be very far removed from the reality that they experience on a daily basis. It is not certainly not clear whether these women become involved volitionally, it is more likely that they are coerced and compelled.

Not surprisingly the legal defence submissions and narratives in the Shakil, Khan, and Khan cases (above) present the defendant as a woman under duress, whose will has been overborne or else has been duped, tricked and misled. Some women are certainly woefully misled, and jihadists through social media are easily reaching schoolgirls and young women through cyber-space. Such women are the perfect target since they are single, unattached, without sexual experience and the ideal woman to indoctrinate, and groom to leave their homes to travel to Syria and to join these men with promises of status, role, significance and meaningful life in assisting in the creation of IS's perverted version of an Islamic state. As Shakil (above) insisted: "For me, what it was about was living a Muslim life. I just wanted to live an Islamic life, not to kill anybody." The criminal law however does not sufficiently capture these new offences of internet grooming for terrorism recruitment. The criminal law however does recognise "grooming" in the commission of sexual offences. The Sexual Offences Act 2003, s. 15, criminalises the meeting of a child following sexual grooming, etc., where the child is under 16: "Where A has met or communicated with another person (B) on at least one occasion (as amended by the Criminal Justice and Courts Act 2015 s. 36), and intentionally meets B, or travels with the intention of meeting B in any part of the world or arranges to meet B in any part of the world." This offence was extended to online grooming Serious Crime Act 2015 s. 67 criminalising sexual communication with a child.

ii. Trafficking young women

These young women who are going to Syria are not only being "groomed," but they are being trafficked and certainly once outside the UK they are being coerced and likely trafficked into sexual slavery. There is evidence that young women and men are being trafficked to join IS and also being trafficked within IS (cited in Jacoby p.537). "Even when girls join ISIS voluntarily, they may find themselves in situations of sexual slavery" (p. 538). The recent introduction of the Modern Slavery Act 2015 provides for protection against slavery, servitude and forced labour. It is yet as far as I am aware to be interpreted to apply to anyone who has attempted to traffic women to join IS. Section 2 (1) provides "A person commits an offence if the person arranges or facilitates the travel of another person ("V") with a view to V being exploited.(2) It is irrelevant whether V consents to the travel (whether V is an adult or a child).(3)A person may in particular arrange or facilitate V's travel by recruiting V, transporting or transferring V, harbouring or receiving V, or transferring or exchanging control over V. (4)A person arranges or facilitates V's travel with a view to V being exploited only if—(a)the person intends to exploit V (in any part of the world) during or after the travel." Once outside the UK these person are extremely vulnerable as Jacoby points out (p. 538) "...those girls and women who already joined are now located in situations of armed conflict, outside the reach of international law, without diplomatic support and difficult, if not impossible, to rescue".

As for the young girls and young women recruited, groomed and trafficked by IS and those subsequently involved in terrorist related activities, should they be apprehended and intercepted or should they return to the UK are any defences available to them? The general defence of duress is available but the current criminal law defence is extremely restricted. The House of Lords judgment in *R v Hasan* [2005] reaffirmed the requirement of threat of death or serious injury. In addition it reinstated the earlier position that the threat was to be carried out immediately if the defence is to be operative. It is unlikely that any woman or young girl groomed or trafficked to join IS could rely on this defence since she may not be threatened with immediate death or serious bodily harm. The recent addition of the Modern Slavery Act 2015 s. 45, offers a defence akin to duress for those accused of trafficking offences where they are indeed themselves the victims of trafficking. So a person is not guilty of an offence if compelled and "(c) the compulsion is attributable to slavery or to relevant

exploitation, and (d) a reasonable person in the same situation as the person and having the person's relevant characteristics would have no realistic alternative to doing that act". Could this provision and this defence be used in cases where women are groomed to join IS. First there would need to be a change of consciousness whereby those joining IS were perceived as compelled and as victims. After all it is only recently that international law recognised that trafficked persons were compelled and compelled to engage in criminal offences. We are witnessing the victimization, abduction, kidnapping, and grooming of young girls through IS's use of cyber- space. After all like cyber-crime why meet face to face when you can recruit simply through social media and be thousands of miles away beyond the reach of the law. These young women are held in sexual slavery. This new slavery is presented to them as the professed 'freedom' of IS. These women and schoolgirls believe that a life with IS/Daesh will offer them freedom, a choice of partners, ideologically supported by a belief that they are following their faith and fighting ideologically against a corrupt and colonialist Kufirist West.

3. EXPLAINING FEMALE RECRUITMENT: DOMINANT AND SUBJUGATED DISCOURSES

Repeatedly the seminal question asked, is whether there is anything distinct about the backgrounds, psychology, religious commitment of these young women and schoolgirls that can be identified as contributing to their "vulnerability" or "susceptibility" for grooming and trafficking by terrorist groups. Invariably the answer is "No". However, a crisis of identity, a sense of grievance, and religious fanaticism have nevertheless been repeatedly identified by the UK government as significant factors in their recruitment, and are factors which have informed the UK governments "Prevent" strategy and Prevent duty guidance. (<https://www.gov.uk/government/publications/prevent-duty-guidance>). Vulnerability for terrorism is understood by the British government to mean something quite specific. "Most significantly, these "vulnerabilities" are closely tied to issues of integration into, and social cohesion with, a normalised understanding of British society" (Martin 2014, p.67). The Home Office took the view that that communities who cannot or will not participate in all civic society "are more likely to be vulnerable to radicalization by all kinds of terrorist groups" (cited in Martin 2014, p. 67). Indeed, the UK Prime Minister echoed this when he said that those who are not integrated into the British way of life could be more susceptible to the extremist message that comes from Daesh. So in this new age there seems little space for recognition of different cultures with different identities (the Parekh ideal), the multicultural ideal has indeed become a multicultural fallacy.

In looking to the narratives that are proposed to offer an explanation for those who have been recruited into terrorism some narratives have a privileged place whilst others are silenced. Michel Foucault in his lecture "Power and Knowledge" (1976, 1980) identifies what he calls subjugated knowledge as "...the historical contents that have been buried and disguised in a functionalist coherence or formal systemization. By 'subjugated knowledges' one should understand something else...namely a whole set of knowledges that have been disqualified as inadequate to the task or insufficiently elaborated; naive knowledges, located low down on the hierarchy, beneath the required level of cognition or scientificity" (1980 p. 81). But it is not simply that these knowledges have been buried by some accident of history, as Althusser (1970) in his analysis of what he calls ideological state apparatuses writes, "In other words, the school (but also other State institutions like the Church, or other apparatuses like the Army) teaches 'know-how', but in forms which ensure subjection to the ruling ideology or the mastery of its 'practice'". Knowledge that does not serve the state ideological apparatus or the dominant ruling, economic, intellectual or political force is knowledge or ideas that are consciously suppressed and "gulaged". Foucault as did Althusser also identifies the centrality of law in this process, "The system of right, the domain of the law, are permanent agents of these relations of domination, these polymorphous techniques of subjugation" (Foucault 1980, p. 96).

This concept of “subjugated knowledge” is useful in examining the silencing and marginalization of those explanations of terrorist activities which do not conform to the governmental agenda. There has been considerable discussion of the subjugation of alternate knowledges specifically within the field of terrorism studies (Jackson 2012) but little attempt to explore how this specifically operates in relation to understanding women’s motivation for terrorist involvement.

The dominant official discourses explaining young women and schoolgirls leaving the UK to join IS have focused on the pressures of traditional Muslim family life and the role of religion. The gendering of these analyses demonstrates the incredulity and inability to understand how the apparently subjugated Muslim female can at the same time become a woman with agency. These explanations straddle the binaries of the trope of women being led and controlled on the one hand, or else inhabiting some demonic space out with femininity and womanhood on the other. The narratives and the understandings of the motives of these young women is very much presented from an orientalist perspective either they are vulnerable and victim, or else beyond redemption especially when they involve their own children, as in the cases of Shakil and Khan (above). The impact of oriental stereotyping imaginings on the shaping of official discourse and media representation is prominent in the work of Maryam Khalid (2011) Tami Jacoby (2015) and Kathy Lester and Edna Erez (2015). Khalid (2011, p.18) examines the representation of men and women and argues that these sexual binaries are highly gendered where gendered orientalism marks “‘Other’ women as voiceless victims of a barbaric (male)” (p. 16). So that men are represented as “evil” and “barbaric” and women as the oppressed victim. Khalid significantly adopts the framework of analysis provided by Edward Said’s *Orientalism* (1979) in her endeavour “to uncover the power relationships that underscore the representations of the ‘Other’ in the War on Terror” (p. 15). This has also led to the appropriation of the “saving women” of the East crusade rhetoric behind which to hide and veil the real motivation which is to conquer and dominate parts of the Middle East and justify military intervention. But are women who join IS always the voiceless victims or do they have agency? Laster and Erez (2015) certainly think that they have agency and they query how is it that in exceptional circumstances patriarchy lets women into what has been typically men’s business. They suggest that the representation of women as passive, victims, helpless, maternal etc., actually provides women with an advantage (p. 88). This advantage lies in the element of surprise since the stereotypical expectation of such women is that they will be subservient and that this ‘reading’ of women may determine the onlooker’s response to her. Indeed, Fanon (1965), identified how the French military in Algeria ‘read’ the veil as a symbol of subjugation and responded to women accordingly, yet women used the veil imbuing it with a new meaning and with a revolutionary potential as it enabled them to conduct bombing campaigns undetected. Jacoby (2015) is not persuaded that such women have been able to free themselves from a subservient gendered life. She suggests that women “have accepted as their duty to contribute to violent jihad by serving domesticated roles as wives, mothers, caregivers, homemakers, community builders, and symbols of national unity” (p.533). Jacoby identifies their role as part of “state building” and IS’s manifesto for recruiting women bear and give birth to the future Caliphate (p. 535). Mia Bloom’ (2011a) echoes this state building agenda in that women are seen as little more than ‘baby factories’ in the desire to populate the new ‘purist’ Islamic state. Certainly some women have positioned themselves or been positioned by IS as “mothers” in this quest. Aqsa Mahmood otherwise reportedly known as “Umm Layth” (Mother of Layth), is reported to have written on a twitter account in her name, “We are created to be mothers and wives - as much as the western society has warped your views on this with a hidden feminist mentality.” Zine (2006) is right when she argues that women are caught somewhere between orientalism and fundamentalism.

Dominant Discourses

i. Conservative families -subjugated lives

The too conservative Muslim family has been suggested as one of the reasons that propel women into joining IS or else make them more vulnerable to its influence. Of those women who left for Syria did they come from families with proscribed and fixed gender roles? Were women's life chances restricted by culture and custom? Were their educational, career and employment prospects, social and family opportunities limited? Is it the case that arranged marriage would have been the norm and expectation? Indeed, there is some academic support for this perception. Jacoby (2015, p.538) suggest that "a Muslim girl may envision in ISIS an escape from unbearable social pressures to conform". Bloom has similarly argued that an oppressive culture may be a trigger making her vulnerable (Bloom 2011a, 2011b). On the arranged marriage question, Sardar (2013) writes: "Arranged marriages work in this framework of extended family. They are the heartbeat of Asian tradition". The harsh reality of forced marriage cannot be ignored either. One thousand forced marriages have been recorded in the UK since the introduction of the Anti-Social Behaviour Crime and Policing Act 2014. The Forced Marriage Protection Unit reported that 40% of victims were below 18 years of age. Domestic violence may also be another factor. Certainly, there is evidence that for some Asian and Muslim women the rates of unhappiness in families is high if suicide rates are indeed a measure of unhappiness. For example, Southall Black Sisters in their report "Sane and Safe" (see <http://www.southallblacksisters.org.uk/reports/safe-and-sane-report/>) stated that suicide rates among British women of Asian origin is twice the national average. Women under 35 were three times more likely to kill themselves than other ethnic groups citing domestic violence, abuse and arranged marriage as the main causes. Or is this just Orientalism? On the other hand, if some Muslim women are under the control of their families how is it that they break free at all? The subjugation of women in their own communities, may certainly be a factor in vulnerabilising young women to the draw of a life with IS which is portrayed as freedom. But do families that exert control over their children produce children who become dissidents or terrorists any more than any other family forms? Or is this thinking just essentialism? However it is persuasive that whilst these women may be abandoning their families at the same time they do not abandon their culture, or religion but can see themselves as contributing pro-actively to what they perceive as a "truly" Islamic movement which is also taking a position against Western imperialism. IS propaganda presents IS to them as an altruistic and noble movement. As Shakil (above) said her involvement was just about leading and living what she saw as a Muslim life.

ii. *Pathological or 'nothing exceptional'*

Another enduring dominant explanatory narrative is the belief that the families from which these young women and schoolgirls are drawn must in some way be very different from other families. These suppositions formed the basis of questions the Home Affairs Committee on Counter Terrorism (2015) 10th March 2015, put to Fahmida Aziz, first cousin to Khadija Sultana, and to Sahima Begum the sister of Shamima Begum and to Hussen Abase, father of Amira Abase (the families, of the "Bethnal Green Academy" schoolgirls). Yet, in all their answers the families confirmed that neither the schoolgirls nor their families were in any way distinct or different. In responding to the question from Mr Keith Vaz Chair of the Committee, "Had you any idea that they were being radicalised"? Hussen Abase, father of Amira Abase said, "Not at all". The older sister of Shamima Begum similarly responded, "My sister was into everything normal there was nothing to indicate...My sister was into any normal teenage things. She used to watch 'Keeping up with the Kardashians' and stuff like that." (Question 185). Nor said the witnesses did the school have any indicators.

Similarly, even where young girls have become involved in "promoting terrorism" there is still nothing in their family background to point to anything identifiably different about them or their families. Samina Malik, (*R v Malik (Samina Hussain)* [2008]), the so called "lyrical terrorist," (the name she gave herself because she wanted to 'be cool') was employed as a sales assistant in W.H.

Smith's newspaper shop at Heathrow airport in London. She wrote so called "poems" on pieces of paper and on till receipts and then later posted them on social media. "The desire within me increases every day to go for martyrdom, the need to go increases second by second.... Show the children videos and pictures of Mujahideen and tell them to become strong". At her trial the prosecution presented her as a "committed Islamic extremist who supports terrorism and terrorists." In her defence she said the poems were meaningless. She was convicted of the offence of "glorifying terrorism" (Terrorism Act 2000 s.58) and sentenced to a term of 9 months imprisonment. On appeal against conviction (allowed) she said she wanted to "move on with her life" and "become a housewife." Such conservative gendered aspirations for her future life suggested that in fact she was indeed a very ordinary girl who wanted to 'be cool' and no doubt felt frustrated and trapped in a dead end job as a sales assistant. Despite a wealth of evidence which points to there being nothing different about these young girls or their families, government policies on counter-terrorism have been directed at the control and surveillance of the Muslim community en masse treating them as a "suspect community" and stigmatising them.

iii. Pathological Muslim men

The dominant discourse and writings on Muslim men have stigmatised Muslim communities and focused on the danger they present and presented Islam in all its representations as fanaticism. The ideologies and tropes of Muslim men and Muslim male youth (see Lynch 2013) echo Edward Said's concerns (1997). The Muslim man is, as Khalid points out, especially at this time "a threat to be contained" (Khalid 2011, p. 23). In bolstering and grounding this representation, any male transgression is broadly publicised and used to caricature all Muslim men in general terms. Susan Okin's 'Is Multi culturalism bad for women?' (1999) for example, in exploring Islamic community's focuses on the worst instances of patriarchal culture including, honour killing and suggests that "extinction" of the culture is the preferred solution. "In the case of a more patriarchal minority culture, no argument can be made on the basis of self-respect or freedom that the female members of the culture have a clear interest in its preservation. Indeed, they might be much better off if the culture into which they were born were either to become extinct (so that its members would become integrated into the less sexist surrounding culture) or, preferably, to be encouraged to alter itself so as to reinforce the equality of women . . ." (pp. 2,3). Okin is not without her critics. Abu-Lughod (2015) makes the point that the iconic use of honour crime as an exemplar of cultural practices stigmatises not only particular acts of violence but entire communities (Abu-Lughod p. 114). For example, the recent representation in UK national public debate which focussed on a group of men in Bradford, England (who happened to be of Pakistani descent) and were responsible for the trafficking of young girls provides just one example of this essentializing. Jack Straw, MP. saw this trafficking of young girls by Pakistani men as a "suspect community" problem. Stigmatizing the entire Pakistani community he said in 2011, "But there is a specific problem which involves Pakistani heritage men ... who target vulnerable young white girls. ... We need to get the Pakistani community to think much more clearly about why this is going on and to be more open about the problems that are leading to a number of Pakistani heritage men thinking it is OK to target white girls in this way". Attempts to explain this problem have theorised this behaviour as an inevitable product of a community where sexual restrictions are placed on males and females limiting sexual encounters outside marriage suggesting that the cultural norms of Muslim communities forces them to prey on young non-Asian girls. What impact do these negative representations and the continual production and reproduction of these diatribes of hostility and racialized misrepresentation have on the sense of identity and dignity of men and of women in these communities? To what extent does the pathologization and essentializing of Muslim men in this way affect a collective sense of pride, identity, hurt and anger?

iv. Devoutness and exposure to radical ideas

Devoutness is of course associated with peacefulness, grace, humility, righteousness, godliness, piousness and saintliness and always acting for the good and for the betterment of others. But when Islamic devoutness is considered it takes on a new meaning and has become warped by IS. The dominant discourse and understanding of devoutness when considered in the Islamic context is that it is a standard bearer of violent extremism. The notion that Islamic devoutness is in some way linked to radicalization, extremism and terrorism is also ingrained in the public mind. The Home Affairs Committee on Counter Terrorism 10th March 2015, explored the question of devoutness when questioning the families of the “Bethnal Green Academy schoolgirls”. Michael Ellis, a member of the Committee asked, “Were there any indicators that the girls were becoming more devout in thinking. Had you noticed any difference?” The families of the schoolgirls resolutely said “No”. Islam, the faith per se, is now positioned as the problem and believers in Islam as the enemy.

SUBJUGATED NARRATIVES

There are of course other reasons that can offer some understanding of why young women are drawn towards, drift into, are pulled, or coerced into joining IS, however these alternate understandings are subjugated. An analysis of the subjugated explanations include for example a consideration of inter alia, the impact and effect of the vilification of Muslim identity (see Kundnani 2014), a sense of outrage and frustration, a lack of opportunity and life chances, and a rejection of Western foreign policy in the Middle East. Arguably these may also be reasons for the alienation of young people which results in them travelling abroad to join IS (see Brown 2014).

i. A justified sense of outrage

In this jurisdiction there is a calcified and habituated Islamophobia within domestic policy on crime and policing, (see “Operation Champion”) and over surveillance of Muslim communities mentioned above, (Fussey 2013) and encroaching and enveloping “governmentality” (see the “Prevent” policy as an example of this) I use Foucault’s concept of “governmentality” here whereby he identifies the power of the state through ideology, rhetoric and discourse to control and govern. Islamophobia is now so constituted in the ideological state apparatus in the Althusserian sense (Althusser 1970) and in the public mind that it has become a warped norm, habituated in media reportage, in public policy, in Counter Terrorism law, in the justification for suspension of the Human Rights Act 1998, in justifications for prohibiting the face veil or niqab, and in the recent refugee rhetoric and policy. It is true that the Oriental subject is essentialized, fetishized, demonized and racialized today more than Edward Said (1997) could possibly have envisioned when he wrote, “What is said about the Muslim mind, or character or religion or culture as a whole cannot now be said in mainstream discussion about Africans, Jews, other Orientals or Asians” (1997 p. xii). Said (1997) argued in his book *Covering Islam* that “what the media produce is neither spontaneous nor completely ‘free’: ‘news’ does not just happen” (p.48), instead, there is a “qualitative and quantitative tendency to favor certain views and certain representations of reality over others” (Said, 1997, p. 49). Young women and girls are inevitably affected by these negative representations of Islam and of Muslim men and of Muslim women and their families and their communities, racist attacks against their communities and against women within them who wear the niqab, (MacKinnon, 2010) and also against women who wear the hijab (see Edwards 2012, 2014a, and 2014b). These attacks are also characterized by a general ridicule of their faith which is accepted and permitted from the vehement defence of the Danish Cartoons to the defence of Charlie Hebdo as the principle of freedom of speech is perverted and those who wish to rain down hatred hide behind freedom of speech’s noble claims. Are these subjugated narratives reasons for being drawn into terrorism related activities?

ii. Western Foreign policy and domestic policy

In a society where foreign policy interventions into Middle Eastern Muslim countries have included the killing of innocent civilians, and where they bear responsibility for the shameful of Abu Ghraib (Eisenman 2007) and complicity in the torture of terror suspects in Guantanamo Bay (Luban 2007), there is a justified outrage. A growing sense of despair arising from Western incursions into the Middle East may provide another reason for the alienation for many including Muslims who turn to IS. The role played by Western foreign policy in Afghanistan, Iraq, Libya and the Middle East in alienating and antagonising and stressing young people has not been mooted in UK government dialogue as a possible causes of terrorist activity or of “radicalization”. The Home Affairs Committee inquiry into “Countering Extremism” has not included in its questioning of witnesses in any real way any consideration of whether Western foreign policy might have contributed. However, Paul Flynn MP did perhaps exceptionally pose one such question when questioning Gilles de Kerchove (Question 545) at the Home Affairs Select Committee on Countering Extremism on 28th January 2014.

“Do your responsibilities and the responsibilities of the United Nations include the job of trying to build confidence and counteract this gulf of suspicion between the Western Christian world and the Eastern Muslim world, which is probably fuelled by the imbalance and the asymmetry of the weapons that they each have? Do you think that the use of drones – hugely sophisticated weapons that cannot be matched by the other side – is itself a cause of increasing terrorism, because terrorists, and those in that position, potential terrorists, feel themselves impotent to defend themselves and their communities against drones and other sophisticated equipment?”

Significantly, Eland (1998) was one of the early voices asking the question whether foreign policy itself breeds terrorism.

Historically however those who question the role of Western foreign policy in the Middle East and suggest that the West shares some culpability, have been silenced or else severely admonished. For example, Baroness Jenni Tonge, former Liberal Democrat MEP, when talking on the plight of the Palestinians in 2004, at a Palestine Solidarity Campaign meeting, said that if she was a Palestinian, she would consider becoming a suicide bomber herself. “If I had to live in that situation - and I say that advisedly - I might just consider becoming one myself.” She was trying to understand despair and a desire to self-immolate, obliterate and die in this way. She was asked to apologise and eventually was forced to resign as a Liberal Democratic MP. Cherie Blair QC., the wife of the UK Prime Minister said of the Palestinians in 2002: “As long as young people feel they have got no hope but to blow themselves up you are never going to make progress.” The office of the Prime Minister apologized immediately. More recently, The Home Affairs Committee on Countering Terrorism January 19th 2016 in its questioning of Shami Chakrabarti, the Director of Liberty who is well known for her opposition to British and Western foreign policy and for her staunch defence of human rights and liberty was subjected to a quite shameful, disgraceful and hostile questioning. Was this hostility and anger towards her and attempt to silence because she dared to provide a counter-narrative in critiquing the UK government’s counter-terrorism policy? She continued to answer questions put to her with grace and measure “Look, I don’t know but I think my instinct is—and this is just my life experience of having travelled up and down this land and been the daughter of migrants and met a lot of people, privileged people and vulnerable people—that there is a language problem with radicalisation, but it is the language of hate rather than the language of human rights”. Western foreign policy and the silencing and minimalization of torture atrocities (Foucault’s ‘subjugated knowledge’) that have been committed in Guantanamo Bay and in Abu Ghraib and the treatment of the Palestinian people (Viterbo 2009) all contribute to justifiable sense of resentment. David Anderson QC, the Independent reviewer of anti-terrorist legislation more recently explained that one of the reasons why young people are turning to terrorism, “it could be, one often hears, the foreign policy grievance’ (Home Affairs Select Committee 19th January 2016, Question 926).

iii. When hate speech hides behind satire

The quite appalling Charlie Hebdo killings in Paris in 2015 seemed in the understandable outrage and tragic aftermath to unleash a justification of hate speech, albeit unintended, by describing any verbal attack on Muslims however denigrating as a question of satire. Michael Ondaatje and Peter Carey were just two of many who were of the opinion that the Charlie Hebdo killings were used to legitimate a freedom of speech that permitted Muslim hatred. Carey said, "A hideous crime was committed, but was it a freedom-of-speech for PEN America to be self-righteous about....All this is complicated by PEN'S seeming blindness to the cultural arrogance of the French nation, which does not recognize its moral obligation to a large and disempowered segment of their population." The rising Islamophobia hiding behind satire in the US for example is demonstrated in the organising of the "Draw the Prophet Mohammed" cartoon contest in Texas, organized by the American Freedom Defense Initiative (AFDI) at which Geert Wilders who leads the Dutch right wing "party for Freedom" gave a keynote speech, is all too apparent.

Muslim women share a sense of outrage with regard to the vilification of their communities and religion as part of "popular culture." They have also to contend with the misrepresentations of Islamic clothing allegedly satirised by haute couture fashion houses and some so called feminist groups either ridiculing their attire or else defining for Muslim women what that liberation should look like. FEMEN provides just one example when in 2012 they held what they called a "Topless Jihad" are called for 'Bare breasts against Islamism! Yet they did this baring their breasts whilst covering their head in a hijab. This acclaimed and self-professed expression of feminism denigrated the hijab in graphically alluding to the sexual oppression of women through nakedness and the oppression of Islamic women through coveredness. Implicit in this demonstration was the message that removal of 'her' Islamic clothing would free her from her oppression and save her (Khalid 2011, p. 22).

This anti-Muslim epidemic has contributed to an increase in physical assaults on Muslims. Criminal Statistics England and Wales for 2011/12 and 2012/13 and 2014/15 estimate an average of 70,000 incidents of religiously motivated hate crime annually with Muslim adults the most likely to be a victim of religiously motivated hate crime. In 2012/13, the police recorded 1,573 religious hate crimes, around one-quarter (24%) of religious hate crimes were violence against the person. Figures for 2015 indicate that the number of race hate crimes has increased by 15 per cent, up 5,464, to 42,930 offences over the previous year (see also Awan and Zempi 2015).

4. LEGAL RESPONSES IN CRIMINAL AND FAMILY LAW

The introduction of criminal law measures and the imaginative application of existing family law and inherent jurisdiction measures in the UK is a direct response to these images and tropes of those who leave for Syria, such that women are perceived either as offenders with agency or as victims who are vulnerable and in need of protection. The criminal law measures reflect the tendency to position those who leave for Syria including men and women as persons with agency, who are deliberate in their planned, intentioned acts and who act with volition, such that punishments are harsh with little consideration of rehabilitation. The government however attributes the causes of terrorism to radicalization, nihilism and religious extremism which becomes the dominant force in driving the legal agenda (Jackson 2015, p.14.). The family courts in their dealings with young schoolgirls at least, position them quite differently, as without agency, coerced and controlled.

i. Criminal law and prevention and punishment

As part of the counter-terrorist strategy, the criminal law provisions especially the Counter Terrorism and Security Act 2015 has introduced for the first time pre-emptive provisions to prevent persons

suspected of going to join IS from doing so. Section 1 and Schedule 1 provides for the seizure of passport and travel documents “where a person is suspected of intending to leave Great Britain or the United Kingdom in connection with terrorism-related activity.” Here, “Terrorism” and “terrorist” have the same meaning as in the Terrorism Act 2000 (ss. 1(1) to (4), 40). “(1) In this Act ‘terrorism’ means the use or threat of action where—(a) the action falls within subsection (2), (b) the use or threat is designed to influence the government or an international governmental organisation] or to intimidate the public or a section of the public, and(c) the use or threat is made for the purpose of advancing a political, religious [racial] or ideological cause.” Section 17 provides for travel bans. For those who having left wish to return (Shakil above) “temporary exclusion orders” (ss. 2-4), may be put in place. However return is permitted only by the Secretary of State (ss. 5-8) and upon return the returnee is subject to a Terrorism Prevention and Investigation Measures notice (TPIM) under the Terrorism Prevention and Investigation Measures Act 2011 s. 9. These exclusion measures are further bolstered by a provision under the Immigration Act 2014 s. 66, which provides for the deprivation of citizenship.

In response to the terror threat the reach of the law has also extended into arenas of social and private life through the monitoring, policing and surveillance of “suspect communities”. In analyzing this tendency Martin (2014, p.64) develops Foucault’s construct of “governmentality.” In the UK, the “Prevent” strategy (referred to earlier) is an expression of this “governmentality” setting down in law, and mandated by the Counter Terrorism and Security Act 2015, s. 26, the requirement that all “responsible authorities” develop anti radicalization strategies. Section 26 of the Act says specified authorities in the exercise of their functions, are to have “due regard to the need to prevent people from being drawn into terrorism”. This strategy is being developed in the absence of a definition of radicalization or extremism. The latest prevention efforts for “de radicalization” for those considered at risk of terrorist recruitment have been met with criticism and incredulity. The National Police Chiefs' Council (NPCC) has recorded that 1,800 children have been referred to the “de radicalization” - Channel programme. The “moral panic” over terrorism, the racist assumptions about and grotesque demonization of the Muslim community, the reflexive willingness and crass thoughtlessness of compliance officers in schools and Universities tasked with the section 26 duty, points to its overwhelming failure. For example, in one case a child who could not spell and in a school essay wrote that he lived in a ‘terrorist’ house when in fact he meant ‘terraced’, found himself under investigation. Another referral to the de radicalisation programme involved a teenage boy who was the subject of investigation because he was raising money for Palestinian children and wore a badge at his school which said “Free Palestine.” As Gearson and Rosemont (2015) suggest the “Prevent” and de-radicalization programme is in urgent need of reassessment. Other UK anti-terror laws, include the Terrorism Act 2000, which makes criminal possessing “information of a kind likely to be useful to a person committing or preparing an act of terrorism,” being a member of a proscribed organisation, and fundraising for a terrorist purpose. Section 44 of the 2000 Act also extend police powers permitting stop and search without suspicion which allows over surveillance of Muslim communities. It is now amended to include “without suspicion in a specified area where she or he reasonably suspects an act of terrorism is about to occur the act states in exceptional circumstances”.

Additionally, the law post 9/11, permitted a different treatment of “the other” - the foreigner, and the Anti-terrorism, Crime and Security Act 2001, exempted foreign nationals from the legal and human rights protections available to everyone else. This exemption of foreign nationals from laws protection in the UK, is also reflected in US and Canadian law and demonstrates what Saito (2009 p. 75) calls the ‘exceptionalism’ tendency. This leads to the lawlessness of nation states as Megret (2006), Bahdi (2011) Sands (2006, p. 205) Kennedy (2006) and others observe. Under the 2001 Act, the Secretary of State could certify foreign nationals as “detainees” and detain them without charge or trial on the basis that they might pose a security risk. The detention of fourteen foreign nationals followed until, the House of Lords in *A (FC) and others (FC) (Appellants) v Secretary of State for the Home Department (Respondent)* (2004) ruled that indefinite detention of non UK nationals, without

charge or trial was incompatible with Article 5 of the ECHR (Edwards 2008, p. 221). Baroness Hale in her judgment said, “235. Are foreigners and nationals alike for this purpose? The Attorney General argued that they are not. The foreigners have no right to be here and we would expel them if we could. We only have to allow them to stay to protect them from an even worse invasion of their human rights. Hence, he argued, the true comparison is not with suspected international terrorists who are British nationals but with foreign suspected international terrorists who can be deported. This cannot be right. The foreigners who can be deported are not like the foreigners who cannot. These foreigners are only being detained because they cannot be deported. They are just like a British national who cannot be deported. The relevant circumstances making the two cases alike for this purpose are the same three which constitute the problem: a suspected international terrorist, who for a variety of reasons cannot be successfully prosecuted, and who for a variety of reasons cannot be deported or expelled. [She continued] 238. No one has the right to be an international terrorist. But substitute ‘black’, ‘disabled’, ‘female’, ‘gay’, or any other similar adjective for ‘foreign’ before ‘suspected international terrorist’ and ask whether it would be justifiable to take power to lock up that group but not the ‘white’, ‘able-bodied’, ‘male’ or ‘straight’ suspected international terrorists. The answer is clear”. The government then replied with the Prevention of Terrorism Act 2005 introducing measures including “control orders” where the Secretary of State could order persons to be detained in their homes for initially up to 18 hours if they were considered to pose a security risk. Control orders were later the subject of legal challenge and replaced by TPIMS. Discussed by Mythen (2011 p.177) this legal measure he argues demonstrates the way in which the law is used to pre-emptively manage what it perceives to be risk.

ii. Family law, protection and rehabilitation

Turning to the family courts their recent dealings with young people and especially young girls joining IS reflects a very different approach altogether. The approach is one of protection and this is not merely because those involved are minors but because of a different perception of how people and in this case young people become involved. Informed by a view that young people are groomed, beguiled and inveigled. The family courts have responded differently in invoking protective measures, including placing adolescent minors in the care of the local authority (Children Act 1989 s. 31) because of the risk of significant harm, or else placing them into the care of the court in the inherent jurisdiction of wardship. In March 2015, in *London Borough of Tower Hamlets v M and Others/ In the matter of M (Children)* [2015] the presiding judge, Mr. Justice Hayden, imposed a travel ban preventing five teenage girls from travelling abroad to Syria to join IS. He imposed a travel ban in connection with a 16-year old boy from a family where two older brothers had died fighting in Syria. He said of these two cases

“[1] Last week, I heard two cases, both of which were brought by local authorities who were concerned that a number of young people, all minors in their areas, were at risk of leaving the country to travel to ISIS countries, particularly Syria... [3] The cases involved both girls and boys, each of whom was at risk, to my mind self-evidently, of significant harm in the sense contemplated by section 31(ii) of the Children Act 1989. [4] The risk plainly differs according to gender but is nonetheless grave in both instances and does not need to be spelt out... [10] Thus, pursuant to this jurisdiction [wardship], I made orders relating to the retrieval of the passport of each of the young people concerned in order to use the full powers at the court's disposal to endeavour to prevent the wards leaving the United Kingdom”.

Wardship has also been used to retrieve children who have already left the jurisdiction. For example, wardship was invoked in the case of the disappearance of the three year old Madeline McCann in April 2008 through what are called ‘seek and find’ orders (Welstead and Edwards 2013, p. 421). In *Re M (children)* [2015] a family who had left the country with their four children ages ranging from

20 months to 7 years of age were intercepted and returned to the UK. Sir James Munby, President of the Family Division said:

“There is always, every minute of every day and night throughout the year, a judge of the Family Division on duty, ‘out of hours’, to deal with cases so urgent that they cannot wait. This case, I believe, shows the system working well. The court became involved in the early morning of Tuesday 5 May. The children had returned to this country by the middle of the afternoon of Thursday 7 May.” Later that year in *In the matter of M (Children) (No 2)* [2015] wardship was withdrawn due to the co-operation of the parents.

Care proceedings have also been pursued successfully where the protection of adolescents has been paramount. In *London Borough of Tower Hamlets v B* [2015] Mr Justice Hayden, in providing the background to this case said, “This case comes before me consecutively with a number of other cases within the Borough of Tower Hamlets, each of which involves intelligent young girls, highly motivated academically, each of whom has, to some and greatly varying degrees, been either radicalised or exposed to extreme ideology promulgated by those subscribing to the values of the self-styled Islamic State.”

In this case the local authority sought the removal of all the children of the family, including the male children on the basis that: “So corrosive and insidious are the beliefs in this household, it is argued, so pervasive is the nature of the emotional abuse, so complete is the resistance to intervention, and so total the lack of co-operation, that the emotional safety of the boys, the Local Authority says, cannot be assured.” Care orders were granted in respect of the female and male adolescents of the household.

In *Z (A Child)*, in April 2015 a young female adolescent was detained at an airport under the Terrorism Act 2000, Sch.7 after attempting to board a flight to Turkey with a single ticket. The terrorism unit was alerted and she was returned to her family and her passport seized. These and other cases resulted in Sir James Munby, President of the Family Division, on 8th October 2015 issuing guidance on ‘Radicalisation cases in the family courts’ in which he set out the procedures to be adopted in such cases to ensure not punishment but protection either through wardship or local authority care proceedings. The remarks of Mr Justice Hayden in the *Tower Hamlets* case (*In the matter of M (Children)* [2015]) above perhaps captures the objectives of the family courts which are distinctly different from the governments agenda. “All involved must recognise that in this particular process it is the interest of the individual child that is paramount. This cannot be eclipsed by wider considerations of counter terrorism policy or operations, but it must be recognised that the decision the court is being asked to take can only be arrived at against an informed understanding of that wider canvas.”

CONCLUSION

It is true as Orford (2007 p. 398) writes “the upheaval of 9/11 has altered international law”. It has also altered domestic law, Muslims find themselves over surveilled, over policed and outlawed. In the presence of all this vilification do these young women see themselves as part of a global resistance movement? And when attacked, body and soul, from all angles is it easier for the terrorist recruiter and groomer to inculcate women’s mind through using the platform of cyber space with an ideology that justifies their involvement. If the use of cyber space as a vehicle for terrorist recruitment is to be challenged then strategies which go beyond shutting down of chatrooms or intercepting communications need to be developed these strategies lie within understanding the subjugated narratives responding to the sense of women’s alienation and preventing the demonization of Muslim communities.

REFERENCES

- Abu-Lughod L. (2015) *Do Muslim Women Really need Saving?* Harvard: Harvard University Press.
- Al-Ali, N. (2007). *Iraqi Women: Untold Stories from 1948 to the Present*. London & New York: Zed Books.
- Althusser, L. (1970). Ideology and Ideological state apparatuses. In L. Althusser, *Lenin and Philosophy and Other Essays*. New York: Monthly Review Press.
- Bahdi, R. (2011). Before the Law: Creeping Lawlessness in Canadian National Security. In V. Bajc & W. de Lint. (Eds.), *Security and Everyday Life* (pp. 143-16). London: Routledge.
- Bloom, M. (2011a). *Bombshells: The many faces of women terrorist*. Toronto, Ontario, Canada: Penguin Press.
- Bloom, M. (2011b). Bombshells: Women and terror. *Gender Issues*, 28(1-2), 1-21.
- Brown, K. (2014). Analysis: Why are Western women joining Islamic State? 6 October 2014, BBC news.
- Coppock, V. (2014). Can you spot a Terrorist in Your Classroom? Problematizing the Recruitment of Schools to the 'War on Terror' in the United Kingdom. *Global Studies of Childhood*, 4(2), 115-26.
- Edwards, E. (2016). Closure through Resilience: The case of prevent. *Studies in Conflict and Terrorism*, 39(4), 292-307.
- Edwards, S. S.M. (2012). For her own good! Criming the niqab. *International Family Law*, 2, 203-8.
- Edwards, S.S.M. (2014). Proscribing unveiling – law: a chimera and an instrument in the political agenda. In E. Brems, (Ed.), *The Experiences of Face Veil Wearers in Europe and the Law* (pp.278-296). Cambridge: Cambridge University Press.
- Edwards, S.S.M. (2014). SAS v France (application no 43835/11) Unreported, July 1, 2014 (ECtHR). *Denning Law Journal* 26, 246-260.
- Edwards, S. (2015). Protecting schoolgirls from terrorism grooming. *International Journal of Family Law* 3, 236-248.
- Eisenman, S. (2007). *The Abu Ghraib Effect*. London: Reaktion Books.
- Eland, I. (1998). Does U.S. intervention overseas breed terrorism? The historical record. CATO institute Foreign Policy Briefing, No 5017 December. <http://www.cato.org/pubs/fpbriefs/fpb-050es.html>
- Foucault, M. (1980). *POWER/KNOWLEDGE Selected Interviews and Other Writings 1972-1977*. C. Gordon. (Ed.), New York: Pantheon Books.
- Foucault, M. (2009). Security, Territory, Population (1978). Lectures at the College of France, M.Senelart, (Ed.), New York: Palgrave.
- Fanon, F. (1965). *Studies in a dying colonialism*. New York: Monthly Review Press.

- Fussey, P. (2013). Contested topologies of UK counterterrorist surveillance: the rise and fall of Project Champion. *Critical Studies on Terrorism* 6(3), 351-370.
- Gearson, J., & Rosemont, H., (2015). CONTEST as Strategy: Reassessing Britain's Counter terrorism Approach. *Studies in Conflict and Terrorism* 38, 1038-1064.
- Jackson, R. (2012). Unknown knows: the subjugated knowledge of terrorism studies. *Critical Studies on Terrorism*, 5(1), 11-29.
- Jacoby, T. (2015). Jihadi brides at the intersections of contemporary feminism, *New Political Science*, 37(4), 526-542.
- Khalid, M. (2011). Gender, orientalism and representations of the 'Other' in the War on Terror, *Global Change, Peace & Security*, 23(1), 15-29.
- Kundnani, A. (2014). *The Muslims are Coming*. London: Verso.
- Kennedy, D. (2006). *Of War and Law*. Princeton: Princeton University Press.
- Laster, K., & Erez, E., (2015). Sisters in Terrorism? Exploding Stereotypes. *Women and Criminal Justice*, 25(1-2), 83-99.
- Luban, D. (2007). The Torture Lawyers of Washington. In D. Luban, *Legal Ethics and Human Dignity* (pp. 162-206). Cambridge: Cambridge University Press.
- Lynch, O. (2013). British Muslim youth: radicalisation, terrorism and the construction of the 'other.' *Critical Studies on Terrorism*, 6 (2), 241- 261.
- Martin, (2014). Governing an unknowable future: the politics of Britain's Prevent policy. *Critical Studies on Terrorism*, 7(1), 62-78.
- MacKinnon, V. (2010). Lifting the Veil on Terrorism: An Analysis of the Relationship between Women's Oppression and Terrorism. *Homeland Security Review*, 4(2), 93-118.
- Mythen, G. (2011). The Pre-emptive Mode of Regulation: Terrorism, Law and Security. In Visa Bajc and Willem de Lint. (Eds.) *Security and Everyday Life* (pp. 168-184). London: Routledge.
- Mégret, F. (2006). From 'savages' to 'unlawful combatants': a postcolonial look at international law's 'other'. In Anne Orford (Ed.) *International Law and its Others* (pp. 265-317). Cambridge: Cambridge University Press.
- Okin, S. M., 1999. Is Multiculturalism Bad for Women? PART 1 Is Multi culturalism bad for women (Eds) J. Cohen, M. Howard and M Nussbaum. Princeton University Press
- Parekh, B. (2005). *Rethinking Multiculturalism: Cultural Diversity and Political Theory*. London: Palgrave Macmillan
- Said, E.W. (1979). *Orientalism*. London: Vintage.
- Said, E.W. (1997). *Covering Islam: How the Media and the Experts Determine How We See the Rest of the World*. London: Vintage.
- Saito, N. T. (2009). Colonial Presumptions: the War on Terror and the Roots of American Exceptionalism. *Georgetown Journal of Law & Modern Critical Race Perspectives*, 1(1), 67-110.
- Sands, P. (2006). *Lawless World Making and Breaking Global Rules*. London: Penguin.
- Sardar, Z. (1999). *Orientalism*. Buckingham: Open University Press.

Walker, C., & Conway, M. (2015). Online terrorism and online laws. *Dynamics of Asymmetric Conflict* 8(2), 156-175.

Welstead M., & Edwards S., (2013). *Family law*. Oxford: Oxford University Press.

Zenn, J. & Pearson, E. (2014). Women, Gender and the evolving tactics of Boko Haram. *Journal of Terrorism Research* 5(1). <http://doi.org/10.15664/jtr.828>

Zine, J. (2006). Between Orientalism and Fundamentalism: Muslim Women and Feminist Engagement. In K. Hunt, & K. Rygiel, (*En*)*Gendering the War on Terror: War Stories and camouflaged politics* (pp.27-50). Hampshire: Ashgate Publishing Limited.

Web references

Ameen, (Farzana), <http://www.telegraph.co.uk/news/uknews/law-and-order/11931632/Mother-feared-to-have-taken-children-to-Syria-said-she-was-doing-what-was-best-for-them.html>

Awan, I., & Zempi, I., (2015). We Fear for our Lives: Offline and Online Experiences of Anti-Muslim Hostility. October 2015.

<http://discoversociety.org/2015/10/06/we-fear-for-our-lives-offline-and-online-experiences-of-anti-muslim-hostility/>

Bethnal Green Academy schoolgirls, http://www.huffingtonpost.co.uk/2016/01/19/london-schoolgirls-who-fled-to-isis-are-being-held-hostage-reveals-lawyer_n_9016900.html

<http://www.telegraph.co.uk/news/uknews/11461693/Sisters-of-the-missing-jihadi-brides-to-face-radicalisation-tests.html>

Blair (Cheri), Anger at Cherie 'sympathy' for suicide bombers 19th June 2002.

<http://www.telegraph.co.uk/news/worldnews/middleeast/jordan/1397696/Anger-at-Cherie-sympathy-for-suicide-bombers.html>

Britain Jihadi Brides, BBC Two documentary transmitted 8th April 2015 Director Fatima Salaria.

<http://www.bbc.co.uk/programmes/b05qq4c0>

British Jihadists: Preventing Travel Abroad and Stopping Attacks at Home, Henry Jackson Society, September 2014. <http://henryjacksonsociety.org/2014/09/12/british-jihadists-preventing-travel-abroad-and-stopping-attacks-at-home/>.

Criminal Statistics England and Wales for 2011/12 and 2012/13, (An Overview of Hate Crime in England and Wales (Home Office, Office for National Statistics and Ministry of Justice December 2013). https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/266358/hate-crime-2013.pdf

Dawood sisters. <http://www.theguardian.com/uk-news/2015/jun/21/police-complicit-radicalisation-missing-sisters-claim-family-lawyers>

Dilipraj, E. (2015). Challenges of Terrorism in Cyber Space. Defence and Diplomacy 4(3) http://www.academia.edu/14294516/CHALLENGES_OF_TERRORISM_IN_CYBER_SPACE.

FEMEN Femen's Topless Jihad. <http://www.thenation.com/article/femens-topless-jihad/>

Fisher, A., & Prucha N. (2014). the call-up: the roots of a resilient and persistent jihadist presence on twitter. https://globalecco.org/en_GB/the-call-up-the-roots-of-a-resilient-and-persistent-jihadist-presence-on-twitterctx

Forced Marriage Unit statistics, January to December 2013. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/291855/FMU_2013_statistics.pdf.

Free Palestine badge referral. <http://www.independent.co.uk/news/uk/anti-terror-police-question-schoolboy-for-wearing-pro-palestine-badge-a6873656.html>

Halane, (Salma and Zahra). <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/11387424/Target-practice-Teenage-British-twins-train-in-Syria.html>

Home Affairs Committee, Counter-terrorism, Seventeenth Report of Session 2013– 14 Report, together with formal minutes and oral evidence, 28th January 2015. <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/231/140128.html>

Home Affairs Committee, Countering extremism 10th March 2015 oral evidence. <http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/news/150306-ct-ev>

Home Affairs Committee Oral evidence: Countering extremism, HC 428 Tuesday 19th January 2016 <http://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/news-parliament-2015/160115-countering-extremism-evidence/>

Operation of police powers under the Terrorism Act 2000 and subsequent legislation: arrests, outcomes and stops and searches, Great Britain, financial year ending 31st March 2015.

<https://www.gov.uk/government/publications/operation-of-police-powers-under-the-terrorism-act-2000-financial-year-ending-march-2015/operation-of-police-powers-under-the-terrorism-act-2000-and-subsequent-legislation-arrests-outcomes-and-stops-and-searches-great-britain-financial>

Hoyle, C., Bradford, A., & Frenett, R., (2015), Becoming Mulan? Female Western Migrants to ISIS. Report of the Institute for Strategic Dialogue.

<http://www.strategicdialogue.org/>

Hussien,(Yusra). <http://www.theguardian.com/uk-news/2014/oct/03/yusra-hussein-teenager-uk-missing-brisol-syria>

Khan, (Hana). <http://www.dailymail.co.uk/news/article-2965588/Girlfriend-jihadi-fighter-faces-jail-sending-1-000-fund-terrorist-activities-Syria.html>

Khan, (Runa). <http://www.bbc.co.uk/news/uk-england-30439913>

Mahmood, (Aqsa), (22nd February 2015). <http://www.independent.co.uk/news/uk/home-news/aqsa-mahmood-branded-a-disgrace-by-her-parents-after-claims-she-recruited-three-uk-girls-flying-to-10062151.html>

<http://www.independent.co.uk/news/uk/crime/the-glasgow-teenager-who-dropped-out-of-university-to-marry-an-isis-fighter-in-syria-9706610.html>

Mannan, (Muhammed Abdul). <http://www.independent.co.uk/news/uk/home-news/muhammed-abdul-mannan-grandfather-who-left-britain-to-join-isis-was-tricked-says-son-10379112.html>

Metropolitan Police statistics. <http://content.met.police.uk/Article/Counter-Terrorism-Command/1400006569170/1400006569170>

Prevent strategy and Prevent duty guidance. <https://www.gov.uk/government/publications/prevent-duty-guidance>

Sardar, Z. (2013). Life and style First person - Family The Guardian, September 13.

<http://www.theguardian.com/lifeandstyle/2008/sep/13/family1>

Shakil, (Tareena) BBC News 1st February 2016. <http://www.bbc.co.uk/news/uk-england-35460697>

Southall Black Sisters report, “Sane and Safe.”

<http://www.southallblacksisters.org.uk/reports/safe-and-sane-report/>

Straw (Jack). <http://www.theguardian.com/world/2011/jan/08/jack-straw-white-girls-easy-meat>

Terraced house referral. <http://www.dailymail.co.uk/wires/pa/article-3410178/1-800-children-referred-Channel-radicalisation-programme-four-years.html>

Cases

R v Hasan [2005] 4 All ER 685.

London Borough of Tower Hamlets v M and Others [2015] / *In the matter of M (Children)* [2015]. EWHC 1433 (Fam) EWHC 869 (Fam).

London Borough of Tower Hamlets v B [2015] EWHC 2491

Re M (children) [2015] EWHC 1433 (Fam), [2015] 2 FLR, Fam. Law 893.

Re M (children) No 2 [2015] EWHC 2933 (Fam).

R v Malik (Samina Hussain) [2008] EWCA Crim 1450.

Re Z [2015] EWHC 2350.

END