



PRIO Centre on
Gender, Peace
and Security

GPS POLICY BRIEF 01 | 2017

Jihadi Brides or Female Foreign Fighters? Women in Da'esh – from Recruitment to Sentencing

Da'esh has stunned the world with its gross human rights abuses, gendered violence, and practices of sexual slavery, and yet, the organization has attracted a large amount of female recruits. Women who have joined Da'esh have been met with a storm of disbelief and gendered commentary, and have even been designated their own term – 'jihadi brides'. This policy brief explores agency and women in Da'esh: why women join, their roles, and how women are treated if they return to the West. The brief illuminates how gendered understandings of Western female foreign fighters are affecting judicial processes and potentially creating gaps in our security structure.

Brief Points

- Women may be drawn to Da'esh by the same various reasons as men, for example ideology and belonging. A call to the Caliphate, and a wish to strengthen the *Ummah* (Muslim Community).
- Gendered perceptions of violence and extremism affect how women in Da'esh are described, presented, and reacted to.
- A number of court cases across the West have resulted in shorter sentences or pardons for women who have returned from Da'esh. The judgments and reporting around the issue area are often seeped in gendered commentary, presenting these women as misunderstood victims rather than motivated agents.
- Generalizing women in Da'esh as misled victims must be avoided, both for the sake of judicial precedent and from a security standpoint. Women need to be considered as full agents.

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Women in Da'esh

The 'foreign fighter' threat has boomed in the last few years,¹ and created mass news headlines, policy changes, and the adoption of new laws following new international legal frameworks such as UN Security Council Resolution 2178 (UNSCR 2178). The flow of foreign fighters to Islamic State controlled territories in Iraq and Syria is routinely described by politicians, the media, and security agencies as a threat to global security. Both the political push towards legislation concerning foreign fighters, and the majority of highly profiled cases have focused on the large numbers of young men who have left for jihad, fitting the gender paradigm of 'men-as-perpetrators' and 'women-as-victims'.²

A study by Gaub and Lisiecka found that 20% of all Western recruits in Da'esh are female as of October 2016.³ According to Europol, 40% of all recruits going from the Netherlands are female, and 20% leaving from Finland and Germany are female. Following the pattern of most other women in extremist organizations, the women who carry out the *hijra* (migration) to the Caliphate are, however, not criminalized or feared to the extent that their male counterparts are. Rather, they are met with narratives attempting to pigeonhole them and their involvement in Da'esh.

UN Security Council Resolution 2178

- Created a broad definition of 'foreign terrorist fighting' – criminalizing intent, membership, recruitment and travel
- Fully introduced the term 'foreign terrorist fighting' as opposed to 'foreign fighting' – this is problematic on many levels
- Stretches the already contentious field of terrorism legislation
- 2178 is gender neutral, stating that all member states must "ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice"

Yet are female foreign fighters sentenced as often as men? Do the ways we speak about and think about these women affect their sentencing?

Women's violence is often categorized as personal rather than political, and is gender sensationalized by key narratives. In their seminal work *Mothers, Monsters, Whores*, Sjoberg and Gentry outline three such gender sensationalized narratives: the first connects women's violence to their role as "mothers", the second attributes their violence to being mentally unstable "monsters", and the third connects women's sexuality to violence. Women who have joined Da'esh are regularly subjected to these narratives as 'jihadi brides' and 'mothers of the Caliphate', as well as 'vulnerable women' and 'naïve girls'.

These narratives inherently link gender to victimhood, presenting a narrative that women are joining for different reasons than men, and to serve different roles. The traditional view of women as victims and men as perpetrators influences the view of women as less dangerous and thereby less liable. Women who join Da'esh are often not referred to as female foreign fighters, rather they have been assigned their own term – "jihadi brides", linking their choice to join Da'esh inherently to men. Reports of "sexual jihad" and women going as "comfort women" have also emerged. Is this truly the case? In order to dismantle these gendered understandings of women and extremism, this brief explores women's motivations and roles in Da'esh, and then presents cases of women who have returned from Da'esh, the various narratives surrounding them, and possible gendered differences in sentencing. The brief wraps up by discussing how problematic gendered narratives and assumptions may be, and provides key recommendations.

The findings presented here are based off an empirically based normative analysis of literature, cases and judgments concerning women in Da'esh, conducted for my master's thesis: "Female Foreign Terrorist Fighters in Da'esh: Victims or Perpetrators?" The relevant data was collected in the fall of 2016.

Motivations and Roles

Women in Da'esh are far more than what the media has presented as "jihadi brides" on the search for "jihadi eye candy". Women join Da'esh for the same varied reasons as men: seeking a sense of belonging and community, adventure, an environment to safely practice their faith free from stigma and discrimination, and a wish to further the Islamic Caliphate. Female recruits tend to be young, further

Main Motivations

- Seeking a sense of belonging and community, a communal identity
- Ideology: Heeding a mandatory call to the Caliphate. Wish to strengthen the Ummah
- Discrimination, either personal or for the entire Muslim community

adding an age dimension. In their 2015 report 'Becoming Mulan? Female Western Migrants to ISIS' at the Institute for Strategic Dialogue, Hoyle et al. identify three primary motivations for women who join Da'esh: Discrimination, a wish to build the Caliphate, and that the call to the Caliphate is *fard* – a mandatory call which must be answered.

A history of past discrimination has been found to be an especially important factor in the decisions of some women to join, as Muslim women may be more openly discriminated against due to wearing the hijab, niqab or abaya. The political moves towards banning the niqab, burqa or burkini can therefore be interpreted as having an immediate negative effect. Increasing discrimination will increase drives towards extremist groups. The dangerous tendencies to revert to 'us' vs. 'them' rhetoric, and the increasing use of 'othering' in public discourse will only serve to fuel extremism.

Women are promised spiritual fulfilment, both in this life and the next, an important role as partners in building the Caliphate as mothers of coming leaders, and as leaders themselves. Women are also promised a deep sense of belonging and a community of sisters, as well as true love, and the ability to impact international affairs and the future of the world.⁴ Women who join Da'esh have a large online presence, perhaps reflecting these aspirations. In their profiled and widely available Tumblr and Twitter pages, they declare their allegiance to forming an Islamic Caliphate and their belief in the Islamic State.⁵

The unreliable information flow out of Da'esh's core areas in Iraq and Syria make it difficult to state with complete certainty exactly what women do, or do not do, as members of Da'esh. There is, however, enough information from multiple social media studies to make certain assumptions. As seen with women in other

armed groups, female recruits likely have differentiated roles. Although many women in Da'esh likely have a domestic role as 'builders of the Caliphate', they serve an enormous purpose and should not be belittled. Senior female members may be enforcers of discipline in the all-female Al-Khanssa Brigade of Da'esh. The brigade is small, exclusive, and can be viewed as a form of moral police.

Women in Da'esh are also key recruiters, amassing large networks. Security Council Resolution 2178 in 6(c) specifically mentions criminalizing recruitment, a potential nod towards women. Women in Da'esh are also key propaganda narrators, sharing convincing stories, pictures and information from life inside the Caliphate. *Dabiq*, Da'esh's online magazine, also features an article written by a female in each edition. Women are used to lure men in, as well as other women, with promises of sisterhood and belonging. The need for women is also due to the fact that Da'esh sees women as the only way to keep the Caliphate expanding. Women contribute to maintaining the Caliphate, and need to be considered as full political actors. Whether their participation as recruits performing domestic functions amounts to a form of active participation is up for debate, and must vary from case to case as women have various roles. Each individual case is different, and must be treated accordingly through investigation and judicial process.

By joining Da'esh, women are perhaps even taking a feminist emancipatory standpoint from Western feminism, choosing to leave a culture that they feel sexualizes women in favor of one they believe represents them. By most feminist scholars, the potential to view these women as feminists has not yet been fully explored, but it is an interesting perspective into female emancipation and representation.

As of fall 2016, stories of women receiving military training have been emerging. There have been reported cases of potential female suicide bombers – women acting on behalf of Da'esh – such as the foiled Notre Dame attempt, as well as women being trained. This has caused the arguments that gender norms within Da'esh are changing to gain traction. This follows the pattern of other extremist Islamist organizations, such as Al-Qaida, where women initially were not active, but eventually became active and impactful suicide bombers.⁶ As Da'esh continues to lose ground, the organization will likely become

increasingly desperate and may increase their use of women and children. This makes questions of judicial process and treatment timely and extremely relevant.

Women Who Have Returned from Da'esh

Following trends within terrorism studies, there is widespread disagreement on what to call women who participate in Da'esh. Some use the term '*muhajirat*' or 'migrants', others use 'travelers', 'jihadi brides', or 'foreign fighters'. By calling these women 'jihadi brides', their responsibility is narrated down to a minimum. They become 'brides' and not agents possible of sustaining or creating mass harm. To instead narrate and define these women as participants in the conflict, and as foreign fighters, gives them legal personality.

Multiple women who have returned from Da'esh have received pardons or lesser punishment than average for foreign fighters. For example, in three of these high profile cases (see box to the right), women received less punishment than average in their home countries.⁷ The gendered discussions surrounding roles and the resulting responsibility for actions have likely affected judicial outcomes for these women. Through tracing case documents, gendered arguments of women as 'mised victims', 'unknowing', 'terrified', 'emotional', 'seduced', 'lured' and 'brainwashed' can be observed. The female defendants in these cases are repeatedly referred to by both their legal counsel and judges as 'mised' and 'naïve'. Women are continually infantilized and sexualized; their agency is narrated to a minimum, and they are represented as misunderstood victims, rather than as motivated agents.

This seems to indicate a potential tendency towards women not being prosecuted for membership in Da'esh to the same extent that men are. This may have to do with the desired political effect of criminalizing male membership – men in Da'esh being perceived as the most dangerous, and thereby being targeted to a greater extent. The West's view and vilification of women's rights in Muslim countries may also have an effect. When women return from Da'esh they are pitied, whereas men are vilified. The pardoning of women to a greater extent than men can also be linked back to the gendered nature of perceived perpetrators, and the feared 'other'.

An exemplary case is that of the 'Bethnal Green Schoolgirls'. The case of the three young women – the 'Bethnal Green Schoolgirls' – exploded into the popular media in February 2015, with headlines explicitly referring to them as "schoolgirls" – to the extent that they are synonymous with this descriptor rather than their own names. They travelled to Syria via Turkey in February 2015. Shortly after their leaving, the Metropolitan police came out with a statement saying the young women would not be prosecuted for terrorism offences if they returned to the UK. The solicitor for the three families, Tasnime Akunjee, was quoted saying, "effectively this is immunity".⁸ One of the young women has now reportedly been killed by an air strike in Raqqa.

High Profile Cases

- 'Bethnal Green Schoolgirls', three females age 15–16, UK, pardoned
- 19-year-old female, USA, sentenced to 4 years, less than half of an average sentence in the US at the time of sentencing
- 26-year-old female, UK, sentenced to 6 years, average sentence in the UK at the time of sentencing
- Laura Passoni, Belgium, 15,000 euro fine and a suspended sentence. Passoni has become a profiled public speaker against radicalization, and has published the book *Au coeur de Da'esh avec mon fils* (In the heart of Da'esh with my son).

Gendered Understandings Impacting Legal Precedent and Security Policy

Gendered narratives around women in Da'esh and their roles and responsibilities are shaping our legal and policy responses, and could be creating gaps in our security structure. In treating female violence and membership in an extremist organization as though it cannot be equivalent to male violence and membership, highly problematic and false gendered assumptions about extremism and participation are being made. By assuming that these women are harmless victims due to their gender, we may be missing a possible threat. Female suicide bombers as well as female lone wolf actors who swear allegiance to Da'esh are a possibility. These individuals should not be ignored due to our perceptions of Da'esh's gender norms. These women need to be investigated and taken just as seriously as their male counterparts.

Problematic Pardoning under International Law

Gendered understandings of extremism and female participation are not only problematic for social and security concerns, but also for legal processes. If these women are not given judicial process, and yet fit the definition laid out in UNSCR 2178, one can argue they are not being “brought to justice”, as the resolution demands of United Nations member states. By only selectively applying national regulations and giving pardons, UNSCR 2178 is not being adhered to fully if women continue to be pardoned for membership, whilst men are charged. Gendered narratives in sentencing further contradict Article 5(a) of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), as prejudices based on stereotyped gender roles for men (as perpetrators) and women (as victims) are not being eliminated as the article states, but rather are reinforced by only viewing male foreign fighters as a true threat. Gendered sentencing further creates inaccurate judicial precedent, and continues to reify structural gender differences.

Key Recommendations

- The tendency to narrate women in Da'esh as misled victims can be interpreted as a direct output of gendered views on extremism. Women in Da'esh need to be considered as agents.
- ‘Narrative traps’ of women in Da'esh as sexualized and infantilized need to be avoided.
- Each court case concerning individuals returning from Da'esh, regardless of gender, must be investigated properly on an individual basis. The recent investigation that has been opened by Norwegian PST into two women who left Bærum, Norway

may be a step in the right direction in this respect.⁹

- There is further a need to move away from discriminatory policies such as banning the niqab, hijab or burkini as this will only fuel extremism.
- Long prison sentences and stripped citizenship will contribute to the ‘othering’ of foreign fighters and further impede rehabilitation.
- Resolution 2178 calls upon member states to “develop rehabilitation and reintegration strategies for returning foreign terrorist fighters.” Rehabilitation strategies, alongside de-radicalization programs, need to be developed further. As prisons have been found to be hotbeds for recruitment, a combination of judicially mandated de-radicalization, rehabilitation programs, and potential house arrest should be considered.
- Lastly, the new highly political laws on foreign fighters can entail gross human rights abuses, and need to be approached with caution and scrutiny in order to protect vulnerable individuals. Convicting people for crimes they have not yet committed – such as criminalizing intent to travel to Syria or Iraq – needs to be scrutinized, as does convicting individuals based on speculation rather than on a factual basis. ■

Notes

1. For more on foreign fighters see: The Geneva Academy of International Humanitarian Law and Human Rights, “Foreign Fighters under International Law”. Academy Briefing No. 7, page 3.
2. See Huckerby, Jayne. “Gender, counter-terrorism and international law.” In *Research Handbook on International Law and Terrorism*, edited by Ben Saul, 163-176. Cheltenham UK: Edward Elgar, 2014.
3. See Gaub and Lisiecka (2016) “Women in Daesh: Jihadist ‘cheerleaders, active operatives?’” European Union Institute for Security Studies (EUISS). Brief Issue 27. October 2016.
4. Tarras-Wahlberg, L. “Promises of Paradise: IS Propaganda towards Women”, International Centre for Counter Terrorism. The Hague, Netherlands. December 2016. icct.nl/publication/promises-of-paradise-is-propaganda-towards-women
5. See data collection sets on online publishing by women in Da'esh collected by Loken and Zelenz, “Exploring extremism: Western Women in Da'esh” (Working Paper April 1, 2016) University of Washington. Accessed September 12, 2016. ssrn.com/abstract=2769604
6. Bloom, Mia. “Bombshells: Women and Terror.” *Gender Issues* 28 (2011):1-21.
7. The data for average sentences is taken from EUROPOL (2016) ‘European Union Terrorism Situation and Trend Report (TE-SAT) 2016’. European Police Office. The Hague, Netherlands. 2016. p. 47 & George Washington University (2016) ‘GW Extremism Tracker: Terrorism in the United States, Update August 2016’. Center for Homeland and Cyber Security, The George Washington University, August 2016. cchs.gwu.edu/sites/cchs.gwu.edu/files/downloads/August_2016_Update.pdf
8. Dodd, Vikram; Alexandra Topping & Aisha Gani. «Missing girls lured by Isis won't face terrorism charges, says Met chief.» *The Guardian*, March 10, 2015. Accessed October 11 2016. www.theguardian.com/uk-news/2015/mar/10/missing-girls-stole-family-jewellery-syria-trip-police
9. Zaman, Kadafi. ‘Søstre fra Bærum etterforskes for terror-deltakelse’, TV2. February 6th 2017. Accessed March 15th 2017. <http://www.tv2.no/nyheter/8910706/>

The research presented in this paper is also being published in the upcoming anthology *Fremmedkrigere: Forebygging, straffefølgning og rehabilitering i Skandinavia*, published by Gyldendal Juridisk.

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