



Islamic Theology of Counter Terrorism
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ISIS Brides: Perpetrators or Victims?

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WOMEN UNDER ISIS

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INTRODUCTION

A report from the International Center for the Study of Radicalization suggests that 41,490 international citizens became affiliated with ISIS since 2014. 13% of these were women, and 12% were minors.ⁱ This report, however, acknowledges the lack of more specific data available regarding their time embedded in the terrorist group. Some went to the caliphate knowing the extent of its violent acts against nonbelievers, some went seeking the promised Islamic paradise. Some committed atrocities themselves. Some, including those who committed violent acts against nonbelievers, were themselves subject to gender-based violence. Some were children when they were recruited. A threshold framing question for both scholars and legal professionals is to decide if they are viewing female ISIS members as victims, perpetrators, or both. As one scholar claimed, “it is somewhat difficult to accept women as perpetrators and supporters of violence within organizations that subordinate women and employ gender-based violence. In any case, misconceptions and gender stereotypes obscure the scope of women’s participation and commitment.”ⁱⁱ Yet, reports by other ISIS victims paint some of the ISIS women as perpetrators of violence. Other accounts (particularly of younger girls) clearly see the ISIS women as victims themselves. What is most likely is that there is a spectrum between victim and perpetrator, with the ISIS women falling along the entire spectrum from perpetrator to victim, to a combination of both.

For the communities to which these women wish to return, varying amounts of harm has been done. In western countries, opposition to their return is a mix of nationalist anger against the women for leaving in the first instance and fear that the women remain radicalized and will pose a continuing threat. Meanwhile in countries where ISIS engaged in war or terrorism against the civilian population, like Iraq, they may return and be quickly punished, typically through trials lasting under ten minutes and ending with summary executions.ⁱⁱⁱ

In this immeasurably labyrinthine situation, it is important to help diverse communities with very different cultural norms find a path towards justice as they also seek an end to the cycle of violence. The women were not a monolithic group but a very diverse set of actors. Looking at the “women of ISIS” as individuals means that individual factors can be considered. Factors include:

- Her responsibility for becoming part of a terrorist organization
- What she contributed to the organization’s agenda
- How much practical volition versus subject to coercion she was?

- How deep and sustained was her identification with the movement, and
- How did she leave and what is she trying to achieve afterwards?

I do not have a solution for this complex issue, but I hope to provide a potential analytical framework to help understand the spectrum from victim to perpetrator and how to consider each individual's culpability based on her autonomy.

However, the question of autonomy is dramatically different in western and Middle Eastern and North African (MENA) countries. In the west, where we strive for gender equality, being a woman does not exempt one from being fully responsible for the actions taken. However, given the protections in place for those under 18, being a minor does suggest that one is not experienced enough to be held fully culpable for their decisions. In the Muslim countries where ISIS is present, it is the opposite. Boys, despite laws stating otherwise, are often allowed to join the military or are even recruited for it in the MENA region while underage.^{iv} Women are considered inherently less capable than men, but girls who are underage are allowed and even encouraged into activities we might view as the territory of adults, including marriage. They often cannot marry, however, without the permission of a male relative. Thus in the western justice systems, in addition to participation in violent activities, age is likely to be a factor, while in MENA justice systems, gender is likely to be a factor.

Underage girls who can prove coercion and brainwashing and did not participate actively in recruitment or violence should be de-radicalized and reintegrated, while those who participated actively in ISIS violence and were cognizant of the organization, they were joining should face international criminal justice, with some degree of moderation based on age and the activity itself. Moreover, women who want to return to the communities directly impacted by ISIS violence ought to abide by community wishes for moving forward, including the possibility of truth and reconciliation commissions.

WHAT IS TRANSITIONAL JUSTICE?

Scholar John Elster suggests that “We may distinguish three institutional forms of justice: legal justice, administrative justice, and political justice.”^v Political justice is when the executive branch “unilaterally and without the possibility of appeal designates the wrongdoers and decides what shall be done with them.”^{vi} Legal justice, on the other hand, involves the judiciary being completely insulated

from other branches of the government with the judges or juries unbiased in their interpretation of the law.^{vii} Administrative justice is typically seen in purges in public of personnel in public administration after a government transition, and is less relevant here.^{viii} However, there is little chance that the majority of these women will face any sort of trials. In the west they are more likely to face legal justice than in the Mideast, where they are already undergoing political justice.

One common response thus far by western countries has been trying to strip returnees of their nationality. It is technically a crime against humanity to render a person stateless.^{ix} Thus it is difficult to determine how, precisely, this response will play out. As for prosecuting returning fighters, there are the numerous different jurisdictions involved in determining the legal status of former ISIS members. Many were involved in cross-border violence, moving between Iraq and Syria, as ISIS' territory expanded. In addition, much of the evidence is anecdotal. Civilians can claim to have traveled to these territories for humanitarian reasons, and the travel itself is not illegal.^x It is very difficult to prove "what someone has been doing in a theatre of war."^{xi} MI6 officials have said that "Proving specific actions on the battlefield to the standards needed in a European court might be impossible, given the difficulty in securing witness testimony and other evidence."^{xii} The same holds true for the U.S.

These women could face charges due to their roles in recruitment and participation in violence. Though, as mentioned, obtaining specific evidence against each individual who engaged in violence and recruitment is unlikely, there are enough living victims and social media evidence that some could be tried. However, it seems likely that some portion of the women, if tried, could lessen their sentence under claims of duress. After WWII, it was acknowledged that "Victims may also appear as wrongdoers if they collaborate with wrongdoers and facilitate their work... In an obvious sense, they were acting under duress."^{xiii} But duress is not a full defense to every crime. Murder under duress may lessen one's sentence, but it doesn't prevent a conviction.^{xiv}

Then there is the question of restitution, reparations, and apologies. To quote Elazar Barkan,

Restitution strictly refers to the return of the specific actual belongings that were confiscated, seized, or stolen, such as land, art, ancestral remains, and the like.

Reparations refers to some form of material recompense for that which cannot be returned, such as human life, a flourishing culture and economy, and identity. *Apology* refers not to the transfer of material items or resources at all but to an admission of wrongdoing, a recognition of its effects, and, in some cases, an acceptance of responsibility for those effects and an obligation to its victims.^{xv}

Barkan describes how in the aftermath of WWII, Germany came to an agreement with some of the victims of the Nazi regime to pay compensation. Germany's further admission of guilt "provided a mechanism for dealing with pain and recognizing loss and responsibility, while enabling life to proceed."^{xvi} Acknowledgement of wrongdoing is already going to be a complicated issue in this case, as some women actively wanted to join ISIS, some actively wanted to join but will claim they were brainwashed, some were underage, and some were actually coerced. Each group requires a different kind of response.

One form of justice that has become increasingly popular is truth and reconciliation committees. It should be noted that historically, truth commissions have not met the high expectations that surround their creation, but in theory, non-judicial truth seeking is a way to begin reconciliation.^{xvii} They are meant to offer a broader historical perspective and accountability, for instance providing answers to questions of disappearances.^{xviii} As scholar Ruti Teitel put it, "Its purpose was not merely justice, but peace for both individuals and society as a whole."^{xix} Thus one of the key differences between a TRC and an international tribunal or state-officiated trial is the impact on the community: is the justice mechanism employed being used to heal wounds caused by neighbors so that people can peacefully live alongside one another again, or is it meant to punish the guilty?

I will divide this issue into two primary categories: the women attempting to return to (and potentially be tried in) the U.S. and Europe, and those returning to communities directly impacted by ISIS in the Middle East. After discussing the women in question, their possible motives and actions, I will move on to the options for next steps.

WHO ARE THE WOMEN JOINING ISIS?

The women involved with ISIS span the gamut from victim to perpetrator, and for many their level of involvement and belief place them somewhere in the middle of this spectrum. When I discuss the issues of repatriation and castigation, we must differentiate between the women who were kidnapped and brainwashed, the women who joined willingly and whose role was limited to moral support and motherhood, the women who joined willingly and took an active role, and the women who joined willingly but were underage and apparently coerced into participation. While the difficulties in



prosecution for any crimes will be discussed later, one element that should be given weight is whether these women were actively coerced or sought out the group and autonomously chose to join.

Two examples I will use to illustrate the complexity of the issue are two cases that have captured international attention: those of Shamima Begum and Hoda Muthana. Begum was 15 when she joined, and claims to have taken no actions to support ISIS beyond her role as a wife. Muthana was a legal adult when she joined, actively supported ISIS on social media, and ultimately ran away from their territory with a Syrian family. I will refer to aspects of both of these cases to illustrate different pieces of potential issues and solutions.

WHY FOCUS ON WOMEN

As mentioned, there has been a great deal of international attention on these so-called “ISIS brides,” more so than on the men who were recruited. There are several reasons for this. First, criminality is less clear cut, as women participated in the violence less than men, so their role is often more one of support. Western society is fascinated by the idea of the female terrorist. In the west, we assert confidently that a grown woman has agency, capability, and independence, yet we act as if a woman who joined ISIS is in more need of saving than a man in the same situation. The plight of the woman used to spur on men is a timeless trope, easily recognizable in western narratives. In the news, we see countless articles about the oppressed women of the Middle East. Of course, there is truth to this. Women are kidnapped, raped, enslaved, tortured, and killed by religious terrorist groups. Yet focusing solely on the vivid reality of terrorist organizations exploiting captured women is too lacking in complexity. Terrorist groups like ISIS use these assumptions to create female jihadis who are not under the same scrutiny as men, not searched as thoroughly if at all, and are seen as non-threatening. Assuming that women are inherently victims even if they participated in violence promotes stereotypes that women lack the capacity for agency or are inherently somehow “less violent” than men, and neither of these is the case. That these are stereotypes and generalities is precisely the point: that is how they can be utilized and why we cannot simply call these women “jihadi bride” victims.

DIRECT KIDNAPPING VICTIMS

ISIS makes no secret of their strategy to treat the genders differently. Men were slaughtered and women and girls kidnapped and used for sex. A striking example is the Yazidi people. Thousands of Yazidi women were taken by ISIS, and repeatedly raped and tortured. Many were the subjects of brainwashing efforts. These women did not affirmatively join a radicalized sect but were literally stolen away from their homes and families. These women are clearly on the victim end of the spectrum between victim and perpetrator, and we can examine marked differences between the way these women were dragged into ISIS and treated by the militants from the way the so-called “brides” joined and were treated to analyze other women who have left ISIS strongholds.

Father Patrick Desbois has spent over a decade studying mass killings of Jews and Roma in Eastern Europe, and has now turned his attention to the Yazidi. He supports the psychological treatment that women are getting in some of the refugee camps, saying, “It is quite literally a process akin to reclaiming someone who has been brainwashed by a cult.”^{xx} A German-Kurdish psychologist agreed that these victims suffer from severe psychological trauma and need mental health treatment.^{xxi} The Yazidi women are seen as legitimate victims who deserve support and help in returning to emotional stability.

UNDERAGE WOMEN

The next group of women to examine are those who voluntarily joined ISIS before they were legal adults. Western media generally consider women under 18 as lacking the capacity to make mature decisions and therefore categorizes this group as having been “groomed” or “lured” into joining ISIS. One journalist examining a series of radicalization processes likened the experiences to “child sexual exploitation and grooming,” adding that “Often older men sought out teenage girls,” some of whom reported “sexual abuse, domestic or honor-based violence” once they joined.^{xxii} Begum’s story illustrates some of the complexity of this narrative. She was 15 years old when she was recruited. If a 15-year-old girl was groomed and married by an adult man in most of the western world, she would be considered the victim of emotional exploitation and sexual abuse. Begum claims to this day, however, that she does not regret her choice to join ISIS. She also defends herself by saying that she never made propaganda or recruited others: she was simply a believer, a wife, and a mother.^{xxiii}

In cases like that of Begum, her continued belief in ISIS ideals may make her a threat: she could recruit others, and if she already believes in the cause, she could potentially be convinced to, if not carry out attacks herself, raise her children to do so.^{xxiv} Others are treated not as threats, but simply as victims. In 2014 three teenage girls (ages 15, 16, and 17) from Colorado attempted to join ISIS in Syria, and had been planning the trip for months. However, they were stopped in Germany and when returned to the U.S. law enforcement treated their case as being victims of online predators due to their ages.^{xxv} It is relevant that they never got to Syria to join ISIS, but still the intent was there.

ISIS' recruitment and exploitation of women and girls may fit legal definitions of human trafficking.^{xxvi} Certainly the case of the Yazidi women and girls illustrates that some of these women are victims. But beyond the clear cut cases, many of these girls (and they are underage girls) are promised glory and religious honor, promised a life of luxury, and then find themselves in a situation in which they are compelled to be a domestic servant or sexual slave.^{xxvii} This is clearly exploitation, but it is also true that some of the women being deceived about their particular role, and even about the violence perpetrated by ISIS, are still willing to join the "caliphate."

Here is another example:

[O]nline, a Da'esh fighter met a young Muslim student from France. In befriending her, he listened to her describe her life and struggles in France, and he described his own life in Da'esh controlled territory, which he called the true land of Allah. She began to feel increasingly isolated in her own country. He convinced her to join him in Syria and sent her 1800 euros for a flight. She decided to go, but upon her arrival in Raqqa, Da'esh militants locked her in a room, confiscated her phone and papers, and told her she would not be released unless she agreed to marry her recruiter. Such a marriage entailed carrying out domestic duties, maintaining a household, submitting to sex, and bearing children for the so-called "Islamic State." After fifteen days in captivity, she agreed.^{xxviii}

This situation is more akin to popular notions of human trafficking than to a woman excitedly joining a terrorist organization. This underage girl described above was lured, deceived, and ultimately forced into cooperation. According to her story, the Daesh fighter with whom she spoke online told her the lie that Islam was forbidden in France, and that if she died in France, she would go to hell.^{xxix} And so she went, with her recruiter's careful instructions, to Syria. This girl claims that a day after agreeing to marriage, she changed her mind, and was thrown in jail under suspicion of working for the French police. She was eventually allowed to leave to Turkey and told not to say a word about what she saw. Officials suspect

that some elements of this particular young woman's story are inaccurate, but here we are using it to consider a picture of the kinds of experiences some women apparently had.^{xxx}

When we look at child soldiers in general, we are struck by similar dilemmas. Many child soldiers were forced into their roles, and committed atrocities under duress. And yet some of these children try to escape, while others rise through the ranks of the organization.^{xxxii} Is this a question of nature versus nurture, of different forms of adaptation, or of different experiences of and responses to trauma? These are the same questions to be asked regarding many of the girls who joined ISIS without fully understanding its mission, particularly those who joined as legal minors. Why did some begin to participate in the atrocities, while others provided a smaller, though still significant, role as wife, caretaker, and mother?

Legally, anyone under eighteen who "is, or who has been, recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, spies or for sexual purposes" treads the territory of being a child soldier, based on the Paris Principles on the Involvement of Children in Armed Conflict.^{xxxiii} Using children under fifteen as soldiers is defined as a war crime by the ICC.^{xxxiii} Thus legally, those recruited who were minors would be considered victims first. This, however, raises a new set of questions. What is a soldier? Are women who are recruited as wives and mothers technically child soldiers? If someone was recruited while they were underage and then committed atrocities when they were legal adults, what role would their recruitment play in considering their crimes?

To the first question, according to the decisions in the case against Thomas Lubanga Dyilo in 2014 and the judgment in the Special Court for Sierra Leone in 2009, these women do not count as child soldiers.^{xxxiv} However, forced marriage and sexual slavery are both considered crimes against humanity, which brings us back to the question of autonomy.

Furthermore, we must address what role their underage recruitment plays in their rehabilitation. Theresa Betancourt's groundbreaking study on child soldiers found that:

former child soldiers suffer nightmares, intense sadness, intrusive thoughts, and recurring violent images. Not surprisingly, those who committed extreme acts of violence, or were its victims, tend to suffer the most persistent mental health problems and need the most intensive care. Frequently, these children have difficulty with community relationships after their release. They struggle with guilt and shame. They are labeled as different or

untrustworthy, which, in a vicious circle, deepens their sense of isolation. In their home communities, they are blamed for having destroyed lives, homes, property, and society itself. Those who are socially isolated are especially vulnerable to addictions and abusive relationships. Girls face a compound burden. They are more likely to suffer depression, anxiety, and post-traumatic stress disorder, compared with boys. Some have returned to their communities having had unwanted pregnancies during their times with rebel groups. At home, they face the double stigma of having participated in violence and being seen as “impure,” regardless of their war experiences.^{xxxv}

Again, we are brought to questions of agency. What role does brainwashing play? If a legal minor was recruited through coercion and lies, and then forced to into committing acts of violence, how much blame lies with them, both morally and legally? The moral dimension is only relevant in that we cannot separate those who will be the judges of these women from their own perspectives, but the legal context is critical. A key case to examine here is that of Dominic Ongwen. While this case is still ongoing, the Pre-Trial Chamber decided that abduction as a child does not block responsibility for crimes as an adult, but could lead to a reduction in sentencing due to circumstances.^{xxxvi}

WOMEN’S ROLES IN ISIS

Women’s roles in ISIS are varied, but active enough that simply terming them ‘jihadi brides’ undermines them of their agency and reduces those who were active perpetrators and supporters to mere victims. They joined the group: that means they were members of ISIS, not merely “brides.” It is true that a large part of their role has been domestic: taking care of their husbands and having, then caring for, children (“caliphate cubs”).^{xxxvii} But this is far from their only role. Women in Karachi have been accused of fundraising and recruiting for ISIS, and even aiding in a 2015 attack in which their husbands killed 46 people in Safoora.^{xxxviii}¹

But even the domestic roles are an aid to the organization. Author Nahida Nakad says "There is a kind of brainwashing to make women believe that only Islam respects them and that the West disrespects them, since this society shows their bodies and forces them to rub shoulders with men."^{xxxix} There are, in

¹ While this paper will continue to value the words of others who treat these “brides” as a monolithic group, after such statements I will be illustrating that both age and actions taken matter in distinguishing amongst them.

France, apparently more cases of girls being tricked into going to Syria. To quote author Dounia Bouzar, there is a typical pattern in the radicalization of French teenage girls:

Many come from atheist families. It's like lightning falling on the house. They are all brilliant girls, who were preparing to do medicine, political science or altruistic professions. Some wanted to be nurses, caregivers or social workers. They had the misfortune to talk about it on their Facebook page. One of them had posted photos of a humanitarian camp in Burkina Faso where she had gone in the summer. It's as if the terrorists had psychologist headhunters who spot profiles of personalities who want to change the world and fight against injustices. [...] They are asked: "What edge are you on? Are you going to let the people be slaughtered? Wake up!" They are made to reject the real world. [...] The girls are given unbearable photos of children shredded by Bashar al-Assad. They are told that they must immediately stop studying in the West to save them. To the girls, it is believed that they will do humanitarian work [...] Men charm them and make them believe that they are heroes. A new form of charming bearded princes, in short. Sometimes, they are matchmakers they end up calling "my darling," "my pearl of love." They manage to cut them off from families and old friends of the school so they can have more power over them.^{x1}

She adds that sometimes the girls realize quickly they are in a situation in which they will be one of a group of wives, forced to get pregnant as quickly as possible, and are exposed to constant violence.^{xii}

In ISIS held territory, some women joined groups such as the al-Khansa brigade, and committed severe violence against other women. Muthana, for instance, was both a member of the al-Khansa brigade and actively incited violence on social media.^{xlii} Another woman, Ariel Bradley, was an American who married an ISIS fighter in 2014. Her social media would juxtapose beautiful images of the landscape in ISIS territory, romanticizing the experience to convince other women to join.^{xliii} These women were both active recruiters for a terrorist organization.

One Yazidi woman, Pari Ibrahim, described that in her experience the ISIS wives were active participants in genocide. She claims that escaped Yazidi girls describes how the women of ISIS would "lock them up and beat them. They would shower the girls, put them in nice clothes and put makeup on their faces to get them ready to be raped."^{xliv} Ibrahim adds that the Yazidi community who have escaped saw British citizens committing these acts of violence against the Yazidi, suggesting that some of these foreign brides took part.^{xlv} This is where lack of other sources of evidence is an issue, since the only source of knowledge is from those who were victimized.

CURRENT RESPONSES TO RETURNEES

The responses to potential and actual returning ISIS women vary dramatically by country. I will examine the response of western and MENA countries separately, because the response in each illustrates the country's culture, how significant a threat ISIS has been, and how women are viewed.

U.S. AND EUROPE: AGE MATTERS

If the government allows the former ISIS women to return, many will be difficult to prosecute. As mentioned previously, having a nationality is a human right. Thus, it is an abdication of their responsibilities to leave the women who are still citizens of the U.S. and other European countries in refugee camps in Turkey and elsewhere. Those who remain in these camps will likely either fall through the cracks of the legal system, or be subject to the type of local justice that will be discussed below. Those who are returned to their homeland will certainly be investigated, but the various details of their experiences will determine the nature of their prosecution. Girls who were underage, have evidence that can prove attempts at brainwashing, and did not participate in violence or recruitment will likely not be prosecuted. They may have the option to go through thorough de-radicalization programs and intensive therapy. Those who chose to go to ISIS knowing full well what type of violence would ensue, as well as those who participated in the violence, are far more likely to be prosecuted for crimes against humanity because they had clear motive and intent to do harm. Any who assisted in the Yazidi genocide, for instance, have aided in the crime of genocide, which the international court system sees as one of the utmost gravities. However, in international courts unlike the ones springing up in Iraq, the prosecutors and jury have some emotional distance from crimes. This can help to ensure fairer trials.

MIDDLE EAST: GENDER (SOMETIMES) MATTERS

According to Nobel Peace Prize Laureate Nadia Murad, herself a survivor of enslavement and torture at the hands of ISIS militants, “this case is important for all Yazidi survivors. Every survivor I have met and spoken to is waiting for the same thing – for the perpetrators to be prosecuted for their crimes against Yazidis, including women and children. So, this is a very big moment for me, and for the entire Yazidi community.”^{xlvi}

To begin, it is clear that there is not going to be only one way to deal with the returnees, who originate from a variety of MENA countries and had varying levels of impact on their home soil. So let us examine in depth one country: Iraq. Rather than impose western morals, any peace or stability will be longer lasting if the form of justice decided upon comes from the victimized local communities.^{xlvii}

However, sometimes the justice desired is purely vengeance. Yazidi women want the guilty punished for the genocide against their people, and for them, it is likely that official trials would be the most conciliatory option. There have been “show trials” ongoing for some time, not only among the Yazidi communities but throughout Iraq, often lasting under ten minutes and always ending in the execution of the accused.^{xlviii} But this is not true justice. Perhaps if there were to be a commission set up, as in Rwanda or the former Yugoslavia, that addressed these alleged perpetrators individually, this would be adequate justice while also adhering to the rule of law.

In the aftermath of the violence committed by the Shining Path in Peru, the governor of one village discussed how people began to live together again, knowing that their neighbors had killed their family members: “There will always be remorse and resentment inside. But remorse and resentment that you hear—that people talk about directly— not anymore. I don’t think people will ever completely forget. They keep it in their hearts. Of course, they don’t hit each other anymore, they don’t mention it—but it’s obvious the wounds are there, slowly healing. And the fear? That will only pass with time.”^{xlix} Perhaps this is naïve. Personally, I do not know if I could live alongside someone who killed a loved one and simply carry on, but that is one the quite idealistic goals of such commissions: to end the cycle of violence.

For the Yazidi with whom I have spoken, however, there is no grey zone.² Their women and children were kidnapped and enslaved and their men were slaughtered. Of course, this varies by community. Some women who have escaped experience stigma upon their return, as their faith does not allow marriage or sex with people of other faiths, and sometimes even honor based violence.¹ However, Yazidi leaders have “urged the community to embrace them. New community rituals to reduce stigma,

² I worked with a Yazidi nonprofit in 2015-2017, and spent several months in Kurdistan, visiting villages destroyed by ISIS in the spring of 2017. I am still in contact with several of the friends I made while I was there and we have discussed their opinions of ongoing events.



such as being ‘re-baptized’ into the faith are, and will be, essential in reducing post-traumatic stress disorder, as well as narrative exposure therapy, a combination of ritual and storytelling, to aid healing and reintegration.”^{li} I can say that in the Yazidi community into which I was welcomed, in the village of Ninawa on Sinjar Mountain, the community had truly come together. Those who had suffered worked to support each other, to communally raise the children, to provide the material and emotional support to one another that they could. But their anger at the group that did this is undiminished. I do not believe they want mere apologies, but a more punitive form of justice.

In other victimized communities, TRCs might be adequate. Research in Peru suggests “there is an implicit contract established in the giving and receiving of testimonies about a painful history of sustained political violence. When victim-survivors speak about their suffering and losses, they place a responsibility on their interlocutors to respond: testimony is a demand for acknowledgement and redress.”^{lii} While this does not yet enter a stage that considers punishment, it could be a potential method of healing for the communities. Again, drawing from the case of Peru, perhaps a program could be established to provide the victims with “symbolic reparations (e.g. public gestures, acts of recognition, memorials etc.), reparations in the form of services like health and education, restitution of citizen rights, individualized economic reparations, and collective, community-wide reparations.”^{liii} While truth and justice are both critical in addressing the wrongs that have occurred, any potential solution should also pave the way for community healing and reconciliation, so that these divisions diminish.

It seems there will need to be some form of retributive justice. Even as giving testimony in a TRC can provide a feeling of catharsis, many hoped during the TRC in Peru that telling the story of their violence would not only prevent it from happening again, but also would lead to “concrete redress.”^{liv} Ruth Rubio-Martin discusses the difference between corrective reparations (“giving adequate redress to victims”) and transformative reparations (“advancing the consolidation of a more inclusive democratic system”).^{lv} She suggests one possible example of collective reparations would be to provide rights and recognition to a violated group, recognizing them as “*equal* citizens, thereby contributing to the creation or affirmation of a more inclusive and democratic political ethos.”^{lvi} This in particular might be helpful in the case of the Yazidi, providing them equal citizenship, rights, and protection under the law. While this

would not directly stem from the women who joined ISIS, it is one possible outcome of the overall violence committed against them to prevent such future acts.

So, what would potential reparations from these women be? Those tried in the aforementioned potential international tribunal could be punished with jail time. But what of communities who wanted community-driven solutions? What possible words, acts, or material things can the women who joined ISIS provide to their communities to begin rebuilding trust or to serve as an apology for their actions? I do not have answers to this, but I expect it is an issue we will continue to see in the coming months and years.

CONCLUSIONS

There is no one-size-fits-all answer to the question of what to do with “jihadi brides.” Some women were forced into ISIS and later brainwashed. Some were tricked and exploited, but at some level still were cognizant of the meaning of the organization. Some voluntarily joined and embraced the violence. The fact that they were women and not men makes them no less complicit; yet in western conceptions of law and justice the young age of some girls does make them less complicit. And the justice that ought to be served to these women depends not only on their motivations and actions, but also on what will best serve their victims. The women who joined from the west should be interviewed and de-radicalized, punished if necessary, but allowed space for the possibility of underage coercion and brainwashing. Those returning to communities directly harmed by ISIS, however, face a more complicated situation. Punishment and reparations should certainly fit the role they took in this organization, but how to heal is something that can only be decided by the communities themselves, not outsiders. It is possible it will be through TRCs, or international tribunals, or community rituals. But it is not for us to say what is correct. The damage cannot be undone; now it is up to these communities to determine how to move forward.

Photo: The Times:

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