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# Cross-Cultural Dialogue as a Conflict Management Strategy

 Springer

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J. Martín Ramírez · Gracia Abad-Quintanal  
Editors

# Cross-Cultural Dialogue as a Conflict Management Strategy

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***In Memoriam***



***To Robert A. Hinde (1923–2017)***  
*for his outstanding contributions to CICA  
and specially to the Seville Statement on  
Violence.*

# Contents

## Part I World Order and Conflict

- The World Order and the New Geopolitical Trends** . . . . . 3  
Jesús Argumosa
- The Destiny of Nuclear Weapons After the Ban Treaty** . . . . . 9  
A. A. Soltanieh

## Part II Culture, Violence and Conflict

- Security Culture and Morale: Determinants of Effective Operation of Uniformed Services** . . . . . 23  
Juliusz Piwowarski and Wojciech Czajkowski
- Individual Terrorism as a Response to the Distorted Phenomenon of Cultural Identity** . . . . . 34  
Claudio. A. Payá-Santos, Juan José Delgado-Morán, and Pablo Andrés Mazurier
- Language Diversity as a Source of Conflict in Hungary—Possible Implications of Immigration** . . . . . 46  
Noemi Nagy

## Part III Cultural Differences and Conflict Management

- The Search for Unity Beneath Our Cultural Differences** . . . . . 61  
Tina Lindhard
- What Can Psychology Offer in Cross-Cultural Dialogue: A Psychological Approach to Intercultural Competence** . . . . . 70  
Marzanna Farnicka and Margarida Pocinho
- Sensemaking and Unknowable in Risk Management** . . . . . 84  
Dumisani Khanyle and John David Cluett

**Aesthetics of Peace: The Role of Art in Conflict Transformation** ..... 101  
Ioana Popescu

**Part IV The Legal and Justice Systems and the Cross-Cultural Conflict**

**Dangerous Offenders with Personality Disorders: A Comparative Study of the Situation in Diverse Legal Systems, with Special Attention to Spain** ..... 117  
Pilar Otero

**Terrorism and Violence in Spanish Prisons: A Brief Glimpse into Prison Environment: Personal Experiences and Reflections** ..... 138  
Luis Millana

**Epilogue** ..... 154



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# Introduction

We would like to dedicate this book to Prof. Robert A. Hinde, who passed away last year. He was a wonderful man and great scientist: twice Doctor, by Oxford and by Cambridge, Doctor h.c. by the Sorbonne, and Master of St. John's College at Cambridge, just where Isaac Newton was living when he discovered the law of gravity, observing the falling of an apple, in 1666. As a real and honest Pugwashite, chairing the British Pugwash, non-violence, reconciliation, and the abolition of war were close to his heart. I personally had the privilege of sharing quite close and deep professional collaboration through ISRA and CICA conferences (including publications, included the joint edition of a book, and a key participation in the elaboration of UNESCO endorsed Seville Statement on Violence), becoming a very close family friend for the past four decades, with him coming to my Seville home and I to his St. John's College, at Cambridge. Robert was an outstanding person, a role model for all of those who knew him: kind and upright, he had a keen eye for the bigger picture, and this gave him a unique way of viewing humanity and the problems associated with modern-day living. In this, his solutions were always ethical, although within this he demanded a fairer deal for all. His kindness, humanistic character and gentleman like honesty will always be present in our coming CICA task.

\*\*\*\*\*

CICA International offers expanding international conferences intended to tackle universal human problems related to conflict in a wide-ranging way that transcends disciplinary and cultural perspectives, offering a trans-disciplinary knowledge. These CICA's started in 1983, gathering scholars and researchers interested on the analysis and discussion of the relationship between brain and aggression and other close topics, such as violence, terrorism, peace, and conflict at different levels, from the internal to the international ones, through an integrated, comprehensive, and interdisciplinary approach that considers both biological and psycho-socio-cultural factors. The main characteristic of these CICA meetings throughout the world is

precisely this wide-ranging, comprehensive approach, crossing disciplinary boundaries. Consequently, it is open to plenty of disciplines, such as: individual and social psychology, psychiatry, physiology, sociology, anthropology, animal behaviour, criminology, international law, political science, pharmacology, child development, education, security studies and international relations, law and world affairs, military and peace studies, as well as policy makers, among others, but always trying to integrate the different disciplines with the purpose of helping in laying down a very much needed stable social system.

The scientific fruit of the previous forty CICAs held to date at seventeen countries in five continents [Spain, Chile, Colombia, South Africa, Sri Lanka, USA (California, New England, and Georgia), Greece, Zambia, Italy, England, Nord Ireland, Mexico, Poland, Turkey, Hungary, Bulgaria, and India] is reflected in the elaboration of more than thirty publications, most of them in English language (see: <http://www.cicainternational.org>).

The present book is a product of some selected contributions to the XLII CICA, focused on one of the most timely topics, specially in Europe: Conflict and Cross-Cultural Dialogue, accounting on the participation of experts from 34 countries from five different continents: China-Hong Kong, Cambodia, Iran, Vietnam, Israel, Palestine, Lebanon, Bulgaria, Bosnia and Herzegovina, Croatia, Denmark, England, France, Germany, Italy, Luxembourg, Poland, Romania, Russia, Serbia, Switzerland, Canada, USA, Nigeria, South Africa, Western Sahara, Bolivia, Colombia, Cuba, Dominican Republic, Ecuador, Venezuela, and Spain.

More specifically, we were fortunate to host reputed scholars from different fields of expertise as keynote speakers, such as the Chair of the International Pugwash Council; a former Permanent Representative of the Islamic Republic of Iran to the United Nations, Advisor to Vice President of Iran and Head of Iranian Atomic Energy Organization; the President of Sephardi Community of Jerusalem; a qualified member of the Muslim Council in UK; a former President of the Parliament of Luxembourg and Honorary Minister of Culture; the President-elect of the Society for the Study of Peace and Conflict; the President of the Colombian Institute of Studies on Psychosocial biology and Intervention in Violence; as well as several delegates from the former Yugoslavia. We were also very honoured by the presence of an institutional top-level delegation from the University of Public and Individual Security “Apeiron” in Cracow.

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As mentioned above, this present volume on *Cross-Cultural Dialogue as a Conflict Management Strategy* brings together a selection of scholarly contributions presented to the XLII CICA, authored by a really cross-cultural cast of 16 international researchers and leading thinkers representing ten countries from Europe, Americas, Africa, and the Middle East, addressing quite relevant issues on the general topic, from an interdisciplinary perspective. The academic background of the contributors is quite diverse: militia and police, law, diplomacy, security and conflict studies, psychology, art and humanities. This approach encourages a broader perspective

and thought process, trans-discipline and global collaboration and cooperation, and an integrated synthesis of knowledge.

This rather eclectic group of authors approaches the main topic from four different points of view:

The first section opens with two chapters focused on some interesting and necessary descriptive considerations on the current status quo: the world order and some important facets of the current conflictive situation. The first chapter, written by the Spanish Army general Argumosa, offers a very clear accounting on the new geopolitical trends, outlining some of the features of the new world order that will accompany us in the first third of the twenty-first century.

The Iranian ambassador Soltanieh dedicates the second one to narrate how the recent UN multilateral Ban Treaty of Nuclear Weapons (7 July 2017) was elaborated. Being a first-line observer, in his capacity as a senior evaluation consultant of CTBTO as well as UNODC during the Vienna negotiations, he considers its eventual future, including a critical review: its step-by-step voluntary mild approach, without legally binding obligations for elimination of nuclear weapons within certain definite timeline, practically postponed or decades the realization of this legitimate urgent demand.

The next section includes three chapters on Culture, Violence and Conflict. The first two are focused on security issues: two Polish experts in security, Piwowarski and Czajkowski, share their experiences at the University of Public and Individual Security in Cracow, concerning the importance of functioning patterns morale for individuals and professional groups within the modern civilization; and Paya, Delgado, and Mazurier, scholars from Spain and Argentina, link the terrorist phenomenon to a distorted cultural identity, in an effort to clarify the scope of the concepts of ideology and interpellation to study the phenomenon of identification with the cause of, and subsequent voluntary support to, Jihadism through lone wolves' actions.

The final chapter, written by Nagy, a Hungarian jurist specialized in language rights, assesses the possible effect of language on conflict, analyzing the case of her country, a multinational and multilingual state for a thousand years, in the context of recent migrations. She opens very interesting questions such as: Is Hungary's legal arrangement appropriate to accommodate current needs of language minorities including new minorities, i.e. migrants? What are the possible implications of influx of immigrants into Hungary in terms of language policy? Will language resurface as a source of conflict as a new layout of multilingualism is taking shape in Europe?

Four chapters compose the third section, on how the conflicts can be managed in a positive way within different cultures. Lindhard, a Danish expert in consciousness studies, starts with a quite provocative perspective on the search for unity beneath our cultural differences, suggesting how to cope a deep respect for human differences—we express ourselves in different ways, religiously, culturally, and individually—with a sincere search for “that” what underlies all of us.

The next one is written by two scholars from Poland, Farnicka, and Portugal, Pocinho, who offer a psychological approach to intercultural competence, analyzing what can psychology offer in cross-cultural dialogue. This framework of

intercultural competence can be helpful in ensuring a more comprehensive, integrated approach in everyday work and life and promoting a better cross-cultural dialogue.

Another two experienced South African businessmen—Khanyile and Cluett—introduce a different methodology of managing conflict risk by understanding the unknowables in potential threats. These unknowables can be understood through sense-making processes, strongly dependent upon identity. Consequently, understanding how our personal identities shape what we see in other people improves collective understanding of each other and the situation in front of us which provides solutions in a multicultural dialogue.

The section is closed by a very attractive chapter prepared by Popescu, a Romanian with a depth knowledge in peace-building and post-conflict reconstruction, providing a new approach through which conflict transformation can be pursued in order to prevent violence; she tells us about the possibility of using art as a tool in conflict transformation, with several examples of how artistic and aesthetic experiences may address some key underlying causes of conflict such as: trauma, miscommunication, social exclusion, and dehumanization. And writing this introduction just after watching the Vienna New Year Concert, as I usually do every January 1—unfortunately not in person, tough—I cannot but agree with Popescu's rationale: music is necessary of a better world!

The fourth section, focused directly on the legal and justice systems within cross-cultural conflicts, is written by two Spanish scholars. In the first chapter, Otero, a prestigious jurist specialized in penal law, presents a comparative study of the security measures applied to dangerous offenders with personality disorders in a variety of legal cultures, paying special attention to Spanish criminal legislation.

Finally, Millana, a Spanish prison officer with a psychological Ph.D. as background, shares with us some practical reflections on his personal experience on various intervention programmes applied into a prison environment with interns from different cultures and backgrounds, such as belonging to armed or criminal gangs, Latino gangs (maras), or jihadist terrorist organizations.

*Cross-Cultural Dialogue as a Conflict Management Strategy* is completed by an Introduction and an Epilogue by both co-editors.

In sum, we hope that reading this volume may help to achieve our purpose of leading to laying down a stable social system, materializing a new opportunity for exchanging interesting ideas, and contributing, even if modestly, to the development of some positive solutions to this key human conflict so vivid nowadays among our society.

**Part I**  
**World Order and Conflict**



# The World Order and the New Geopolitical Trends

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## 1 Introduction

The global security environment is volatile, uncertain and complex, and the atmosphere of instability around the world has increased dramatically in recent years. Since the fall of the Soviet Union in the early 1990s, strategic disorder has been the hallmark of the international security climate and this situation appears likely to continue throughout the first third of this twenty-first century.

The structure of international security has come under renewed pressure since the moment the US (the country which designed it, and has maintained it over the past 70 years) began to relinquish responsibility. In most of his actions and declarations the new US president, Donald Trump, has proclaimed his preference for bilateralism and his rejection of multilateralism, a system which in fact has allowed Americans to exercise global primacy since the end of the Second World War.

One of the strategic factors that will have the greatest impact in this time frame will be the reestablishment of Asia as a key political and economic power. In 1750, Asia was home to more than half of the world's population and represented more than 50% of the global economy, but by 1900 this figure had fallen to only 20% as the Industrial Revolution in the West established Europe and the United States as the world's economic powerhouses. By 2050, however, Asia will have recovered its historical prominence on the world stage, thanks to rapid growth in China, India and in other East and Southeast Asian countries.

Events such as Brexit and the election of Donald Trump as president of the United States have shocked the liberal system and shaken international geostrategy, not just because of their specific impact on the European and global order, but also because of the speed at which these dramatic changes are occurring. These events have accelerated the emergence of powerful trends such as nationalist populism, fuelling a growing sense of helplessness among political elites and a desire to take back control among the population (Center for Security Studies 2017).

In essence, the wars that await us in this first third of the twenty-first century will be subject to a wide range of situations of instability, caused by different kinds of risks and

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threats. As a result, these wars will themselves be diverse and dispersed. Of course, the nature of war is affected by technology and by the dynamics of individual societies and may change drastically depending on the time period or on the particular context in which it develops. These changes are palpable between one war and the next, and also during the same war as it unfolds—as Western countries have found in Iraq and Afghanistan during the early years of this century (IISS 2016).

Broadly speaking, the most important global threats that are foreseen for the coming decades will come from the following sources: cyber attacks; emerging and disruptive technologies; terrorism; weapons of mass destruction; space and counter-space operations; counterintelligence; transnational organised crime; the scarcity of economic and natural resources and the lack of human security (US Senate 2017).

The West's adversaries will increasingly use cyberspace with the intention of threatening the interests of the free world and favouring their own. Despite the notable improvements made in the West in the areas of cyber defence and in emerging technologies, communication networks, artificial intelligence and information systems, there are clear signs that the risks and threats to its interests will last several decades.

In this new panorama, there is a real risk that the world order led by the US—based on a set of universal values that most countries pursue, together with the promotion of democracy, the protection of human rights, the defence of minorities, the plurality of opinions and freedom of expression—will disappear.

## 2 Geopolitical Trends

In this first third of the twenty-first century, five trends are emerging on the geopolitical horizon that will profoundly affect the configuration of the new world order. These trends are listed below.

The first is the rise of China as a military power capable of challenging the security guarantees that the United States offers to its East Asian allies, including Japan, South Korea and Taiwan (The Economist 2012). Chinese military strategy of 2015 makes a departure from its traditional focus on land warfare and gives absolute priority to the naval environment and the protection of the country's interests and maritime rights. It also aims to develop the country's naval capabilities to safeguard its sovereignty and maritime rights, and to guarantee its freedom to sail outside its waters in order to establish itself as a leading sea power (Morales 2016).

The second trend is the resurgence of Russia, with its policy of hybrid war, in which it operates in a large grey area located somewhere between war and peace, using military and non-military means, employing conventional and non-conventional agents together, and manipulating information to gain strategic advantage.

Russia's recent wars in Georgia, Ukraine and Syria are explicit examples of Clausewitz's maxim that war is "the continuation of policy by other means", that is, a response a state sets in motion to achieve strategic objectives when it cannot achieve them through politics. In this case, Moscow's purpose has been primarily to

demonstrate to domestic and international audiences that Russia is a great power with a global reach and global aspirations (Cecire 2017).

With its economy still in difficulties and Western geopolitics in decline, Moscow will be more likely to use military operations in the coming decades to strengthen its global image and consolidate domestic political support. The Kremlin's firm intention to use the instruments of war to shore up its state policy is something that Western thinking must take into account when establishing relations with Moscow. Russian military interventions are usually interpreted in the West as tactical opportunism in the absence of a solid Western strategy, a situation which Moscow has been able to exploit.

The next trend is terrorism, especially the terrorism carried out by Salafi jihadism in the form of Daesh and Al Qaeda, who will continue to use the internet to organise and disseminate propaganda, obtain funds, and inspire and coordinate the attacks carried out by their followers. Hezbollah and Hamas will carry out their terrorist acts inside and outside the Middle East. All these groups and their franchises will continue to look for opportunities to attack Western interests and those of moderate Muslim countries. In addition to the multitude of deadly attacks carried out by Salafi jihadism in the Muslim world during the first years of this century, the series of assaults in the West, which started with the attack on the Twin Towers in New York on September 11, 2001 and continued in Madrid, London, Paris, Brussels, and most recently in Barcelona on August 17, 2017, suggests that this global threat will continue to affect our countries for much of this century.

The fourth trend is the proliferation of nuclear weapons, above all in unstable countries. At the meeting held in Vienna last spring, the Nuclear Crisis Group (NCG) identified four potential nuclear flashpoints: the Korean peninsula; the confrontation in Europe between the United States, NATO and Russia; South Asia, in the form of the conflict between India and Pakistan; and between the United States and China.

At present, the case of the Korean Peninsula is particularly serious. Since 2014, North Korea has test-launched 85 ballistic missiles—the last two flying over the skies of Japan—which have the potential to transport nuclear weapons. It has also carried out three nuclear tests, the most recent one involving a bomb with a yield of 250 kt, was carried out on September 3. Situations such as this are likely to recur in the coming years as countries with unstable regimes seek access to nuclear armaments.

The Global Zero group, which comprises more than three hundred world leaders from the political, military, academic and business domains, has proposed a plan to eliminate all nuclear arsenals that must be signed by all the countries that possess nuclear weapons. However, it is extremely unlikely that this will occur before the middle of this century. Today, the spread of nuclear weapons remains the most dangerous threat that humanity is facing.

The fifth trend is cyberspace as a new military theatre of operations. Cyber warfare gives disproportionate power to militarily weak states or to non-states (The Economist 2012). The challenges posed by this new scenario include the lack of warning time and the difficulty of identifying the origin of attacks which blur the distinction between war and peace. Missions in cyberspace will be an integral part of future military operations.

A number of cyber attacks have already been carried out. When proposing military options to politicians, military planners must take into account the vulnerabilities of

critical national infrastructures (IISS 2016). Deciding how to react to a cyber attack poses several problems, not least the proportionality of the response. When is the use of military force justified? For Western societies in particular, the deployment of cyber offensive capabilities raises the spectrum of cyber collateral damage.

### 3 The Four Major Geopolitical Dilemmas

The geopolitical model of the balance of power, that is, of multipolarity, has been the most common throughout history. At the present time, in this transition towards multipolarity, at least four major geopolitical dilemmas are likely to emerge in the immediate future and create a level of regional or global instability that is difficult to control. This is due not just to the absence of internationally accepted rules but also to the action of other first or second order powers that exercise their authority in different parts of the world without being subject to any established global standards or norms.

The first great geopolitical dilemma is directly global in scope. Mr. Trump has refused to assume world leadership, a role which his twelve predecessors in the White House since the end of the Second World War had tacitly accepted. This renunciation will cause, at the very least, a situation of international geopolitical instability in which major powers such as China or Russia will try to occupy the empty spaces left by the US, in all probability applying principles or values that do not respond to those expected by the international community.

What roles will be played by the United Nations, especially the Security Council— or by alliances such as NATO or ASEAN, by communities such as the European Union, the Organisation of American States or the African Union, by institutions such as the International Monetary Fund, the World Trade Organisation and the World Bank? The United States played a leading role in the creation of most of these organisations and has been a major participant in their development. Who will take up world leadership and what criteria will they apply? And is the United States actually willing to give up this leadership that has benefited it so much in the last 70 years?

The second major geopolitical dilemma lies in the unstable security situation in Eastern Europe, with the tensions between the European Union and Russia triggered by the Russian annexation of Crimea and its military support for the separatists of Eastern Ukraine. The deployment of Russian troops near its borders with eastern European countries also raises the fear of invasion, especially after the annexation of Crimea. This has led NATO to station US units in various Eastern European countries in order to strengthen the US commitment to the EU.

On the other hand, the US president's expressions of fellow feeling towards Russian president Vladimir Putin, along with his readiness to lift sanctions on Russia and his claim that he might officially recognise Moscow's illegal annexation of Crimea, are an affront to European countries and seriously undermine the old transatlantic relationship.

A third major geopolitical dilemma is found in the Middle East, where it will be difficult for Mr Trump to reconcile his policies towards Russia with his desire to defeat Islamic State. The US president's foreseeable readiness to cooperate with Russia to

defeat Islamic State in Syria may turn against US interests; if Trump chooses to cooperate with Russia unconditionally, he risks making the United States complicit in Russia's indiscriminate bombing campaign in Syria and in its efforts to keep Bashar al-Assad in power.

And here the issue of Iran appears. In practice, cooperating with Russia and Syria entails a strategic or tactical alignment with Iran, the Lebanese Shia militia of Hezbollah, and the Iranian Shia militias in Syria. These actions would reinforce Iran's effective influence in Syria and strengthen the Tehran-Baghdad-Damascus-Beirut Shia axis, precisely what the US president does not want.

Finally, the fourth major geopolitical dilemma is the unstable Sino-Japanese geopolitical balance in Southeast Asia, compounded by China's aggressive stance with regard to its territorial disputes. Independently of the Sino-Japanese disputes over the Senkaku Islands (Diaoyu, in Chinese) in the East China Sea, the old Chinese insistence on the "nine-dash line"—covering more than 90% of the South China Sea and clashing with the interests of other countries such as Taiwan, Vietnam, the Philippines, Malaysia and Brunei—will be a source of conflict for decades to come. Undoubtedly, the nuclear situation of North Korea will have a special influence on the balance of regional power.

In fact, by withdrawing from the Trans-Pacific Trade Association, Mr. Trump is helping China by freeing up the economic scenario in Asia. For this reason, many Asian countries are asking themselves this question: if the US abandons the TPP after many years of difficult negotiations, what guarantees do we have that the Trump Administration will support us when a major threat to our security appears?

## 4 Conclusions

In the geopolitical panorama of the first third of the twenty-first century, with its unstable regional and international imbalances and the transition towards a multipolarity, characterised by multilateralism and interdependence, the new world order can choose between two options.

In the first option, the United States takes on the role of multipolar global leadership and acts as the first among equals. The balance of power is established in negotiations with other centres of power such as China, Russia, India, Japan and the European Union.

In the second option, a nationalist, isolationist and protectionist United States turns in on itself, abandons its global leadership, and ducks the great challenges and opportunities that will mark the future of the global community.

There is no doubt that the first option is preferable, both for the United States and for the world. The breakdown of the current geopolitical order that the other scenario would entail would have incalculable consequences for world stability. Furthermore, no other country is in a position to exercise a multipolar leadership of this kind, since only the US has the state infrastructure and the international influence necessary for this responsibility. To be clear, neither Russia nor China can exercise this leadership as they do not meet the prerequisites, and in any case neither country has any interest in doing so.

It will be a cross-cultural multipolarity in which conflicts of a religious, ethnic and nationalistic character will arise between different cultures. There will be a wide range of conflicts not only between Western and Eastern cultures, but also between the Eastern cultures themselves: Islamic, Orthodox, Chinese, Hindu, Buddhist, Japanese and African.

The only way for the international community to maintain respect, tolerance and dialogue is to act proactively and permanently, encouraging and demanding that the universal values of dignity, equality and solidarity should be applied. In short, most of the world community wants the United States to continue to exercise global leadership as the first among equals in a multipolar world, but observing the new rules of engagement which must be defined with maximum international participation.

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# The Destiny of Nuclear Weapons After the Ban Treaty

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## 1 Introduction

One could not anticipate the future without critical review of the past developments and careful analysis of the present situation.

Short glance on the past events since nuclear weapon entered into international security equation shows the failure of multilateralism in total elimination of nuclear weapons. The existence of thousand nuclear warheads with thousand times more destructive power of the ones used in Hiroshima and Nagasaki, dead lock in many international events, proves this assertion. In my opinion, the present stalemate situation is due to a lack of political will to deal with this issue in a pragmatic, sincere manner for the sake of humanity. The following review helps a better understanding.

## 2 The Nuclear Fuel Cycle

At the outset, a short look at the nuclear fuel cycle would help those who do not have nuclear science background to have a better feeling of what kind of sensitivities are associated with this branch of science and technology (Fig. 1):

As one could easily notice, the two chains of this cycle, namely “enrichment” and “reprocessing”, are sensitive. Both could lead to produce enriched uranium or plutonium to be used for peaceful and military purposes. As you may remember, the high enriched uranium was used as the fuel for atomic bomb in Hiroshima, and the plutonium was used for the atomic bomb dropped in Nagasaki.

How to handle these dual use technology and material is at the heart of international debate since the nuclear fission was invented and then used in World War-II by United State turning thousands of innocent Japanese civilians into ashes.

The nuclear issue has four dimensions: technical (scientific), security, political, and legal.

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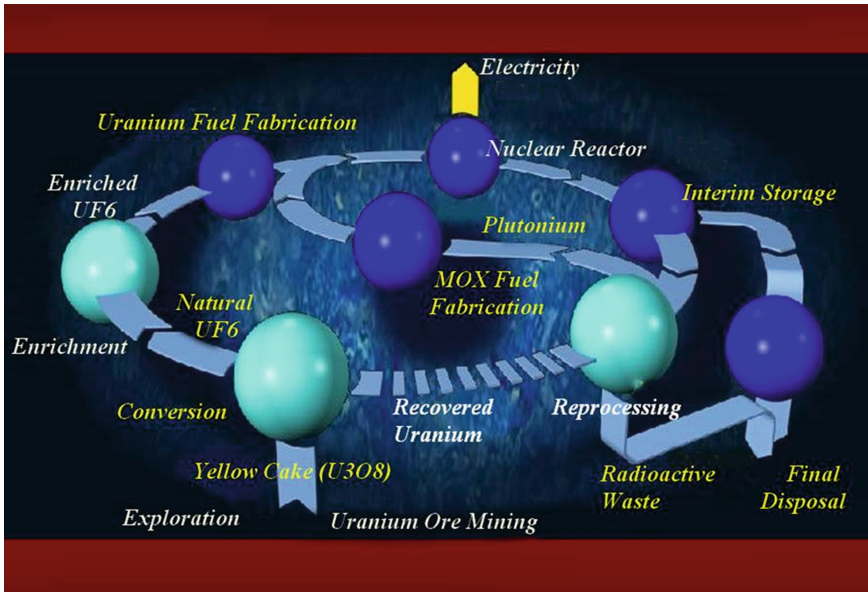


Fig. 1 Nuclear fuel cycle

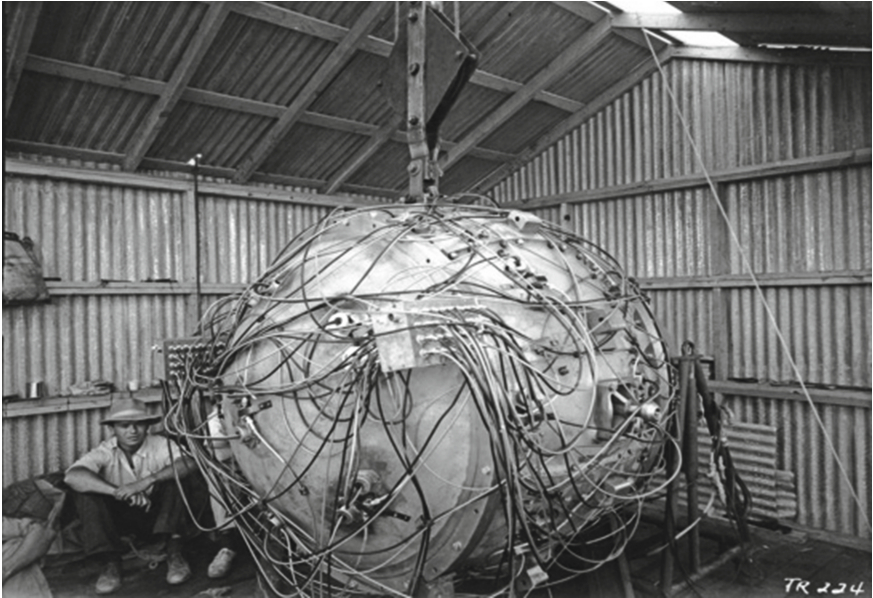
### 3 A Historical Review of International Developments

A critical historical review of some international developments will enlighten the bitter facts leading us to the status quo:

- (a) Prior to NPT Era
- A. August 1939: Albert Einstein and Leo Szilard wrote a letter to President Franklin D. Roosevelt informing him of the potential to develop a new generation of increasingly powerful weapons and mentioned that the recent studies by Enrico Fermi and Leo Szilard have led him to the conclusion that uranium has the potential to become a huge source of energy in the near future (Einstein 1945).
  - B. October 19, 1939: in response to Einstein's letter, Roosevelt stressed the significance of the letter and its warnings and convened a board consisting of the head of the Bureau of Standards and representatives of the Army and Navy, to thoroughly investigate the different aspects of Einstein's twofold schemes.
  - C. The Manhattan Project was pursued during the 1942–1945.<sup>1</sup> R&D on nuclear weapon was conducted under the supervision of the United States (US) and with cooperation of the United Kingdom (UK) and Canada.

<sup>1</sup> Manhattan Project available online at <https://www.ctbto.org/nuclear-testing>.

- D. It is important to note that the Manhattan Project in fact incorporated the achievements of the former secret joint project by Canada and UK under the code name “Tube Alloys”, with the purpose of conducting research on nuclear weapon (Fig. 2).



**Fig. 2** The first US nuclear bomb

- E. July 16, 1945: the world witnessed the first test of a nuclear weapon under the code name “Trinity”. The first test of atomic bomb, referred to as “the Gadget”, was conducted in a desert near Alamogordo in New Mexico where it created a 300 m wide hole.

The nuclear scientists who were at the forefront of developing the Manhattan Project were mostly European immigrants, including some prominent ones such as Niels Bohr, Hans Bethe, James Chadwick, Albert Einstein, Enrico Fermi, James Franck, Isidor Rabi, Emilio Segre, Leo Szilard, Edward teller and Eugene Wigne, Josef Rothblatt.

Edward Teller, the Hungarian nuclear physicist who participated in the production of the first atomic bomb (1945) led the development of the world’s first thermonuclear weapon, the hydrogen bomb.

An important gesture to compensate these scientists’ miscalculations, wondering about their morality, was the Einstein-Russell Manifesto, declared on 9 July 1955 (Einstein and Russel 1955), a decade after Hiroshima and Nagasaki Nuclear bombardment, origin of the Pugwash Movement (Fig. 3).



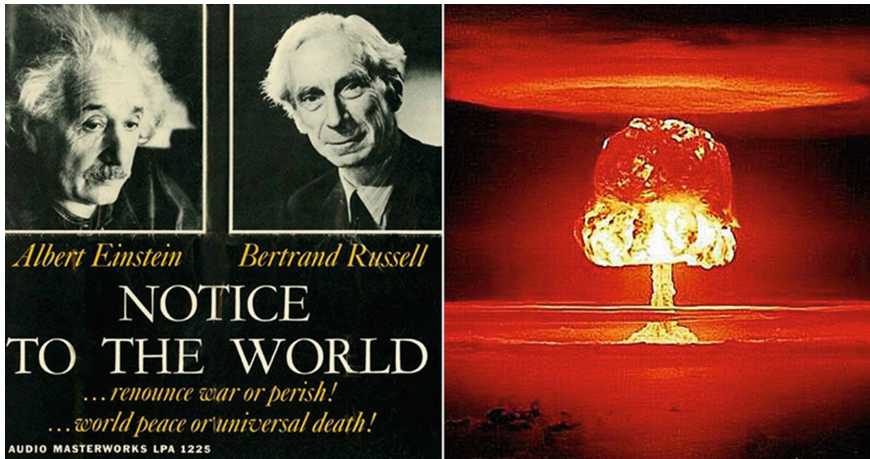


Fig. 3 Einstein-Russell Manifesto (9 July 1955)

What is noteworthy is the claim that the bombings of Hiroshima and Nagasaki were moral, legal and necessary—first presented by Truman—has become such an unbreakable taboo among US officials that despite the will and pressure of public opinion, in the seventy-first anniversary of the bombing of Hiroshima, President Obama refused to accept that the use of nuclear weapons against Japan was immoral and evaded apologizing and expressing regret in this regard.

(b) Post Hiroshima and Nagasaki Era:

- A. US President Dwight D. Eisenhower, after the atomic bombardment of Japan, human catastrophe, called for “Atom for Peace” on 8 December 1953 at the Plenary Meeting of the United Nations General Assembly” (Eisenhower 1953).
- B. The creation of the Non-Proliferation Treaty (NPT) of 1970.

## 4 Short Glance of the NPT<sup>2</sup>

Article-I in a crystal clear says:

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Therefore, the NPT has legitimized the nuclear weapons (NW) of the Nuclear Weapon States (NWSs).

<sup>2</sup> Text of Non-proliferation Treaty (NPT), <https://www.iaea.org/publications/documents/treaties/npt>.

Article-II prevents non-nuclear-weapon State Party to have by saying:

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

Therefore, no party except the NWS have the right to have NWS.

Article-III obliges:

Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices under its jurisdiction, or carried out under its control anywhere.

Therefore, additional burden on non-nuclear weapon states.

Article-VI is the only one dealing with an ultimate objective of nuclear disarmament, but in such loose and mild wording which has led the world to present stale mate, it says:

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

NOTE: There is no timeframe and deadline for negotiation and elimination of nuclear weapons.

In few words, the creation of the NPT was a historical mistake, if not even hypocrisy, since expectation of the whole world for negotiation on “Nuclear Weapon Treaty” aiming at immediate elimination of nuclear weapons tuned into an attempt to legitimized nuclear weapons of NWSs by drafting “Non-proliferation Treaty” which explicitly means no more than those possessors have the right to have.

## **5 Examples of Claimed Victory with Ultimate Failures**

The following historical events shows clearly that the main losers are the peace loving people of the world, continuously threatened by nuclear weapons:

### **SALT-I AND SALT-II**

The Strategic Arms Limitation Talks (SALT) were two rounds of bilateral conferences and corresponding international treaties involving the US and the Soviet Union—the Cold War superpowers—on the issue of arms control. The formal SALT talks began in Helsinki, Finland on November 17, 1969 (Documents of USSR-US, Russia-US bilateral agreements 2013). Over the next two and a half years, the two sides haggled over whether or not each nation should complete their plans for an Anti-Ballistic Missiles (ABMs) verification treaty. US concern that the Soviets continued to build

more Submarine-Launched Ballistic Missiles (SLBMs). Finally, Nixon and Soviet General Secretary Leonid Brezhnev signed the ABM Treaty and interim SALT agreement on May 26, 1972, in Moscow.

Since SALT I did not prevent each side from enlarging their forces through the deployment of Multiple Independently Targeted Re-Entry Vehicles (MIRVs) onto their Inter-Continental Ballistic Missiles (ICBMs) and SLBMs, SALT II initially focused on limiting, and then ultimately reducing, the number of MIRVs. Negotiations also sought to prevent both sides from making qualitative breakthroughs that would again destabilize the strategic relationship. The negotiations spanned the Nixon, Gerald Ford, and Jimmy Carter administrations.

At the November 1974 Vladivostok Summit, Ford and Brezhnev agreed on the basic framework of a SALT II agreement. Even after the Vladivostok agreements, the two nations could not resolve the two other outstanding issues from SALT I: the number of strategic bombers and the total number of warheads in each nation's arsenal. On June 17, 1979, Carter and Brezhnev signed the SALT II Treaty in Vienna. However, a broad coalition of Republicans and conservative Democrats grew increasingly skeptical of the Soviet Union's crackdown on internal dissent, its increasingly interventionist foreign policies, and the verification process delineated in the Treaty. On December 17, 1979, 19 Senators wrote Carter that "Ratification of a SALT II Treaty will not reverse trends in the military balance adverse to the United States." On December 25, the Soviets invaded Afghanistan, and on January 3, 1980, Carter asked the Senate not to consider SALT II for its advice and consent, and it was never ratified (Fig. 4).



**Fig. 4** Nixon and Brezhnev during the latter's visit to the US in 1973 (Nixon Presidential Library)

SALT II was sent to the US Senate to be ratified, but due to tensions between the two countries, Carter pushed the treaty aside.

Conclusion: SALT I, II are dead.

INF: Intermediate-Range Nuclear Forces Treaty (Fig. 5).



**Fig. 5** Gorbachev and Reagan signed the INF Treaty 8 December 1987

On 13 December 2001, President of the US, George W. Bush gave Russia a 6-month notice of US intent to withdraw from the INF (Documents of USSR-US, Russia-US bilateral agreements 2013).

Therefore, INF is DEAD.

NEW START: Strategic Arms Reduction Treaty (Fig. 6).

New START (Russian: CHB-III, SNV-III) is a nuclear arms reduction treaty between the US and the Russian Federation with the formal name of Measures for the Further Reduction and Limitation of Strategic Offensive Arms. It was signed on 8 April 2010 in Prague, by both Presidents, Obama and Medvedev.

President Trump attacked the treaty, claiming that it favoured Russia and was “one of several bad deals negotiated by the Obama administration”.

Therefore, NEW START is also DEAD.



**Fig. 6** Presidents Obama and Medvedev, Prague, 8 April 2010

## 6 Conference on Disarmament

The Conference on Disarmament (CD), established in 1979 as the single multilateral disarmament negotiating forum of the international community, was a result of the first Special Session on Disarmament of the United Nations General Assembly held in 1978 (Report of the Conference on Disarmament to the General Assembly of the United Nations 2017).

It succeeded other Geneva-based negotiating fora, which include the Ten-Nation Committee on Disarmament (1960), the Eighteen-Nation Committee on Disarmament (1962–68), and the Conference of the Committee on Disarmament (1969–78). The Conference conducts its work by consensus.

The CD and its predecessors have negotiated such major multilateral arms limitation and disarmament agreements.

The CD is in stale mate and dead-lock for over two decades the report clearly proves this assertion (Report of the Conference on Disarmament to the General Assembly of the United Nations 2017). The following four main agenda items were not adopted for negotiation:

- Nuclear Weapon Convention.
- Fissile Material Cutoff Treat (FMCT).
- Prevention of Arm Race in Outer space (PAROUS).
- Negative Security Assurance (NSA).

The weapon states, specifically the United States, with selective approach pushed for negotiation only on FMCT and deleted other concerns. Since then the CD is in dead lock.

In nutshell the CD, the multilateral disarmament negotiating body is in fact in stale mate.

## 7 Nuclear Ban Treaty

According to a mandate adopted by the United Nations General Assembly in December 2016, negotiations on the treaty began in the UNO in March 2017 and continued from 15 June to 7 July 2017.<sup>3</sup> On this day, this multilateral Treaty banning nuclear weapons was passed with the approval of 122 of the 193 Member States of the United Nations. In order to come into effect, signature and ratification by at least 50 countries is required.

The Treaty on the Prohibition of Nuclear Weapons, or the Nuclear Weapon Ban Treaty (NBT), is the first legally binding international agreement to comprehensively prohibit Nuclear weapons, with the goal of leading towards their total elimination.

For nuclear armed states joining the treaty, it provides for a time-bound framework for negotiations leading to the verified and irreversible elimination of its nuclear weapons programme.

Without questioning the good intention of the initiators of the Ban Treaty, a critical review of historical events indicates the following straight forward conclusion:

1. The Ban Treaty prohibits the proliferation of nuclear weapons, the same as the NPT did.
2. It does not include legally binding obligations for elimination of nuclear weapons within certain definite timeline.
3. Therefore the same historical mistake made during negotiation of the NPT, lacking any definite dead line for the total elimination of nuclear weapons, in its article VI, is repeated now.
4. This shall leave the hands of the nuclear weapons possessor opened, as the NPT did, for almost had half a century.
5. It has to be recalled the NPT was the initiative of the weapons states. Perhaps the situation is more difficult since the weapon states and their allies, though non-nuclear weapon states, openly deplored and boycotted the negotiation on Ban treaty, there will not accept any legal obligation envisaged in the Treaty.
6. A positive point is explicit prohibition of deployment of nuclear weapon. However, the concern is the lack of any verification system.
7. One should not ignore the fact that the tremendous pressure augmented on weapon states during decades, due to public awareness and their concern of humanitarian impacts of nuclear weapons, which was an asset and was a great opportunity to push

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<sup>3</sup> Treaty on Prohibition of Nuclear Weapons, so called Ban Treaty, <http://www.un.org/apps/news/story.asp?NewsID=57139#.WgEHUpFzIU>.

for a “Nuclear Weapon Convention”, for total elimination of nuclear weapons is diffused by the Ban Treaty.

8. In fact the Ban Treaty, with its step by step voluntary mild approach, practically postponed the realization of legitimate urgent demand of peace loving people, for decades if not indefinitely.
9. Thinking out of box, one could suspect that the opponents of the Ban Treaty, specifically the weapon sates, are even satisfied by the “Nuclear Ban Treaty”, since it is another “Non-proliferation Treaty”, such as NPT, instead on “Nuclear weapon Treaty”.

## 8 Conclusion

The above short critical review of history clearly shows:

1. NPT has failed to create a world from nuclear weapons, even prevent proliferation.
2. Bilateral treaties between US and USSR, US and Russia, have all failed.
3. US Republican Governments challenged the multilateralism and the Democrat Governments instrumentally used the multilateralism on nuclear disarmament. There is no chance of policy change on nuclear disarmament.
4. Ban Treaty is not the ultimate solution.
5. The Nuclear Weapon Convention with straight forward mandate of elimination of nuclear weapons in defined dead line is the real solution.
6. Historical and recent events prove that the multilateral approaches on nuclear weapons have failed and the security threat of thousands of nuclear arsenals shall remain for decades.
7. World public do not trust the repeated slogans of “Atom for Peace” and “World Free from Nuclear Weapons” any more, they expect real genuine action.
8. The Scientific and Intellectual Communities are entrusted by public to reveal the facts thus they are accountable for the future generation.

In nutshell: The public has the right to know these facts and not be deceived anymore so that they themselves stand vis-à-vis the nuclear weapons.

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**Ambassador Soltanieh** has been involved in scientific and diplomatic activities, as a nuclear physicist and senior diplomat, during the last thirty five years. He has been involved in the WMD non-proliferation and disarmament, including all together 12 years as representative to the IAEA since 1982, 10 years as Ambassador to the United Nations and other international organizations in Geneva and Vienna, three years as Secretary of National Authority for Chemical Weapons Convention and three years as Chief Negotiator for Biological Weapons Convention. He has followed the issue of Nuclear Weapon Free Zone in the Middle East as well as nuclear safety, nuclear security, and safeguards for the last three decades. Ambassador Soltanieh has participated, in the capacity of special envoy, delegate, chief negotiator, and invited speaker, in numerous international events (over 190) on nuclear science and technology as well as WMD disarmament and international security, such as NPT, CWC, BWC, CTBT, CCW, and has worked closely with the relevant international scientific and technical organizations such as IAEA, OPCW, CTBTO, and other specialized international organizations such as UNIDO, OPEC, OFID, ILO, IPU, OIC, WMO, TWAS and ICDO. He has had interactions with the known Think-Tanks and NGOs in the world. He has been participating as panellist on WMD at the Pugwash conferences in Hiroshima (2005), Istanbul (2013, on chemical weapons panel), Nagasaki (2015), EU Consortium on Non-proliferation and Disarmament (2011, 2013, 2015, and 2017). He has been teaching and giving lectures at numerous universities in the world, including Vienna, Harvard, Nebrijahas. He served as senior evaluation consultant of the CTBTO as well as the UNODC in Vienna during 2017. He has published several papers and books in afore-mentioned areas, and gotten several National and International Admirations and Medals.



**Part II**  
**Culture, Violence and Conflict**



# Security Culture and Morale: Determinants of Effective Operation of Uniformed Services

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## 1 Introduction

The phenomenon of ontological security concentrates itself on many processes concerning the spheres of activity of individual and collective security subjects and their proper functioning. A high degree of ontological security, about which Erik Erikson wrote, depends on superseding by healthy morale such contents of existence of security subject, which may have disruptive influence on his duration, survival and further development (Williams 1993).

Cultural essence of human activities is that a subject of an action complies with the rules linking specific actions with their meaning. The entire range of cultural rules used in a particular community determines the range of ontological security within the community (Krzyńska 2010). It also applies to such essential social formations as uniformed formations, which are “guarantors” of secure existence of citizens. Another example the subject matter of which has to be left for further wider development is ontological security considered from the perspective of international relations (Steele 2008). Anyway, manifestations of moral strength are associated with so called strength of character of an individual security subject (Brooks 2016).

Concerning the issues of the importance of morale for functioning of individuals and professional groups functioning patterns is extremely practically useful strand of analysis of social functioning of a person living in the conditions of modern civilization. Behaviour patterns are interpreted as repeatable and predictable sequences of ways of behaviour. The concept of pattern assumes a certain, usually positive, method of its evaluation. We most often talk about patterns in model categories as of certain ways of functioning, which really are worth following and promoting. In such context formulation of adaptability should apply to behaviours that are positively evaluated and

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considered as appropriate ways of interaction with the environment. A behaviour pattern can be interpreted in some isolation from the evaluation of its components and a pattern as a system. From this point of view the concept of pattern is understood as a set, collection or system of behaviours of repeating nature in the operation of individuals and requiring the use of additional criteria that allow to evaluate it.

This issue is particularly important for parents, superiors, trainers, those who are interested in transmitting useful and adaptive behaviour standards, which contributes to effectiveness of action. In such interpretation behaviour patterns usually will be passed down in the field of culture and between generations as an instrument of a good social and cultural adaptation. Similarly, you can also talk about transmission of behaviour patterns in the sphere of certain categories of professions as it can take place in case of uniformed services.

In the issues of transmission of behaviour patterns it seems to be obvious to pay attention to meeting certain standards of behaviour, attitudes and values. Sharing them in professional, social and cultural groups is a peculiar test of social, cultural, professional and individual identity.

The efficiency in establishing relationships is treated as an important instrument that is used in social interactions in many contexts, which can be brought up in such analysis. The ability to listen, to transmit information effectively, having a good orientation and experience in interpretation of non-verbal signals, competence in effective persuasion are instruments of efficient operation. Similarly, efficiency in organizing and categorizing physical and social reality is a key element of person's operation in the world. The dimension of effectiveness is essential in social impact, which is analysed in the perspective of the context.

Raising the issue of distinguishing between explicit values (associated with explicit attitudes) and implicit values (associated with implicit attitudes) allows to access to the regulative role of values in person's activities (Cieciuch 2013a, b).

Cultural and communicative expertise is particularly significant in conditions of threat to security of an individual, social groups and larger communities such as a nation or state. They allow to diagnose a situation, intensions of the aggressor and to use communication instruments, which are appropriate to specific conditions. Hence, cultural and communicative expertise is considered to be key instruments used in conditions of threat and emergency situations. In such conditions it is necessary to take actions related to negotiation with the aggressor, terrorist or person who tries to misguide others and thus pose a serious threat to security in a personal, group, social, national and even international sphere. A lack of expertise in the indicated areas leads to the imminent failure of person's activities and social relations.

Such issues are of a great importance for people living in 21st century and they undoubtedly apply to the issues of security and threats which undermine the ability to maintain security. Risks associated with daily living conditions affect each person; and the same is true for threats of a different nature related to the modern civilization and controversy in human relationships, and particularly in intercultural relations.

These issues inevitably lead to the problems of terrorist threats and crime where emphasis is given to the issues concerning a moral dimension of human actions entangled in the context of lies, crime, ethic norms and fairness. It brings up a number of challenges, chances, threats and controversy related to the context of security. An

equally important problem concerns the establishing of constructive relationship between the level of individual functioning in intrapersonal and interpersonal areas. It is worth emphasising here that the efficiency of the insight into functioning of a subject usually leads to his more efficient operation in social relations (Piwowarski 2014).

In this chapter we review psychological indicators of the effectiveness of operation in the form of values which were considered by Kluckhohn and Strodtbeck (1961). It is also worth indicating the approaches adopted in many national cultures as it was in case of Hofstede's (2007) and House's (2004) projects. These projects should be also referred to the actions taken by Schwartz, who defined and operationalised this concept in his extensive research projects on values. Particular attention should be given to questionnaire-based methods which serve to study values and allow analyse their stratification of adaptive value (Schwartz 2006, 2012).

## 2 Security, Threats and Cultural Dimensions

Cieślarczyk offers a modern understanding of the concept of security and risks to it in the theoretical and terminology tier, introducing the concept of security culture in the description and definition of the issues of security. The concept is defined as follows:

A pattern of basic assumptions, values, norms, rules, symbols and beliefs that affect the way of the perception of challenges, chances and (or) threats as well as the way of feeling safety and thinking of it and associated with it way of behaviour and action/interaction of subjects, learned and articulated by these subjects in different ways in the processes of broader education, including natural processes of internal integration and external adaptation and in other organizational processes as well as in the process of strengthening of broadly (not only military) defined defensive capability, that serve as balanced as possible development of these subjects and achieving by them the most broadly defined security for the benefit of oneself and the environment (Cieślarczyk 2010).

In the area of so defined security culture Cieślarczyk distinguishes elements in the form of three pillars called:

- Mental pillar
- Social and organizational pillar
- Material pillar.

Summoning of this categorization is important because of its particular interest in the psychological issues present in the first pillar of security culture. When writing about the first pillar, he identifies in it "... spiritual, psychological and ethical elements, such as ultimate values, moral principles, awareness, identity of a subject, wisdom and social norms" (Cieślarczyk 2010).

Another interesting interpretation of security issues is the concept proposed by Piwowarski, when writing about security culture. He sees in it three interpenetrating elements in the form of a mental and spiritual stream, rational, organizational and legal stream and the third stream of material nature. This author understands security culture

as a specific phenomenon, which allows a human to implement the following objectives:

- Effective control over possible threats of a certain subject that activates for him in a particular place and at particular time the state of optimal degree of threats,
- Recovery of subject's security after it has been lost,
- Optimization of levels of multisectoral development process of a security subject that heads towards the harmony of security sectors in the context of hierarchization of subject's objectives,
- Effective stimulation in a social and individual scale awareness of existence of the ultimate need of a human, self-improvement and creation of trichotomous development, mental, social and material, due to the promoting of beliefs, motivations and attitudes that strengthen individual and collective action in favour of the potential of the autonomous defence (self-defence) of individual and group security subjects (Piwowarski 2011).

A reference to the concept proposed by the aforementioned authors and defined as security culture requires to indicate consecutive terms which are significant in the developing issues of security sciences, as well as in present theoretical conceptualisations and empirical studies conducted among others by psychologists.

The first of them is the term of threat. The category of threat within the meaning proposed by Zięba (1997) a state of psyche or consciousness that is brought on by the perception of the phenomena which are regarded as adverse or dangerous". In turn Kalina (1991) thinks that a threat "is in relation to a certain subject a danger that he is aware or unaware of, loss of particular good or value (for example, life, health, property, sovereignty, a loved one, etc.), or temporary or relatively permanent loss of the capacity to pursue broadly defined development". In the proposed interpretations, especially in case of Zięba's conceptualisation, it would be better to talk about threat as about a feeling of threat, exposing the personal, subjective character of this state relativized to being experienced and made aware by a subject. In the case of Kalina's interpretation, this concept seems to be more justified due that his definition also displays emergency situations that a subject is not aware of. In this case the definition is a broad interpretation also accounting such situations in which threat is of external, objectivised nature.

Therefore, it seems that in the psychological interpretation as a feeling of threat, we would need to define it as a subjective state of a subject tantamount to experiencing negative emotions arising from the stimuli that affect a subject. In this interpretation we understand the stimuli which widely affect an individual, including also in this category those ones confined to internal states of an individual in the form of experiences, insights and ideas. Such interpretation is essential in as far as a sense of threat can be a subjective state, not having objectivised, external conditioning. There are situations in which someone experiences an extremely intensive feeling of threat in the circumstances in which others do not experience such a state (Czajkowski 2014).

These indicated interpretational and definitional difficulties related to the concept of threat and feeling of threat suggest the need to take into consideration many points of view while categorizing this issue. For instance, it seems obvious that addressing the issue of threat in terms of international relations is something different than in case of

analysis of the feeling of threat experienced by a specific individual being in an extreme situation. Moreover, the analysis of the concept of threat has to be relativized to the concept of security.

Piwowarski (2011) draws attention to the coverage of these issues pointing out the interdependence of these concepts. In the psychological interpretation both concepts are inextricably linked conditioning each other. This is especially true when we use the concept of the feeling of threat. Experiencing the state of threat, a human loses the sense of security. Feeling safe does not experience the state of threat (Czop 2014).

It is also worth remembering about specific cases of experiences that are not typical for an average individual. Here we mean such situations in which a person feels the lack of the situations characterised by a high degree of the feeling of security. That degree is so high for them that it stops being comfortable. Therefore, in such situations these people feel the need to find themselves in the contexts that provide some degree of the feeling of threat. Implementation of such actions leads to the situation in which they feel comfortable experiencing the feeling of threat. The category of people that is described here is defined as people with an increased need for stimulation. The degree of the demand for stimulation is a temperamental variable, as a rule, a permanent characteristic of that person. The way how such people operate is associated with their extremely interesting psychological characteristics, called Type A Behavioural Pattern (TABP), which is a permanent behavioural functioning scheme (Czajkowski 2006).

We can suggest a functional interpretation of the indicated TABP, understood as subordinated to one of the essential existential needs which is the need for security (Kocowski 1982). The fact of having TABP gives the people preferences concerning presented by them repetitive, typical behaviour. Such a behaviour is usually characterised as an intensive pressure to achieve independently chosen but usually poorly defined goals, and motivated by a perpetuated tendency to an intense rivalry. In addition, the specificity of this behaviour involves permanent pursuit to success and confirmation of one's own value and associates with typical engagement in numerous activities, which usually include completion deadlines. This way of functioning, which is sometimes called a lifestyle (Wrzeźniewski 1993), is also characterised by a habitual propensity to speeding up the pace of doing multiple physical and mental activities and extraordinary physical and mental alertness.

The presented description of functioning of such a person seems to be strongly associated with anxiety, fear of losing control. The aforementioned behaviour that constitutes TABP has to serve identification and elimination of anxiety, uncertainty, fear. So, we can conclude that people with TABP are characterised by a low degree of the sense of security, which in turn can be interpreted as generalized and extended in time state of the feeling of threat. The indicated mindfulness, alertness, striving for success and confirmation of one's own value habitually fulfil a psychological function in the form of control over reality. At this point arises an association with a warden or sentinel, who identifies and eliminates potential threats being careful and vigilant and creating the state of security for himself and for others.

In the description of a person with TABP we can observe the above mentioned relation and relativisation between the feeling of threat and the sense of security. As

Kocowski understands it, the process of counteracting threats creates the state of security defined as a low total probability of occurrence of any threats. The author draws attention to the fact that creation of the state of security hardly ever means zero-probability of occurrence of threats. That statement is consistent with the observation of the people with an increased need for stimulation. A certain degree of threat brings a positive element associated with a certain degree of emotional arousal, without leading to any disorganized behaviour, as in case of a man who froze on view of a sudden and unexpected threat. One should also pay attention to the research in which there were attempts to find relations between TABP and the authoritarian personality (Byrne 2000; Byrne et al. 1989).

In this context, it is worth noting a peculiar duality of the interpretation of a person with TABP. We can talk about an adaptive and non-adaptive role of TABP. In this regard, an important evaluation criterion is the maintenance of efficiency and ability to implement objectives of a person. If this condition has been fulfilled, it proves an adaptive role of TABP in the operation of such a person. If, on the contrary, the degree of emotional tension is too high and entails disorganized behaviour and in the long run psychosomatic costs in the form of the development of the ischemic heart disease, it indicates a non-adaptive value of TABP.

These interpretations related to TABP correspond significantly to the categorizations made in the research projects of Hofstede and House. In Hofstede's project (1980, 2007), they were identified in the set of psychological dimensions of culture, avoiding uncertainty and orientation in time. The indicated dimensions correspond well with the aforementioned characteristics of people with TABP in the form of a strong need to control the physical, social environment and oneself. People with such features of the functioning definitely do not tolerate uncertainty and cannot handle difficulties with time control. In House's project GLOBE there were identified psychological dimensions of culture in the form of the quality of performance, assertiveness and avoiding uncertainty. These dimensions correspond with the indicated characteristics of people with TABP who often pursue their own objectives excessively assertively, sometimes aggressively, and are interested in constant monitoring of the quality of their own action, associated with low tolerance for the state of uncertainty (House 2004).

Hofstede identified essential dimensions of culture in the form of:

- Power distance index, hierarchization (Power Distance Index)
- Individualism—collectivism (Individualism)
- Masculinity—femininity (Masculinity)
- Uncertainty avoidance index (Uncertainty Avoidance Index)
- Long term—short term orientation (Long Term Orientation).

In turn House in the research within GLOBE project distinguished three triads of dimensions in the form of:

Triad I GLOBE describing task-oriented dimensions:

- Execution quality
- Future orientation
- Uncertainty avoidance.

Triad II GLOBE:

- Power distance
- Family collectivism
- Institutional collectivism.

Triad III GLOBE:

- Gender equality
- Assertiveness
- Humanistic orientation.

When analysing GLOBE project, it is worth drawing attention to the distinction between two aspects of values in the form of practice and ideal values. It seems that we can aptly see here a similarity according to the value of implicit data and the value of explicit data. It can also be linked with the interpretations that say about a real state (referring a respondent to a questionnaire) and an ideal state (referring abstract rules that a respondent is asked about).

### **3 Values in the Action of a Person in Emergency Situation**

Within the discussed issues of beliefs and values, it seems particularly important to take into account personality factors that are identified for instance in Costa and McCrae's NEO-FFI method, intensively used in research. This method is based on the theory of personality in which Costa and McCrae identified five personality factors of universal and cross-cultural nature in the form of neuroticism, openness, extraversion, agreeableness and conscientiousness (Costa and McCrae 1992). Such direction of research seems to be reasonable due to the value of a variable defined by the activity of a subject. Building a system of relatively stable beliefs and system of values, which characterise the action of a subject, will be most likely essentially conditioned by the indicated personality variables. Therefore, it seems reasonable to construct a model focused on searching for relationship between the preference for values and personality variables distinguished in the concept of Costa and McCrae (see: Zawadzki et al. 2008).

In the scientific research regarding axiological and psychological layers of the first pillar of security culture focused on the issues of occurrence of certain relationships between values and personality variables, the factor of openness that facilitates the perception of a wide variety of (also different from those known from a family environment) forms of evaluation of the world and people, may be of a great importance. Equally important variable can be the factor of extraversion that modifies the shape of hierarchy of values and normative beliefs and the ease of entering social relationships by a subject, readiness to be a subject to a constructive social influence and manipulation (Csikszentmihalyi 1998).

Schwartz introduced extremely interesting suggestions referred to the interpretation of values. He defines values as a cognitive representation of an objective that is of motivation value for a subject and goes beyond a situation. The identification of



dimensions of values related to self-centeredness and capability to overstep one's own personality, seems to be as crucial as the appreciation of the dimension of openness to changes versus conservatism. In Schwartz's theory, attention is drawn to two characteristics of the structure of values. The first of them implies that values make a motivation continuum, which means that similar values situated next to each other, can be fulfilled in a single act. In the second one the circularity of the structure is pointed up. Similar values are situated close to each other and opposite values in the circular model cannot be fulfilled in a single act.

In this circular model of the structure of values it is essential to point out two rules that assign their place: the rules of compliance and conflict. Both are a consequence of the circular continuum and understanding of values as a cognitive representation of motivation objectives. According to them, contiguous values in the circular model are possible to fulfil together being a cognitive representation of similar values. In turn, the values placed on opposite sides of the circle are not possible to be fulfilled together because they are a cognitive representation of conflicting objectives.

In the Schwarz's model, it is also essential to notify the view in which the author of the model identifies three areas that a person is not aware of and which are represented by values in the form of conscious objectives. They are:

1. biologically conditioned needs,
2. social motives resulting from the necessity of social interactions enabling cooperation, and
3. social and institutional requirements serving survival and well-being of a group.

A reference to the issue of social interaction and functioning in the sphere of groups and institutions is particularly important in the discussed issues concerning activities of officials.

In addition, in Schwarz's interpretation the catalogue of human values is a finite set. Moreover, it is possible to reasonably divide the continuum of values into a number of specific groups, according to adopted criteria. It is also important to understand the issue of a circular structure of values which reflects relationships of similarity of the elements that are contiguous in the circular model and contradictions of the elements which are opposite in its structure. Analysing the circular model of values one can find the value of the other (regarding the analysed one) values.

A particular attention is paid to operationalization of values made in Schwartz's team which allows to measure them using the Portrait Value Questionnaire. This tool, which comprises 21 questions, measures not only declared values (given explicitly), but also those actually professed (given implicit). It is possible by using in this tool the non-straight measure. It seems to be particularly important in case of conceiving research projects concerning dispositional groups. Getting through to the results associated with expressing of values on the open level (values given explicitly) appears to be a less reliable source of information on relevant, real regulators of one's behaviour.

This is a complex issue also because of the natural differences in terms of the ease of getting insight into functioning of a subject which is determined by personality variables. So the values that are expressed explicitly provide less reliable material obtained from respondents. This is due primarily to the construction of self-observation

methods that examine people who declared sharing certain values rather express opinions and beliefs accepted and expected in specific social and cultural conditions than such opinions and beliefs which they would fully identify themselves with. The access to values and normative that are fully shared, that is deeply internalised and expressed implicitly, is much more likely by the use of research procedures that provide the insight into hidden values. In the presented conceptualisation it is worth remembering about the distinction between ultimate and instrumental values made by Rokeach (1973). Both in the situation of empirical research on values and on the action for shaping, developing and deepening consciousness of a subject in this regard this categorization is crucial and should not be marginalised.

Research may also create other possibilities in the form of association of the issues of axiological origin regarding values with the issues concerning psychological background of social sciences (to which the discipline of security sciences belongs) referring personality problems. The attempts to identify the universal hierarchy of values can be interpreted in combination with the application of the Costa and McCrae's theory of personality in which the five factors that are universally comprehended are identified.

Perhaps, in addition this procedure, one could also refer the problem of the universal hierarchy of values, which is doubted by many scientists or commented on its existence only in hypothetic way (Brzozowski 2005). Addressing the issue of distinction of the values given explicitly (associated with explicit attitudes) and the ones given implicitly (associated with hidden attitudes) allows to get an insight into a regulatory role of values in one's action (Mudyń 2010).

## 4 Conclusion

The issue of morale with regard to the members of uniformed services seems to be significantly associated with the issue of values as regulators of one's behaviour. In Schwartz's model, attention is drawn to two groups of higher tier values built on the basis of their intrinsic dichotomous arrangement. Firstly, he identifies the dimension of Overstepping one's own personality—Strengthening one's own personality containing in its range basic values in the form of: universalism and benevolence-achievements, power and hedonism. Secondly, the author indicates the dimension of Openness to changes—Conservatism containing in its range basic values in the form of: self-maneuverability, stimulation, hedonism-amicability, tradition, security.

It is worth pointing out that the analysis of Schwartz's circular model of values allows to point out a significant distinction in the area security issues. The author distinguishes personal security and social security pointing to the rank of the two contexts in which this category is summoned. On the basis of such arrangement of the security issues, we can discern the rank of security value in psychological models of values. From there, the reason for distinguishing between an objectivised need for security and a subjective feeling of security may also arise. We can also discern in such categorization a suggestion for undertaking research on personality determinants of coping with the need for security by an individual. In such context it seems to be

important to take into account the issues of sense of threat and experiencing motivation tension as development variables associated with the process of self-improvement.

In the end, the significance of the dilemma security—comfort related to possible risk-taking as the cost of self-realization of a security subject versus comfort of functioning in conditions of complete security that eliminate bearing risk. This problem is also a peculiar reference of the issue of self-realization to morale, an important determinant of action of uniformed services members who are often involved in moral dilemmas which are difficult to solve.

That is why, and particularly for uniformed services, there is a daily need to nurture moral strength starting from the ethical guidelines and ending with the practice of morality.

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# Individual Terrorism as a Response to the Distorted Phenomenon of Cultural Identity

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## 1 Introduction

This study analyses the phenomenon of interpellation to highlight how jihadist terrorism discourses influence youngsters in two aspects: on the one hand, through individual self-recognition as interpellated and, on the other hand, through recognition of themselves as members of an extremist ideology.

French philosopher Althusser (1974) proposes the concept of interpellation as a process by which the state seeks the transformation of the members of society into dependent subjects, into citizens. Althusser distinguishes between state repressive and ideological apparatuses. The latter serves as an instrument to penetrate citizens' consciousness and cultivate, within it, the symbolic universe of each state. In turn, Thomas Højrup (2003) puts forward a theory, which analyses several inputs from other thinkers—in particular those related with the Hegelian dialectics—in order to explain the relationship between the fights for recognition and interpellation.

Benedict Anderson (1993) analyses the concept of national imaginary, conceiving nations as the outcome of historical construction processes. Anderson considers nations as “class cultural artefacts developed since the end of the 18th century as a result of a complex combination of inconspicuous historical inputs which, as soon as agreed, they produce a deep commitment” (Anderson 1993: 21).

This struggle towards recognition is guided by specific interests—an end—in order to explain the present situation and its survival strategy, dealing with several strategies—means—configured by the people living in a certain territory, without limiting its achievement. In so doing, nations which can occupy the same state territory (some legally entitled and others by self-justification, based on a past settlement remaining in the minds of those to interpellate), experiencing a background myth full of symbolic

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force. This “cultural mindset” will not only determine their origin but also legitimize the presence and assertion of a certain space over which they feel entitled to retroactively claim rights, invoking a legend that goes beyond the contemporary International Law regime. These communities will create many stories that will need updating so that they can be understood by younger generations, to create a collective memory. In case of need for self-assertion, these myths will activate many coactive instruments, including the use of terrorism as an extreme measure, comparable to a continuous armed conflict from the perspective of a third impartial witness.

In such context, a constantly tense situation arises, where both parties involved depend on their own ideological perspective. For those who are fighting against Daesh, these actions would be described as military defensive attacks oriented at defending consolidated and Westernised territories. In contrast, for those who support Daesh and its affiliates, they conceive terrorism as a method to fight against an oppressive situation.

Taking this theoretical framework as our starting point, we endeavour to analyse the relational logic upheld by the self-proclaimed Islamic State, which consists of a process centred in the fight for recognition as a state, based on a foundational justification related to presence and belonging. By interpreting those acts, we should understand terrorist behaviour as a mechanism for extreme assertion within the context of a continuous conflict. It is critical to highlight how important the use of the language is, in particular when we will refer both to war, understood as the exercise of defensive measures to counter an attack, and to a terrorist attack, seen more as an act of “legitimate defence” rather than a unbundled proposal to any unjustified offensive connotation.

## **2 The Process of Interpellation: Jihadist Attraction of New “Militants”**

In this part, Althusser’s interpellation proposal will be briefly explained, understood as a mechanism calling for the inclusion of new “participants” into the ranks of jihadist terrorism. In this case, ideology represents the imagined relationship between individuals and the community in which they are living. From this perspective, Althusser proposes two premises: (1) any behaviour occurs by and under the control of a certain ideology; and (2) any ideology exists by and for the benefit of certain persons, and thus “ideology becomes a system of ideas, depictions, that dominates the spirit of a man or a social group” (Althusser 2008: 39).

At this point, state functions are introduced. The person who is in charge of the state is “responsible” for the existence of this ideology. He or she will be placed under interpellation by this ideology on how he recruits new subjects, transforming individuals into subjects thanks to a very precise process. In the meantime, the self-state’s ideological apparatuses overwhelmingly work along with ideology, in what the author calls interpellation (Althusser 2008).

Therefore, the clear and conspicuous identification pursued by the self-proclaimed Islamic State consists on presenting itself as a sovereign and superior subject, whose

existence is actually based on its capacity to assert itself in the fight for its recognition, both internally, through its members, and internationally, through its members in Diaspora.<sup>1</sup> This double internal and external work to support sovereignty leads to the creation of a “unified community” by which all members are considered as part of a homogeneous community, avoiding any perception regarding a diverse society.

In our case, it is relevant to interpret the scope of those apparatuses as “political” elements associated with terrorism, through the author’s main features called *state ideological apparatuses*, in order to highlight the relationship between this concept and the main characteristics of “terrorist ideology”.

In the case of terrorism, how does ideology work? How does such interpellation work? Why does a certain (insignificant) part of Islam feel compelled to perpetrate terrorist acts? First, we must highlight the main characteristic of jihadist terrorists, consisting of a large-scale synchronized action of transnational violence. According to the opinion of Alonso Pascual, it

...takes account of the global scale networking inspiration, which aims go beyond the geographical boundaries where terrorist acts are committed. This aspiration for world order transformation, which goes far beyond the intention to impact on regional governmental structures, dominates the mindset of this kind of violence (Alonso Pascual 2009: 24).

Neo-Salafist ideology promotes violence as a method of spreading jihad worldwide, with the intention to create a new Caliphate and to retake territories considered part of their own historical patrimony, based on a Muslim supremacy common background. The executors of such jihadist violence come not only from a specific terrorist organization, but also from many organizations and affiliated networks. This multifaceted characteristic is crucial to understand the new phenomenon regarding the rise of militants, sometimes called lone wolves, *interpelled* by the cause, who offer their lives to serve jihadist ideology.

The evolution of the profile of these “new” lonely subjects is that of an individual, or a small group of individuals grown up, educated and lived in a Western country, with no significant engagement with Muslim religious practices. However, at one point, this subject starts a process of radicalization promoted by certain organized groups, imposing their own distinct “brand” for then developing their own ideological local branch, dissociated from the main Islamic ideology. This ideological misrepresentation claims as legitimate any terrorist attack considered illegitimate from the main Islamic ideological perspective, under the guise of defending Islam from foreign threats from an adapted and distorted ideological perspective.

Therefore, it is crucial for our study to emphasize the fact that terrorist attacks should not be considered a “pathological expression” but a new geopolitical logic of fighting for recognition in the current international scenario. In the words of Clausewitz,

...the effect of hostile forces cannot be considered as finished until the enemy’s (the infidel’s) will has not been subjugated. In other words, until the government and its allies have not been compelled to sign the peace, or until people have not been dominated (von Clausewitz 2005: 35).

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<sup>1</sup> Diaspora means the dispersion of ethnical or religious groups across the globe, leaving their original homeland.

### 3 Definitions of Individuals, Lone Wolves, Foreign and Returned Fighters

Jihadist terrorism strategy is rapidly evolving, giving rise to new elements and actors which are considerably increasing the level of global threat. It requires a minimal investment of resources and, often, no logistic support nor detailed planning, but still, it allows successfully achieving the ultimate aim of any terrorist organization: this is to generate a climate of extreme insecurity. This environment affects Western citizens' behaviours and conditions the sovereign decisions of governments and national parliaments, increasing the cleavage between Muslim communities and the rest of population, and, in so doing, preparing the ground for the recruitment of new terrorists.

#### 3.1 Lone Wolf

“Lone wolves” represent one of the greatest threats to our society, in particular because they do not need sophisticated weaponry nor careful planning. They simply get out into the streets and commit terrorist attacks. Many authors and works, such as Burton and Stewart’s analysis (2008) for Stratford Think Tank (U.S.A.), define a lone-wolf terrorist as a person “embedded in the targeted society,” “capable of self-activation at any time”, “who acts on his or her own without orders from—or even connections to—an organization” (Burton and Stewart 2008).

In 2007, Spaaij presented a report about lone wolves for the Dutch Institute for Safety, Security and Crisis Management (COT), comparing 72 different cases of lone-wolf terrorism occurring worldwide between 1968 and 2007. The main characteristics to identify a lone wolf are:

1. They attack alone; their actions are carried out by one single person. Dissenting with Spaaij, Pantucci accepts the existence of a “lone wolf pack”, formed by couples or small cells of individuals who jointly radicalize (Spaaij 2012).
2. There is no affiliation or relation to a terrorist group or organization. However, terrorist organizations or extremist leaders could be a valid source of inspiration for lone wolves, pushing them into a process of indoctrination and radicalization, which ends in violent extremism.
3. A lone wolf behaves with no direct influence from any leader nor hierarchical structure. Direct influence is understood as a direct and personal contact; otherwise the case seems to be almost impossible.
4. Both tactics and methodologies are both designed and directed by the individual himself or herself, with no external command or control. The key concept here is the lack of command, which implies acting on his/her own initiative, proactivity.
5. Lone Wolf’s activities have only political, ideological and religious motivations. White supremacists, Islamist fundamentalists, nationalists/separatists and anti-abortion terrorists are the most prolific motivations in terms of generating new lone wolves. Any other motivation, like personal revenge, hatred crimes and lucrative benefits, is excluded.

In a later work, Spaaij (2012) resumes its definition in three key features: (a) they operate individually, (b) they do not belong to an organized terrorist group or network,



and (c) their *modi operandi* are conceived and directed by the individual without any direct outside command or hierarchy. Martin (2011) adds one interesting characteristic to this phenomenon: most of the lone wolves are psychologically disturbed and lonely persons. Paradoxically, this lack of engagement in social interaction makes them untrusted persons and, because of it, they are even ineligible as members of terrorist organizations.

### 3.2 Returnee or “Foreign Fighters” Terrorists

Until the beginning of 2016 there was no official definition of “returnee” or “foreign fighter terrorist” (FTF). However, this concept has been extensively used by public officers in the European Union (EU), Interpol and Europol. The concept of “returnee” does not only refer to those volunteers who moved into Middle Eastern conflict areas, in most of the cases Syria and Iraq, and have taken part in military actions and want to be part of terrorist groups, but also those who go back home to eradicate jihadism. Moreover, “returnee” applies also to those who moved to jihadist training camps, situated in conflict zones (Yemen, Pakistan, Mali, etc.), even if they were not actively participating in those conflicts. They are included in this category in the case that they have received radicalized education and training in the use of weapons, explosives and combat tactics, keeping in direct contact with fighters who participate actively in terrorist organizations.

In 2014, the UN Security Council defined “foreign terrorist fighters” as those

...who travel or attempt to travel to a state other than their states of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts, or the providing or receiving of terrorist training (UNSC Resolution No. 2178).

On 27th January 2016, the Council of Europe defined “returnee fighters” as

...individuals, driven mainly by ideology, religion and/or kinship, who leave their country of origin or habitual residence to join a party engaged in an armed conflict (Council of Europe, Resolution No. 2091).

When these recruited combatants return home, they represent an increasing threat of generating and promoting violent radicalism and terrorism, independently from which terrorist group they are affiliated with. Security experts Muñoz and Pagola (2015) emphasize that “after training and real combat experience, and thanks to the ongoing contacts they make during their period in conflict zones, their terrorist potential represents the biggest threat to Western national security.”

This phenomenon represents not only a serious transnational security threat, mostly because of its heterogeneous, dynamic and even ambiguous typology, but also a complex challenge for domestic social, judicial and penal systems (Holmer and Shtuni 2017).

Based on past experience on armed conflicts, the influence that these returned fighters exert within their own communities increases the processes of terrorist radicalization and recruitment of new members. In fact, most of the terrorist attacks and scattered groups in recent years in Europe, and in Spain, dealt with the active participation of a foreign fighter.

EUROPOL, supported by data provided by its member states, calculates that there are between 3000 and 5000 citizens in the EU which could have taken part of trips to Syria or Iraq (Mans and Tuitel 2016). Although the number of returned fighters is not accurate, most of the sources agree on estimate it in between 20 and 30%.

The countries with more foreign fighters are:

European Combatants in Syria/Iraq			
	Combatants	Returned (%)	Comments (% women)
France	900	27	3.5
Germany	750	33	20
United Kingdom	700	33	20
Belgium	500	18	10
Sweden	300	29	30
Austria	300	26	5
Netherlands	220	18	2
Spain	150	19	10

Source International Centre for Counter-Terrorism. European Combatants in Syria/Iraq (2015)

According to Dearden (2016), the current director of Europol, Rob Wainwright, highlighted that Europe will face its biggest terrorist threat more than a decade from now, while he warned all countries about large scale attacks to come:

ISIS: up to 5000 jihadists could be in Europe after returning from terror training camps abroad. The director of Europol said there was no evidence of isis 'systematically' using the refugee crisis (Dearden 20.02.2016).

John Horgan (2005) argues that there is no common matrix to assimilate these processes of radicalization, there are no common sociological nor socio-economic profiles, not even a common religious education among individuals who were attracted into the jihadist fight. "After studying jihadists' profiles for four decades, it was impossible to detect a common factor." Among the most common motives to join jihadist extremist groups, there are: a feeling of belonging to a group, the search for identity, economic benefits, and the search for adventure. Paradoxically, religion represents a less relevant factor among foreign fighters.

Amarnath Amarasingam, a researcher at the University of Ontario (Canada), classifies returning terrorists into three groups: operational, disengaged and disillusioned returnees. The first ones after leaving their homes to fight in Syria or Iraq, were tasked with returning home to prepare and launch new strikes, mostly in big cities, like those who perpetrated the Paris attacks. The second group is composed by those who still express admiration and allegiance to the jihadist cause, even if they are no longer fighting due to reasons unrelated to the movement. The third and last group are those who have joined the so-called Caliphate looking for utopia but they found something very different (see: Gurski 2016).

### 3.3 Other Concepts: “Home-Grown”, “Virtual Returnee”, “Jihadi Express”, “Sleeper Operative”, “Leader-Leaderless Jihad” and “Self-Starters”

Terrorist operational deployment managed by individual actors adds new concepts such as:

- (a) *Home-grown Terrorism*: it refers to internal or domestic terrorism. This increasing phenomenon has been monitored by many police operations in the EU, and in Spain since 2013, where most of those arrested were affiliated with Islamic networks of recruitment, radicalization and, in a few cases, training. They have Spanish roots, are nationalised Spaniards or residents in Spain (most of them in Melilla and Ceuta, two Spanish enclaves in Africa). This is the reason why these cases represent examples of “endogenous or home-grown terrorism”, also part of “autochthonous terrorism” which is generated and spread inside the boundaries of a state. As it was already mentioned, these persons are born and grow up in the Western world, but due to several religious, political or social motives, are in open contrast with Western social system of values, deciding to wage a jihad to all those they consider the enemies of Islam, including their own countrymen.
- (b) *Virtual returnee*: it includes those “home-grown terrorists” within their own country of residence or origin (mostly in Europe), who initiate a process of lone self-radicalisation thanks to the use of the Internet, collecting information, watching videos with explicit jihadist and terrorist content and unable to stop his or her reliance on terrorist message. This dependency evolves when the person contacts with other terrorists in social networking sites (Facebook, Twitter) or via Skype, increasing his or her feeling of virtual reality shared online. At that point, the perception of jihad becomes alive and concrete, internalising the conflict as if he or she was in the battlefield and generating a detachment from European reality.
- (c) *Jihadi Express*: Many of the strikes committed in Europe indicate that their perpetrators would have been radicalized in a very short time, inaugurating the new phenomenon of “Jihadi Express”, which represents a threat even worse than any other type of “foreign terrorist fighter” in Europe. Jihadi Express may become the most common extremist kind of terrorism, in the words of Hernández Velasco (2016).
- (d) *Sleeper operative*: it is “an operative who infiltrates the targeted society or organization and then remains dormant [...] until being activated, perhaps by a pre-arranged signal or a certain chain of events.” Sleeper operatives are “trained, controlled and dispatched by” terrorist organizations. This operational command-and-control relationship between the sleeper operative and his or her organization distinguishes it from lone wolves and becomes critical to successfully identify and detain still dormant terrorists.
- (e) *Leader-Led jihad, Leaderless jihad, and Self-starters*: these definitions are used in the Anglo-American world, in particular in words of Sageman and Hoffman (2014), to refer cases where there is a strong unipersonal leadership keeping complete control and command over the whole structure (leader-led jihad); the opposite version of an organisation with no leader at all (leaderless jihad); and the

currently increasing phenomenon of self-radicalized persons thanks to the use of Internet and new technologies, generating thousands of self-starters ready to fight for terrorist jihad. These authors focus their attention on how critical it is for our society to activate police countermeasures to provide early warning systems and mechanisms for early detection of terrorist activities online.

#### **4 The Individual Terrorist as an Actor Who Fights for the Recognition of the So-Called Islamic State**

At this point, we can understand that all these typologies of radicalization show some common characteristics. Lone wolves, autochthonous terrorism, returnee and virtual returnees are all derivative modalities of an “improper” interpretation of Islam (European Communities Commission 2005). In this context, certain persons adopt extremist ideologies and the output of their individual behaviours would not constitute an innovative phenomenon. We all know nationalist, anarchist, separatist, fascist and extreme-leftist experiences or those in which the interpellation source or the source that creates ideology does not constantly affect the person. By contrast, individuals voluntarily join these processes, assuming their uncontrollable admiration and desire, participating and assuming its full implications. In so doing,

...everything starts with a position of ideological affinity for then embracing a much more determined cause which gradually consolidates itself through the assimilation of radical and fundamentalist visions to ultimately achieve the justification and even the commission of violent acts (Alonso Pascual 2009: 34).

We are dealing with a process regarding an individual decision, self-radicalization, with both private and individual timing and logic. However, we must not forget that they are affected by the interpellation of group dynamics. This lone wolf’s approach, which seems not to be a predominant profile, although an emergent one, is interesting to analyse from the perspective of *virtual self-recruitment* (Neumann et al. 2007): the voluntary adscription by specific individuals to terrorist causes, showing the porosity in the limits between real and virtual terrorism. Within this logic, there is a self-taught itinerary to generate radicalization processes towards fundamentalist violence, using the multiple resources available online.

Following the argument developed by Alonso Pascual, we can list the main factors that contribute to individual radicalization processes:

- Religious or secular extremist ideologies;
- Historical traditions and backgrounds of political violence;
- Real or perceived processes of victimization, both direct and indirect, and also unjust treatments, repression and political, social and economic alienation, including a corresponding sense of frustration;
- Feelings or experience of discriminatory abuse based on ethnical, race or religious motivation;

- Inadequate social integration after being displaced because of immigration, civil war, armed conflicts, family breakdown or many other tragic experiences;
- Feeling of solidarity towards those who suffer public or private indignities, generating identification by extension or assimilation;
- Existence and influence of charismatic ideological, family, social or political referents;
- Psychological and identitarian constraints which include many traumatic events and the search of reinforcement and authoritarian images;
- Mass media broadcasting of violent narratives and images;
- Feelings of frustration, hate and revenge against other citizens labelled and targeted as “diverse”.

The individual who voluntarily supports the cause is self-motivated not only to achieve an abstract victory for the group, but also to have the honour to be part of that fight, which represents something far beyond the metaphysical reward of accessing a privileged afterlife exclusively for followers. In fact, the real motivation consists in the personal glory of being part of a complex *Weltanschauung* represented by a fight or war, an ultimate effect of current cultural relativism, which includes all discourses and behaviours from any human group, legitimised by a misrepresented cultural context, taking into consideration its genesis and justification on ends and means, which give it its sense or self-sense (Amorós 2007).

## 5 Conclusions

This chapter offers insight into the phenomenon of Daesh terrorism through lone wolves’ cultural perspectives, providing different conclusions thanks to the reinterpretation of three theoretical frameworks. It is significant to note that this analysis is focused on a complex phenomenon, composed of multiple elements and theoretical angles, whose study generates a vast literature with many approaches. We suggest addressing these complexities from an all-embracing multidisciplinary approach.

We must analyse the phenomenon of terrorism from a symbolic perspective, bearing in mind that it is not a struggle between communism and capitalism, or between socialism and democracy, but between distorted perceptions about Islam and about democracy.

From this standpoint, and starting a line of study for further developments, it is crucial to highlight a tendency started during the 1930s, when the systematic study of terrorism shifts from being an exclusive topic of criminal law and criminology to other social sciences, like sociology, politics and social psychology. This new approach centred on analysing concepts such as violent collective behaviours, the interpretation of these social acts’ “contagion” and voluntary recruitment of youngsters. It would be appropriate here to review the ethnographic field work from the Chicago School,<sup>2</sup>

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<sup>2</sup> The Chicago School of Criminology shifts the focus of crime explanation from individual to socialisation factors. From the Chicago School Perspective, terrorism and all criminal activities are influenced by social situations and community environment, in particular by specific collective

especially as it relates to the concept of interactionism to include that these violent actions—the final immolation after trying to kill as many people as possible—represent the sum of all personal frustration feelings.

Nowadays, people are not only prey for abstract and immense mechanisms of control and surveillance, but also passive objects being carried toward an uncertain future. In this context, the utopian message of fundamentalist jihad regains a new attractiveness, becoming a benchmark, though distorted, for all those hopeless, atomised, anonymised and marginalised members of the society. Finally, fighting terrorism implies also offering a model to overcome these social struggles, emptying fundamentalism of its substance, attractiveness and biased justification.

In conclusion, we must focus the attention on the most used social science paradigm of interpretation, known as the *functionalist theory*. Conceiving societies as self-regulated systems (Parsons 1985), which adapt themselves to change through the adequacy of their institutions. In this context, terrorism, understood as “illegitimate violence”, appears as the antithesis of other kinds of “legitimate violence” which provide order, predictability and collective welfare to society.

In fact, the essence of the social threat that terrorism incarnates deals precisely with this subtle difference between barbaric violence and social power. In the words of Passerin d’Entreves,

We have to decide whether and in what sense ‘power’ can be distinguished from ‘force’, to ascertain how the fact of using force according to law changes the quality of force itself and presents us with an entirely different picture of human relations, since force, by the very fact of being qualified, ceases to be force” and is being transformed into power (Passerin d’Entreves, cited in: Arendt 1970, pp. 37–8).

Lone wolves conceive terrorism in terms of violence, while states and civilized societies have upgraded from the Hobbesian anarchic violent environment to fairer, more institutionalized violence through legal enforcement and organized political power. Every time a lone wolf arbitrarily decides to strike against the most vulnerable members of our societies, he knows exactly that he is reverting civilization to primitive barbarism. Not being used to deal with extreme violence, states have no room for other solutions besides the “politics of the latest outrage,” (Wilkinson 2000: 17), which promotes collective solutions, in terms of international conventions, only after major tragic events and avoids adopting a comprehensive convention on international terrorism. However, most liberal democracies are working together to tackle terrorism by developing collective antiterrorist policy mechanisms and reinforcing cooperation in political and judicial aspects of the fight against terrorism (Friedrichs 2008). A combination of transnational cooperation (Beyer 2010)<sup>3</sup> and multilevel compliance with a comprehensive approach to tackle terrorism is needed today, more than ever.

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(Footnote 2 continued)

phenomena such as social disorganisation, differential association, social labelling and learning processes. Ref. Bryant (2014), pp. 1–3.

<sup>3</sup> Beyer points out how neorealism and power-based theories fail to probe the existence of a “hegemonic governance” based on American power on fighting terrorism.

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# Language Diversity as a Source of Conflict in Hungary—Possible Implications of Immigration

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## 1 Language Diversity as a Possible Source of Conflict

Although language differences per se are not a cause of conflict, discrimination on the ground of language, the exclusion or disadvantage caused by state authorities through language preferences, and the denial or insufficient implementation of minority language rights in practice may lead to violent conflict. “Most of the world’s conflicts since the end of the Second World War have been internal, often involving groups seeking independence, autonomy, or the defense of their rights. Language demands are frequently at the fore in many of these conflicts” (IALL XIII 2012). Taking only a few examples, the cases of the Basques or Catalans in Spain, Northern Ireland and Scotland in the UK, Corsica in France, or the Hungarians in Romania and Slovakia are all related to the language issue to a greater or lesser extent.

Given the importance of language as a core element of ethnicity and nationality, it is hard to underestimate the role it might play in interethnic conflicts: “Language issues [have a heightened saliency] in many historical and contemporary political conflicts, particularly at the intrastate level. In these conflicts, particular languages clearly are for many people an important and constitutive factor of their individual and, at times, collective identities” (May 2005: 330). Having said that, we must emphasize that it is not languages or linguistic differences themselves what constitute potential source of conflict; rather the lack of rights to ensure that people could use their own language. Conflicts usually arise from the long-standing denial of language rights, when individuals feel that they are treated unfairly. The language question, however, is not a simple item on the human rights agenda but it strongly relates to issues of power. This stems from the fact that in contrast to religious differences where the State can simply withdraw from the arena of conflict, the language issue can never be entirely depoliticized since every State’s machinery necessarily has to work in (a) certain

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language(s). To put it differently, State and language cannot be separated (de Varennes 1997a, b, 1999, 2013).

However, linguistic diversity proves to be a source of conflict only if sociocultural and/or legal status of different linguistic groups are unbalanced: that is, if certain languages and their speakers are excluded from so-called power domains (public administration, justice, education or media). In turn, linguistic diversity can be seen as a fundamental value of democratic societies and a source of mutual understanding between various peoples when power positions are balanced, that is, when equal language rights are guaranteed to all linguistic groups (Darquennes 2010; Rindler-Schjerve 2010: 1–11, 311–320). Even if perfect equality in practice cannot be reached, States' decisions on the use of languages can never be arbitrary:

“a balance must be attained between the interests of the State, normally representing those of its majority, and the rights, interests and duties of individuals belonging to linguistic minorities”  
(de Varennes 1995–1996: 108).

Many ethnic conflicts could be avoided having just and rightful norms guiding the States' legislation and practice on the use of languages. In the following, we are going to examine whether this is the case in Hungary.

## 2 Language Rights and Language Policy in Hungary

Hungary has been a multinational and multilingual state since its very establishment (AD 1000). Although the various peoples of the country had lived in relatively peaceful coexistence for centuries, managing the diverse needs of nationalities became increasingly difficult by the end of the 19th century. It has been argued that the very dissolution of the Habsburg Monarchy—and the Kingdom of Hungary as part of it—was due to the State's failure to accommodate its linguistic and ethnic diversity. After a relatively calm period following World War II, the fall of Communism presented a new challenge to Eastern and Central European countries regarding their minority policies: renewed tensions between ethnic groups were a serious threat to the stability of the entire region (Nagy 2015).

Currently there are 14 + 1 minority languages recognized under Hungarian law: Armenian, Bulgarian, Croatian, German, Greek, Gypsy (Romani and Beás), Polish, Romanian, Ruthenian, Serbian, Slovak, Slovene, Ukrainian, and Hungarian Sign Language. Users of the first 14 (that is, people belonging to national minorities) make up approx. 8–10% of the population according to scientific estimates, and 6.5% according to official census data (KSH 2013).

The change of political regime in 1989/90 is a border between two eras not only in terms of politics, but also as regards linguistic and minority legislation. Although the preparation of a law uniformly regulating the rights of national minorities had already begun at the end of the 80s, it was accomplished under the new democratic system (Balogh 2002: 490–491, Kállai and Varjú 2010: 178–182). The 1993 Act on the Rights of National and Ethnic Minorities (hereinafter: Minorities Act) was the only major piece of minority legislation of the 20th century in Hungary; its significance is

comparable to that of the 1868 Act on the Rights of Nationalities, which regulated the use of languages in Hungary during the era of dualism (Austro-Hungarian Monarchy 1867–1918). Although this achievement of Hungarian law-making was widely recognized both by the scientific public and expert bodies of international organizations, enthusiasm was less pronounced when it came to practical implementation. The logic of Hungary's linguistic legislation has not changed since 1868: the majority of language rights remain to be recognized as minority rights; therefore, scholars tend to evaluate linguistic legislation within the framework of minority policy.

The four main levels of Hungary's current language-related law are: (1) the Fundamental Law of Hungary (before 2012: Constitution), (2) the 2012 Nationalities Act (before that, the 1993 Minorities Act), (3) sectoral laws (on civil and criminal proceedings, public administration, commercial advertising, and the use of the Hungarian Sign Language), and (4) international legal instruments ratified by the State (such as the European Charter for Regional or Minority Languages).

These laws contain minority language rights and at the same time guarantee the official use of the Hungarian language as well its status as the official language of the country. As regards minority language rights: whereas legislation between 1989 and 2012 used the terms 'ethnic', 'national' or 'linguistic minorities', from 2012 onwards the official terminology has been changed to 'nationalities', as traditionally codified by the 1868 Nationalities Act. (The deaf community, of course, is not a nationality but a linguistic minority.) Since this distinction is irrelevant to the regulation of language use, the terms 'nationalities' and 'minorities' will be used interchangeably.

Article 68 of the Hungarian Constitution as modified by Act No. 31 of 1989 stipulated the following:

(1) The national and linguistic minorities living in the Republic of Hungary share the power of the people: they are constituent parts of the State. (2) The Republic of Hungary shall provide for the protection of national and linguistic minorities. It shall ensure their collective participation in public affairs, the fostering of their cultures, the use of their mother tongues, education in their mother tongues and the use of names in their own languages. (Hungarian Constitution, Article 68 as modified by Act No. 31 of 1989)

As compared to the former (socialist) constitution, the only novelty in linguistic terms was the constitutional recognition of the right to use one's name in his or her language. Act No. 40 of 1990 introduced the term 'ethnic' instead of 'linguistic' minorities. The distinction between national and ethnic minorities was primarily based on whether a given minority had a mother country (that is, a country from which the people of the minority derive their origin) or not. In this sense, Gypsies and Ruthenians were considered as ethnic minorities (Kállai and Varjú 2010: 187).

The 1993 Minorities Act provided the following language rights for minorities: (1) individual rights: family events and related religious services in the mother tongue, first names and family names registered in the mother tongue; to cultivate the mother tongue and pass it on to the next generation; education and cultural activities in the mother tongue (Articles 11–13); (2) collective rights: the right to cultivate and develop the minority language; the right to initiate the creation of the necessary conditions for kindergarten, primary, secondary and higher education in the mother tongue or bilingually (i.e. in the mother tongue and in Hungarian); and the right to establish a national

educational, training, cultural and scientific institutional network of their own (Articles 16 and 18).

Educational rights of minorities were further elaborated in Chapter VI (Articles 42–50) of the Act. According to the main rule, at the request of the parents of eight students belonging to the same minority group, it was compulsory to run a minority class or group, but according to local possibilities and demands, it was permitted to establish a separate minority kindergarten or school. Local municipalities and minority self-governments had to cooperate in organizing the minority education but it was also possible for a minority self-government to take over an educational institution. The teaching of minority languages took place in three—traditionally established—ways: (1) teaching in the mother tongue (where the minority language is the language of instruction and Hungarian is a compulsory subject); (2) teaching of the mother tongue (mixed-language or bilingual schools instructing in the minority language and Hungarian); (3) Hungarian-language education (language teaching schools, where the minority language is only taught as a subject).

Chapter VII (Articles 51–54) contained additional rights related to language use. Article 51(1) is especially significant from a theoretical point of view as it declared the freedom of language (a right that does not exist in current international law—in contrast to, e.g., freedom of thought, conscience, expression or religion—and has rarely been recognized by domestic legislation): “In the Republic of Hungary everyone may freely use their mother tongue whenever and wherever they wish to do so.” Despite having been declared in a minority law, the provision applied to everyone: persons belonging to the language majority as well as to minorities.

Since in practice it is usually the use of minority languages that causes difficulties, the Minorities Act specifically prescribed that the conditions for minority language use must be provided by the State, in cases specified in a separate law. In connection with the use of minority languages in judicial proceedings and public administration, the Minorities Act referred to the relevant procedural laws. In addition, it provided for the use of the mother tongues of minorities (1) in the Parliament; (2) in the boards of representatives of the local municipalities (the Hungarian translation of the contribution made in a minority language had to be enclosed to the minutes of the meeting, but the minutes and decisions could also be recorded bilingually); (3) at the request of the minority self-government: (a) in the promulgation and publication of decrees and announcements of local municipalities; (b) in administrative forms; (c) in the display of names and inscriptions of local municipalities as well as locality and street names; (4) as a criterion in filling the positions of local civil servants and public sector employees.

As regards the Minorities Act, problems had been raised in connection with the regulation and operation of the minority self-government system, thus the law was amended in 2005 and 2010. These amendments hardly affected the existing language rights, since this part of the regulation had not been criticized. However, the practical implementation of language rights did raise concerns, especially in the field education, mainly because of problems in funding and infrastructure (the lack of adequate textbooks, qualified teachers, etc.) (Kállai and Varjú 2010: 194–198). Act No. 94 of 2005 provided for new linguistic rights related to the local minority self-government and extended the educational rights of minorities. From 2005 onwards, decrees of local

municipalities on the collective use of minority languages were to be adopted only with the consent of minority self-governments (Article 28). Furthermore, it became possible to keep the minutes of the meetings of minority self-governments in the language of the respective minority in addition to Hungarian, and in this case, the authentic version was the one in the minority language (Article 30/F). As for education, a new provision especially regarded the teaching of Gypsy languages, i.e. Romani and Beás (Article 45), and if the number of students did not allow to organise minority education within a locality, the county municipality was obliged to create the conditions for supplementary minority education at the request of the national minority self-government concerned (Article 43).

The 2009 Hungarian Sign Language Act must be mentioned as an emblematic piece of minority language legislation. Pursuant to this act, commended as the most progressive regulation on sign languages in Europe, the Hungarian deaf community is defined as a linguistic minority, and from September 1, 2017, the teaching of Hungarian Sign Language as well as Hungarian has been compulsory in bilingual schools established for the deaf children, while in integrating institutions bilingual education shall be provided even at the request of one parent of a deaf child.

The language provisions of sectoral legislation on justice and public administration have remained essentially unchanged as compared to those of the socialist system and, until just recently, there were only minor alterations since the entry into force of the new constitution (Fundamental Law) and the new Nationalities Act in 2012. According to the rules of the 1952 Civil Procedure Act [Art. 6, 78(4a), 184, 191(6)], the 1998 Criminal Procedure Act (Art. 9, 114, 219(3), 250(1), 262(6), 339(2)), and the 2004 Public Administration Act (Art. 4(1), 9–11, 29(11), 52(2)-(3), 60), the language of civil, criminal and administrative procedures is Hungarian but no one can be disadvantaged because s/he does not know the Hungarian language. Both orally and in writing, everyone can use their mother tongue or other language known and chosen by them. Although the term ‘mother tongue’ obviously includes the languages of nationalities, the law specifically provides for the right to use the languages of nationalities, and—in order to comply with the Language Charter (see below)—, the right to use regional languages. The most important documents of the proceedings have to be translated and, if necessary, an interpreter has to be assigned (since 2010, sign language interpreters are explicitly mentioned). Since 2008, it has been possible to conduct administrative proceedings falling within the scope of competence of the nationality self-governments in a language other than Hungarian.

In 2016 a new Civil Procedure Act was adopted which entered into force on January 1, 2018. A major change in its linguistic provisions [Art. 61, 67(5), 113, 171(2), 320(1), 325(2)] is that henceforth the right of everyone to use their mother tongue is restricted to oral proceedings; the language of written statements shall be Hungarian. The provision about that no one can be disadvantaged because s/he does not know the Hungarian language is also missing from the new law. As for the new Criminal Procedure Act (No. 90 of 2017, entry into force: July 1, 2018) the content of language-related provisions suffered no changes [Art. 8, 39(4), 78, 201, 423(2), 455(6), 576(1) b), 795(3)], except for a new rule relevant for the recent migration crisis (see below in Sect. 4).

In addition to justice and public administration, language-related legislation can be found in the field of trade and certain community areas. Act No. 155 of 1997 on Consumer Protection provided that the most important data required for informing the consumer on the labels of the goods and the user's manuals should be in the Hungarian language. Pursuant to a 2000 judgement of the Court of Justice of the European Union in the case of *Geffroy and Casino France* (C-366/98), the law was amended as to allow for the use of other languages in addition to Hungarian, and in 2008 all language specifications were abolished. In 2015 a new provision was adopted determining Hungarian as the official language of the conciliation procedure (Art. 20[6]).

It is important to mention Act No. 96 of 2001—simply referred to as ‘Hungarian language law’ in the press—the aim of which is to preserve the Hungarian language “against the persistent and abundant foreign language effects”. Designating the act as language law is exaggeration, given that it only applies to a quite narrow sphere of language use, that is commercial signs and certain public announcements (belonging to the so-called visual language use or language landscape). The following texts must be published in Hungarian: (1) the text of commercial advertisements published in the Hungarian-language press, radio and television, as well as on outdoor advertising spaces (only the text of the advertisement itself has to appear in Hungarian, there is no such obligation concerning company names, designations of origin, geographical indications, trademarks, etc.); (2) designations of stores on the inscriptions of stores (again excluding company names, designations of origin, geographical indications, trademarks, and leading words) as well as announcements informing the consumer; (3) information leaflets on public spaces, public buildings, private spaces and buildings open to all, as well as public transport. In all cases, the foreign language text may be retained, provided that the Hungarian equivalent is displayed at least as noticeably and at least in the same size. The law does not apply to commercials and subtitles in the languages of nationalities in localities with an established self-government for the nationality concerned.

In 2011 a new Constitution and a new law on minorities (henceforth called ‘nationalities’) were adopted by the Hungarian Parliament. The Fundamental Law of Hungary, which entered into force on 1 January 2012, pays a special attention to the protection of the Hungarian language (“our unique language”) and the languages of nationalities already in the Preamble (‘National Avowal’). With a bit unlucky phrasing, nationalities are declared to be state-forming factors: “[t]he nationalities living with us are parts of the Hungarian political community and are constituent factors of the State”. Since the Preamble has been written in the name of “we the members of the Hungarian nation”, a strictly grammatical interpretation might suggest that members of the “nationalities living with us” are not part of the Hungarian people. This non-inclusive language was criticized by the Venice Commission, the advisory body of the Council of Europe on constitutional matters (Opinion No. 621/2011, para. 40). However, Article XXIX repeats this provision in a way that leaves no doubt about the consideration of nationalities as state-forming factors by the legislator: “[n]ationalities living in Hungary shall be constituent parts of the State”.

According to Article H, the official language in Hungary is Hungarian, which is protected by the State together with the Hungarian Sign Language as part of the Hungarian culture. This commitment concerning nationality languages only appears in

the Preamble, which has less normative force (cf. Opinion No. 621/2011 of the Venice Commission, para. 45 and 82). In contrast to the concerns of many, this normative arrangement in practice has so far not resulted in a diminution of the level of minority protection previously guaranteed in Hungary. The declaration of the official status of the Hungarian language created a new situation only in a symbolic sense, since Hungarian had been an official language before (not only *de facto*, but in many sectoral laws also *de jure*).

The institution of the official language implicitly provides language rights for the Hungarian language community, i.e. the linguistic majority (they have the right to use their own language as the official language of the State) (cf. Andrásy 2003). Now let us see the linguistic rights provided by the constitution for linguistic minorities!

[e]very Hungarian citizen belonging to a nationality has the right to undertake and preserve their identity. Nationalities living in Hungary shall have the right to use their mother tongues, to use their names in their own languages both individually and collectively, to foster their culture and to education in their mother tongues. (Hungarian Constitution 2011 Article XXIX)

Literally interpreted, this section provides only one individual language right: the right to use someone's name in his/her own language (which is also a collective right). The right to use the mother tongue and the right to education in the mother tongue appear as collective rights. A distinction between individual and collective rights may be significant when it comes to the enforcement of individual rights in front of law courts. This—so far only hypothetical—problem can easily be resolved by the Constitutional Court: on the one hand, the individual right to use one's mother tongue and have education in one's mother tongue can be deduced from the individual right to preserve one's identity and, on the other hand, individual rights can usually be derived from collective rights (cf. Andrásy 1996). This would not work the other way around: international human rights law has traditionally ruled out the collective rights of minorities regarded as "alien to the system". From this point of view, the wording of the Fundamental Law can be considered as a progressive one. In addition, it expressly prohibits discrimination based on language and national origin (Article XV).

The new Nationalities Act, which entered into force on 1 January 2012, mainly clarified the rules on the legal status and operation of nationality self-governments, taking into account most of the legislative proposals of the minority ombudsman (Opinion of the Parliamentary Commissioner for National and Ethnic Minorities 2011); the majority of linguistic provisions were taken over from the earlier Minorities Act untouched. For this reason, only new language-related provision will be considered here. One of the most important innovations of the law is that the mandatory provision of certain language rights is bound to a certain ratio of the nationality population as established by census data. (If this ratio is not reached, such rights may be granted by the local municipality at the request of organizations and persons belonging to the respective nationality.) A 20% ratio is requested for the bilingual drafting of minutes and decisions of the board of representatives and for employing local officials familiar with the nationality language concerned. In turn, 10% is needed for decrees, declarations, announcements, and forms of local municipalities as well as place names, street signs and public inscriptions to be published in the languages of nationalities (in

addition to Hungarian), and for local media service providers to broadcast regular nationality public service programs (Art. 5–6).

Among media-related rights (Art. 44–49), it is a novelty that nationalities have the right to free access to information, and to obtain, provide and disseminate information via mass communication devices on their mother tongue. The chapter on the educational and cultural rights of nationalities begins with enlisting the languages used by nationalities. The naming of Gypsy languages are confusing: “Roma/Gypsy (Romani and Beás) (hereafter: Roma)”, what is more, Beás is not a Roma language. It is no less perplexing what the law means by declaring that in the case of the Roma and Armenian nationalities, Hungarian also counts as a language used by nationalities. On the one hand, other nationalities also use the Hungarian language (they are all bilingual), and on the other hand, to give extra protection to the Hungarian language in the framework of a minority law is pointless. In addition to the three traditional types of instruction (education in the mother tongue, nationality bilingual education, nationality language education) and supplementary nationality education, Roma nationality education is mentioned explicitly, the language of which may be exclusively Hungarian (Article 22). (Gypsy minority education existed before as a separate type, but it was not regulated at the level of minority law.)

The Venice Commission, which was asked to comment on the Nationalities Act, was generally satisfied. Despite the law was found to be particularly complex and at times excessively detailed and lacking legal clarity, it “confirms Hungary’s internationally recognised commitment to minority protection” (Venice Commission, Opinion No. 671/2012, para. 82–84).

Hungary has been among the first States to sign and ratify all international instruments related to language rights and minority protection, including the Framework Convention for the Protection of National Minorities as well as the European Charter for Regional or Minority Languages (hereinafter: Language Charter), two international treaties concluded under the aegis of the Council of Europe. The latter is of particular importance for the purposes of this chapter. Hungary originally undertook to apply Chapter III (containing the substantial provisions) in respect of the Croatian, German, Romanian, Serbian, Slovakian and Slovenian languages (Act No. 40 of 1999), and in 2008 it extended the protection to the Gypsy (Romani and Beás) languages (Act No. 43 of 2008).

The Committee of Experts monitoring the implementation of the Language Charter has been continuously stressed the exemplary nature of Hungary’s language legislation, at the same time pointed out the anomalies of implementation, particularly in the fields of education, justice and state administration. Despite the well-established legal framework, the organizational, infrastructural and material conditions of language rights are often missing. The languages of nationalities are almost exclusively taught as school subjects, and the situation of nationality teacher training is critical. The languages of nationalities in civil, criminal and administrative proceedings can only be used in theory, and the Hungarian authorities keep failing to designate the geographical areas in which the number of persons belonging to a given nationality could justify the implementation of related undertakings. The lack of systematic language policy and planning for the Gypsy languages has been challenged from the outset. Furthermore, because of the high level of linguistic assimilation, people belonging to nationalities are



not interested in their linguistic rights, and the linguistic majority does not even know about languages other than Hungarian spoken in the country. It is therefore of primary importance to raise awareness of the problem in both the linguistic minority and majority societies (COMEX 2001–2016).

### 3 The Influence of Migration on Hungary’s Language Policy

We are living in an era of a new ‘exodus’ from Africa and the Middle-East to Europe. According to estimates, with the most recent waves of refugees and migrants, taking into account only those coming from the first ten “contributors of migrants in EU” countries, 100–500 new languages may arrive to Europe, from just the Balkan route (not counting migrant languages possibly arriving from the other five routes used by migrants) (Pop 2017: 72–78).

As regards Hungary, migration has traditionally been negligible, the proportion of immigrants remaining around a stable 3–4% of the population (Eurostat 2017). Furthermore, with the exception of a relatively large Chinese diaspora, most immigrants settling in the country since the change of the political regime have been ethnic Hungarians from neighbouring countries, mainly from Romania, Slovakia, Serbia and Ukraine. This has not changed with the refugee crisis of recent years, except in one area: the number of submitted asylum applications. In the year of 2015 Hungary was the first in Europe for asylum applications per 100,000 citizens. However, asylum seekers submitted applications in Hungary only for formal reasons and then, almost without exception, all moved on to Western Europe (Juhász et al. 2015: 9–10).

Given the lack of previous experience with immigrants and of the adequate legal framework to integrate significant numbers of foreign nationals with different linguistic and cultural backgrounds, the Hungarian government had to take quick and resolute actions. These actions can be summarized with the term of “no-migrants policy”, the short-term goal being excluding all migrants (a collective label used for refugees and non-refugees alike) from the country through various measures including legislative amendments and building the infamous fence along the southern border. No wonder that by 2016 the number of refugee applications fell back to the annual average, i.e. 29 432 (Aida 2017). This is a 500% decrease as compared to the peak in 2015, i.e. 176 903 applications (Juhász et al. 2015: 9).

Hungary’s legislation on minority protection and language use has never taken into account the special needs of migrants, neither before the refugee crisis (due to the factual circumstances explained above), nor after it. In fact, the only change relevant for language use evidently adopted under the influence of the Hungarian government’s special approach towards the refugee crisis is Article 833 of the new Criminal Procedure Act (to enter into force on July 1, 2018). The new provision concerns the (novel) proceedings established for the crime of violating the border barrier (including irregular border crossing and destruction of the fence), and explicitly “allows” for the accused to surrender his right to have the indictment or judgment translated. This provision is at least suspicious from the stance of international human rights law.

Otherwise, the laws of the country provide for the internationally recognized language rights of the accused to be informed promptly and in detail in a language that s/he understands of the nature and cause of the charge against him, and to have the free assistance of an interpreter if he cannot understand or speak the language used in court. These rights, recognized in Article 14 of the International Covenant on Civil and Political Rights, are duly transferred into the Hungarian Criminal Procedure Act. Furthermore, migrants can benefit from the common provision of the three procedural acts (see Sect. 2 of this paper) on the right of everyone to use their mother tongue or other language known and chosen by them both orally and in writing (in civil proceedings, this right will only apply to oral statements from January 2018 onwards). Apart from that, migrant communities apparently have to wait one hundred years to qualify as a nationality and thus enjoy the rights provided for by the Nationalities Act.

## 4 Conclusions

On the basis of an in-depth analysis of Hungary's current language-related laws, three main conclusions can be drawn:

First, the logic of the legislation fits into the broader international framework, where the law only provides language rights for minorities, explicitly anyways. Implicitly, language rights can be deduced from the institution of official language for the language majority, that is the Hungarian-speaking community. Still, language rights are not stipulated in the form of universal human rights (let alone, in the form of the right to freedom of language as suggested by Andrassy 2012). Although the human rights approach per se is not the panacea for ethnic conflicts, it has a stronger enforcement mechanism in international law (minority protection is considered to belong to the discretionary power of the individual states much more than human rights protection). Therefore it could bring us closer to a more satisfying solution for the diverse needs of different language groups.

Second, Hungary's legislation on minority language rights is sophisticated enough to offer *de lege ferenda* guidelines to other European states, but the implementation leaves much to be desired; sometimes people belonging to national minorities enjoy their language rights in paper rather than in practice.

Third, since migration to Hungary has traditionally been insignificant, minority and language policies could easily disregard the needs of immigrants, no wonder that the migration crisis in 2014 took the Hungarian government by surprise (or shock, really). Even if Hungary at present is not a destination country for migrants, it might lead to serious consequences if a potential change of events finds the State unprepared.

Hungarian and European decision-makers should seriously consider the implications of the possible massive influx of people with different cultural and linguistic backgrounds. Instead of ad hoc, hasty and short-term approaches of a fire-fighting nature, sound, long-term strategies and comprehensive policies are needed urgently, in both the European and the domestic levels, in order to cope with the possible conflicts stemming from the new ethnic and linguistic layouts emerging in European countries. They will also allow accommodating the rightful needs of both traditionally settled

minorities as well as newcomers possibly becoming new minorities and therefore reshaping the ethnic-linguistic map of the “Old Europe”.

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**Part III**  
**Cultural Differences and Conflict**  
**Management**



# The Search for Unity Beneath Our Cultural Differences

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## 1 Introduction

In Western society we predominately rely on our thinking minds to advance in the world. From an early age we go to school and we are trained in what is known as the “three Rs”: reading, writing and arithmetic, which form the foundations of the basic-skills oriented education program. We are educated to acquire information about the world and nature, but the way we experience it is not explored. We are also not usually trained in how to be with our self or with others, although we might be told what we should or should not do. We are also given no prizes for developing our feeling capacity. This has created a society which is one sided and this is reflected in the way we live, what we do and what we have, as being more important than who are and what we feel.

Nearly 800,000 people commit suicide each year and this affects all ages. Suicide is the second leading cause of death among 15–29 year olds globally (WHO n.d., para. 1). This indicates a serious problem. One in six American are said to take anti depressants or other psychiatric drugs. Compared to other minorities, twice as many white people take antidepressants. Only five percent of those who take antidepressants are Asian Americans (NBC News 2016). In a study reported by the Business insider Tech news, antidepressant use in Germany has risen by 46% in a four-year period. “In Spain and Portugal, it rose about 20% during the same period. Iceland led the pack in overall use with about one in ten people taking a daily antidepressant—even if that figure may underestimate the actual rate of use, since that calculation isn’t restricted to just adults (Gould and Friedman 2016, para. 3). The United States was not included in this study but, had it been, it would have superseded the figures of Iceland: 11% of Americans over the age of 12 take an antidepressant. According to a report by the National Center for Health Statistics, the rate of antidepressant use in America among teens and adults (people ages 12 and older) increased by almost 400% between 1988–1994 and 2005–2008. However, it is also estimated that only a third of the American people with severe depression take an antidepressant (Wehrwein 2011). In South Korea antidepressant use is the lowest among the countries analyzed. However the suicide rate is the highest in

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the developed world. As Koreans are much likelier than Americans to see mental illness as a personal weakness, research has shown that they are less likely to seek treatment (Gould and Friedman 2016). These indicators reveal that it is not so easy to know what is going on.

When we compound this with a look at educational systems, we find that in Finland—one of the most advanced educational systems in the world—the number of suicides has been declining steadily since its peak in 1990: a drop in over 40% in 20 years. This is particularly striking when we look at males, as it is in this group that the number suicides have shown a vast drop in numbers. The trend in number of females committing suicide is constant. However the number of suicides is the central cause of death for young people. “More than one-third of young people aged between 15 and 24 that died had committed suicides...young people’s suicide mortality in Finland is high by European comparison” (Statistics Finland 2014, para. 3). The use of depressive drugs has increased 10 fold between 1990 and 2013. This suggests that we still might have a long way to go in how we approach education. We also might have a long way to go in how we measure health. Is it just an absence of the use of psychiatric pills and the lack of committing suicide or are we looking for something more to really find happiness?

## 2 Mystical Traditions

All religions have their mystical traditions and the spiritual pathway is probably at the heart of all true religions. But, in the past, not everybody was attracted to explore the mystical side of life. Also in many societies, people were not really encouraged to do so. Several reasons were probably behind this but we shall not go into this here. However if we are to start finding solutions to the many problems facing the world today, many more people probably have to become spiritual. But to understand this we need to know what we mean by spiritual.

What is the basis of spiritual traditions? Before there were books, teachers or the internet, people gazed in wonder at the cosmos and wondered how all this worked—what is the nature of Nature? Who am I? How do I fit into all this? When their quest was sincere, they sat down and waited for Mother Nature to answer their questions. In India these people became known as seers, rishis philosophers and yogis (Arka 2013). The answers to these questions make up the Vedas, a Sanskrit word meaning knowledge. The inner quest was not restricted to India and the mystical way of searching for one’s nature and the nature of reality has probably been undertaken by all cultures, although this knowledge was not necessarily recorded in writing. This way of knowing relies on intuitive guidance but it does not exclude information obtained from the outside world. The questions asked by these early inner explores are not so different from those asked by modern day scientist but the way of going about it is different. Whereas scientists look for their answers in the outside world, the inner scientists look for the answer in the inside world. The one gave rise to scientific knowledge and the other gives rise to spiritual knowledge. Scientists also often rely on intuition but it is



rarely acknowledged and it is not cultivated as a method of acquiring knowledge (Arka 2006; Lindhard 2016).

To be a true seeker, like to be a true scientist, one does not just verbalize the findings of others, but undertakes the journey for him or her self. The aim of the journey is known by different names in different traditions. William James was in favor of a common core behind the experiences of all mystical traditions. This core experience is said to involve the non-sensuous experience of unity of all things and does not assume “any common theology, philosophy, or practice necessarily follows from mystical experience” (Hood 2016, abstract). Although the culminating experience might be similar in different traditions, when we only concentrate on this, we miss other aspects of the journey that might be relevant to our wellbeing. So our next question must involve what is involved in the inner journey and how can one begin to explore one’s inner world?

### 3 Methods of Meditation

Some people access their inner world spontaneously but many need a method. It is also important to realize that experiences will also be influenced by the intention set by the practitioner and even within the same path, intentions can vary between practitioners and practitioners can change their intention as he or she progresses (Lindhard 2016). In addition to this, we can identify methods that go above the rational thinking mind and those that go below it. Here we shall talk about methods that go below the mind, as they are slightly easier (Arka 2013). Obviously if one flies to Rome, one will have different experiences from somebody who goes by land or sea. Spiritual journeys are no different. Here we will talk of methods that are heart-based. These are more likely to have things in common than methods that go above the mind. Even though each person might have individual experiences, it might be possible to find commonalities between different heart-based methods (Lindhard 2016).

In Christianity, a well-known method used in meditation is known as Prayer of the Heart. It is part of the tradition known as Hesychasm, from the Greek meaning inner stillness. It was used by the Desert Fathers but goes much further back in human history. This method finds resonance with the ancient Egyptians who held the idea of God-man. Visions in ancient Judaism, and different Mediterranean cultures likewise support this view. It also flourished in certain Indian tantric traditions as well as the “wild Sufi dhikr of Divine names”. It is also related to the *atma-vichara* (Self enquiry in Sanskrit) methods found in many Indian traditions, such as Kashmiri Shaivism and that of Sri Ramana Maharshi. It also holds a similarity with traditions found in Caucasus, Persia, Pakistan, and also India. (Louchakova 2004, p. 3)

Although this method is thought to be complicated (Louchakova 2004), a modern day heart-based method known as Intuitive Meditation (IM) or Arka Dhyana seems to eliminate these difficulties. It is based on three pillars: touch sound and breath. Instead of using words with which the practitioner might or might not resonate and therefore lead to distractions of the mind, a vibratory sound is intonated at various energetic centers in the body. Also, instead of seeking to quiet the mind, practitioners train their

mind to where they want it to go through the use of their hands. As they move through the practice, they shift their hand position and their attention to different energy sites in the body while at the same time synchronizing the movement with their breath and intoning the humming sound (Arka 2013).

This method has been found to quickly take the practitioner into the realm of feeling and sensations. Moreover these experiences do not stay as a purely physical level of perception, but seem to awake emotions linked to memory, at least initially. Once the practitioner becomes acquainted with just being with these experiences, he or she can then go deeper (Lindhard 2016, 2017). The experiences of just being with one's inner sensations are shared by different meditation methods such as those involved with breath (Jassy 1985; Zope and Zope 2013; Khalsa and Khalsa 1976), certain tantric methods (Ballantine 1999) and also various therapies that work through sensation rather than our stories such as focusing (Gendlin 1981), somatic experiencing (Levine and Frederick 1997) and holistic breath work (Grof and Grof 2010).

The IM method itself is simple and, being a body-based method, it is natural and can be practiced by all. Although each practitioner will have their individual experiences, Arka also identifies six main levels of consciousness the practitioner will experience as he or she undertakes the inner journey using the IM method. The main levels he identifies are: (1) M (Mind)—Consciousness, (2) SM (Subliminal-Mind)—Consciousness, (3) F (Feeling-Mind)—Consciousness, (4) H (Emotional-Heart)—Consciousness, (5) HS (Heart-Soul)—Consciousness and (6) PS (Pure-Self)—Consciousness (Arka 2013, pp. 37–38). This is a theory as well as a roadmap but it probably also applies to other heart-based methods. However this still has to be established (Lindhard 2016).

The first two levels are consistent with what science already knows about consciousness with “Mind” or the rational mind being the first layer. Mind–Consciousness “manifests on the surface of the cerebral region. As it becomes sharpened by the cultivation of learning, it evolves into a faculty called intellect.” Subliminal-Mind—Consciousness can be seen as similar to the “subconscious” or “precociousness” mind. This second level is below the surface mind and “we are (usually) unaware of its potential and capabilities, which may seem incredible to the surface mind. Many daily activities are governed by the subconscious mind”. The third level, Feeling-Mind Consciousness “generally prevails in the heart area and can thus be called the Heart of Heart-Consciousness. It includes an emotional faculty called intuition. Almost all mothers have this faculty naturally available and readily accessible to help them understand the intense needs of their children and people they care about” (Arka 2013, p. 37).

This suggests that we do not only have a rational mind associated with the brain, but a feeling heart–mind associated with the heart. It has been found that the heart has been found to have an intrinsic nervous system of its own, containing around 40,000 neurons called sensory neurites. This extensive and complex neural network has been characterized as a brain on the heart or heart-brain (Armour 1991, 2007, 2008). This allows the heart to act independently of the brain, sending and receiving meaningful messages of its own through the autonomic nervous system. The heart has also been found to send more signals to the brain than vice versa (McCarty 2009). HeartMath have done extensive research into the different ways the heart communicates with the

brain. According to them, there are four communication pathways: neurological, chemical, biophysical, and energetic (HeartMath Institute 2016, Heart Brain Communication section, para. 1).

Although the neural connections between heart and brain may be a way of communication under normal circumstances, the autonomic nervous system is an unlikely route for transmitting information in the case of heart transplant patients, as in transplant operations, the nerves of the heart of the recipient are severed. Some of the unusual findings concerning heart-transplant patients, therefore, raise questions for which science still needs to find answers. For me, there are essentially two questions. One is to establish how memory is stored and the role of the heart or heart field in storage. The other is the problem to do with retrieval of these memories. What is clear from the information regarding heart-transplant patients is that some people are able to access information about their donors. The method they access this information seems to be linked to sensitivity (Pearsall et al. 2005, para. 2).

This brings us back to the heart-mind postulated by Arka's theory. Both he and Armour agree that intuition begins to function at the level of the heart. When asked where the soul is in the body, Arka answered with a question "soul, electrically, tell me where there is no soul...soul is not the word, it is the meaning that is important—self spirit, atman, how can you separate yourself from soul?" (Unfolding the Petals of the Heart 2016). This suggests that the feeling heart-mind is an expression of the soul, as is the thinking mind, both being different levels of Consciousness.

The idea that we have levels of consciousness below our thinking rational mind to do with feelings and involve emotions that are linked to our hearts has many implications. To test this, Lindhard (2016, 2017) conducted a repeated measures design study where the participants were shown how to go below their rational minds. This involved training (a total of 13.5 h spread over six weeks) in the heart-based IM. During the training, practitioners were invited to set the intention to connect with their deeper self, essence or soul. A significant difference in the quality of consciousness as measured on the Feeling Conscious Scale (FCS) was found. This scale includes items such as unity, peace, intuition, positivity, awareness of emotions, and connection to one's inner Self, sometimes expressed as soul, inner being, or atman.

This study needs to be repeated and further research also needs to be done concerning the other levels of consciousness Arka mentions in this theory so as to understand more about the quality of the different levels of consciousness associated with the heart. However it does suggest that we do not only have a thinking mind associated with the brain but a feeling heart-mind associated with the heart system. As the heart system begins to develop in the embryo prior to the CNS including brain, it seems likely that this system might be involved as a guiding system prior to the development of the brain and the thinking mind.

The level of consciousness experienced by participants of the study undertaken by Lindhard (2016, 2017) point to a level of consciousness that might precede that of our developing our rational mind and therefore be related to the consciousness of children. Being heart-based it is a consciousness where the person is continually in the present as the bodily functions are always in the now. It also seems to create a unity between mind and body that can be experienced and this phenomenological experience is possibly related to our feeling of overall health. This is not the unity as experienced by mystics

but it is a start. Being a body based consciousness it is also an experience which all of us share no matter our religious background. The characteristics that define this level of feeling of consciousness seem to be something that needs to be fostered as it brings about positive experiences such as connection to one self or essence, unity, peace, intuition, positivity, awareness of emotions.

We know that children with a developmental malady of the brain, such as those children with hydranencephaly are capable of being “aware” or “conscious” although they are often termed vegetative by neuroscientists (Pereira 2016). It is quite possible that they experience a consciousness connected with the heart. Their wellbeing depends on the care and fostering they receive as to just how far they can develop, which indicates that they respond to a level of consciousness based on feelings. It is quite possible that the heart is much more than a piston pump and that it might play much a greater role in our existence than is realized at the moment (Lindhard 2016).

From studies involving other meditation methods and also body-based therapies, it seems that awareness of emotions become more acute as the practitioner starts to explore his or her inner world (Ballantine 1999; Jassy 1985). This is supported by a study by Nummenmaa et al. (2013), which showed how just naming an emotion creates bodily sensations. When one can be aware of ones emotions and be encouraged to be with them without denying them, they do not come part of our shadow personality ready to explode at the slightest provocation. It also seems that it is never too late to recover this level of consciousness and tap into a heart based level of consciousness. The participants in Lindhard’s study ranged between 29 and 72 years of age.

Feeling-Mind Consciousness is not the end of the inner journey but it is a start. It also seems that it might be beneficial if we all could recover this level and learn to also be with our emotions, not through denial but through acceptance. But most of all, it seems that at this level of consciousness we feel connected to our soul. Many years ago, Jung (1933) wrote a book called *Modern Man in Search of a Soul* in which he claimed that the modern dilemma involves the loss of connection to our soul. This lack seems to be as widespread today as it was when he wrote the book.

As it also seems young children might naturally have a level of consciousness that is very different from the thinking mind consciousness, it might be important that educators be aware of this. Maybe the true art of education is how to help students develop a thinking mind but at the same time help students remain connected with their soul via their hearts.

## 4 Conclusions

According to the following enigmatic quote often attributed to Einstein, “the world that we have made as a result of the level of thinking we have done thus far creates problems that we cannot solve at the same level as the level we created them” (Einstein, as cited in ICARUSFALLING 2009, para. 1). It seems today’s society might have become over reliant on our thinking minds, which we have overdeveloped. As suggested here this might be at the expense of our feeling hearts which are connected to a whole dimension of experience that we have been ignoring. One seems to be

knowledge based: the other seems to rely on feelings and inner guidance. It also seems to be involved with our intuitive capacity and connection to our deeper self, soul or essence. We also need not think of the thinking mind and the heart as a duality as implied by Descartes, but as a complementary polarity where conscious access to both the thinking mind and the feeling heart-mind are fundamental and necessary to our overall existence and wellbeing. Our study implies that reconnecting with our hearts is not so complicated. Investigating our inner world does not rely on any religious belief but simply requires a sincere desire to explore ones inner levels of consciousness and be with whatever comes up. Using a heart-based method connects us consciously with our world of feeling once again and also helps the practitioner with his or her emotions that often have become part the person's shadow personality. This is a process, which it is not accomplished overnight. But it does help form people who are in touch with their inner reality as well helping them connect to their soul from where inner guidance seems to arise.

Although the culminating experience of unity might be the goal, the connection with our essence via the heart seems to bring many positive benefits to the practitioner. In this sense the path is probably just as important as the end goal. In traditions that meditate on the Self, inner inquiry leads to a vast transformation in the person undertaking the investigation and "Sanatana dharma, the spiritual philosophy of India, suggests that there is a perennial form of healing, which consists in the realization of the true, immortal, and limitless nature of the Self beyond the ego" (Sri Nisargadatta Maharaj, as cited in Louchakova 2007, p. 81). It is this spiritual healing that not only each individual seems to need today but it also seems that collectively we need to transform and heal society through each of us transforming ourselves. We are not only thinking beings but we are also feeling beings. The road to respect and harmony between people of different cultures, religions and appearances, is a long one, but each step forward in exploring the nature of our consciousness and reconnecting with our souls via our feeling hearts might be a step in the right direction.

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# What Can Psychology Offer in Cross-Cultural Dialogue: A Psychological Approach to Intercultural Competence

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## 1 Introduction

This article belonging to a part of Personal Security Idea and is a part of Human Capital area in Security studies. The Origins of Personal Security concept in its modern, pragmatic understanding has grown primarily out of the concept of human security, authored by UN experts (Urbanek 2017). The idea of human security was based on assumption that the security of the state is not equivalent to protecting the state's territory and its residents (Buzan and Hansen 2009). Within this paradigm, on the one hand, the human becomes a legitimate security subject, ceasing to be treated solely as an object of protection and be an active subject in the security process. This idea also points to the necessity of stabilizing the relations between the state and human needs, so that the synergy of mutual actions strengthens both the security system of the state and human security (Gierszewski 2017). This approach to security does not replace the role of the state as its guarantor, it does however point to the need of collaboration between various institutions, including international institutions taking into account the psycho-social and cultural processes. David (2000) saving and protecting human joined with help and protecting human health suffering from the consequences of long-lasting crises. This point of view is the gate to treat the security as a value, desired state and as a process, which aim is to use the heritage of generations, repeated and evolving in three areas of the human individual, human population and the material dimension of human existence (Piwowarski 2015). From this perspective psychology can be associated with overcoming developmental problems related to global and local security e.g. migrations caused by human actions (wars) or nature (long-lasting droughts).

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## 2 The Threats and Challenges of the Future

Today, because of its many changes, the world may not only ‘compress’ and become smaller as a result of the process of globalisation but it may also ‘expand’ and become more distant because of alienation and radicalisation processes (McLuhan 1962, 1964). Faster and faster technological changes (artificial intelligence, genetic modification of humans and food, evolution of social media) drastically alter the conditions of human development (Ramirez 2017). As the life environment has been changing rapidly, the recognised models of development—e.g. the adequacy of the concept of developmental tasks, (Baltes et al. 2006; Arnett 2007)—and some notions used in psychology are being questioned (Sampson 1989; Kowalik 2015). Developmental psychologists point out from the perspective of global development to the problem of insufficient knowledge and lack of efficient tools for the measurement of psychological processes connected with functioning in a world that is variable and unstable in different contexts (amusement, virtual life, family life, professional life, etc., cf. Farnicka and Liberska 2016). Lack of readiness and competences for living in a globalized world may cause a globalization shock leading to apathy and resistance, a certain aversion (Nieman 2011), or even loss of access to culture (Salzman 2001).

In the report on the challenges in the next 50 years, scientists claim that in the future there will not be a crisis of development, but we may face the crisis of humanity. Viktor Mayer-Schonberger, Professor of Internet Governance and Regulation, at Oxford Internet Institute, wrote:

My first issue is not the future of democracy (or related issues such as fake news, social networking bubbles, or even cybersecurity), but the future of humanity. As we are developing more and more ways to let computers take over reasoning through adaptive learning, we are faced with an existential question: what is it – in a long term – that makes us human? (Mayer-Schoenberger 2015).

This new reality will become more and more pertinent in the years to come and it is absolutely necessary to be prepared for facing new situations that will call for new decisions-creating processes that make everybody go beyond usual and familiar ways of thinking. As a solution to future challenges within the European Union (EU) framework, the “Intercultural Competence” (ICC) concept will help individuals’ life in the multicultural society of the future (in big capitals and in small villages, in centralized and in decentralized areas).

## 3 What Intercultural Competence Is Defined?

There are different definitions of ICC (Perloff 2016). According to Arasaratnam (2016), ICC is easy to understand as an effective and appropriate engagement with cultural differences. ICC has been studied as residing within a person (i.e., encompassing cognitive, affective, and behavioral capabilities of a person) and as a product of a context (i.e., co-created by the people and contextual factors involved in a particular situation). Spitzberg and Chagnon define ICC as “the appropriate and effective management of interaction between people who, to some degree or another, represent

different or divergent affective, cognitive, and behavioral orientations to the world” (Spitzberg and Chagnon 2009, p. 7). Leung et al. (2014), surveying the contemporary definitions of ICC, propose that it can be “classified based on traits, attitudes and worldviews, capabilities, or a combination of these dimensions”.

In the SALTO EU Report (Bortini and Behrooz 2012), coping with anonymity, segregation, misinformation and lack of infrastructure were included in intercultural competencies. Within the EU framework of Youth Work, ICC developed and was understood as the skills needed for a young person to live in contemporary and pluralistic Europe. It enables them to take an active role in confronting social injustice and discrimination and promote and protect human rights. ICC requires an understanding of culture as a dynamic multifaceted process. In addition, it requires an increased sense of solidarity in which individual fear of the other and insecurity are dealt with through critical thinking, empathy and tolerance of ambiguity. According the author these competencies are useful at any kind of work and refer to eight challenges:

1. Taking an active role in confronting social injustice and discrimination (the awareness of possible situations and reasons, information about legal, social, political instruments).
2. Promoting and protecting human rights (based on knowledge, attitudes and skills).
3. Understanding culture as a dynamic multifaceted process: culture is not a universally fixed and apolitical concept, but a dynamic and interactive process subjected to a wide range of influences (knowledge of the dynamism of one’s own culture as well as willingness and skills in discovering information about other cultures in a critical manner while exploring the connectivity and complexity between identity, politics, society and history but also geographical aspects in a modest and sensitive way).
4. Creating a sense of solidarity (social and personal awareness of one another, as well as enhanced skills to demand the right and duty to speak up against every abuse of power against oneself and others both as members of a democratic society and as human beings).
5. Dealing with insecurity (ability to overcome the feeling of insecurity and fear which may appear, communication skills, self-confidence, and flexibility).
6. Fostering critical thinking, understood as a disciplined process of active and skillful conceptualizing, applying, analyzing, synthesizing, and evaluating information gathered from or generated by observation, experience, reflection, reasoning, or communication; it includes also the capacity to de-construct situations and last but not least the ability to say no and be intolerant in obvious and justified cases (e.g. when violation of rights is explained as a cultural habit).
7. Creating empathy (move towards a critical dialogue based on mutual curiosity, willingness to suspend judgement and valuing cultural diversity).
8. Fostering tolerance of ambiguity (ability to tolerate different interests, expectations and needs and make ‘space’ for them in situations of interaction, acceptance that there are different mental structures even though one does not fully agree with nor fully understand them).

## 4 The Intercultural Approach in Psychology

According to the authors of the report (Bortini and Behrooz 2012), combining theory with practice has been effective for many years (Byram 1997). Therefore 20 years of experience in this field suggest that it is time to reflect on the fundamental assumptions of ICC.

### 4.1 Intercultural Competence as a Result of the Identity Development

Looking at the developmental psychology point of view, ICC could be connected with Erik Erikson's theory, which is based on three poles: biology, psychology and social bias. In the course of individual development (the eight stages of psychosocial development), the person experiences a psychosocial crisis which could have a positive or negative outcome for personality (Erikson 1950, 1968). The outcome of the natural 'maturation timetable' is a wide and integrated set of life skills and abilities that function together within the autonomous individual (McLeod 2013). One of the important stages in coping with living with others is identity crisis. Based on these assumptions, Marcia (1980) claims that the adolescent stage consists neither of identity resolution nor identity confusion, but rather of the degree to which one has explored and committed to an identity in a variety of life domains. According to Marcia, statuses are not stages and should not be viewed as a sequential process, but they are like a dimension.

The Identity Statures of psychological identity development are:

- (1) Identity Diffusion—the status in which somebody does not have a sense of having choices; he or she has not yet made (nor is attempting/willing to make) a commitment (unconsciously and instability);
- (2) Identity Foreclosure—the status in which somebody seems willing to commit to some relevant roles, values, or goals for the future; at this stage, the individual is not experienced, and tends to deny, defend or reverse the expectations and proposals (regarding their future, e.g. adapt or completely deny a parent way of life);
- (3) Identity Moratorium—the status in which somebody explores various commitments and is ready to make choices, but has not made a commitment to these choices yet; at this stage, the individual focuses on searching for different proposals and possibilities to check them, and is open to a new experience; and
- (4) Identity Achievement—the status in which the adolescent has gone through the identity crisis and exploration of many opportunities and has made a commitment to a sense of identity (i.e. certain role or value); it means that she or he has chosen the most important ones.

Furthermore, in the period of adolescence, this structure develops and gets more elastic through the processes of auto-reflection and the formal thinking permits anticipation of its further development and construction (Berzonsky 2009). Moreover, specific styles of identity, defining the orientation in the individual and in the world, are generated.

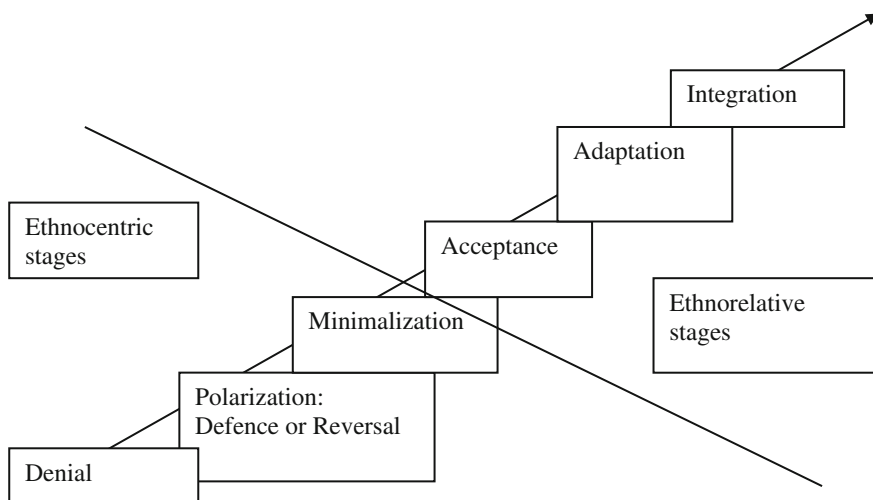
The autobiographic memory that develops as a result of gaining life experience affects the process of defining and recognising the relations of the individual with others and their further development (Conway et al. 2004; Farnicka 2014). With the help of autobiographic narration, it is possible to gain the knowledge on belonging to a certain social group and accepted modes of functioning when meeting other groups.

Pagani (2014) has proposed to treat the process of adaptation as a complex phenomenon encompassing the level of perception of tolerance of one's own and alien group and the level of acceptance of one's own and alien group. This author distinguishes between two levels of functioning in these areas: low and high. On the low level of this complex (or rather two-dimensional) thinking, the individuals use stereotypes, and they are driven by emotions and simple examples when evaluating another person recognized as belonging to one's own and alien group. This low level of functioning in these two dimensions means that the individual follows multispectral thinking.

Complex thinking was defined by Morin (2008), pointing out the two main components of this process: the cognitive and emotional ones. This way of thinking is affected by the level of self-awareness, acceptance of ambiguity, open-minded multi-directional activity, creativity communication and emotional response divided into the emotional response focused on individual and that focused on the group. Barrett and Kurzban (2006) proposed two systems of emotional response (1) a simple dichotomic system of emotions, in which the individual identifies the group and switches on the emotional response towards the whole group; and (2) a complex and differentiated emotional system, in which the individual is able to distinguish individuals from a given group and direct towards them different emotions depending on their behaviour. Extension of the cognitive categories in the process of education can be one of the methods for development of the ability to live in the multicultural world society.

#### **4.2 Intercultural Competence as a Result of Personal Growth and Experience**

The first approach to understand multiculturalism, diversity and intercultural skills as an output of personal growth was presented by Berry et al. (2011). Berry (2013) noticed two types of strategies in societies. He described ways of coping with own identity and values in different kinds of societies as a way to integration, assimilation, separation, marginalisation, exclusion or segregation. In this case, the psychological aspects of integration cannot overlook the so-called psychological stress/distress, the acculturative stress (a burden that a person experiences when encountering other cultures), and the psychological disorientation, which is experienced by people trying to adapt to radically different cultural environments. Bennett's Developmental Model of Intercultural Sensitivity (DMIS) (Bennett 1986, 1993) should be taken under consideration as well as social thinking or intervention in the process of acculturation. According to him, the ability to move from the monocultural level to the intercultural level of mindset is connected with some intrapersonal skills, which can be developed (Fig. 1).



**Fig. 1** The process of building the intercultural skills as a result of development and experience (own modification of Bennett's DMIS Bennet 1993)

According to Bennett (1986), the process of acculturation requires the engagement of numerous abilities at the level of behaviour, and a number of psychological processes taking place in a group and at the intra-psychological level. The following stages of acculturation, should be taken under consideration:

The first is denial. One's own culture is perceived as the only right one; there is mental and physical distancing from other cultures, cultural differences, far from been perceived, they are subconsciously denied; the culture is not supported in the given environment. It is connected with crossing for example the family border, a new work or changing a place of residence (not only from immigrant perspective).

The second can be called polarization. At this stage two strategies could be observed: defense and reversal. In the first, the individual rejects a different culture; he/she applies stereotypes, discriminatory behaviour, differentiating between "us" and "them"; the individual knows what is bad in "this parallel culture", and he/she tries to avoid any good aspects of the other culture. In this case, many problems are often observed, and it is described as "negative identity". Reversal, which is the opposite strategy of defense, occurs when people perceive their own culture as inferior to others.

The third level is called minimization. The "at core, we are all the same" philosophy. People live side by side, but are not interested in sharing goods or especially energy, or changing anything, minimalizing opportunities to cooperate. They sometimes say: we know how to live in our environment and we are not interested in changing anything. It is like living in a shadow or in state of cold war.

The fourth stage seems apparently effective: acceptance. Cultural diversity is accepted, but it does not necessarily imply approval or liking. Sometimes this level is observed in immigrants or their families in the second generation. They sometimes say: we accepted inequality, we know how to live in our small group and we have some benefits from being in minority.

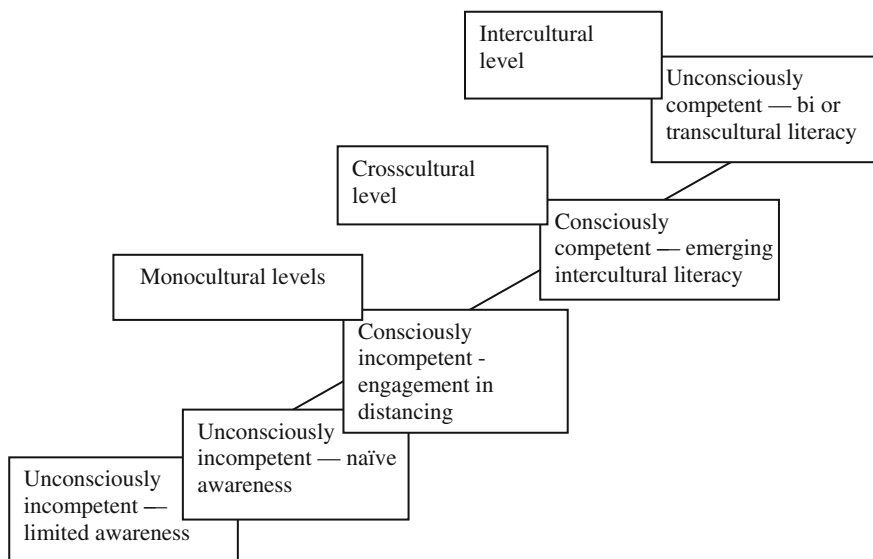
The fifth level is adaptation. At this stage, we act outside the boundaries of our cultural context. It occurs when, after intensive contacts with a foreign culture, the individual is trying to adapt the viewpoint of the foreign culture. They try to do something to change their life and support each other to do this. This level creates possibilities for a new social mobility. Nowadays it is assumed that the range of one's social mobility is unlimited and it may relate to the work sphere, to the household roles, and to the type and place of residence. These societies are characterized as "open" with regard to the potential of status change they offer to individuals or groups (i.e. minorities). For example, they try to learn a new language in order to change work, social status or in consequence even social class (Farnicka 2016). What is important these goals appear to be realistic and achievable for individual and he/she receives support to do this changes from their family and close people.

The last and the most important is integration and being part of a new society. It means that the individuals adopt the identity of a new culture and are able to treat it as their own context, place, space. The individual could see "cross points". This process of integration has greater range and goes deeper into the mental structure than the process of adaptation. It includes processes of identification, and requires engagement of cognitive and evaluative structures, as we as assimilation and accommodation processes. The outcome of these processes are changes in self-definition, self-evaluation, in evaluation of the individual's ethnic group, also in relation to others. Throughout the whole life, this basic structure undergoes development and transformations.

Cross-cultural experiences provide opportunities for individuals to experience personal growth and develop intercultural competence. Heyward's dimensions of intercultural literacy (2002) are good tools to show and understand the development of intercultural competence stages. The process of the development of intercultural literacy consist of the following stages:

- (1) Monocultural level 1: unconsciously incompetent (limited intercultural awareness, no significant intercultural understanding and competencies, general assumptions that all groups shared similar values and culture);
- (2) Monocultural level 2: unconsciously incompetent (naive intercultural awareness, stereotypical understanding of other cultures, no significant intercultural competencies, naïve and stereotypical attitudes to the others and foreigners);
- (3) Monocultural level 3: consciously incompetent (aware of significant cultural differences, no significant intercultural competencies, typically negative attitudes, a lot of prejudices and tendency to discrimination, engagement in distancing to others);
- (4) Crosscultural level: consciously competent (increasingly sophisticated understandings of socio-political aspects of culture, emerging intercultural literacy, developing competencies such as: mindfulness, empathy, perspective—taking, tolerance and communication skills, attitudes are realistic, dynamic and differentiated, respect for integrity of cultures);
- (5) Intercultural level: bicultural or transcultural unconsciously competent (high level of awareness how culture(s) feel and operate from the standpoint of the in- and outsider, understandings of global interdependence, advanced competencies

(include mindfulness, empathy, perspective—taking, tolerance and communication skills) and dynamic and realistic attitudes, respect for integrity of cultures accompanied by legitimate and informed doubts (Fig. 2).



**Fig. 2** The stages of intercultural competence (own modification of Heyward’s Multidimensional Framework of the Development of Intercultural Literacy 2002)

### 4.3 Intercultural Competence as an Attitude

Attitude is one of the most important constructs in social psychology. It is based on three components, known as the CAB (cognition, affect and behavior) model:

- (1) Cognitive component of attitudes, which refers to the beliefs, thoughts, and attributes that we would associate with an object; many times a person’s attitude might be based on the negative and positive attributes they associate with an object;
- (2) Affective component of attitudes, which refers to feelings or emotions linked to an attitude object);
- (3) Behavioural component of attitudes, which refers to past experiences regarding an attitude object; the idea that people might infer their attitudes from their previous actions.

From this point of view, the ICC could be treated as the relationship between the CAB components. This specific relationship could be observed as a “whole attitudes”, or as a prejudices or stereotypes. The attitudes are hidden in motivation, emotions, knowledge and practice, which individual presents for example in daily communication (see: Spitzberg and Chagnon 2009; Deardorff 2006, 2008, 2009).

According to Spitzberg and Changnon, knowledge of host culture, and degree of cultural similarity should enhance attributional confidence and diminish anxiety, thereby facilitating relationship development and satisfaction. The communication message involves knowledge acquisition strategies (passive, interactive, self-disclosure) and language proficiency, and facilitates attributional confidence and anxiety reduction. Finally, factors that facilitate host contact (i.e., positive host attitudes and favorable contact experiences) also facilitate greater confidence and uncertainty reduction.

According to Deardorff, ICC should be sought on two levels: intrapersonal and interpersonal. The intrapersonal level involves the following attitudes: respect (valuing other cultures, cultural diversity and openness—to intercultural learning and to people from other cultures), openness (to intercultural learning and to people from other cultures, withholding judgment), curiosity and discovery (tolerating ambiguity and uncertainty) and skills (to listen, to observe, to interpret, to analyze, evaluate, and relate). The interpersonal level consists of knowledge and comprehension which individuals can develop during their social life and gathering own experience concurred with cultural self-awareness, deep understanding and knowledge of culture (including contexts, role and impact of culture and others' word views), culture-specific information, and sociolinguistic awareness. Following this last author, the above attitudes imply a willingness to risk and to move beyond one's comfort zone. In a communication based on respect and curiosity, it is important to demonstrate that others are valued. Deardorff (2008) strongly emphasizes that attitudes are imperative to the further development of knowledge and skills. Each element of this intrapersonal and interpersonal level is important in the process of understanding the world from the others' perspectives. The individual can be trained in all of them. For example, in psychological practice, the individual could be shown different ways of gathering knowledge. It could be knowledge about personal behaviour pattern (e.g. MBTI—Myers-Bridges Personality Types; A, B, C Types of coping with stress), knowledge about cultural specifics (special etiquette, habits, stereotypes) or even knowledge about general cultural dimensions (eg. individual—cohort mentality, differentiation in value of multi-activity, linear activity and reactivity).

When one develops these two levels of one's own internal experience, she or he can notice changes in internal and external outcomes. Examples of internal outcomes: the adaptability to different communication styles and behaviours, adjustment to new cultural environments, selecting and using appropriate communication styles and behaviors; cognitive flexibility, empathy and skills of being between ethnocentric and ethno-relative points of view can be noticed. And external outcomes involve changes in effectiveness of communication and behaviour (behaving and communicating effectively and appropriately—based on one's intercultural knowledge, skills and attitudes). These outcomes are created during interaction between each other and orientation, evaluation and self-reflection processes are involved.



## 5 Why Psychological Approach Is Important to Cross-Cultural Dialogue

From the perspective of security culture, efficiency of human capital and social capital, has therefore considerable importance for functioning of different organizations, for development of local communities and for existing within them human individuals. The potential of human capital is important as a factor by which a man, upon the occurrence of crisis or threats, may not only attempt to perform more or less passive defense but also actively fight in crisis situations and threats.

As we have seen previously, intercultural approach in psychology includes identity development, personal growth and experience, and attitudes to cope with insecurity, critical thinking, tolerance of ambiguity, and communication. All this psychological knowledge can be useful in promoting cross-cultural dialogue, such as international negotiations and diplomacy, marketing, and advertising. The increasing of intercultural contacts all over the world is a fact and the role of cross-cultural psychology is getting place as a scientific and practical field. Cross-cultural psychologists, thus, can help thousands of refugees and migrants to adjust to a different cultural environment, helping them to achieve wellbeing (Seligman and Csikszentmihalyi 2000).

Lomas (2015) has labelled this new research field “positive cross-cultural psychology” (PCCP), defining it as an interdisciplinary space comprising the research on cross-cultural dimensions of wellbeing. It may be described as a bridge between positive psychology and cross-cultural psychology. PCCP explores the differences of wellbeing and happiness across the cultures;

...cultures have a strong determining impact on the way in which needs such as freedom are conceptualised, defined, valued, upheld and promoted...Such differences are not a superficial cultural overlay, but have a deep impact on how people experience a phenomenon like freedom, and hence have a significant mediating effect on the (universal) connection between such contextual determinants and wellbeing. Lomas (2015, p. 17)

Cross-cultural psychology can attend to the emerging global challenges and psychologists are able to offer suggestions and practical strategies for an effective cross-cultural dialogue (Shirayev and Levy 2017). This can help solving both local and global problems, specially, social, cultural, ethnics, racial, and local and international tensions. As a result, a more intense cultural dialogue may start leading towards the exchange of values, opinions and ideas that each culture should give to the other(s). Cross-cultural psychology “should accept the diversity of ideas, values, and opinions” (Shirayev and Levy 2017, p. 368).

Social capital is disposition of people that allows them to interact in groups and organizations, and to create in this way potential for effectiveness of achieving goals together, which also means effectiveness of counteracting risk for our development. ICC competence is extremely needed for administrative teams, as well as uniformed and civil dispositional groups, which execute tasks from the scope of crisis management (Piwowarski 2015). The phenomenon of ICC competence is a part of culture in broad sense and culture is in a particular civilization not only some “added value”, but it is an autonomous self-defenceness potential of a given civilization individual or collective active social actors—in the fields of political, military, cultural, economic,

ecological, legal, organizational, cybernetic or technical activities. Of course, cross-cultural psychology alone doesn't solve the world problems, but, at least, this psychological knowledge and the ideas we can share each other are really a start point to seek solutions and implemented them.

## 6 How to Teach and Promote Cross-Cultural Competence?

ICC can be part of the knowledge of communication or social skills. From a developmental and psychopathological perspective, they could also be part of social development or disorders field. Many years of study and experience in training this kind of competence have shown that the a high level of ICC unfortunately does not “just happen” for most (Deardorff 2010), but it must be intentionally addressed. This is possible when we use cognitive-behavioural methods and an attitudinal approach. The outputs should be positive, because the main aim of this competence is to achieve one's goals to some degree of compatibility with others. So, according this framework, the individual can be more effective and appropriate in behaviour and/or communication by adding necessary knowledge and skills. Because of this, individuals are highly motivated to reflect on their attitudes and subsequent behaviours (Cuningham et al. 2007).

Summarizing, the intentionally addressing ICC development should be the most efficient after basic skills connected with intrapersonal and interpersonal cognitive and social competencies teaching. Having a framework of intercultural competence, such as the above presented and discussed, is not magic and only spiritual, because it is well known that “the way to get along together as human beings sharing this one planet, the need to transcend boundaries, to bridge and transform differences, to be in relationship with one another, to join in the oneness of our humanity while accepting differences” (Deardorff 2010). The steps that make up this road could be learned and trained (Lindhard 2016; Yee et al. 2004).

In fact, psychology can offer an enormous contribution in cross-cultural dialogue and conflict management. Psychologists don't have a magic wand to solve world problems; however they can help solving local and global intercultural problems, giving practical strategies to improve ICC, that promote cross-cultural dialogue, which means cultural exchange of values and ideas. This could be a good start point in a way of looking for solutions in many problems.

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# Sensemaking and Unknowable in Risk Management

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## 1 Introduction

This paper was written to support the notion that not all events and incidents could be known upfront to understand of their likelihood and the impact when they do occur. This means sometimes data or information about a hazardous event that is about to happen can be in front of us but the sense making processes can fail until a disaster happens. Usually, we start piecing together the steps that led to a disaster or a catastrophic event after its occurrence. When expected or unexpected events happen, we end up asking how we did not see it coming. Events that can take us by surprise, can be unknown or unknowable. In a linear continuum the unknowables are beyond the unknowns, which makes complex to deal with. The sensemaking processes are introduced to superimposed unknowables onto risk management system to improve the understanding of potential outcomes. For the discussion of this topic, the terms sensemaking, unknowables and risk management are discussed individually and then put together for sensemaking of unknowables and how this affects risk management.

## 2 Sensemaking

Sensemaking is the process by which people give meaning to an experience and apply it to complete the “if then” scenario of potential outcomes. Sensemaking is the part of human existence which supports how people comprehend events when they happen. Making of sense (Weick 1995) is the process of “structuring the unknown” which is done by “placing stimuli into some kind of framework” that enables us “to comprehend, understand, explain, attribute, extrapolate, and predict”. Sensemaking is called upon when organisational members encounter moments or incidents of ambiguity or uncertainty: then they seek to clarify what is going on by extracting and interpreting

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cues from their environment, using these as the basis for a plausible account that provides order and “makes sense” of what has occurred, and through which they continue to enact the environment (Maitlis 2014; Weick 1995; Weick et al. 2005). The retrospective properties of sensemaking as encountered here suggest that people make sense by reviewing what has happened. For example, when some young men of Middle Eastern origin enrolled in flight schools in the US to learn to fly but did not want to know how to land a plane, sense making process should have kicked in and say why a person wants to fly a plane but do not want know how to land it. This was an unexpected event that should have triggered sensemaking at that point.

Sensemaking is beyond interpretation; it involves the active authoring of events and frameworks for understanding, as people play a role in constructing the very situations they attempt to comprehend (Weick 1995; Weick et al. 2005). The situation is played multiple times in one’s head as one is involved in sensemaking. Sensemaking is the activity that enables us to turn the ongoing complexity of the world into a “situation that is comprehended explicitly in words and that serves as a springboard into action” (Weick et al. 2005, p. 409). Sensemaking involves an articulation of the unknown, because, sometimes trying to explain the unknown is the only way to know how much we understand it. Beyond the unknown sits the unknowable i.e. out of reach to be known or understood.

Sensemaking is most often needed when our understanding of the world becomes unintelligible in some way. This occurs when the environment is changing rapidly, presenting us with surprises for which we are unprepared or confronting us with adaptive rather than technical problems to solve. Adaptive challenges—those that require a response outside our existing repertoire—often present a gap between an aspiration and an existing capacity—a gap that cannot be closed by existing modes of operating (Ancona 2015). Sensemaking involves coming up with plausible understandings and meanings, testing them with others and via action and then refining our understandings or abandoning them in favour of new ones that better explain a shifting reality. This is like developing a hypothesis that you go on and prove. The sensemaking of the unknowables calls for the questioning of possibilities beyond unknowns.

Sensemaking is the process of social construction that occurs when discrepant cues interrupt individuals’ ongoing activity, and involves the retrospective development of plausible meanings that rationalize what people are doing (Weick 1995; Weick et al. 2005). This is a retrospective understanding while trying to interpret what is next by extrapolation. This extrapolation must be anchored to the context so as not to lose the relevance of what have been discovered by sensemaking. Central to the development of plausible meanings is the bracketing of cues from the environment or the frame, and the interpretation of those cues on the base of salient frames. Sensemaking is thus about connecting cues and frames to create an account of what is going on. Framing can be a process of zooming into what is observed and connecting the noticed cues. The framing or noticing of the cues may be dependent on an assumed identity of the sensemaker. To refer back to the previous example leading to 9/11, the frame can be the “guys of Middle East origin wanted to learn to fly and the cue could be they did not want to know how to land” The connection of the cue to the frame could lead to a sense making process that would have highlighted a potential problem.

According to Weick, there are seven properties of sensemaking.

1. Identity and identification is central—who people think they are in their context shapes what they enact and how they interpret events (Weick et al. 2005). This is like trying to understand something on somebody's perspective. The size of the frame or the noticed portion of the environment is also dependent on the identity consciously or unconsciously adopted by an individual at that particular instance. Hence Roberto Belaño's quote, "People see what they want to see and what people want to see never has anything to do with the truth". The identity given to you or that you give yourself will affect your sensemaking capability—e.g. manager, employee, far left or far right person, women or men, etc. will affect the framing of events, retrospectively or futuristically.

Who we think we are as members of an organisation shapes what we do and how we interpret things which affect how outsiders think of us and how they treat us which, in turn, destabilises or stabilises our organisational identity. (Weick et al. 2005, p. 416)

The issue of identity can be internal or external, but in both cases it will impact the sensemaking. The way people behave towards you can affect what you think of yourself and what how you react to others. The framing and the cues noticed are dependent on identity; the latter affects what you notice and how you make sense of things.

If people are treated consistently in terms of certain basic assumptions, they come eventually to behave according to those assumptions in order to make their world stable and predictable.

Again, this is part of identity given and how it affects individuals and groups to the point that they end up modifying their identities to make their world stable. The sensemaking abilities depend on this and these individuals or groups can be manipulated in certain instances, i.e. whoever assist them to make sense of a confusing situation can take them to any desired direction.

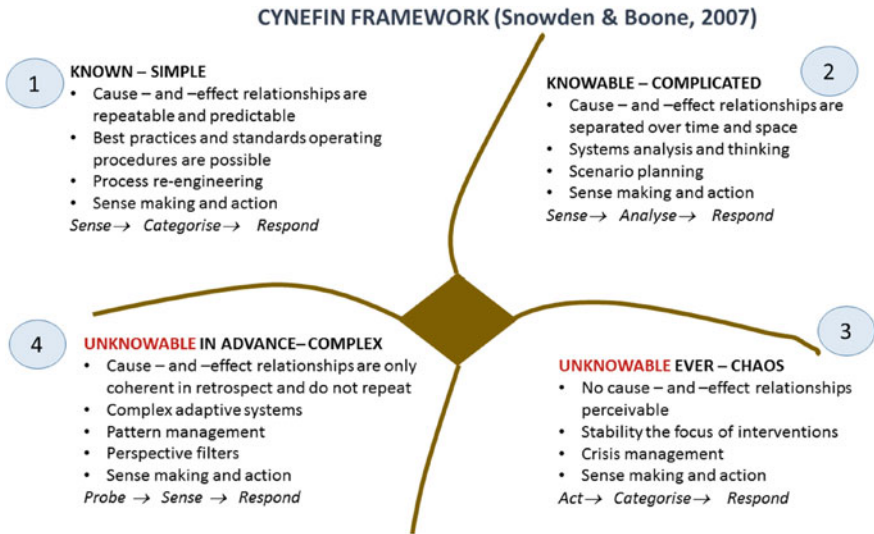
The identity and frame perspectives see organisational identity as an outcome of an ongoing shared construction of meaning—frame cues and connections which in turn become a collective frame of reference or cognitive orientation that guide individuals and collective sensemaking in context. Research in this tradition defines organisation identity as joint cognitive frame.

Individual cognitively operates from a commonly established frame of reference pertaining to "who they are" (which then leads them to mirror, filter and scan the organisational environment in certain ways). This affects their sensemaking ability. Identity is a big contributor to sensemaking of unknowables. Risk analysis requires participants to be aware of the identity that is appropriate for making sense of the unknowables.

Identity, frame, cues and connection are basically required in the process of sensemaking. The next question is, can an individual be predisposed to be better in sensemaking? The first argument will be the existence of a degree of variety or diversity required to be better at sensemaking under different situations or conditions. The possession of the right level requisite variety allows for better understanding and handling of complexity or chaos. These situations are quick in triggering sensemaking



especially in complicated, complex and chaos situations. This is when there are unknowns (complicated situation), unknowables (complex situation) and unknowables (chaos situation) (Fig. 1). The multiple identity situations possessed by individuals



**Fig. 1** Cynefin model

facilitate multi-ontological process of sensemaking. Ontology is a Greek word meaning being. Therefore, identity, being (ontology) and requisite diversity are combined to create a “person” that becomes able to make sense under complex situations.

2. Retrospection provides the opportunity for sensemaking: the point of retrospection in time affects what people notice, thus attention and interruptions to that attention are highly relevant to the process. This is about trying to understand or give meaning to the experience. This understanding detects how to shape the future interpretation of events in a manner that is comfortable to the individual. If the identity and the frame used to understand the experience were inappropriate, sensemaking of the future event will not be fit for the purpose. The risk analysis process may lead to disaster or catastrophic events while the participants in the process were comfortable of what they thought the outcomes of the process could be.
3. People enact the environments they face in dialogues and narratives. As people speak and build narrative accounts, it helps them understand what they think, organize their experiences, control and predict events (Weick 1995) and reduce complexity in the context of change management. Sensemaking is personal which means we can react to the same environment differently. This creates a multiple routing to the future, creating discrepancies that kicks in the sensemaking process in a group.

4. Sensemaking is a social activity in which plausible stories are preserved, retained or shared (Maitlis 2014). However, the audience for sensemaking includes the speakers themselves and the narratives are ‘both, individual and shared, an evolving product of conversations with ourselves and with others’.
5. Sensemaking is ongoing, so individuals simultaneously shape and react to the environments they face. As they project themselves onto this environment and observe the consequences, they learn about their identities and the accuracy of their accounts of the world. This is a feedback process and even as individuals deduce their identity from the behaviour of others towards them, they also try to influence this behaviour. As Weick argued, “The basic idea of sensemaking is that reality is an ongoing accomplishment that emerges from efforts to create order and make retrospective sense of what occurs”.
6. People extract cues from the context to help them decide what information is relevant and what explanations are acceptable. Extracted cues provide points of reference for linking ideas to broader networks of meaning. They are ‘simple, familiar structures that are seeds from which people develop a larger sense of what may be occurring’ (Weick 1995: 50).

A frame is an active perspective that both describes and perceptually changes a given situation. A frame is, simplistically, a point of view; often, and particularly in technical situations, this point of view is deemed “irrelevant” or “biasing” because it implicitly references a non-objective way of considering a situation or idea. But a frame—while certainly subjective and often biasing—is of critical use to the sensemaker, as it is something that is shaped over the long-term aggregation of thoughts and experiences, through the above process of sensemaking, and is therefore a larger way of viewing the world and situations that occur in it. Like a point of view, a frame will change too, but will change over the long-term rather than the short term (Kolko 2010).

7. People favour plausibility over accuracy in accounts of events and contexts: “in an equivocal, postmodern world, infused with the politics of interpretation and conflicting interests and inhabited by people with multiple shifting identities, an obsession with accuracy seems fruitless, and not of much practical help, either” (Weick 1995: 61). Plausibility is not as energy intensive as accuracy. Sometimes people say they thought they were right but they were wrong. In this case there was an obsession with accuracy while the expected event was adaptive in behaviour.

Each of these seven aspects interact and intertwine as individuals interpret events. Their interpretations become evident through narratives—written and spoken—which convey the sense they have made of events. There are elements of behavioural science in these properties of sensemaking.

### 3 Unknowables

We are always taught about what is known; we hardly learn about what is not known; and we learn even less learn about the unknowable. Beyond the currently unknown are inherently unknowable.

As we know, there are known knowns; there are things we know we know. We also know there are known unknowns; that is to say we know there are some things we do not know. But there are also unknown unknowns – the ones we don't know we don't know. (Rumsfeld, US States Secretary Department of Defence 2002)

Beer (1959) argued that there is in the world a class of 'exceedingly complex systems,' including the brain, the firm and the economy, which are in principle unknowable. However much data we gather on them, we can never know them completely, and they can always surprise us. Such systems can never be dominated by knowledge, and instead we have to learn somehow to cope with them. These systems are found in finance problems like global economic meltdown of 2008, terrorist attacks and extreme weather changes associated with climate change. These possess properties of unknown and unknowable and probabilistic science does not help. There is no easily classifiable likelihood of possible events and their impact.

Quantum and chaos theory theories support the world is less like machine and more like patterns of relationships. These patterns are unknowable since measuring something is changing it. These patterns are also unpredictable since very small differences in initial conditions can lead to very large differences in the future state of a system very quickly". In an unknowable and unpredictable world, sense making is all we have (Tsoukas and Knudsen 2005).

The first dreary conclusion is that unknowable situations are widespread and inevitable. Consider the consequences for financial markets, global warming, future terrorist activities or the most promising future technologies. These outcomes are as unknowable today as were the 1997 Asian meltdown, the 9/11 attacks, or the NASDAQ soar and swoon at the end of the century, shortly before they were experienced (Zeckhauser 2003). There is no past experience that can be extrapolated. That is the real world.

Based on the Cynefin Framework, unknowables belong to complex and chaotic systems which are quadrants 3 and 4 (Fig. 1). The cause and effect relationships in unknowables can be coherent in retrospect and do not repeat and sometimes there are no cause and effect perceivable relationships. This means one can make sense of cause and effect relationships in complex systems retrospectively but it will not be observed again. Thus, extrapolation in complex systems can be catastrophic. In chaos systems cause and effect relationships are not perceivable. Although there is no way of knowing how a cause relates to an effect, chaos systems are known to have orderly behaviour sub-systems within a bigger chaotic system. Complex systems are managed through patterns while chaotic systems resort to crisis management (Fig. 1).

Unknowables are events or things that have not been experienced or beyond human understanding. The incorporation of unknowables in risk management may mean the introduction of high risk events that are uncontrollable, which may lead into a catastrophic event or a disaster. Understanding the properties of complex and chaos systems

is the first step to get to know the unknowables. The control measures can be pattern management and adaptative complex systems' management for complex systems or stability control and crisis management in chaos systems. There are some control measures that can introduce some form of understanding of the unknowable's, who is who.

There cannot exist any universal algorithmic method to determine truth in mathematics and mathematics will always contain undecidable propositions (Turing 1936). This is important because it suggests that any quantitative decision support system will always have unknowable by definition.

## 4 Sensemaking and Risk Management

Sensemaking is one way of understanding unknowable. In risk management, there will be unknown and unknowable. The unknown and the unknowable do not match well with the normal quantitative risk analysis based on likelihood and impact. The understanding of unknowable unleashes the seven properties of sensemaking. This starts from identity the sensemaker together with the adaptive identity which assist with the framing and noticing of cues. The next step is connecting the cue and the frame to create a meaning or meanings. The property of sensemaking as ongoing allows for continuity of sensemaking. Plausibility allows for acceptability of sensemaking outcome during the risk analysis process.

The risk analysis of unknowable takes a qualitative approach plausibility and intuition putting the unknowable risk as part of quantitatively and probabilistically determined risks. Where an unknowable risk does fits in the normal risk analysis.

There are three categories of risk which are pretty straightforward on the surface. Known risks are those ones that can be qualitatively and quantitatively analysed in risk management processes. Slightly more complicated is the unknown risks category that is discoverable through inquisition and information. This category, however, is beyond the scope of the current risk identification systems and mitigation model.

Generally most decisions are made under conditions of risk and uncertainty, but some are made when risks are unknowable. In this case unknowable risk is based on plausibility and intuition of the sensemaker. Plausibility widens the risk frame for sensemaking unknowable risks without any tie down with likelihood and impact or severity. Although there is a great deal of research on uncertainty and numerous distinctions are made in the literature (e.g. risk vs. uncertainty in creation theory, recently scholars have framed extreme uncertainty as unknowable risks (Diebold et al. 2010).

Scholars classify risks into the knowable, which can be assigned probabilities; uncertainty or risks that are known but cannot be quantified; and the unknowable, or risks that cannot be known (Chow and Sarin 2002; Diebold et al. 2010). In normative decision theory, the weight of an uncertain event in a decision is governed solely by the probability of the event. A large body of empirical research suggests that a single notion of probability does not accurately capture peoples' reactions to uncertainty.

In the world of unknown, probability cannot be assigned as likelihood or impact of potential hazard. The unknown is beyond probability. Known risks can become unknown if the management systems used are poorly “fed” or use incorrect data. In this complex adaptive system, Unknown risks can morph into Unknowable if catalytic agents cause the effect of a new stable component to the Ecosystem (Fig. 2).



**Fig. 2** Risk taxonomy

A resilient organization will not have identified every possible combination of Ecosystem interaction and evolution, but it is prepared to rapidly address any risks migrating as the unknowable or unknown becomes known. Risk managers must recognize these dynamics from a multifaceted system. Simple risk management models currently used are no longer applicable.

Work on decision making when risks are unknowable has primarily been conducted in behavioural finance, and scholars focus on the difference between uncertainty and unknowability. Because of its base in finance, most research on unknowable risk has concerned unexpected negative events—planes destroying New York’s World Trade Center towers or devastating weather events, for example. To angel investors, however, especially those who are experienced, unknowable risks may represent more than unforeseeable events. The predisposition of individuals in the properties of sense-making may sharpen the skills of “expecting” the unexpected in risk management.

One of the key challenges facing risk managers in organizations is the identification of previously unknown threats. Organizations deploy risk management systems to catalogue, analyze and control threats to their operations. But in modern, complex and hazardous organisations, risks are rarely self-evident. They must be actively identified and interpreted, often in a context rich with weak or equivocal signs of potential problems. Many of the most serious and challenging risks typically lie at—or just beyond—the limits of current knowledge (Macrae 2007). The understanding of the

unknowables can stretch the knowledge of risks to minimise what can unexpectedly happen.

The analyses of major organisational accidents, such as the loss of the space shuttle Challenger, have revealed how catastrophic organisational breakdowns can result from longstanding issues that were not noticed, recognized or understood as serious risks within the organization before the event. It is these unknown, hidden and latent risks that can pose the most insidious threat to organisations. Unknown risks and beyond which brings us to unknowable risks and the use sensemaking processes to unravel them.

The initial identification of risks in organisations is one of the key challenges of risk management. Emerging risks are identified and categorised for further treatment. Risks were identified by constructing and enlarging small moments of doubt, where current knowledge was found to be questionable or suspect in some way. These sensemaking processes were supported by an analytical culture organised around assumptions that organisational knowledge is inherently limited, partial and fallible (Macrae 2007).

In practice, identifying new and previously unknown risks depends on the professional judgment and expertise of risk managers. Risk managers must interpret information on organisational performance to identify and piece together signs that some previously unknown risk exists—such as a serious procedural flaw, for instance. This work involves an ongoing process of monitoring for previously unexpected and unforeseen risks. Reason has argued that unknown, latent risks are inevitable in all organisations and the primary purpose of risk analysis is to find them and “make them visible”. Wildavsky argues that scanning, probing and “interrogating the unknown” lies at the heart of risk management. However, these initial processes of risk identification are largely ignored in current risk analysis methods. Risk analysis tools typically focus on the measurement and comparison of risks, implying that their initial identification is largely unproblematic. The unknowable risks become an extension of unknown risk which can be knowable with proper information seeking and clarity. It is proposed that sensemaking can bring about the understanding of the unknowables.

What is interpreted and labelled as a risk at the early stage of risk assessment determines which issues receive further scrutiny, analysis and management—and which do not. It is at this early, tentative stage of risk analysis that consequential judgments are made regarding what to attend to, what to ignore, what to question, and what to take for granted. Understanding the nature of this early interpretive work in risk analysis is therefore crucial to understanding broader issues of risk management in organisations.

Organisational sensemaking offers a broad framework within which to understand processes of interpretation and analysis in risk management. This framework draws on a long tradition of organisational and psychological theory, and distils from it a set of key premises. For this author, “sensemaking begins with the basic question, is it still possible to take things for granted? And if the answer is no... then the question becomes, why is this so? And, what next?” (Weick 1995, p. 14). In this influential characterization, sensemaking in organizations is occasioned by moments of uncertainty, anomaly, ambiguity, surprise and error (Weick 1995). These moments are the stuff of risk managers’ daily work. At the core of sensemaking is the ongoing interrelation of concrete cues to broader, more abstract, frames of reference. People bracket

and extract specific features of events—such as the location of the damage caused to an aircraft, or the type of bird that struck it—and relate these to socially available knowledge and frames of reference such as rules, stories, norms or models regarding, for instance, previous bird strikes and their operational implications. These relate to knowable and digging for unknown to complete the picture of risk management beyond knowable. Through this active interrelation of cue and frame, people make sense. They build a plausible account or representation of a situation that can guide and explain action (Weick et al. 2005). Action is central to sensemaking. A key premise here is that people shape and enact the environment they face by acting in and on it. Acting can be conscious or unconscious in pursuit of sensemaking results.

Suspecting a problem, people may investigate further, generating more information that changes their view of the problem they face. Sensemaking is guided by peoples' understandings of their goals and identities: their views of what role is being performed, what projects are currently in progress, what objectives and ideals are being strived for. All of this is inherently social (Maitlis 2014). Sense and organization are produced through social communication and interaction (Weick et al. 2005), and even when working alone, the frames of reference people draw upon are social products.

In the process of risk assessment and risk analysis going beyond known, unknown, knowable and focus on unknowable improves risk management system. This should be a deliberate process through sensemaking.

## 5 Risk Management in Terrorist Conflicts

There exists in the world a class of exceedingly complex systems, including the brain, the firm and the economy, which are in principle unknowable. The data gathered do not lead to complete knowledge of them and there are still surprises as in the case of the terrorist attack. These systems cannot be dominated by knowledge but we have to cope with them through sensemaking processes.

### 5.1 The Context

Support the ongoing efforts made by international organisations and research institutions to mitigate the risks of this threat to peace.

5.1.1 We apply risk management processes to show the flexibility of this analytical system, building on a new paradigm to address the conflict that draws many countries to extreme measures when dealing with such a complex situation that is causing disturbing political instability, racism and aggravating conditions for people caught up as victims of what appears to be an unsolvable situation (Besenyo 2015a, b; Caris and Reynolds 2014; Heng 2003)

5.1.2 Racism or poverty becomes the identity element that influence sensemaking in individuals and the complexity of the situation brings in the unknowable elements.

5.1.3 Terrorism is not a 21st century phenomenon. It has its roots in early resistance and political movements. Modern terrorism largely came into being after the Second World War with the rise of nationalist movements in the old empires of the European powers. It is mentioned elsewhere that identity is an anchor for sense-making. Nationalism is a creation of specific national identity which makes people “see what they want to see”. People are left open to cognitive dissonance which allow charisma to take them to a direction that can be terroristic in nature like one of those idiosyncratic processes of “confuse—convince and romance”.

**5.2 Risk Management Process**

5.2.1 Process Steps and Descriptors of drivers under known, knowable and probabilistic analysis. The steps that allow for a detailed study of the Risk Management process are listed in Table 1 “Risk Management Process” (The principle used in the process is taken from ISOIEC 27001). Next to each step are the descriptions of factors that drive and influence each step in the process. The selection of each of these drivers is important to ensure maximum effectiveness of the process.

**Table 1** “Risk Management Process” (ISOIEC 27001 2013)

Process steps	Descriptors of drivers
Context of situation	Countries populations & infrastructures exposed to Terrorist Conflict
Issues, risk & opportunities	Increasing events of terrorist attacks, inadequate international security, population in fear, political instability, religious conflict, cyber attacks
Stakeholders	Victims of attacks, country infrastructures, security, health & safety organisations, social media, other media
Leadership	Strategic, systemic and situational policies & procedures defined and managed to mitigate terrorism
Communication	Understand psychological operations & warfare by terrorist, secure international security systems
Security objectives	Defined security systems & procedures managed
Risk assessment	Forced migration of population to safe environments, victims of attacks, cyber & other attacks assessed: probability/frequency & impact/life/cost
Risk–asset owner	Countries; security, health, safety & religious organisations, social media
Risk treatment plan	Implement offensive & defensive strategies, action plans & training, combat terrorist psychological operations & warfare
Controls	All terrorist attacks documented, information from security systems analysed & communicated internationally
Performance evaluation	Population affected by terrorist conflict questioned to evaluate effectiveness of actions taken
Continual improvement	Set goals of trends of attacks by terrorist and of responses from population on levels of fear from attacks



When tabulating the drivers of Risk into four columns, it is possible to understand where the focus must be placed to mitigate Risk. Table 2 “Key drivers to mitigate Risk”.

**Table 2** “Key drivers to mitigate Risk” (Cluett 2011)

Key drivers to mitigate Risk			
People	Attacks	Security	Assets
Victims of attacks	Increasing events of terrorist attacks	Security, health & safety organisations	Assess probability/frequency & impact/life/cost
Population in fear	All terrorist attacks documented	Inadequate international security	Set goals of trends of attacks by terrorist and of responses from population on levels of fear from attacks
Political instability	Cyber attacks	Secure international security systems	
Religious conflict		Defined security systems & procedures managed	
Understand psychological operations & warfare by terrorist		Information from security systems analysed & communicated internationally	
Population affected by terrorist conflict questioned to evaluate effectiveness of actions taken			

**People:** The spread of those under the highest risk originate from fear, political and religious instability. Terrorist apply psychological operations and warfare very effectively in order to maintain the population in a state of continuous fear. It’s important to counteract the impact of the psychological operations and warfare and measure the effectiveness of the actions taken. Again when an identity of a person is derived from prevailing cognitive dissonance with religious belief can lead to vulnerability of individual to a leader with an intention to terrorise others.

**Attacks:** There is an increase in indiscriminate attacks. These must be documented to assess a trend to pre-empt them were possible. There is a significant increase in cyber-attacks that is threatening homeland and international infrastructure in many countries and placing the supply of essential services as well as the military and business infrastructures at risk.

**Security:** Local and international security on the one hand and health and safety organisations on the other are at high risk and inadequate as attacks are made indiscriminately. Defined security systems must be upgraded and managed at all times. On-going information on terrorist events must be collated and communicated internationally.

**Assets:** Incidents must be assessed for probability—frequency and their impact on life and costs to allow for action plans to be made to mitigate the risks and consequence of attacks. In order to assess the effectiveness of action plans against terrorist attacks, goals must be set and trends evaluated on the success or failure of such action plans and preventative measures. These must be communicated to the population at large.

### 5.3 Creating a Threat Profile for the Organisation

The design of an organisation that has a Threat Profile requires to be defined so that security concepts and relationships are clearly understood to minimise risks to the assets. The interrelationships between the Owner, Countermeasures, Vulnerabilities, Risk and Assets will be influenced by the Threat Actors and Threats (Irwin 2015).

## 6 Users of Risk Management/Assessment Processes

### 6.1 Cyber Warfare Risk Management

RM Team (2015) identified ways to address Data Defence and highlighted the following three key factors:

- a. With the transformation of the digital landscape into a highly complex phenomenon, cyber-attacks from state and non-state actors have continued to increase.
- b. While the use of new types of devices, networks and infrastructure has enabled countries and businesses to move forward with success, the involvement of the same has also exposed vulnerabilities in security systems, policies and practices.
- c. Foreign nations and organized crime groups use this form of asymmetrical warfare to target strategic or tactical resources involving government and corporate networks.

A recent US State Senate investigation into the possible hacking of the 2016 US Presidential Elections has left many questions unanswered and at the same time prompting exchanges on social media at the highest political level. From sensemaking perspectives, the hacks created multiple identity in the American society, which with some identities making sense of Trump's narratives and positioning him as person to be trusted with clearing all the confusion in the society.

### 6.2 Managing Change in the US Department of Defense

The Quadrennial Defense Review, 2001 of the US Department of Defence (Schrader et al. 2001) has documented Strategy and Risk Assessment processes and organisation in Lessons on Managing Change. This focus on “risk” has become an important aspect

of managing the complex nature of the US Department of Defence in the current scenarios developing within national and international scenarios.

### **6.3 Risk Management in Aviation**

Lin (2011) stresses the fact that air transport is one of the safest forms of travel. Some countries have managed the rate of accidents but others continue to struggle with their accident rates. Hence a common initiative is needed at both the state and international levels to keep air transport safe and sustainable.

Without a scientifically-based risk management tool to help systematically identify the priorities of safety management action on safety, it is difficult for authorities to go beyond compliance inspections and to step in when the critical aspects of the company safety management process is poorly managed. (Lin 2011, p. 2)

On the other hand, complexity and chaos have become a norm rather than an exception. It is witnessed through extreme weather patterns due climate change, economic crisis of 2008, terroristic attacks that happen in the presence of all sophisticated counter measures, etc., which tells us that unknowables are more prevalent than we initially thought. One thing left to deal with this is sensemaking. Factors fueling terrorism are non-linear, they are interacting patterns which fit into complexity and chaos creating unknowables. Therefore normal data acquired in predicting terrorists attack cannot be analysed logically or in a linear fashion.

### **6.4 Risk Management from Culture to Strategy and Execution of Work**

Risk Management allows companies to combine their work with risk assessment and risk management with profit generating activities or competitive advantages such as process im-provements and increased customer service. Analytics module will enable one to design, measure, analyze and present the effectiveness of the company's risk management initiatives in an easy and intuitive way. (QualiWare 1991)

### **6.5 Electronic Tendering in Public and Private Businesses**

The Australian NSW Government (2002) defines tendering as:

The creation and issue of requests for tender and subsequent compilation, submission, safe storage, and opening of tenders, using electronic and digital technology.

The standard scope in an e-tendering package could include purchasing of commodities and capital equipment; storage of technical, financial and commercial policies, procedures, standards and specifications to allow for the selection, auditing and use of approved vendors, materials and capital equipment purchased for the manufacture of the business. Figure 1 "Managing tenders through e-system".

Project objective: (a) company documentation system formatted to allow access to carry out the required processes; (b) obtain all purchases of commodities and capital equipment through the integrated system with no compromise in business standards and specifications; (c) support the business requirements to purchase through the

integrated system and meet the financial benefits defined by Board of Directors in terms of tangible financial benefits and non-financial benefits.

These e-tendering systems are at risk by cyber-attack so strict advanced hardware and software must be installed with these systems (Cluett 2012a, b).

## 6.6 WHO Food Safety Issues. Terrorist Threats to Food Guidance for Establishing and Strengthening Prevention and Response Systems

The *Food Safety Department* guidelines (2002) define the following:

- Prevention
- Surveillance, preparedness and Response
- Role of the World Health Organisation
- International response to food safety emergencies, including food terrorism
- Coordination of global outbreak alert and response
- Strengthening international systems to meet the threat of food terrorism.

## 7 Conclusion

Sensemaking is one element missing to enhance risk management in dealing with potential terrorist threat especially when the situation is complex or chaotic in nature. Sensemaking process hinges on individual's identity, the framing, the cue and the connection of the cue to the frame to be able to make sense. During this sensemaking process, the unknowns and the unknowables can be understood to reduce the blind spots during risk analysis. The significance of assumed identity in sensemaking can assist with conflict resolution and misunderstandings among participants. This concept of understanding individual's assumed identity can be useful in transcultural dialogue as well. As individuals, understanding who we are and what we think we are, is good for minimising conflicts. The understanding of personal identity and the positive assistance that can be given to individuals in this regard can also decelerate growth in terrorist grouping.

In closing, identity—frame, cue and connections can improve our understanding of complexity and chaos systems like terrorist threats and improve conflicts resolution endeavour.

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# Aesthetics of Peace: The Role of Art in Conflict Transformation

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## 1 Introduction

The individual or the collective experience of violence often prevents the peaceful transformation of conflicts because it leaves people less likely to express themselves, to actively listen to each other and to imagine new solutions (Cohen 2015). Recent research suggests that conflict prevention programmes are less likely to provide long-term solutions if the emotions of those involved in a conflict are not fully understood, integrated and expressed (McCorriston 2014). This is why peacebuilding practitioners have started to look for alternative methods that can address conflicts from a deeper level (Wood 2015).

Although art has been considered not essential for aiding peacebuilding efforts, this chapter aims to illustrate that the way people think, behave and react can be transformed through creative activities and aesthetic experiences (Wood 2015). By drawing from Lederach's conflict transformation theory (2003) and Aristotle's catharsis (trans. 1902), I will assess whether art can be used as a tool for addressing some key socio-psychological issues that often facilitate the (re) occurrence of violent conflict such as: trauma, miscommunication, social exclusion and otherness. Due to the fact that research on the relevance of art in conflict transformation is still in its infancy (Wood 2015), the chosen examples have been assessed mostly anecdotally, through qualitative data gathered from already published interviews, reviews, videos and pictures.

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## 2 Definitions

Conflict transformation emerged as an alternative to conflict resolution and conflict management. While the latter two focus on how to cope with a conflict or on how to resolve a conflict, the former aims to address the attitudes, behaviours and structures that lead to the outbreak of violence, by restoring damaged relationships (Lederach 2003; Miall 2004). For instance, Lederach states that individuals and societies need to increase dialogue, creative problem-solving and nonviolent capacities in order to move away from the vicious patterns of violent conflict (Lederach and Maiese 2009).

While defining conflict transformation can be straightforward, not the same can be said about art. Despite numerous attempts throughout history, no definition of art has ever emerged, the reason for this being its subjective nature (Davies 2013; Dickie 1974). If one looks at some of the most influential art theories proposed so far, this argument is indeed justifiable. For instance: for Plato art is mimetic, for Kant it is a representation (Kant 1951), for Tolstoy (1904) it is an expression of emotions and for Lyotard (1997) it is sensory experience.

Because there are no means of measurement that could confirm or disconfirm that art is what a particular theory claims it to be (Davies 2013), assessing the impact of art in conflict transformation can be problematic. The quantitative methods that are used within peace and conflict studies would not completely capture the subjective characteristics of art—such as emotion, taste, creativity and imagination (Wood 2015). However, as long as the subjective limitations of art are taken into consideration, its impact on the human behaviour should not be disregarded. Nevertheless, in order to distinguish art from other activities and objects of expression and contemplation, in this chapter art refers to the creative process expressed through music, dance, theatre and visual arts.

## 3 Catharsis as Transformation

Aristotle used the word catharsis in relation to art in the first volume of the *Poetics*, where he argued that that Tragedy enables the audience to be purged from negative emotions that would otherwise be disruptive or destructive in ordinary life.

Tragedy, then, is an imitation of serious and complete action, which possesses magnitude, by being pleurably embellished through speech with each of the forms separately employed in the parts, through acting and not through a narrative, by bringing to fruition through pity and fear the catharsis of such kinds of emotion. (Aristotle, trans. 1902)

He developed this theory in another section where he stated that the cathartic effect produces “proper” pleasure. This pleasure does not simply come from the arousal of emotions but from the learning process that comes together with the understanding of the relationship between the events presented in the play and the universal elements embodied in it (Hanfling 1992).

For the pleasure does not lie in the object but the inference that the imitation and the thing illustrated are the same so that an act of learning takes place. We must not



demand of tragedy any and every kind of pleasure, but only that which is proper to it. (Aristotle, trans. 1902)

By experiencing emotions indirectly and by maintaining the observer rather than the participant role, the thoughts and feelings of the members of the audience are directed outwardly without being overwhelming (Scheff 2001). Besides confirming or challenging past experiences or inducing certain emotions, aesthetic experiences give individuals the opportunity to understand emotions, attitudes, situations that otherwise would not have been known (Osborne 1968).

Since learning and wondering are pleasant, it follows that such things as acts of imitation must be pleasant—for instance, painting, sculpture, poetry and every product of skilful imitation; this latter, even if the object imitated is not itself pleasant; for it is not the object itself which here gives delight; the spectator draws inferences ('That is a so-and-so') and thus learns something fresh. (Aristotle, trans. 1954, pp. 51–52).

It can be said that the theory of catharsis as transformation assumes that aesthetic experiences have the potential to produce qualities of receptivity, so that different individuals can become aware of both their own and each other's viewpoints, feelings and experiences (Osborne 1968). Therefore, it is extremely relevant to the hypothesis that art can transform positively the feelings and perceptions associated with the Other.

#### 4 Between Expression, Imagination and Creativity

At the end of the 19th century Breuer and Freud brought the concept of catharsis into modern psychology and psychoanalysis (Brill 1995). In *Studies on Hysteria* they argued that the repressed emotions that accumulate in an individual and cause psychological disorders—such as panic, madness and paranoias—can be successfully addressed through catharsis (Breuer and Freud 1955). Thus, in psychology catharsis became to be known as the “process of reducing or eliminating emotion by recalling it to conscious awareness and allowing it to be expressed” (Breuer and Freud 1955, p. 506). However, empirical research suggests that simply encouraging the expression of negative emotions such as anger “is the worst possible advice to give people” (Bushman 2002, p. 730), because it usually triggers aggressive behaviour.

According to Powell (2012), catharsis should not be interpreted as other emotional release techniques, such as venting which can lead to violence indeed. Furthermore, when emotional expression is associated with creative activities, catharsis becomes a synonym for the positive transformation of negative emotions (Malchiodi 2013). For example, the results of a study conducted in a New York prison illustrated that inmates had lower anger level, better coping skills and higher levels of social responsibility after participating in a theatre play (Moller 2003). Those results clearly suggest the cathartic effect of art.

It is important to note that art does not necessarily illustrate emotions or situations from personal experience (Osborne 1968). For instance, Thompsons (2014) argued that the art created during violent conflicts is often “vibrant, joyous and loud” (p. 11). The ability to transcend the limitations of personal experience is precisely the power claimed for artistic imagination. Both Aristotle and Lederach highlighted the

importance of imagination by defining it as a way to transcend existing realities and to create something new/unique (Aristotle, trans. 1907; Lederach 2003, 2005).

Creativity is another key feature for both art and conflict transformation. For example, creativity plays a vital role in redefining the existing conflict paradigm in order to encourage the development of strategies that can address the conflict non-violently (Arai 2013). Similarly, the main purpose of art is to produce catharsis and only a creative activity can enable such process (Aristotle, trans. 1907).

Thus, it can be said that conflict transformation tries to address conflicts through peaceful means in the same way in which art seeks to transform emotions in a beneficial way through catharsis. Metaphorically, both art and conflict transformation “try to redirect the flow of a river, without suppressing or denying its momentum altogether” (Arai 2013, p. 149). After realising the close relationship between art and conflict transformation, the question that needs to be answered is whether the former can be used as a tool for the latter.

## **5 Art in Conflict Transformation: Merging Theory with Practice**

In post-violent conflict zones and not only, art have been used for healing trauma (Taylor 2014), for enabling cross-cultural communication, for empowerment (Shank and Schirch 2008) and as a source for connecting oneself with the Other (Stout 1999).

### **5.1 Healing Trauma**

Trauma can be described as “an inter-related cluster of emotions, attitudes, prejudices and perceptual distortions” (Mitchell 1981, p. 71) that often prevents an individual or a community from recovering and moving forward. The repressed feelings of injustice, anger and helplessness felt during a conflict might erupt violently at same point and cause the emergence of a cycle of violence (Levine and Frederick 1997). There are many examples when individuals and communities chose a violent event from the past to seek revenge (Novakovic 2012). Because conflicting parties can easily become alienated from the sufferings of others, it can be said that there is a strong link between trauma and the perpetuation of violent conflicts (Redekop 2002).

Trauma can also be linked to the high levels of alcohol and substance addiction, domestic violence, suicides, crime, poverty and mental illnesses visible in a community in the aftermath of a violent conflict (Clark 2002). Those socio-psychological issues can easily lead to the creation of dysfunctional societies that have difficulties in reaching political consensus, creating a fair justice system and maintain the peace (Novakovic 2012).

Human beings have the capacity to distance themselves from painful and traumatic memories. This ability, called dissociation, can offer individuals temporary protection from dealing with overwhelming events (Fisher 2001). However, many of those who suffer from trauma feel the need to detach from their past even when is no longer necessary. This dissociative disorder can prevent individuals from moving on as the

healing process can begin only when people acknowledge their feelings and are conscious of the past (Kuban 2015).

Herman (1992) proposed a three-step solution for healing trauma: finding safety, expressing trauma story, and reconnecting with others. Research shows that art contributes to the creation of a safe space where people can express themselves freely (Malchiodi 2013). Furthermore, when traumatised individuals are involved in an artistic activity, they get to understand their feelings, start reconciling emotional conflicts and manage their behaviour. Also, artistic activities reduce depression levels, increase self-esteem and develop social skills (American Art Therapy Association 2013).

The need of using art in healing trauma became more urgent since recent neurological research has shown that emotional trauma is experienced in the middle and lower brain: the parts that deal with feelings and survival. This illustrates that the traditional cognitive methods of treating trauma cannot be as efficient as art (Kuban 2015). Therefore, healing trauma through art is extremely important in conflict transformation because it enables individuals and communities to move forward towards reconciliation while empowering the most vulnerable ones (Brahm 2004).

The healing attribute of art is illustrated very well in a dance performance titled *Fall and Recover* (Scott, chor. 2004). While the title suggests the name of a modern dance technique, the underling meaning of the title is explained by one of the dancers:

“We are fallen. We have come up. When you get the chance to move on, we move on” (A survivor of torture from FALL AND RECOVER cited in IMDT 2014, para. 2). This dance production was performed by victims of torture who took part in a series of dance workshops organised by John Scott and the Centre for the Care of Survivors of Torture (Irish Modern Dance Theatre, n.d., para. 1). Because many could not talk about their experiences due to PTSD, this project aimed to heal and empower them through dance (Spangler 2016).

In this performance, catharsis occurred when the painful memories were overcome by feelings of safety and hope. This was visible when the performers prevented each other from falling and when they left the stage after tracing their bodies on the floor (IMDT 2004). Thus, it can be said that *Fall and Recover* illustrated that art can heal the wounds from the past in the aesthetic present.

But was that the message the performers wanted to transmit to the audience? The answer would be: maybe. In this performance, trauma victims expressed their experiences and feelings in movements that were difficult to decrypt. The audience might have interpreted the dances in a way that is different from what the performers wanted to express. However, the abstract nature of the performance had its own role in trauma healing. For instance, if the performers would have made their movements more explicit, dancing might have revived their painful past, causing an anti-cathartic effect.

Furthermore, the abstractness of the performance opened possibilities for various interpretations, and thus increased the audience’s aesthetic pleasure. This is illustrated in the reviews. For example, Brennan (in Horwitz 2009) from Irish Examiner argued that “It invokes hope and togetherness ... there is much joy in the performance”, whereas Joan Davies (in Horwitz 2009) wrote for the Choreographer that the performance “will haunt me for the rest of my life”. Thus, it can be concluded that trauma victims were able to create a dance that managed to heal them and to move the

audience. *Fall and Recover* can thus serve as evidence for the power of individuals to express and overcome their trauma through art.

## 5.2 Cross Cultural Communication

Usually, culture provides the frame through which conflicts are formed, managed and resolved because it gives people the cognitive and affective paradigm for interpreting the behaviour and attitudes of those who fall outside their group (Pate and Dauda 2015; Riiser 2010). This is why, when faced with something from another culture that they do not fully understand, people tend to see it as abnormal, strange or simply wrong. This behaviour can easily lead prejudice and thus trigger or exacerbate a conflict (DuPraw and Axner 2013).

Although challenging, facilitating cross-cultural communication is essential for (re) building relationships and trust among conflicting parties. When people start communicating with those outside their own cultural group, they begin to analyse and question their culture, becoming aware of its unique and common characteristics. In other words, cross-cultural communication enables individuals from different cultural communities to educate other each in subtle ways, diminishing negative stereotypes, and thus minimalizing the risks of violent clashes (Parekh 2006).

Art can be used as a tool for cross-cultural communication because it opens spaces for dialogue where there is little or no awareness of the cultural values and beliefs of the Other. This is because the universal elements that affect all human beings, such as: vulnerability to hunger, cold and pain and the feelings of love, happiness and pleasure, provide recurrent themes for musical pieces, dance movements, stories and depictions present in every culture (Graham 2005).

Furthermore, art can also provide opportunities for enabling dialogue between conflicting parties when the words alone cannot, after all, non-verbal communication is extremely important in human social interaction (Shank and Schirch 2008; Ramsbotham et al. 2011).

In 1999 the Israeli conductor and pianist Daniel Barenboim and the Palestinian scholar Edward Said founded the *West-Eastern Divan Orchestra* in order to bring together young musicians from the Middle East and the West. The aim of this orchestra is to promote reflection and understanding through music. The orchestra operates on individual, group and national levels in its attempt to transform positively one of the lengthiest conflicts of the contemporary world: the Arab-Israeli conflict. Furthermore, it also addresses the issue of listening to, an aspect of communication that is sometimes left out from the discussions. An orchestra is a unique instrument for encouraging intercultural dialogue because “when you play music in an ensemble, you have to ... listen to the other, you have to understand what the others are doing” (Barenboim 2006, 28 April).

By living and working together, the musicians get a new understanding of the Other and that helps in lowering down the prejudice and the hatred propagated through violent conflict (Barsamian 2003). The *West-Eastern Divan Orchestra* does not only offer a space where young artists can play music together, but also one where they can discuss various other things that are important for them. For instance, Said (2001) stated: “What we are interested in is the power of music and discussion and culture to

create a sense of equality and fellowship otherwise unavailable to us in the anguish and tension of polarized life in the Middle East” (in Barsamian 2004, p. 159).

Furthermore, playing music together with the Other creates a new relationship of understanding and, in certain cases of friendship (McParland 2008).

In this sense, it can be said that the *West-Eastern Divan Orchestra* is aiming at conflict transformation because it creates a space of learning and understanding (Riiser 2010). Barenboim (2006) argues that in this project musicians learn about themselves, about the current society, about human nature, about everything they want. By learning individuals start to understand, and when they understand catharsis emerges: “And I felt for her: even though I didn’t share her history I realised there was a genuine pain there” (Zikiri, as cited in Jaffe 2005, p. 33).

The *West-Eastern Divan Orchestra* also has an impact on the hundreds of people who attend their performances, from the demilitarised North-South Korean border to Jerusalem. This is because art gives people the chance to experience the connection between socio-cultural spheres, personal experiences and imagination (Barenboim 2006). And this is reflected in the reviews from all over the world:

- Moscow: “A great catharsis and great relief were palpable in the Great Hall.” (Labzina 2009, para. 4)
- Ramallah: “From the opening notes of the symphony, musicians and audience members alike entered a kind of trance. Something about it—the music, the venue, the fact that minds were opening and changing due to something as simple and natural as human interaction—pulled us along and refused to let go.” (Olson 2013, para. 9)
- London: “Listen to Zander’s opening, with skittering violins and battering timpani—this is anticipation and then catharsis all at once, leavened by the lyrical second subject.” (Abbot 2006, para. 4)

Therefore, the *West-Eastern Divan Orchestra* demonstrates that art enables a positive dialogue between oneself and the Other. Although the orchestra cannot address all dimensions of the Arab-Israeli conflict, it gives young musicians from the region the opportunity to express themselves while listening to their neighbours (McParland 2008). The *West-Eastern Divan Orchestra* has illustrated, thus, that art can be used as a tool that can facilitate cross-cultural dialogue.

### 5.3 Empowerment

Social exclusion prevents the transformation of a conflict because it alienates marginalised individuals and communities from the peacebuilding process (Khan et al. 2015). Furthermore, sometimes severely disadvantaged and/or discriminated groups may resort to violence to claim their rights and redress injustice (Khan et al. 2015). Thus, there is a need of a method that will give marginalised or minority groups the opportunity to express their experiences, share their opinions and draw attention to their needs in a non-violent way. By having a voice, they become active in the conflict transformation process, and this will increase diversity, acceptance, equality and participation in society.

There are many examples throughout history where individuals and communities used art as a mean to empower themselves and to address a conflict non-violently (Broadwood et al. 2012). Furthermore, art can be a powerful tool of agency because even marginalised individuals or groups can use it to bring important social issues to public attention (Broadwood et al. 2012). However, many argue that this comes in contradiction with the concept of art for art's sake. This does not imply that art should not carry a message, but that art does not necessarily need an explanation for its existence (Shank and Schirch 2008).

Many communities affected by violent conflict are using art as a way to empower themselves and prompt discussions about how to stop the drivers of violent conflicts (Parater 2015). For example, in Za'atari refugee camp, young people had the opportunity to take part in mural painting workshops where they could imagine a positive and peaceful future for themselves and for their community. Their colourful murals brightened up the bleak environment of the camp and the lives of its residents. Darby (2014), an artist that worked in Za'atari, declared that artistic activities gave children "an idea of other things they could be doing while building up their confidence and self-esteem" (in ACTED NGO, minute 8:48").

However, not all artwork in Za'atari is colourful and positive. For example, the former Deputy Representative for UNICEF in Jordan, Michele Servadei, said (2013) "we see artwork by children that is highly politicized and depict awful scenes of conflict and death. Things no child should ever have to witness" (para. 20). Nevertheless, by having the opportunity to convey their tragic past in a creative way, young people from Za'atari started feeling that they are listened to. "I like that I get to paint, it allows us to express our feelings" (2014, Unknown in ACTED NGO, minute: 5:00).

Thus, this example from Za'atari illustrated that art can empower disadvantaged communities by giving them opportunities to express themselves and envision a peaceful future. Furthermore, as those murals became widely known through social media, they can now serve medium for contemplation for the whole world.

#### 5.4 Sympathetic Awareness

According to the social identity theory, human beings give preferential treatment to those who are part of the same socio-cultural group (Tajfel and Turner 2004). This preferential treatment, especially in a conflictual situation, can lead to an opposition between us—humans vs them—less than or non-humans (Halpern and Weinstein 2004). Furthermore, this narrative is often supported by the anxiety, fear and misunderstanding of the Other. As a consequence, most portrayals of the Other are dominated by stereotypes and preconceptions (Ngabirano 2014).

Sometimes the negative perceptions about the Other start from the so called national narratives. The folktales, legends or myths from which a group of people draws its identity and meaning are important for ensuring cohesion and for preserving cultural identity (Ngabirano 2014). However, they can also be used to justify violence on communities and individuals that fell outside those narratives (Aiken 2008; Halpern and Weinstein 2004). This is why recognising the humanity in the Other is crucial for allowing conflicting parties to imagine a way forward for the positive transformation of

their conflict (Halpern and Weinstein 2004). Art can be used to humanise the Other by giving people the opportunity to enable their sympathetic awareness (Moses 1991).

Sympathetic awareness is the ability to understand or to become conscious of the feelings, thoughts and motives of another without implying acceptance, agreement, or the reflection of one's self in the other (Titulaer 2012). By developing their sympathetic awareness, individuals are more likely to move towards a peaceful transformation of their conflict (Titulaer 2012). Sympathetic awareness should not be confused with pity, which is the ability to feel discomfort at the distress of another, and that often has overprotective or patronising connotations (Broadwood et al. 2012).

Art creates a disposition for sympathetic awareness by enabling individuals to use their senses to understand feelings and to use their imagination to visualise different perspectives (Peloquin 1996; Stout 1999). For instance, aesthetic experiences give the audience the opportunity to imagine what the past was like, to envision how the future might be different, or how people live in other places and contexts (Ishaq 2009). Moreover, artistic activities can (re)build or strengthen relationships between different individuals, groups and communities by allowing them to form a connection based on their common artistic interest (Moses 1991).

Perhaps there is no better example for illustrating the harmful effects of othering than Shakespeare's *Romeo and Juliet* (Edwards 2016). This tragedy engages the audience in an emotional journey, making the public aware of different feelings, thoughts and actions and of their consequences. Despite the love story's tragic end, the play finishes with the reconciliation between the two conflicting parties, who hope for a better, peaceful future.

But what happens when this Shakespearean play is performed by and for members of different ethnic groups that have been engaged in a violent conflict? Like in the original play, the *Romeo and Juliet* directed by Manojlović (2015) followed the story of two young lovers caught between the love for each other and the loyalty for their conflicting families. What was unique about this production was that the cast distribution which reflected an ethnic division: the Montagues were played by Kosovars while the Capulets were played by Serbians (Hysa 2015). Moreover, the actors spoke in both Serbian and Albanian in order to highlight the lack of understanding between the two communities. What is perhaps surprising is that Romeo spoke in Serbian to Juliet while Juliet spoke in Albanian to Romeo (Halili 2015).

This unique detail wanted to show that love can triumph over decades of division and violent conflicts (Vuco 2015). However, this performance expressed the emotions of the characters without directly addressing the historical and political roots of the ethnic/religious conflict between Serbs and Kosovars. This way, the audience was "exposed to the raw nature and vulnerability of the artistic process" (Edwards 2016, p. 27).

Despite their differences, the actors managed to surpass their negative preconceptions towards the other in order to communicate and build positive relationships with one another (Gillet 2015). The appreciation of the audience for the play was expressed in rounds of applause. Yet, the actors did not bow. Instead, they started to socialise with the audience by introducing themselves by their real names and by shaking hands. This can be interpreted as a message that now is the moment to reconcile and start living peacefully (Vuco 2015): "What is happening here shouldn't be an exception, it should

be a normal mainstream thing. This makes sense. You have to believe, at least a bit, that this seed we are planting will continue to grow” (Fehmiu, as cited in Gilet 2015, para. 20).

This production of *Romeo and Juliet* illustrated that art can transcend cultural borders and foster understanding (Halili 2015). Thus, it can be said that art has an intrinsic ability to humanise the Other by transforming relationships and by giving people the chance to see the world through different perspectives (Edwards 2016).

## 6 Conclusion

By analysing the concept of catharsis from both philosophical and psychological perspectives, it has been highlighted that art has the power to transform peoples’ feelings and thoughts. Furthermore, the examples used in this chapter illustrated that creative activities and aesthetic experiences can support the peaceful transformation of conflicts by giving people opportunities to imagine and create a peaceful future. *Fall and Recover* emphasised the power of art to heal psychological wounds and to build up confidence in those affected by violent conflicts. The *West-Eastern Divan Orchestra* revealed that art fosters dialogue and understanding between individuals across cultural boundaries. The murals from Za’atari refugee camp showed that art gives voice to the otherwise ignored members of society and draws attention to important social issues. Lastly, the Kosovar-Serbian production of *Romeo and Juliet* demonstrated that art can help conflicting parties recognise each other’s humanity and (re) build their broken relationships. Thus, it can be said that art can be used in conflict transformation because it transforms attitudes and perceptions by producing a cathartic effect on artists and audiences alike.

Nevertheless, future empirical research on how people respond to art during and after a violent conflict is necessary for developing new peacebuilding methods. This will require an interdisciplinary approach, drawing from theories and data analysis from peace studies, aesthetics, psychology, anthropology and neuroscience. If more is known on how art influences the human behaviour and the human relationships in relation to conflict, more comprehensive solutions can be implemented to stop the (re) occurrence of violence.

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**Part IV**  
**The Legal and Justice Systems and the**  
**Cross-Cultural Conflict**



# Dangerous Offenders with Personality Disorders: A Comparative Study of the Situation in Diverse Legal Systems, with Special Attention to Spain

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## 1 Culpability Versus Degree of Danger

News stories of the kind described below regularly appear in the press:

The dangerous criminal X, who was sentenced to X years of prison, will be released from jail tomorrow. He has served his entire sentence for the crimes committed (X offences committed and X attempted). Nevertheless, the experts consider that the ex-convict may not be fully rehabilitated because he has a psychopathic profile or because he suffers some other personality disorder.

Releasing subjects of this kind reopens the debate over criminal law and the security measures that should be applied to repeat rapists and murderers who have completed their sentence. In this article I am going to focus my attention on criminals with serious personality disorders (Antuña and Rodríguez Franco 2007) for the differentiating characteristics of these pathologies, their persistence over time and the difficulties involved for rehabilitation or modification) or individuals with paraphilia, who are unable to control the impulses originating in their sexual tendency or orientation (Portero 2009). Paraphilias are included within the “sexual disorders and disorders of sexual identity group”, and are associated with high percentages of recidivism. Paraphiliacs usually present psychotic disorders or borderline psychotic personalities and are incapable of calculating the consequences of their actions. In a nutshell, we are talking about highly dangerous repeat offenders.

Recidivism rates in sex offenders as a group are reported to be low, estimated at around 19–20%. This number falls further to 5.8% for the perpetration of another sex crime, since 6.5% commit other violent acts and 6.2% minor sexual offences. Previous studies have set the general rate of recidivism (not specifically sexual offences) at between 37.4 and 50% (Portero 2009; Redondo 2006). A study carried out in 2009 by the Catalan government’s Centre for Legal Studies and Specialist Training followed all 315 sex offenders released from Catalan prisons between 1998 and 2003 (Generalitat

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de Catalunya 2009). These offenders had served prison terms ranging from one to fifteen years, depending on the gravity of the offence (from sexual harassment or exhibitionism to rape). Elsewhere, in a study that recorded serious sexual crime figures during the last ten years, Armaza (2013) reported that 202 sex offenders had been found guilty of repeat offences, an annual average of 15.88 cases. So these studies disprove the idea that sex offenders have much higher than average levels of recidivism.

Nevertheless, the distribution of recidivism in the sphere of sex offences varies widely. It ranges from a high number of cases of only one known crime (in other words, not repeat offenders), to (at the opposite extreme) a small number of serial sex offenders (like the one in the news story above) who commit dozens of crimes during their criminal career. In this group, it is estimated that 80% of violent sexual psychopaths have committed another violent offence, most of them of a sexual nature, in the six years after their release from prison; in non-psychopaths, on the other hand, this figure falls to 20%. These findings suggest a high risk of recidivism among psychopaths (Navarro 2011).

We might add that the risk of recidivism is not always the same among those convicted of sexual offences. It is estimated that those who most repeat offend are those convicted of offences involving a male child victim. This may be because the abusers of these minors show more symptoms of phobic anxiety in prison than other types of inmate (Castro et al. 2009).

In general, then, most of these criminals are repeat sex offenders, with diverse personality disorders. The likelihood of rehabilitation is low. Should they be liable to prosecution? Might psychopathy be a symptom of a reduced legal responsibility? Does their condition mean that they have a reduced understanding of the unlawfulness of their actions? Should they be held legally responsible?

The advances in neuroscience over the last decade, especially those achieved using neuroimaging techniques, have shown that pathologies related with a lower inhibitory capacity and with a tendency towards antisocial behaviour (psychopathies) are due to certain anomalies generated in the orbitofrontal zone of the brain, which is in charge of controlling aggressive impulses and where the compliance with moral and social norms is located. "In contrast to the normal population, violent criminals and, in general, people with high aggressiveness frequently suffer diverse cerebral deficits in the prefrontal zone" (Demetrio 2011, p. 16; see also Gudín 2010; Leal 2003; Maraver 2013).

This reduced cerebral activity may be due to an injury to the prefrontal cortex or because the area is not sufficiently developed (possibly, though not necessarily, due to a neurological cause). It manifests itself in a similar way in the frontal orbital zone of adolescents, who present lower inhibition capacity due to the fact that this part of the brain has not yet developed completely.

Historically, all subjects with psychopathic characteristics who committed violent acts were considered to have done so of their own free will. Modern neuroscience suggests the opposite. Fallon (2013, 2014) however, distinguishes between primary and secondary psychopaths. Primary psychopaths, with a score of 40 on the Hare Psychopathy Checklist (for example, sexual predators) are highly dangerous and practically unrecoverable; all that can be done with them is to neutralize part of their brain. From childhood they show deviant behaviour patterns, without any need of negative external influences. They are born that way: they have no feelings of guilt and

show very little fear in general, and especially of punishment. In his opinion, therapy does not work; they are incorrigible. The only possible approach in these extreme cases is prompt diagnosis and preventive measures. Specialist nurses and doctors must be able to recognize their symptoms. For example, if a child stares absently and coldly into the distance, efforts should be made to confirm the existence of this predisposition from a very early age. Efforts should also be made to prevent the child from suffering abuse or harassment, because these circumstances may later trigger violent criminal behaviour. In general, then, these individuals are not capable of reasoning morally or controlling their impulses (Navarro 2011).

This is not the place to examine in depth the current debate on the concept of culpability (Cancio 2012; Feijóo 2012; Frisch 2012; Urruela 2004). It should simply be stressed that even though neuroscience has shown that decisions are linked to unconscious neuronal processes, this does not mean that the basis on which culpability in criminal law has been built must be rejected out of hand; our discussion takes place not at an empirical level, but inside a social system. In other words, despite taking into account the evidence made available by advances in neuroscience, we should continue to act in accordance with strict regulatory patterns that allow us to determine “the level of legal responsibility required of citizens” (Feijóo 2012).

Furthermore, as Cancio (2012) states, from the perspective of the functional concept of culpability, its underlying principles are determined by the need for general prevention. They are not affected by the doubts raised by the neurosciences regarding the extent to which human beings are determined by unconscious neuronal processes. However, it will be useful to fine tune the relationship between certain medical conditions and the degree to which they diminish legal responsibility because, it might be said, the scientific advances have blurred the line between immunity and liability to prosecution.

Spanish case law has not responded to these advances. It upholds the liability to prosecution for both psychopathic criminals and those suffering other types of personality disorders, as it continues to assert that they are able to understand the unlawfulness of their act; only if in addition to this personality disorder they present some other factor (endogenous or exogenous) that might affect their ability to understand or to act will mitigating circumstances be considered to apply (see: Caruso 2013; Gudín 2010; Guisasola 2008; Navarro 2011; Salvador 2014; Urruela 2004).

This indicates that criminalists have not taken into consideration the nuances that psychiatric science has provided regarding the different typologies of these pathologies; they merely reduce them to three broad categories in order to classify these criminals. But by simplifying something as complex as brain activity, we risk deforming or perverting the reality, making it impossible to obtain an adequate solution for these cases. In other words, the complex reality of offenders who are not considered “mentally ill” has been excessively simplified. They are liable to prosecution, even if it has been proven, for example, that their obsessive sexual tendencies make recidivism practically inevitable. But they are classified as liable to prosecution, due to the fact that there are only three categories. Perhaps, in fact, we should accept the existence of a fourth category: between liable and partially liable to prosecution, as a *quartum genus* or partial liability *sui generis*.



As I see it, criminal law acts in a contradictory way with regard to this hypothetical fourth type of subject. Indeed, “the curious thing is that criminal law exculpates the perpetrator with grave psychological disorders, because they are considered cases of immunity from prosecution, but punishes violent perpetrators more severely, when it has been shown empirically that they have mental problems of considerable importance” (Demetrio 2011, p. 16).

In fact, like those traditionally categorized as partially liable, psychopaths deserve a reduction in the sentence. In this regard they are close to their partially liable peers. It is necessary to rethink the very concept of immunity from prosecution; even when the faculties affected are not the intellectual or the volitional ones, “the impairment of other faculties can also give rise to the subject being immune from prosecution” (Caruso 2013, p. 19), because, ultimately, these offenders cannot emotionally understand what is right and what is wrong. Here we should include a group unable to feel (psychopaths) and another group (subjects with other kinds of personality disorders) unable to control their impulses, usually sexual (Cancio 2012). In this context, the phrase that Leal (2003, p. 157) attributes to forensic psychiatrists and psychologists reporting to the courts regarding the conduct, behaviour and mental faculties of psychopaths is particularly relevant: “He knew what he was doing but he did not feel it”.

As a consequence, the criminal actions of psychopaths could be interpreted as being covered in article 20.3 of the Spanish Criminal Code (alterations in the perception since birth or from childhood that suppose a grave alteration in the awareness of reality), mainly through those exonerating circumstances (Cancio 2012). Leal (2003) is in favour of incorporating these conducts in art. 20.1 of the Criminal Code, thereby integrating psychopathy as an anomaly or serious alteration that requires treatment and imposing the security measure required according to the pathology. Likewise, partial exculpation (or a mitigating circumstance in the majority of these instances) should be considered appropriate in the case of a psychological anomaly (González and Sánchez 2014).

Of course it is difficult to reconcile this mitigation with the dangerous nature of these subjects. It must be accompanied with security measures for providing special prevention after the sentence. This is the context in which the Spanish measure of supervised release may be applied.

When these methods are imposed along with the sentence, *de facto* these subjects are being treated very similarly to those who are partially liable. However, they continue to be liable, as shown by the fact that they are given the entire sentence corresponding to the offences committed. This assertion of full liability must be questioned, starting with the verification of the lack of affective capacity or the impairment of the inhibitory capacity. These deficiencies reduce their degree of culpability and should be reflected in a reduction in the sentence.

## 2 A Brief Overview of Comparative Law

This section compares the ways in which the legal systems in Europe and the English-speaking countries address the issue of the release of prisoners with psychopathic tendencies. Most of these countries have adopted some form of supervised release, a security measure that acts as a complement to the sentence.

Specifically, we will highlight the regulations in the continental and common law systems (see also: García 2010; Gudín 2012; Lamas 2013; Sanz 2011, 2014; Salat 2012; Urruela 2010).

### 2.1 The Continental System

#### 2.1.1 Germany

Section 68 of the StGB (the German Criminal Code) states that in the case of a subject given a prison sentence of at least six months for a crime for which the law specifically stipulates supervision of conduct, the court may impose this supervision in addition to the punishment if there is a danger that the subject may commit further crimes. Thus, this potential danger is something that must be demonstrated.

This supervision of conduct requires the judge to assign a supervisory agency and a probation officer who will help the convicted person to overcome the circumstances and the traits of his personality that have caused him to commit crimes. In accordance with the court, and with the support of the probation officer, the supervisory agency will monitor the conduct of the convicted person and the fulfilment of the obligations imposed on him (§68a).

The court may, for the duration of the supervision of conduct or for a shorter time, instruct the convicted person:

1. not to leave his place of residence or wherever he happens to be or a specified area without the permission of the supervisory agency;
2. not to frequent specified places which can offer him the opportunity or stimulus to commit further crimes;
3. not to employ, train or shelter particular persons or persons of a particular group, who can offer him the opportunity or stimulus to commit further crimes;
4. not to engage in particular activities which under circumstances can be exploited for criminal purposes;
5. not to possess, carry or entrust to another for safekeeping, particular objects which can provide him with the opportunity or stimulus to commit further crimes;
6. not to keep or drive motor vehicles or particular types of motor vehicles or other vehicles, which he can under circumstances misuse for criminal purposes;
7. to report at particular times to the supervisory agency or to a particular government agency;
8. to report promptly every change in the place of residence or work to the supervisory agency; or
9. to report in the case of unemployment to the competent employment office or to another authorized employment agency.

No unreasonable demands may be made in the instructions on the way the convicted person conducts his life (§68b).

The supervision of conduct lasts for a period from two to five years (§68c). Termination is permissible at the earliest expiration of the minimum statutory period. The court will terminate supervision if it can be expected that, without it, the convicted person will not commit more crimes (§68e), as it is a characteristic of security measures that their basis and limit is the degree of danger, expressed in a prognosis of recidivism; should the degree of danger disappear the measures must be terminated. In contrast, the court can order a longer duration without any limitation when the person does not complete his therapeutic, detox or medical treatment and when there is a fear of danger for the community because of the possible perpetration of new punishable acts (§68c).

This measure can also be applied in the case of conditional suspension of a sentence (§68g) with a duration greater than nine months imposed on a subject who is under the age of twenty-seven years (§56d). In this case the probation officer will assist and care for the convicted person, will monitor him in accordance with the court to ensure that he complies with the obligations and provisions imposed on him. The officer will report periodically on the way of life of the convicted person, as indicated by the court, and will advise the court of any serious or constant breaches of obligations, provisions, offers or promises. Precisely in cases of serious and constant breach of the provisions, or if the convicted person persistently evades the supervision and guidance of the probation officer and gives reason to fear that he will again commit crimes, the conditional suspension of the sentence may be revoked (§56f).

The German Criminal Code foresees the imposition of this measure in cases of certain sexual offences (§181b), of bodily injuries (§228), deprivation of liberty (§239), robbery and extortion (§256), money laundering (§262) and acts against the collective security (§321). In the German legal system internment in a psychiatric centre of an undetermined duration is a security measure that may be applied to criminals that are not liable to prosecution, since the sentence of life imprisonment exists. On this concept in German law, see Manzanares (2010) and Martínez (2014).

### **2.1.2 France**

In France, articles 131-36-1 to 131-36-8 of the Criminal Code (introduced by law no. 98-468 of 17 June 1998, regarding the prevention and repression of sexual offences, art 1, Official Gazette of 18 June 1998, and the modifying article 131-36-1 by law no. 2004-209 of 9 March 2004—article 46, Official Gazette of 10 March 2004, and 131-36-2 by law no. 2010-242 of 10 March 2010, article 11) cover what is termed “social-judicial supervision”, which may or may not be accompanied by the imposition of treatment.

This measure may be applied at sentencing or after the completion of the prison sentence, by the sentencing judge.

## **2.2 Common Law**

### **2.2.1 United States**

The equivalent to our supervised release in the US is (lifetime) supervision. After completing the prison sentence the subject continues to be under the control of the

criminal prosecution authorities. This supervision may be applied for life when deemed necessary. In the event that the duration is not for life, it will be determined by the judge.

The measure obliges the subject to report his situation, his movements, and any changes in his employment and other activities to a parole officer. The parole officer must authorize any plan the subject may have to change his domicile outside the state in question. The framework of (lifetime) supervision usually includes a range of complementary measures with which the subject is obliged to comply: the prohibition of possessing pornography or consuming alcohol, the obligation to participate in certain programmes, and so on.

### **2.2.2 United Kingdom**

In the UK the modality closest to our supervised release is the concept of “extended sentence” introduced in the 2003 Criminal Justice Act. According to this act, criminals who commit two sexual offences and are considered to be a significant risk to the public will be given an extended sentence for a period decided by the judge, during which he will be under supervision after completing his prison term. See also Robles (2007).

### **2.2.3 Australia**

In Australia, the Dangerous Sex Offenders Act 2006 (modified by law no. 58 of 11 December 2012) provides for imprisonment or supervised release if after completion of the prison sentence the offender continues to be considered to represent a significant risk to the public.

### **2.2.4 Canada**

In Canada, at the time of sentencing the judge may declare the convicted person an “offender requiring supervision”; in this case the convicted person will be subjected to a period of community supervision for a maximum period of ten years, after having completed a prison sentence of at least ten years (art. 752 et seq. Canadian Criminal Code L.R.C., 1985, chapter C-46, consolidated version, modified 29 April 2011).<sup>1</sup>

In summary, the legal systems in these countries provide for measures of supervision for subjects who have committed certain crimes (especially sexual psychopaths) after they have completed their prison sentence. In fact, the concept of parole seems custom made for this type of criminal (Navarro 2011).

## **3 The Spanish Approach: Supervised Release**

### **3.1 Legal Nature**

The supervised release security measure was introduced into the Spanish Criminal Code through a reform carried out by the Act of Parliament LO 5/2010. Its main

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<sup>1</sup> <http://laws.justice.gc.ca/eng/acts/C-46/>.

novelty, in comparison with the rest of the security measures that we are familiar with, is that it may be imposed not only on subjects considered not liable or partially liable to prosecution, but also on subjects liable to prosecution after an evaluation of the degree of danger in terms of the nature of the crime committed and if the legislature has expressly passed a legal provision to this effect (Cámara 2012; Díaz 2011).

This measure is included in the sentencing in addition to the prison term, and will be imposed when the prison term is completed if considered necessary in view of the evaluation of the prisoner's risk to the public. A prior proposal for continuation, finalization, substitution or suspension of the sentence will be made annually by the judge who supervises conditions of imprisonment (article 98.1 Spanish Criminal Code). Therefore, the measure will be implemented when all punishments have been completed, including the last phase of parole.

In summary, a hybrid third category somewhere between the sentence and the supervisory measure should be considered<sup>2</sup> (Urruela 2015) that does away with the dichotomy of “sentences for those liable to prosecution, and security measures for those not liable to prosecution” and reassesses, as I have suggested, the concept of non-liability so that it is no longer seen as a *foreign body* (Cámara 2012; Otero 2015). Regardless of the legal nature granted, it should be stressed that this measure comes into effect once the main sentence has been completed. Therefore, it is not subject to the general criteria of application of security measures; furthermore, underlying this measure is the prolongation of the punishment imposed on the subject, which is masked under the broad-ranging category of security measures but in fact is no more than an additional sentence of control, and in the majority of cases purely a protective measure.

### 3.2 Legal Reasoning

The preamble to LO 5/2010 lays the foundations of this measure in cases of special gravity in which:

The rehabilitating effect of the punishment is limited, inasmuch as the punishment is not sufficient or adequate to prevent a high risk of recidivism. Without wishing to hamper the rehabilitating efforts, it is necessary to adopt certain measures that allow us to reconcile the aim of special prevention with other values, such as the security and freedom of the general public, potential victims of the criminal who has not been rehabilitated and whom the penitentiary system now returns to society.

This is a security measure applied after the committing of the crime. In principle it is based on the risk posed by the offender, but it does not necessarily take recidivism into account (since the text states that it will be applied when one or more offences have been committed, and can therefore be applied after only one offence), and thus acts on the basis of the misunderstanding that the more serious the act committed, the greater the risk the perpetrator poses.

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<sup>2</sup> Proof of this hybrid character is found in the changes in the legal nature of this concept in the different drafts that gave rise to LO 5/2010. The draft modification of the CC of 2006 granted it a double nature: punishment and measure. The draft of the reform of the CC of 2008 made it a punishment. LO 5/2010 opted for categorizing it within the security measures.

The underlying problem that is raised, as has been stated before, is the lack of legal basis when it comes to detecting the risk posed by the perpetrator. Systems of detection should be developed and evaluated by experts, using clinical psychology methods based mainly on traits of certain repeat offenders and accompanied by the results that evaluate the convicted person's rejection of the treatment (García 2011; Martínez 2014). For his part Córdoba (2011, p. 909; see also Rodríguez 2013), says:

As Vives Antón has stated, these methods are of two types: empirical-discursive or scientific (biological, sociological, psychological, and prognostic), and intuitive. This means that regardless of whether a court uses simple intuition to decide if criminal danger exists, the truth is that there are rational methods that allow us to establish whether the convicted person does indeed present this level of risk.

And as usually occurs in these cases, as indicated by Nistal (2012, p. 15):

The responsibility assigned to the Prison Administration in the regulations in force to obtain compliance with security measures that involve incarceration requires the said administration to provide special centres for the adequate treatment of inmates staffed by specialized personnel adequately trained to treat the pathologies involved.

Indeed, the risk of recidivism depends on the typology of the offender and, specifically, on the risk factors that converge in each particular subject. These are the two instances when the criminal law has traditionally differed in the judgment of degree of danger: the diagnosis of the degree of danger and the criminal prognosis (Armaza 2013; Romeo 1986; Urruela 2009).

The most modern research in criminal psychology (see: Redondo 2006) has gradually replaced the expression "degree of danger" with the "assessment of danger", emphasizing the probability of a violent act rather than the inherent trait of being violent (Martínez 2014). It has also brought to light the existence of risk factors which increase the risk of criminal behaviour—and protective or resistance factors which protect the individual and reduce the risk. Some other factors have, in turn, been categorized as static (or unmodifiable) or dynamic (modifiable through intervention). Static risk factors are usually inherent to the subject or his past, and for that reason are difficult or impossible to alter, while the dynamic risk factors comprise habits, values, cognitions, low education and social status, low self-control, interpersonal conflicts, and so on, which can be modified to a certain degree through appropriate interventions.

These methods are obviously not without their grey areas and they have been criticized by criminal law experts (Armaza 2013; García 2011; Martínez 2014; Von Hirsch 2005) and by psychiatrists themselves (El País 2014), not only due to the low levels of reliability and validity of the diagnosis—especially in the case of subjects liable to prosecution (Caruso 2013; Von Hirsch 2005)—but also because of the precarious and provisional nature of most of the theoretical body of psychiatry. These methods nonetheless constitute a first evaluative approach which needs to be completed later by a prolonged monitoring of the subjects, but in my opinion they have a role to play in deciding on the adoption of supervised release measures. From this perspective, it would not be the first time that judges have had to make decisions on the basis of incomplete knowledge but in accordance with the regulations (Frisch 2012).

This inevitably requires a greater flexibility in the system of minimum guarantees for neutralizing the degree of danger of certain subjects. A balance has to be found between security and guarantees (Silva 2001, 2009), between complying with the

guarantees of application and the fundamental principles of punishment on the one hand and neutralizing the risk posed to society by certain offenders on the other.

And in order to achieve this, I do not see the imposition of a combination of the sentence and a security measure such as supervised release as particularly onerous for the convicted person in cases in which the risk to society has been empirically verified.

The aim is to resolve the conflict in the consideration of interests to justify the imposition of security measures. The clear problem which arises and which has been stressed elsewhere (Gracia 2008; Martínez 2014), is the fact that one of the two interests to be considered is certain (the application of the security measure after the completion of the punishment for the unlawful act), and is therefore a real and effective wrong, while the other wrong (the committing of new offence) is uncertain; it is only a possibility, however likely it may be considered to be. In my opinion, it is enough that the prediction of future risk should be founded and rigorous, since within that rigour false positives are taken into account as an inevitable consequence; that is, a rigorous method is sufficient, regardless of the result, because there is an awareness that what is being considered is a future possibility. In the same way as in the consideration of the state of necessity, the wrong that we are trying to avoid, although imminent, is not certain either. Therefore, to evaluate the proportionality of the measure, the risk of uncertainty must be considered and, with it, the false positives as well; otherwise, neither this security measure nor any other one could be imposed.

On this basis and considering that the wholly indeterminate nature of the measure would clash with the essential principle of legal certainty in the rule of law, I propose the modification of art 6.2 of the Spanish Criminal Code *de lege ferenda* so that the duration of the measure is not limited to that of the sentence that is abstractly applicable to the act committed. Second, I propose the reform of the duration of supervised release with a period of time ranging between one and five years depending on the preventive aim desired, complementing it with a system of extensions (Sánchez 2006) in cases in which the degree of danger to society posed by the subject argues in favour of monitoring the risk of recidivism and evaluating the situation periodically. For his part, Jorge (2011) considers that it would have been much more reasonable to have provided for a relatively undetermined punishment in the Criminal Code (as in the Portuguese Criminal Code) for habitual dangerous criminals who commit crimes of medium or high severity (see also Nistal 2014).

The question now is to establish whether this measure is indeed the least severe among those that may be sufficient to prevent the risk to society posed by the perpetrator: that is, if it is effective and proportionate in all of the cases for which it is proposed.

### 3.3 Scope of Application

This measure should be applied to individuals imprisoned for one or more offences against **sexual freedom** (art. 192 Criminal Code) and those sentenced to a *severe*

prison sentence for one or more **terrorism** offences (art. 579.3 Criminal Code).<sup>3</sup> **It may also be applied in cases of offences against life, and of occasional and habitual domestic violence.**

The introduction of the measure of supervised release applicable to persons **convicted of offences of terrorism** is a reaction to the criticism and indignation on the part of the public sparked by the release from prison of persons convicted of terrorist acts. In fact, this response lacks a legal basis since the fundamental purpose of supervised release, as the preamble explains, is to counter the underlying risk to society posed by the subject. In the case of acts of terrorism, primarily those carried out by ETA, the low incidence of recidivism in this group suggests that the risk is practically non-existent (Cano 2011; Jiménez 2012; Parra 2009).

In any case, it is difficult to establish adequate parameters for determining the rate of recidivism in persons who commit terrorist acts, because of the complexity, scope and, at the same time, ambiguity, of the very concept of terrorism. Ortiz de Urbina (2010) states that recidivism rates vary according to terrorist group. In the 1980s, the rate of recidivism among the members of GRAPO (First of October Anti-Fascist Resistance Group) was very high, but they represented a tiny percentage of the total of terrorists who had acted in Spain, and currently their rate of recidivism is practically zero. In the case of ETA, the rate of recidivism is likewise very low; and among those who do repeat, the crimes committed usually are not of the same kind as those committed in the past.

If we focus on ETA, obviously it is not the same (and should not be comparable when studying recidivism) to cause the death of a person while pertaining to, acting in the service of, or collaborating with this terrorist organization as to engage in acts of *kale borroka* (street violence) such as those carried out by militants or sympathizers of the *izquierda abertzale* (left-wing party supporting independence) and of the terrorist group ETA. These latter acts have been termed *low-intensity terrorism*, which reflects the vast difference between the behaviours that can be categorized as “acts of terrorism”.

What is more, it is likely that the rate of recidivism in offences of terrorism will be even lower if we take another parameter into account: the long prison sentences handed down for this type of offences,<sup>4</sup> which inevitably means that offenders will be considerably older by the end of their sentences. “In the past, those convicted of terrorism were imprisoned for 20 or 25 years, but now they spend 40 years in prison. And we know that a circumstance that diminishes recidivism is precisely growing old” (Ortiz de Urbina 2010, p. 12; see also: Huerta 2013).

Another point to bear in mind is the fact that LO 5/2010 came into force in December of that year, almost coinciding with ETA’s announcement of a permanent ceasefire (October 2011). Therefore, the principle of the non-retroactivity of unfavourable criminal provisions prevents the application of supervised release to the

<sup>3</sup> With the qualification referring to the less serious offences reflected in the last section of both legal provisions, where it is pointed out that the measure *may or may not be imposed* depending on the lower degree of risk to society posed by the perpetrator.

<sup>4</sup> Pursuant to the modification of the CC by LO 7/2003, June 30, of measures of reform for the complete and effective fulfilment of sentences.



offenders that belonged to this terrorist group and gave up the armed struggle before the effective implementation of this measure. Consequently, in the case of members of ETA, this measure can only be applied to those who committed an offence between December 2010 and October 2011. Therefore, its effective application in these cases is a fantasy, and this is a new case of symbolic criminal law.

Of course, terrorism did not end with ETA; Islamic Jihadism continues to be a constant threat. Make no mistake: when the legislators considered the implementation of this measure in the sphere of terrorism offences, they did so with a view to “compensating” for the release of some ETA terrorists from prison, an act which had caused consternation among a large part of the public. This fact is not related to the underlying legal reasoning of this measure; although the terrorist is a convictional offender (that is, someone who does what he has to do and can do no other), the basis on which his liability to prosecution is founded is not altered, as long as there are no psychopathic connotations.

Supervised release for **sex offenders** is justified by the *sexual predator* phenomenon and in the precedents which, in response have been imposed in recent decades in comparative law (Otero 2015; Salat 2015). Nevertheless, the legislature does not distinguish between different types of sex offenders; art. 192 of the Criminal Code refers simply to “those sentenced to imprisonment” although not all of them have committed offences of the same magnitude or are statistically as likely to offend again. For example, does it make sense to apply supervised release to a sexual harasser? Or to a pimp? (García 2010).

As mentioned above, supervision may be imposed on an optional basis for a period of up to 10 years (art. 105.2 CC), in the following precepts: 140 bis CC (all offences against life), 156 ter CC (occasional domestic violence) and 173.2 CC (habitual domestic violence).

Regarding art. 140 bis CC, although the provision appears after the offences of voluntary manslaughter and murder, its application is expressly determined for the “offences in this section”, which allows its imposition, for example, in cases of involuntary manslaughter or inducing and necessary cooperation in suicide. The position in which this provision appears seems reasonable, in agreement with what I have been proposing; its application is appropriate in the case of serial psychopathic killers, but its extensive application to all the offences in the chapter represents a fault in the legislation that should be corrected.

As for the offences of occasional and habitual domestic abuse, the legislature presents another contradiction by not including the measure also for arts. 171.5 and 172.2 CC (threats and coercion in the family environment) when for reasons of consistency the same response should be given to all offences related with this type of violence, if the application of supervised release is considered politically and criminally appropriate in this context. However, I do not believe this to be the case, since offenders who perpetrate this type of violence do not have the profile mentioned above—which should be the guide for the application of the measure. It is true that the re-education and psychological treatment programmes for abusers as an alternative to a suspended sentence have a duration of nine months—not long enough, given the characteristics of these cases, to obtain successful results. Or when they are convicted for these offences, the prison sentence imposed may not surpass three years, also an

insufficient period for the psychological treatment programmes to reduce the risk the aggressor poses to the rest of society; but, in accordance with the principle of legality and proportionality of the sentence this is the period of time that applies.

It should also be noted that the sentences do little to deter the perpetrators of these offences, who are convictional offenders (in this regard, like terrorists), willing to commit suicide later once they have fulfilled their aim. Likewise, it has been proven that the risk of recidivism is greatest at the precise moment the offender is released from prison. To reduce this risk, the legal system already stipulates that the accessory punishment of the restraining order should have a duration longer than the prison sentence imposed, which produces, as we will see later, an overlap between the types of legal consequences.

In view of this, and in spite of the underlying drama of many of these cases, I do not see the utility of the measure of supervised release, whose application should be based on the disorders explained above. It is known that this type of violence is not solved by prolonging the restraining order indefinitely, but rather by improving therapy and, above all, by providing education in equality.

In the end, in my opinion, the scope of application of supervised release should be limited to the following offences: murder committed by psychopaths or other offenders with personality disorders who are highly likely to offend again and therefore pose a risk to society, and offences of sexual aggression and all other sex offences committed against minors that carry a prison sentence. According to Salat (2015), if there is a risk of recidivism and the measure of supervised release is imposed, the aggravating circumstance of recidivism should be eliminated.

Supervised release should be suppressed in all other situations (including the offences of terrorism and gender-based violence). In the case of murder, it should be applicable if the sentence of life imprisonment with the possibility of parole is eliminated; but if this sentence is maintained, supervised release would be practically impossible to impose, as I will explain later. Continuing with this argument, within the restriction of the sphere of application of this measure, I propose that the judge should be granted authority to apply the measure of supervised release in exceptional cases in which the subject has committed only one offence but in which there seems to be no way of reducing the risk of recidivism. This is the case of the dangerous profiles mentioned above, based on serious personality disorders (i.e., psychopaths with a score of 40 on the Hare Psychopathy Checklist).

### 3.4 The Content of the Measure

Art. 106 provides the following definition of supervised release: “it will consist of submitting the convict to legal control through the compliance on his part of one with some of the following measures”. It establishes three types of measures (Acale 2010; Del Carpio 2012; Jiménez 2012).

(1): those that aim to control the freedom of the person in question, without any attempt at rehabilitation: that is, those whose aim is merely protective. For example art. 106.1

(a): “The obligation always to be traceable through electronic devices that permit monitoring”. This measure needs to be combined with other obligations if it is to serve

as something more than mere incapacitation. Further, it is not specified who controls these telematic devices (Gudín 2009, 2012; Otero 2008).<sup>5</sup> What can be deduced from the wording is the monitoring system that will be used to comply with this obligation—GPS, since it is the technology that allows surveillance of the subject’s every move through a network of satellites (“*his permanent monitoring*”) and is less intrusive than other systems like active electronic supervision,<sup>6</sup> which detects the subject’s location only in the time frame previously programmed by the software. It also seems to be an autonomous measure (Urruela 2010), rather than an instrument of control aimed at guaranteeing compliance with other measures, obligations, or prohibitions imposed on the convict.

In addition, LO 1/2015 has added a third paragraph to art. 468 CC, stating that the deactivation or disruption of these devices constitutes a violation of the court order imposing the sanction, which may constitute a breach of the *non bis in idem* principle when this obligation is applied in offences related with domestic violence. According to art. 57 CC, in cases of these offences the accessory punishment of the restraining order is imposed compulsorily with a duration longer than that of the prison sentence imposed. If the measure requires the wearing of electronic devices, the deactivation or disruption of these instruments, aside from constituting a possible violation of the court order imposing the sanction, may also constitute an offence of disobedience.<sup>7</sup>

Letters (b) and (c): “the obligation to appear in person periodically in the place established by the Judge or Court” and “to report immediately any change of residence or work”, are measures applied in the ambit of pre-trial custody (art. 530 Criminal Procedure Law).

(d) the prohibition of leaving the place of residence without authorization of the Judge or Court.

And (i) the “prohibition of carrying out certain activities that might offer the possibility of, or facilitate, the committing of similar unlawful acts”; since the measure is not accompanied by any educational or training programme, the prohibition is merely a protective measure.

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<sup>5</sup> In addition, the implementation of this measure raises once again all the problems regarding the mechanisms of telematic monitoring of convicts (though this is not the place to consider them in detail). It is sufficient to point out the invasion of freedom and privacy of the individual which makes it essential to create a set of regulations that define the requirements, scope and content of the measure in order to obtain an adequate balance of interests.

<sup>6</sup> From this perspective, the wording of the draft bill of 2013, which was not finally passed, seemed more appropriate: “The obligation to wear and keep in good working order the electronic devices which have been assigned to control the time of arrival at the place of residence or to other places at certain times or the compliance with some of the measures referred to in rules 1–4. This rule may only be imposed when the subject has been convicted of one of the offences in article 57 of this Code”. This wording would have been preferable, first because it conceives the measure not as an end in and of itself, but rather as an instrument of control oriented at guaranteeing the compliance with the rules established; and second, because it would have meant less interference with the privacy and freedom of the convict: for example, the expression “*control the times that he or she goes to certain places*” describes not a permanent monitoring of movements controlled by GPS, but an active electronic supervision.

<sup>7</sup> Compare, Circular 6/2011 Fiscalía General del Estado (FGE) of November 2, *on criteria for the unit of specialized action of the Public Prosecutor regarding gender violence*.

In general, this measure is similar to the one provided for in paragraph 68 a) of the German Criminal Code, which, in the case of paedophile offenders, prohibits them from working as monitors for free time activities, in sports clubs (Urruela 2010) or other extracurricular activities such as farm-school projects that facilitate direct contact with minors.

(2) those that emphasize the protection of victims and are provided for in letters (e), (f), (g) and (h) of art. 106 CC: (e) prohibition of approaching the victim, (f) prohibition of making contact with the victim, (g) prohibition of going to certain places, and (h) prohibition of residing in certain places. These coincide, with slight modifications, with the triple dimension of the accessory punishment of the restraining order (art. 48 CC) and, again with slight changes, with some of the repealed non-custodial security measures provided for prior to the 2010 Reform in art. 96.3, 3rd, 4th and 5th CC. They also correspond with some of the obligations or duties the compliance with which may allow the suspension of the enforcement of the sentence in the current art. 83.1. 1st, 2nd and 3rd<sup>8</sup> CC.

Finally, (3), the only measure of a rehabilitating nature is the one provided for in letter (j): “the obligation to participate in training, occupational, cultural, sexual education or other similar programmes”, which also coincides with the non-custodial security measure 96.3. 12 CC, repealed by LO 5/2010.

Special mention should be made of the measure provided for in point (k) “*The obligation to continue external medical treatment or to undergo a periodic medical revision*”. This obligation was provided for prior to the 2010 reform of the CC, in art. 96.3. 11, as a security measure applicable to those not liable or partially liable to prosecution. Although there is no specific legal regulation on this matter, involuntary outpatient treatment—which in Spain is applicable only to persons with psychological anomalies, and, therefore, not liable or partially liable to prosecution—is a *fait accompli*: drops of haloperidol are administered in the food without the patient’s knowledge, or medication is injected against the patient’s wishes and without a request for authorization from the court to oblige the patient to undergo involuntary treatment. From the clinical point of view, this treatment is useful in some patients since it helps to prevent the worsening of the illness (Hernández et al. 2006). Nevertheless, the cited LO 5/2010 transfers this content to one of the obligations of the supervised release applied in this case to individuals liable to prosecution; thus, the legislators overlooked the basic premise that the subject had to be considered fully responsible both at the time of imposing the sentence as well as when enforcing the measure.

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<sup>8</sup> Article 83: “1. The suspension of the enforcement of the sentence will be dependent on the convict’s not offending in the period established by the judge or court, pursuant to article 80.2 of this Code. In the event that the suspended sentence is custodial, the sentencing judge or court, if deemed necessary, may also condition the suspension to compliance with the obligations and duties that have been set, from among the following:

1. Prohibition of going to certain places.
2. Prohibition of approaching the victim, or any family members or other persons determined by the judge or court, or to enter into contact with them.
3. Prohibition of leaving the place of residence without authorization from the judge or court”.

And, consequently, the LO 5/2010 neglects the fact that any matter related to the acceptance or rejection of medical treatment by an individual liable to prosecution constitutes part of the development of personal self-determination. Therefore, any coercive medical treatment is contrary to law 41/2002 regulating patient autonomy, and requires the subject to be able to accept or reject of his own free will any type of treatment; coercion, therefore, may represent an affront to human dignity. The only possibility of making this measure compatible with the Constitution is to transform it into an incentive: that is to say, as it is applied in other countries such as Germany, where the duration of the “supervision of conduct” (paragraph 68 *SGtB*) will be shorter if the convict accepts medical treatment (Boldova 2009; Durán 2009; Jiménez 2012; Urruela 2010).

Nonetheless, it should not be forgotten that the only persons for whom—in my opinion—supervised release could be useful, once the scope of its application has been limited, are those who are considered “fully” liable to prosecution but have serious personality disorders. This, as I have been arguing, should be taken into account in the reformulation of the categories of immunity to prosecution, which would create a category of partial liability to prosecution or something very close to it. However, it is one thing to say that this is how it should be, and quite another to say that this should entail the application to these subjects (even being partially liable) of obligatory external medical treatment. This is particularly so if we bear in mind that this treatment may be chemical castration, a hormone-reducing therapy that does not require hospitalization.

This is to say that not even in absolutely exceptional cases of very violent offenders should chemical castration be applied involuntarily. In these cases the offence of coercion and the affront to human dignity would not justify the interest in improving the patient’s health or in any hypothetical benefits to society. In other words, this possibility of efficient and balanced application of the measure would never be fulfilled in the case of coerced imposition of involuntary castration, since its proven secondary effects contravene the principles of legality and proportionality.

In relation to other less invasive therapies, it would have to be considered on a case-by-case basis whether the coercion implicit in this involuntary application to very violent offenders who are partially liable to prosecution complies with the principles of appropriateness, necessity and proportionality of the measure. The consideration of these therapies should bear in mind the presence or absence of physical and psychological secondary effects in the person undergoing the treatment. The Duke University study suggests that an involuntary outpatient treatment order maintained for 180 days or more, in combination with intensive mental health care, may increase treatment adherence and reduce the risk of negative results such as relapses, violent behaviour, victimization or arrests. It should be noted that this study was performed primarily in aggressive patients with grave psychological anomalies (Hernández et al. 2006). However, the results may also be relevant to psychopathic patients; Sanmartín (1999) considers that the choice of whether or not to receive therapy should not be left to these patients. On the therapeutic treatment of sex offenders, see also González (2014).

In 2010, because of all these obstacles and well aware of the criticisms, the legislators very sensibly complemented this “obligation” provided for in letter (k) with the addition in art. 100 CC of a third paragraph stating that a subject’s refusal to receive

medical treatment may under no circumstances constitute a violation of the court order imposing a sanction.

## 4 Concluding Thoughts

1. With the support of the advances in neuroscience in recent decades, I propose that dangerous repeat offenders with grave personality disorders such as psychopaths and paedophiles should, in view of their limited emotional capacity to understand the nature of their actions or their incapacity to control their impulses receive a mitigated sentence complemented with a non-custodial security measure.
2. To deal with these particularly dangerous offenders, over the past ten years the countries in Europe and in the English-speaking world, have adopted various forms of supervised release. These security measures complement the sentence and are designed to prevent the committing of future offences.
3. I propose that the scope of application of supervised release should be restricted to the offences of murder and serious sex offences, as the least onerous option of those available. The measure should be applied in cases in which the degree of danger has been empirically verified with the methods of clinical psychology based on the profiles of certain repeat offenders.
4. The main parameter of the degree of danger—recidivism—should, however, be qualified in the case of primary psychopaths with totally unmodifiable traits. In these exceptional cases, the measure should be applied even when the subject has only committed one offence.
5. I propose that compliance with the measure be simultaneous with serving the sentence (in contrast to the current situation, in which it follows the sentence chronologically): in the first place, to avoid the problem of having to prove the continuing risk to society of the subject at the time the measure is enforced, which may be many years after the time it was imposed; and in the second place, to make it compatible with the progressive penitentiary system.
6. I also propose the possibility of implementing successive extensions of this security measure as long as the subject continues to represent a risk to society. This is consistent with the legal reasoning of the security measure, that is, that it should be maintained as long as is necessary for the rehabilitation or the recovery of the subject. The present formula, which does not include the possibility of prolongation, significantly reduces the likelihood of a successful outcome to treatment.

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# Terrorism and Violence in Spanish Prisons: A Brief Glimpse into Prison Environment: Personal Experiences and Reflections

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## 1 Introductory Considerations

Today many individuals have begun their conversion into jihadist militants in prisons because there they find a favourable environment for their development. Spain has high rates of foreign population both inside and outside of prisons. According to the general report of the Spanish General Secretary of Penitentiary Institutions (SGIIP 2015) on 31 December 2015, 26.6% of prisoners (14,042) were foreigners, mainly Moroccans, Romanians and Colombians, followed by Ecuadorians. The prison population belonging to armed gangs amounted to 457 people and to organised crime, 761 prisoners. Within these two categories, the following terrorist and armed groups and armed bands were found: Basque (ETA) and Galician terrorism, GRAPO, GAL, GAT, and Islamic (AQ, AQIM, GIA, EI, TY, etc.). The prison where I am currently working has the fourth largest foreign population among Spanish prisons, a third of the total population (562 foreign inmates as of 31 December 2015).

Jihadists typically have a low level of education and poor occupational and professional skills in comparison to the general population, though they do compare favourably to their countries of origin and age groups (Krueger and Malečková 2003). Luis de la Iglesia (2012, cited in Montero Pérez de Tudela 2015) distinguishes between: (a) terrorists or prisoners directly linked to jihadist radicalism; (b) Muslim prisoners not related to Islamic fundamentalism (they harbor resentment against society and feel marginalised and excluded); (c) Muslims not related to Islamic fundamentalism and not marginalised, nor so vulnerable to radicalisation; and (d) radicalised individuals convicted of crimes unrelated to terrorism, whose affiliation is unknown, and with a high potential for being recruited. The second and third groups are the ones most likely to be radicalised.

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Since a clear profile prone to radicalisation has not been identified, we would rather discuss different itineraries of radicalisation (De la Corte 2016). Andrews (2001) shows an overview of terrorists' motivations for carrying out their attacks: "I have come to understand that every terrorist act has a specific and premeditated objective with a predicted outcome". The categories or reasons identified are: (a) religious (their acts justified by religious commandments from the Quran, the Bible or the Torah and these same religious beliefs used to recruit more followers), (b) social (motivated by purely social causes with an aim to overthrow and destroy the economic and technological basis of our society), (c) change (motivated by the achievement of a goal that can be related to a social, religious or political change), (d) political (causing political change to rid society of an unwanted governing power), (e) revenge (terrorism is used as a formula to take revenge on what is considered an unfair, humiliating or offensive act), (f) attention (used as an efficient means to gain the attention of the public through fear), and (g) symbolism (each terrorist act is designed to transmit and disseminate a specific message). The majority of terrorists use a combination of these reasons to commit and justify their actions. For example, the following case was reported in a prison:

A prisoner is dedicated to imposing his ideas on others, like cutting their hair short, growing a long beard, praying continually, and, if they have radio or television in their cell, choosing well what they listen to and watch.

In the same way, the prisoner tries to influence his cellmate:

A confidant says that prisoner A has been trying to get prisoner B to pay attention to the jihadist cause. He does so on an individual basis, while trying to ensure his habits go unnoticed. He reads and prays a lot, but always with the window closed, and he prefers to speak with other Muslims alone rather than in a group.

Correctional officers confirm the aforementioned. Interestingly, it seems that all the surveillance and supervision of these people are not enough to affect the overall radicalisation process, suggesting that control mechanisms are not appropriate nor sufficient for these issues, nor their prevention. The key radicalisation factors are: (1) pull factors such as contact with inmates or radicalised imams, contact with gangs or prison groups, or religion, both on a voluntary basis to fill an internal void or forced as a way to become part of a group or gang; (2) push factors like feelings of injustice, perception of hostility on the part of prison staff, protection from other inmates and group identity; (3) contextual and environmental factors like overcrowding, absence or lack of staff, Muslim population, in addition to other inmates who gradually lose their identity, generating a lack of convergence between what they think, do and say, and are subjected to an existential struggle, finding spiritual support in Islam and assuming new roles in their search for meaning and identity (Montero Pérez de Tudela 2015; Trujillo et al. 2008; Hamm 2008).

Some observations concerning how Muslim prisoners live in prison follow. Regarding individual behaviour, some maintain a similar appearance to Europeans in order not to draw attention. Others increasingly give priority to prayer over any other activity, scrupulously adhering only to that which is authorised by their religion, even if it leads to being disciplined for breaking prison rules. This increases aggressive behaviour towards other inmates or prison staff and leads to the adaptation, tension and rupture of family and social relationships. For instance, they may refuse to wear shorts

during athletic activities, suffer weight loss, limit their activities to certain small groups, isolate themselves socially or decorate their cells with quotes from the Quran (Jordán and Mañas 2007; Jordán et al. 2006; SGIP, Instrucción 2 de 2016).

The atmosphere one may find in a jail with Muslim terrorists can be shown with the following two examples:

- (a) In the cell of an Islamic terrorist inmate, classified as very dangerous and capable of manipulating the will of others for his own benefit, the following kinds of graffiti were found:

Fuck the Arab criminal dictators.

We will always be given victory over fascists and criminals.

Etihad khilafa for freedom, unity and justice.

The khilafa union for freedom.

A Muslim saying to the stupid is division creates humiliation and humiliation creates shame.

Avenge, humiliation, trauma, pain, torture.

The persecution of Muslims must end through struggle.

- (b) In one of the prison courtyards, the following graffiti was found written in Arabic: “There is no God other than Allah, and Muhammad is his Prophet” (slogan of the self-named Islamic State’s black flag).

Is it possible to avoid indoctrination? Can we deal with radicalised people to deradicalise them or should we instead speak of demobilisation? Neither the SGIP Instruction 8 of 2014 on the observation of islamism in prisons, which establishes a programme for the prevention of radicalisation in prisons, nor the Order of Service 4 of 2014 for the detection and prevention of radicalisation processes of Muslim inmates are deradicalisation programmes (SGIP 2014). In 2016, a framework for intervention in violent radicalisation of Islamist inmates was created. This was the result of experience with the rising population of jihadist inmates in Spanish prisons and applying, analysing and evaluating instructions, standards and the corresponding programme. This treatment programme relies on the identification of psychosocial risk variables that may explain the progressive process of violent radicalisation. It targets:

- A. Inmates convicted of belonging to or collaborating with active terrorists, with a high presence of radicalised ideology and values rooted in extremism. In this group there is intense intervention at the individual level with sufficient temporal continuity.
- B. Inmates with an attitude of captivating and proselytising leadership that facilitates the development of extremist and radical attitudes among the prison population.
- C. Inmates already radicalised or in the process of extremist radicalisation, including all those with a certain level of risk and vulnerability to the recruitment process. Although these inmates usually play a more passive role, they can be involved in group incidents linked to radical interpretations of Islam.

For the two latter groups, the proposal is for a joint treatment, given that the differences between the groups may be subtle when it comes to some psychosocial variables. Nevertheless, Group B has a tendency toward recruitment, proselitism and seduction, whereas Group C is characterised by its vulnerability and risk variables.

The general objective of the programme consists of intervention and treatment of violent radicalism, with an aim toward prevention, disengagement and deradicalization of those inmates with a deeply rooted extremist ideology. The specific objectives include: (a) identifying the risk variables of radicalisation; (b) identifying and encouraging psychosocial protection factors; (c) preventing violent radicalisation in especially susceptible and vulnerable inmates; (d) encouraging and working on acceptance of criminal responsibility as an element of personal change; (e) curbing and stopping internal recruitment processes; (f) disabling religious fanaticism; (g) promoting personal and psychological autonomy of inmates; (h) preventing acts of violence following release from prison; (i) maintaining security within prisons; and (j) promoting respect of social order and coexistence values of the rule of law.

For a programme of this type to be effective, a long-term intervention of at least five, and sometimes ten or more, years is required. Short-term interventions have not proven effective. Understanding rehabilitation as the process in which individuals or groups cease to engage in organised violence and/or terrorism, it may be more practical to demobilise or unlink (or both) than deradicalize. Taking into account that not all terrorists are radical, ideologically speaking, it may be useful to encourage disillusionment toward their violent lifestyle and give meaning to a new life based on certainty, which leads towards a feasible and prosperous new future.

Applying deradicalization programmes on implicit and explicit levels would ensure avoiding ideological confrontations and focusing on the needs and emotions of the prisoners, as well as working on the ideologies that justify terrorism and deligitimising the use of violence (Kruglanski et al. 2014).

Previous experience with prisoners of the terrorist group ETA show us how difficult it is to deal with Islamic terrorist prisoners. They are very conflictive prisoners who will bury you under countless complaints of alleged abusive treatment just for the sake of watching you suffer, and for being part of the State's plot to wipe them out. That is what they think anyway. The simple fact we work where we do makes us targets of the terrorist group. The pressure the group exerts to intimidate officers and prison officials in order to get their own way sometimes enables them to obtain certain benefits not afforded to other prisoners. I think resentment, fear and passionate states of hatred against everything inconsistent with their thoughts and way of living is well-known and reflected in psychology literature. Just as ETA prisoners believe they are an oppressed people, jihadists use religion, harassment and oppression as a basis for committing their misdeeds.

Although various authors refer to multi-causality to explain the phenomenon of terrorism, it appears the predominance of animal nature over spiritual nature is at the origin of these wars. Could their behaviour and human cruelty be a mere instrument, nothing more, for achieving their ends? They do not seem to be governed by ethical principles. Morals, in the sense of inner obligation, have been transformed into some sort of negative moral mandate. They are dominated by destructive instinct and irrational irascibility, an inhibition of the individual's responsibility for his own actions. Most terrorists do not seem to have a mental pathology (De la Corte 2006; Reinares 2001; Sageman 2004). None of the condemned terrorists with whom I am familiar have been diagnosed with a psychological or psychiatric disorder. The majority belong to structured families and have a certain cultural level, university studies and basic

religious knowledge. According to Jordán and Mañas (2007), basic knowledge in religion favours a more submissive response to moral recommendations compared to Muslims with better religious training.

Research in this field is complex and we should avoid drawing conclusions based on scarce and not so reliable information. Our ability to adequately understand prison radicalisation, along with its causes and effects, will depend on how well we can respond to specific questions about the deep experiences of each inmate (what he did, with whom he interacted, group and social dynamics, beliefs or lack thereof regarding spiritual and existential concerns, how these developed and evolved, interaction with prison subculture, etc.) and his experience subsequent to being released. There is often a long time lag between admission to prison, the prisoner's release and committing a terrorist attack or other crime.

In prisons, criminal and jihadist subcultures combine round the clock. Jihadists use any means and time available, any group activity, persuasive communication and the most sensitive of story lines to deepen radicalisation, convert others to their cause or reinforce the extreme ideology of its members. As stated in Article 1 of the General Penitentiary Organic Law, "reeducation and social reinsertion of the sentenced by deprivation of liberty..." Reeducation and social reinsertion of a jihadist sort, a terrorist sort. They take advantage of certain practices and lax standards of our prison system. As in the case of ETA prisoners, I do not know any who repent. There may be little evidence of ties between these subcultures, but there is a relationship. Muslim prisoners have been found reading newspapers or publications such as the pro-ETA newspaper GARA. The historical importance of criminal terrorist movements in general must be taken into account. It is as frustrating as trying to get two parallel lines to cross, no matter how close they are. They know about human rights, but not about humans.

## 2 Cases Description

We will move on to describe three cases of people with violent crimes and disruptive conduct whose progressively worsening behaviour gave rise to impulsive, angry, provocative and hostile attitudes inside the prison, with clear maladjustment to the surroundings and an incapability of coexisting suitably for the rules governing prison life.

\* \* \* \* \*

The first case is one of a person linked to terrorist organisations in the field of violent radical Islamism. He was convicted on charges of assault and battery and belonging to an armed gang. He has a history of forgery and fraud and was the leader of an Islamist cell that planned several attacks using truck bombs.

This prisoner is very problematic and maladjusted. His strategy is to employ all the means at his disposal, whether legal or illegal, to delay and paralyse normal coexistence within his cell block. He also systematically appeals all court decisions for the purpose of blocking any decision regarding his procedural, penal and penitentiary itinerary. For

instance, he raises allegations of torture, breaches prison rules, avoids court rulings, delays convictions, goes on hunger strikes, etc. Consequently, he considers prison officers to be representatives of his enemies, and the time spent in prison is part of the holy war against governments. He states that:

For anything that happens to me or my fellow inmates or any harm done to us, I hold responsible the director of this prison, the directors of the General Secretariat of Penitentiary Institutions (SGIIP) and the Spanish Home Ministry for their criminal policy.

He tries to use other prisoners, taking advantage of his ability to influence them, as couriers and thus circumvent the monitoring of his communication. He is involved in protests denouncing prison workers. Socially skilled with a high cultural level and an extremely radical ideology, he is skilled in leadership, pressure, recruitment and persuasion in order to attract other groups of prisoners to his cause. He is extremely dangerous and has an affinity with anarchist-like movements that seek to destabilise the penitentiary institution (prison = torture). Along with other inmates of the same ideology, he incites other prisoners to increase pressure and carry out incidents to denounce prison policy. He shows a clear tendency toward protest and blames the institution for his injustices. He refuses to participate in any kind of activity related to the closed treatment programme, and his cold, calculated and distant behaviour toward prison staff demonstrates a clear intention to undermine prison order and security. When it suits him, he skillfully uses feelings of insecurity or fear. When the concerns of other inmates intersect with their unspecific (cognitive + emotional) fears, he forms groups of equals to generate disorder, instability and insecurity before attempting to recruit them.

How does one apply an unwanted treatment programme to someone whose maxim is disobedience? In order to respect and comply with fundamental rights unaltered by the prison sentence, as well as guarantee minimal effectiveness, the treatment should not be imposed. Rather, treatment should be voluntary, not coercive, whereby the inmate freely subjects himself to it (LOGP 1979; Reglamento Penitenciario 1996). Should we deal with the problem of indecision, if applicable, as a personalised therapy prior to other violent radicalisation intervention programmes? Perhaps it is possible to intervene when prisoners are in the initial stages of the radicalisation process and there is a chance of success, but once they decide to go to Paradise and find Allah, intervention becomes very difficult.

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The second case is that of an individual serving a homicide and murder sentence. The subject has an exacerbated ego and difficulty connecting satisfactorily with others. He seeks to accommodate his own needs and motivations, losing sight of other people and the world around him.

How does one resolve an altercation caused by a prisoner diagnosed with psychopathic and antisocial behaviour when he refuses to return to his cell? How can we preserve his life and the life of the other inmate without producing greater evils or causing the violence to escalate? How do we face the fear arising from this kind of situation? Let us describe the situation. Two prisoners are in a courtyard. One of them,



the leader, was convicted of two murders, one of which he committed in prison when he killed a fellow inmate by stomping on his chest for not buying him a coffee, a coffee that costs 40 Euro cents in the correctional institution. The other prisoner, a recidivist with several violent crimes on his criminal record, takes orders from the first prisoner. The conflict originates while purchasing goods at the cell block commissary. The leader, disrespectful of whose turn it is nor the other prisoners' needs, always wants to be first.

Once the conflict begins, you are called into resolve the situation. When you find out who is involved, your survival instinct cries out to you to get as far away as possible. But without further delay, you have to deal with the problem by taking responsibility for organising the necessary means to find a satisfactory way out of the situation. Your available resources available are limited and regulated by law.

Once at the site of the conflict, you find yourself in an unfavourable scenario. The fear on the faces of the workmates behind you clearly reflects their desire to be somewhere else. You search for ways to intervene. Your mind races. Nothing is certain. And one word comes to mind—safety. Safety for everyone, including the prisoners. When you are face to face with the problem, you realise the armoured glass is broken. The prisoner has punched a hole in it, so you keep a safe distance, the same safety you were thinking about moments ago.

While the inmate leader, completely out of his wits, displays a threatening, aggressive and combative attitude, the other prisoner is defiant and provoking, which, far from helping, even strengthens the position of the leader. You start putting the steps to follow in order: dialogue, emotional control, do not play their game, know their version of the story and let them know their opinion is important. Knowing their version of the story is necessary. You start getting ideas: carry out the intervention measures, assess and act accordingly, know and observe their behaviour. All this with the uncertainty of whether or not you will be able to resolve the incident.

You ask the leader to tell you his version. With a thuggish and condescending attitude, he says, "I don't talk to jailers. No one tells me what I have to do". He challenges us to remove him from the courtyard while he walks to the back and makes derogatory gestures toward the onlookers. Taking advantage of the inattention, the other prisoner, with a clear look of fear on his face, tells us that he would return to his cell, but he is afraid of not doing what the leader tells him. Without another word, he withdraws to accompany and sympathise with the leader.

We continue trying to reach an agreement, but when ordered to return to their respective cells, the leader repeatedly refuses with scornful gestures. That is when you realise what a delicate situation this is. Any mistake could be fatal. It is important to gain time and give time. You recall the hostility curve and keep repeating the same message over and over again. "Your opinions, demands and feelings are important, and they matter to me". Never assume that it will all end with an order. Your workmates wait behind you, and nervousness increases as time passes by. There is a growing belief that this situation could end very badly, and drastic measures, wanted by no one, may be necessary.

After nearly three hours of long talks and raised voices (perhaps conversation, perhaps negotiation, perhaps useless, perhaps a blind alley), when one wonders if we

have made any progress toward resolving the dispute, just at that moment you think all may have been in vain, the prisoner decides to return to his cell for no apparent reason.

I do not know if my strategy (gathering information, documenting behaviour, effective communication, ability to synthesise the complexity of the problem and apply effective strategies to reduce or resolve problems, dignity, and humane treatment) had an effect or if the prisoner simply decided to end the conversation and terminate the aggressive and violent episode. Perhaps what succeeded was placing the leader at the centre of both the world and the conflict. The rest of the inmates had to show him their gratitude. His whims and desires were satisfied because he thinks they are blessed to have him in their lives. Or perhaps what succeeded was, to some extent, controlling and deactivating the relevant precipitating factors that gave rise to the conflict. I wonder if what he wanted was to demonstrate his power of influence over other prisoners, to see the nervousness and anxiety on the faces of the prison officers, or to say "here I am" as a self-affirmation of his power, selfishness, and, if he so desired, destructive power. I think he wanted to see, through us, the looks on the faces of people he is about to assault or kill. The accumulated stress was considerable, and the sighs of relief were evident.

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In the third case, we present a subject that did not want to leave his cell. He was convicted on charges of aggravated assault on police officers, bodily injury, physical assault, degrading treatment and assault and battery. This highly dangerous individual's assaults included breaking one prison officer's septum and kicking and breaking another officer's tooth.

How does one remove a prisoner from a cell he never wants to leave? How is he taken to court or to the infirmary for medical treatment? How can he be understood when he refuses to talk, communicates with mere gestures and systematically shakes his head at everything.

Aware of having failed on previous occasions, I once again attempted a verbal intervention based on informing, questioning, confirming, clarifying statements, summarising and suggesting alternative behaviours while explaining how it would benefit his health and legal situation. This inmate had already severely assaulted a worker, and, just as I feared, the verbal intervention failed again. He clearly wanted to make the situation more tense and exhaust all peaceful and non-violent means.

What alternative was used? I planned an intervention that avoided or minimised any attempt at assault and injury to participants, thus preserving their physical integrity. Here I describe the procedure that I followed.

I should first clarify that the centre's doctor and psychiatrist visited the prisoner on several occasions due to his behaviour and decided to administer injectable intramuscular medication after an unconfirmed suspicion of a psychopathological disorder of the psychotic variety. They were unable to carry out neither an evaluation nor assessment given his lack of collaboration.

My strategy was based on safety and prevention. I asked the nurse to show me the best way to apply the required treatment with minimal risk to both the prisoner and ourselves and told the officers who were going to intervene to take precautionary

measures by using personal protective equipment, such as shields, helmets and vests. I assigned a total of six prison officers to carry out the intervention, leaving four others outside the cell as a preventative measure. When asked once more if he voluntarily consented to getting treatment, the prisoner irately refused with closed fists and clenched teeth. From outside the cell, we could see the prisoner had wet the floor with soap and water to hinder our intervention as much as possible. The officers entered the cell and ordered the inmate to follow their instructions, but he ignored them. When he turned on them and resisted, the officers proceeded to hold him down using as little force as possible. After an inevitable struggle, they managed to put him in the most suitable position for receiving medical treatment. Once the treatment was applied, we continued taking the proper security measures while leaving the cell. With the cell door finally shut, we let out sighs of relief. No one had been injured.

Whenever I interact with this inmate, I wonder if his personality is actually influenced by a mental disorder or if he is simply manipulating the situation through verbal aggression and unpleasant and annoying silences in order to make us feel uncomfortable and undermine our ability to control the situation and do our work. If he wishes to communicate a request for something or requires something to be clarified, he does so without any personal difficulties using a standard form provided by the correctional institution. He writes and understands correctly, and when spoken to, he acts accordingly. I wonder if he has opted for a kind of communication that sidesteps reasoning, instead preferring aggression as an alternative to a relatively obligatory choice between prison staff and fellow inmates. Oddly enough, while most prisoners try to be part of a peer group that supports or defends them, this individual is aggressive towards everyone, including fellow inmates. As of today, I have not yet been able to have a conversation with the prisoner, and he has not rejected his behaviour. How would you feel if you went to work in the morning and had to deal with a person carrying a home-made knife, which he has used to slash his own wrists and threaten others, or knew about his refusal to take his medication or that he could be waiting to attack you? It would be horrible! Well, that is what I did just a week ago.

These cases, like many others, force prison officers to be in a permanent state of alert. They must neutralise the attempts of prisoners who use techniques such as exhaustion, emotional wear and tear, apathy, manipulation and conditioning to make them careless and thus facilitate the prisoners' violent aims. It is a psychological war waged against us. In prisons, inmates study our behaviour, habits, daily routines and body language 24 h a day, seven days a week. They are permanently evaluating and examining us. Countering such emotional involvement and strong interpersonal demands requires us to quickly react and adapt to these sources of stress. If not properly confronted and assimilated, these can lead to psychological issues and mental illness among prison staff. Given the effort required, suitably neutralising the desire to control emotional expression may, in and of itself, constitute a source of psychological exhaustion and the development of burnout syndrome (Gil Montes and Peiró 1997; Magalhães Bezerra et al. 2016). It is crucial to properly manage our emotions and respond calmly, as well as make a commitment to self-management and putting that self-management to the test throughout our careers.

I am aware of the abnormal nature and environment of prisons. They are "total institutions" (Goffman 1970) that, as physical places with a specific history mostly

surrounded by high walls and designed for the purpose of punishment, encompass the lives of prisoners in a qualitatively greater way than other social institutions. It is a structured and hierarchical organisation with completely regulated methods and its own subculture permeable to many of the social perceptions that arise in a hostile, aggressive, binding and restrictive environment. This inherently makes it a risk factor when it comes to the safety of correctional workers. The rules and regulations that govern daily activity do not always meet the needs of staff nor prisoners who must maintain daily coexistence, as well as a peaceful and orderly routine. Prisoners, being unpredictable at both the individual and group level, continuously demand a high level of assistance, services and interventions. Some of these demands turn out to be manipulations that lead to alarm and danger. Therefore, there are a number of “emergency” situations, such as threats, conflicts, disturbances and other tensions that give rise to anger, frustration and stress (understood as something characterised by negative emotions like fear, anxiety and hostility). All this can lead to an increase in aggressive behaviour.

Violence towards prison staff is an inherent risk, and this violence, in all its intensity and prevalence, is specific to the nature of the hard and dangerous prison working environment. At times, prison administrators do not realise some of the medium to long-term consequences and try to downplay and disguise them to the point of making them mere matters of chance, destiny or fate.

On the other hand, officers eventually develop bonds with prisoners through daily interactions. They are not colleagues, friends nor acquaintances, but they do get to know prisoners to a certain extent, occasionally taking on roles that go beyond their jobs, such as parents, friends, advisors, arbitrators, confidants, etc. As these relationships, which facilitate more effective communication skills, grow stronger and more fluid, officers better understand behavioural changes and patterns. Despite a lack of recognition by both citizens and government, prison officers believe in the work they do, although they sometimes feel just as trapped and locked up as the prisoners they watch over. They live between two worlds, straddling life inside and outside prison. How can one be an officer and a citizen? How can these two lives be balanced? I would ask civilians what comes to mind when they think of a prison officer.

### **3 Programmes**

In recent years, aggressive behaviour in Spanish prisons has increased while prison population has declined. Serious or very serious assaults suffered between 2006 and 2013 numbered 1564 and increased to 2208 from 2011 to 2016. Minor infractions, such as coercion and verbal aggression, in the form of threats and criticism (including idiosyncratic, strategic and superficial forms), increased from 2160 in 2009 to 3035 in 2016. Criticism is especially difficult to fight against because its impact is intangible and qualitative. The intensity of the distress determines how harmful it is. Studies indicate that prisoners use these kinds of patterns to be accepted within prison society and that the ones who participate in physical assaults also show a higher level of verbal

aggression (Bekiari and Hasanagas 2016; Cabanac et al. 2008; McCorkle 1992; Millana et al. 2006; Ramírez et al. 2009; Informe CCOO 2017).

Recently, the General Secretariat of Penitentiary Institutions (SGIP) approved a specific action protocol against aggression toward prison officers and staff (SGIP Instrucción 6 2017a; SGIP, PEAFAs 2017b) that includes tightening disciplinary sanctions applied to inmates when worker health or integrity are significantly deteriorated. According to the aforementioned protocol, aggression refers to “any violent conduct by an inmate resulting in bodily injury or harm to the prison worker’s health during or as a result of the legitimate course of their job functions. Said harm to the worker’s health must be objective and verifiable”.

However, insults, verbal coercion, harassment and physical assaults that do not cause harm or injury go unpunished under the aforementioned protocol. I believe inmates perceive that the consequences of hitting an official are few to none. In fact, they feel it is worth it. A prisoner once confessed to me: “You know what? There aren’t many times when a prisoner gets to assault an officer, but when an officer steps into resolve a dispute between prisoners is one of those times. Risking disciplinary action, which we always consider unfair (we always say we didn’t do anything), gives us such pleasure and satisfaction”. In my opinion, the satisfaction is intrinsic to the act of violence itself, which allows them to release their feelings of frustration, rage, revenge and helplessness. It breaks the monotony and adds some excitement to their lives. Conversely, other inmates advocate respect: “We respect you and you respect us; we are all people and you should treat us objectively, for better or for worse”.

Thanks to this protocol, assaults in prisons will be considered occupational accidents rather than group incidents. That is to say, clear records can be made and preventive measures can be applied, neither of which are currently done.

We could classify assaults in prison according to the following variables:

- (a) Assaults by prisoners with psychiatric pathologies. Many of the aggressions suffered by prison staff belong to this group. Prisoners are subjected to intense medical treatment, and many of them have to be admitted to a psychiatric institution.
- (b) Assaults due to group problems as a result of poor classification.
- (c) Assaults originating from conflicts and tensions among inmates with intervention by prison staff. Currently, due to the administration’s structural cutbacks on personnel and an overall lack of personnel, many of the interventions meant to prevent these conflicts occur with no minimum guarantee of safety (Informe Comisiones Obreras 2016).

As a result of the increase in assaults, the Spanish Home Ministry, through its SGIIPP, has launched an intervention programme against violent conduct (Picovi) (Agudo et al. 2017). This aims to help prisoners convicted of serious or violent crimes or prisoners who exhibit or have exhibited serious and repetitive aggressive behaviour “to acknowledge their conduct, motivating them to change through development of cognitive, emotional and behavioural skills”. This psychoeducational therapeutic programme is designed to be applied to groups, although it can be adapted to individuals as well.

Its objectives include helping the inmate acknowledge his behaviour and motivating him to change by creating an enabling environment that facilitates a therapeutic bond and group cohesion; developing cognitive, emotional and behavioural skills that allow participants to identify and control distorted thoughts that cause discomfort and/or facilitate violent behaviour; training them in emotional self-regulation and alternatives to violent behaviours; and promoting a value framework and lifestyle adapted to the common rules of coexistence and pro-social behaviour patterns.

Prison officers doubt the protocol's effectiveness due to the lack of workers available to apply it. The protocol excludes sex offenders and prisoners convicted of domestic violence. Both these groups have had specific programmes in place for years (Agudo et al. 2017. SGIP).

The intervention programme for closed regime inmates (SGIP, Instrucción 17 de 2011; Gallego et al. 2010) considers department or special cell block arrangements to be temporary. It seeks to work with the prisoner so that he can assume behavioural patterns which aid and encourage him to lead a more orderly and dignified way of life, as well as adapt to an ordinary regime of prison life.

Some of the specific objectives are:

- (a) instilling personal hygiene, cleaning habits and tidiness;
- (b) promoting positive participation in activities while reducing periods of inactivity;
- (c) learning to control negative emotional states (anxiety, anger, hostility, fury, aggressiveness...) that can trigger violent actions and behaviours;
- (d) generating alternatives to aggressive and other dysfunctional behaviour in favour of appropriate interaction with their environment, through training, identification and control of potentially problematic situations;
- (e) reducing impulsive behaviour;
- (f) providing education in prosocial values and attitudes by facilitating interaction with other people.

With respect to therapeutic intervention, the following fundamental strategies for working with inmates are indicated:

- (a) training in identification and regulation of emotions;
- (b) techniques for relaxation, self-esteem and social skills;
- (c) cognitive restructuring;
- (d) self-control techniques;
- (e) training in problem solving;
- (f) learning prosocial, non-violent values (empathy, tolerance, respect, accepting responsibility, helping others, etc.);
- (g) treatment for drug addiction (if possible, referral to the centre's specific programme).

Since this programme is carried out in departments or cell blocks with special security measures, surveillance officers take on a special importance and become active treatment team members by facilitating and collaborating in activities and ensuring safety

and coexistence. Due to their direct and permanent contact with inmates, they are the most suitable professionals for assessment tasks by means of direct and continuous observation of the inmates' behaviour and patterns.

## 4 Conclusions

In prisons one may find a variety of people from different cultural backgrounds, races, religions, socioeconomic classes and sexual orientations. It is a forced coexistence among people whose mechanisms for social interaction are not averse to using extortion, intimidation or pressure to achieve their objectives. Such mechanisms generally create and/or enhance further reactions of aggressiveness and vengeance. Given the constant presence of violence and mistrust, relations are strained.

Prison officers who adequately manage relations with prisoners are able to see the benefits of interacting with so many different people, even those they do not like or those who despise them due to their life of crime and criminal record. Stressful situations (for example, real or perceived violence, verbal aggression, being understaffed, overcrowding, etc.) are the norm in prisons, but proper management of what we know as emotional intelligence (self-awareness, self-management, social awareness and relationship management) is essential to succeeding in these situations, while it also helps confront negative and/or repressed emotions without paying an excessive price. Dialogue in a neutral environment allows officers to resolve disputes between prisoners and hold them responsible for their own decisions. If they realise these kinds of relations benefit them, they will be willing to learn how to continue. The inclusion of penitentiary mediation would be a viable option for the resolution of interpersonal conflicts and yet another resource to add to the set of institutional mechanisms for conflict resolution and prevention (Ríos 2007).

Prison officers, now more than ever, must balance their role of maintaining prison security with their responsibility for managing relations with inmates in order to constructively change their behaviour and be facilitators of behavioural change. Knowing prisoners' names and concerns, becoming familiar with them and knowing who they are helps collect valuable first-hand information needed to recognise, identify and prevent potential issues before they arise.

Prisons that offer a rich variety of occupational and intervention programmes and appropriate professional training give hope to inmates and widen their possibilities, thus reducing the chances they decide to radicalise or organise violent gangs, changing the way they think and behave, and negating the proverb that says "an idle mind is the devil's workshop". There are plenty of measures that would help neutralise radicalisation, fight against violent groups and contribute to the detection, analysis and monitoring of potential threats, such as: appropriate and effective religious services, adequately separating inmates who belong to terrorist groups, increasing security measures, greater control of communications (adapting visits, religious entities and

NGOs), greater availability of translators and suitable training for prison officers. However, there is not enough scientific evidence to indicate that these demobilisation approaches and programmes lead to deradicalization.

The growing number of deradicalization programmes should include clarification of the following two concepts: (1) evaluation of programme effectiveness and efficiency for achieving greater clarity of social aspects and (2) the behavioural processes involved. Part of the current narrative surrounding radicalisation, violence and prisons is negative, but prisons are not just a threat, danger or curse. Rather, they can play a positive role in solving the issues of violence, radicalisation and terrorism in society.

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# Epilogue

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The study of conflict has attracted thinkers and researchers from Antiquity. The works of Thucydides, Sun Tzu, Kautilya, Ibn Khaldun are good examples. Therefore, not surprisingly, this has been a prominent and fertile field of study in both natural as well as social sciences.

This having been said, in the current international context, characterized by growing flows of people (migrations, refugees flows and so on) as well as the gradual transformation of societies into multicultural ones, the cultural dimension becomes a crucial issue, to the point most of conflicts may involve this kind of aspects at some point and to some extent. In this sense, we have to recall how, as a consequence of the flows of people we have just mentioned, host societies may feel certain anxiety and perceive their identity and features as threatened in some cases, whether that perception is accurate or not. Likewise, immigrants, refugees and, more generally, incoming groups of people may feel unwelcomed in their new societies and, in turn, develop hostile sentiments towards them.

Thus, this work has tried to contribute to the knowledge regarding the role played by cultural aspects nowadays, paying special attention to the relevance of cultural elements in current conflicts. In this sense, the book has shown the importance of this kind of aspects not only as factors which may lead to conflict, but also, more importantly, as part of conflict solving strategies. In this sense, it is evident the relevance of better cross-cultural understanding if conflict prevention and solving and, in turn, security, are to be strengthened.