

The psychological development of the terrorist mind set: pertinence in the sentencing phase of capital trial

Abstract

This paper reviews past and current scholarly literature about the psychological development of the terrorist mind set with a special focus on how adverse life experiences early in one's lifetime negatively impacts the normal psychological development. Information that pertains to childhood trauma, social psychological factors, psycho-social causes, and psycho-cultural foundations that play a role in the development of terrorist beliefs and behaviors are explored. This paper also reviews several theories that attempt to explain terrorism; a few from a social and cultural perspective, as a constellation of terrorism research scholars suggest that the development of terrorist behavior is in every way contextual. The lives of two known terrorists, Dzhokhar Tsarnaev and Ted Kaczynski, are analyzed to illustrate how the psychological, social, and cultural factors that make up their backgrounds were applied in the sentencing (mitigation) phases of their trials resulting in the death penalty being replaced with a life sentence for both.

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Introduction

Terrorism has unfortunately become a household word in countries all across the globe. With an increased frequency of incidents, comes an increased preoccupation with the idea of terrorism. The U.S. Department of Defense, the Federal Bureau of Investigations, and the United Nations define "terrorism" a bit differently; however they all agree that intimidation, fear, and violence are key elements. A worldwide definition of the terrorism would be advantageous but because of the extreme diversity of this issue, its meaning remains ambiguous. What is known is that terrorism does not refer to a cause as much as it does a method. A method of violence against the innocent toward an ideological, political, or religious goal by way of psychological warfare using violence to communicate; thus gaining the most publicity by targeting those who symbolize what they oppose measuring their effectiveness by the manner in which the government and the public respond. The need to look at terrorism through a psychological lens is not meant to negate alternate avenues of understanding terrorism. But since psychology is the study of human behavior, the psychological approach has its obvious advantages. Not unlike other analytical approaches, it also has its limitations, which will be addressed later in this paper. Also to be explored are some previous and current incidents of terrorism as they pertain to the social psychological factors, psycho-social causes, and psycho-cultural foundations that play a role in the development of terrorist beliefs and behaviors. Some specific acts of terror against the United States that illustrate the need to gain understanding of the terrorist mind set include Ted Kaczynski, also known as the Unibomber,¹ and Dzhokhar Tsarnaev, the individual responsible for the recent Boston Marathon explosions. Both will be analyzed in terms of their individual aggravating factors versus mitigating factors and their relevance to the psycho-legal question at hand.²

Background on perspectives

The days when terrorism was looked at as a military tactic and perceived as low intensity conflict have long since passed. Today, even the slightest hint of terrorism is a matter of National security and very well should be. The contrast between those two

statements is comparable to the contrast between perspectives regarding the development of the terrorist mind set. However, the various perspectives agree that adverse childhood experiences or trauma, exposure to political violence, motive, and vulnerability are psychological factors that make a person more susceptible to become involved in terrorism. A decade long study of terrorism brought about a realization that children exposed to terrorism experience extreme disruption in their ability to make moral judgments and become preoccupied with death and subjugation about which they feel helpless and isolated. When people are treated unjustly, it is no surprise that they have a strong desire to seek revenge and when supported by their fellow citizens, resorting to tactics of terrorism becomes difficult to resist and soon becomes natural behavior.³

The social psychological perspective holds that the transition from non-terrorist to terrorist is not at all sudden and almost never based on one's decision to be or not to be a terrorist.⁴ Erik Shaw's developmental pathway is a social psychological perspective that recognizes, by way of psychological distress,⁵ such a transition results from socialization towards and exposure to extreme political violence over time. Shaw⁶ uses the developmental pathway model to explain terrorist behavior based on the following risk factors. Specifically, most terrorists hail from at-risk populations and have sustained damage to their self-esteem early in life. A constellation of other existing literature describes identity, injustice, and belonging to greatly influence one's propensity to engage in such behavior as terrorism. A portion of this literature further suggests that the dynamic effect of identity, injustice, and belonging methodizes the mainspring of terrorism, regardless of ideology. In other words, and in concordance with McCormick's reference to the developmental approach, major motivation for becoming involved in terroristic groups by those with identity issues is the overwhelming need to belong. The need for humans to belong is innate so when one cannot satisfy the sense of belonging in society, they become psychologically vulnerable to most any collective group.² Borum also notes that when one finds a place in extremist groups and other radical movements, the individual does not only satisfy their sense of belonging, but also their sense of meaning, affiliation and connectedness. Based on Lewis and Taylor's model of self, damage

to collective identity not defined by terrorism, by way of major oppression or social upheaval, for example, causes the youth within a society who once had prospects for their future, to become highly susceptible to involvement with extremist groups and terrorism in order to frame their identity. Jackson⁴, James⁷, Victoroff,⁸ and Rosu⁹ suggest that such involvement for these youth boosts their status; hence the collective self-esteem.

Terrorist psychopathology

The term “psychopathology” is used to describe the impact of certain psychological factors on human pathology. Pathology in this sense is defined as a deviation away from a normal, healthy condition of one’s mind.¹⁰ Multiple pieces of literature referenced in this paper posit that psychopathology is in no way relevant to the study of terrorism or the development of terrorist behavior because repeated studies have shown that psychopaths and terrorists may share some core deficits, but terrorists are not psychopaths.³ An abundance of past and current literature, including some on Ted Kaczynski, notes that although terrorists are believed to be closed-minded fanatics, the fact that they can function effectively in the role of a terrorist negates the presence of a psychosis. In short, research does not suggest that terrorists are psychopaths; but that when psychological factors are viewed in context of society and culture, research does suggest that psychological factors play a significant role in the development of the terrorist mind-set.

Cultural/psychosocial/diversity factors

According to the National Institute of Mental Health’s Group on Culture and Diagnosis (2010), culture refers to learned meanings of values and norms within the social groups of a dominant society which markedly influences our feelings and the way we understand things.¹¹ For the purpose of this paper it is crucial to realize how significantly culture influences a person’s self-concept. The psycho-cultural foundations and diversity factors as they relate to the psychology of terrorist behavior are crucial in understanding the extent to which terrorism is in and of itself a culture, in that it is something that seems to have been formed out of an existing culture.¹² In societies, cultural identity can be attributed to one’s choice of collectivism over individualism and social identity over personal identity.^{13,14} Perhaps collectivism is more attractive because of how it fits into the psychology of cause. Pyszcznski, Greenberg, & Solomon explain human’s innate desire to make sense out of living and dying through prioritizing the death of humans to the death of an animal on the side of road. The difference between the two is that, unlike animals, humans know death is inevitable. In knowing that each day brings death that much closer, humans look to group values for life’s meaning. In other words, the individuals who are part of a group with strong ideals representing a collective identity are more prone to resort to terror because they do not fear death. They believe that immortality is theirs by dying for the cause that made sense of their life and gave purpose to their death.¹⁵ Similarly, Eric Erikson’s reference to “pseudo-speciation” in that cultural differences force us to congregate in separate groups according to language, customs, and attire are relevant to the development of various biological species (speciation). This is important because in extreme cases, pseudo-speciation precedes dehumanization of groups, or out-groups to be precise. A plethora of literature points to dehumanization of the enemy as being an underlying precept of pseudo-speciation, in that it enables the soldiers to rationalize seemingly unacceptable and even barbaric behavior towards the enemy soldiers who are of a different race or culture than themselves.¹⁶ Post¹⁴ offers an alternative perspective which

he uses information obtained from personal interviews conducted with incarcerated terrorists to suggest that their hatred was instilled in them as young children. Based on his article, Post¹⁴ emphasizes the insignificance of trying to gain understanding of terrorist behavior through the concept of individual psychopathology alone. He is one of multitudes of terrorism research scholars that advocate a social psychological framework emphasizing “collective identity” as primary to understanding the manner in which the terrorist mind-set is developed. Yet when the forming and/or transforming processes of collective identities are considered, as they must be, the importance of the sociocultural context is deemed primary to understanding the formation of the terrorist mind-set as well. Victoroff⁸ explains that psychologists, social psychologists, psychiatrists, and meta-structural theorists are driven to observe individual behavior. So instead of disregarding the advantages of the observational method, they see at it as a means to an end and study individual behavior through a diverse lens to improve their understanding of one’s collective behavior.

Theoretical overview

This paper reviews empirical research on the psychology of terrorism, including some qualitative in nature. The qualitative method of research is beneficial because it gives route to exploration in an effort to gain an understanding of the particular meanings individuals and groups attribute to social problems. The literature on the psychological theories regarding development of the terrorist mind-set is bountiful to say the least, as everyone wants to know what causes them to be so violent and without remorse. The theories that support the previously noted perspectives will be reviewed. More importantly, the dynamics of the interaction between the theories will be addressed along with relevance to the legality that pertains to the aggravating/mitigating factors of the terrorist trials also to be analyzed later in this paper.

Theories

Terroristic behavior has always been a mystery for psychologists for which researchers attempt to gain understanding through theory. Narcissism theory was an early theory that honed in on narcissism as a defining trait that also was considered a driving factor. Narcissism is defined as a stage of development in psychoanalytic theory in which one considerably fixates on self and ego. According to Post¹⁷ and a stream of other research scholars on this topic, explaining terrorism from a psychodynamic perspective is based on the premise that terrorist behavior stems from a personality defect that resulted in a flawed sense of self.² A copious amount of social science literature looks at the identity theory in regard to the development of terrorist behavior. The identity theory accepts the theory of narcissism but further posits that in a sociocultural context, the term identity is related to a theoretical construct that involves the interaction between social identity, cultural identity, and personal identity.¹² Similarly, Rosu⁹ stresses the importance of understanding the mechanism of “division” as it relates to terrorists who experienced psychological trauma during childhood, thus interfering or stunting their psychological development leading to what is referred to as “the hurt self”.^{4,7,9,18} After years of unproductive studies, terrorist research scholars have come to realize that, although terrorists are often considered to be or are compared to psychotics, aside from a list of traits, one of the few comparisons is the damaged sense of self which markedly skews their self-perception.⁷ The social learning framework suggests that “the hurt self” hinders one from forming of a sense of personal identity so instead of maintaining the aimless struggle, it is not uncommon for one to grab hold and cling intensely to already existing sets of structured

beliefs such as terrorism, in an effort to achieve a sense of purpose.³ As one identifies with a terrorist or extremist group for example, they are able to satisfy their need to belong as previously noted. This notion is revisited because it also greatly influences socially motivating factors towards terrorism. Some of these factors are as follows: because of their acts of terror against their perceived enemy, their community views them as heroes; economic and material assistance is awarded to the attacker's family; and young recruits are put on a pedestal and given more respect than their non-terrorist peers.¹ For a young boy struggling with his identity, these factors are monumental in that they establish a level of social rank that they have never known.

Marcia's identity status paradigm conceives the formation of one's identity and is associated with the range of exploration in which one gives consideration to alternative identity possibilities and commitment, which is one's determined investment in specific elements of their identity.¹² According to this model, Marcia¹⁹ further posits that there are two conceivable outcomes that are relevant to the budding of terrorist identity. They are known as authoritarian foreclosure and aimless diffusion. Recent research describes that authoritarians are those who view themselves to be outside of the mainstream with single-minded vision and an urge to form aggressive groups with other authoritarian cohorts who readily adhere to the destructive principles of the group. Marcia¹⁹ had it right almost fifty years ago when he stated that such "foreclosed commitments are held in a rigid, dogmatic manner that becomes the foundation of dichotomized thinking",¹⁹ also known as "us versus them" thinking, which is believed to be largely culturally influenced. However, a number of prominent scholars within the past decade surmise that from that time until now, the way in which terrorism is carried out has become exponentially more heinous, while the manner in which the terrorist mind-set develops throughout childhood and into adulthood has shown little change.

Limitations

Despite the superfluous amount of literature on terrorism and the development of terrorist behavior is that research has yet to provide unambiguous answers to the most fundamental questions about terrorism. This is due to a multitude of limitations beginning with the lack of empirical research on the topic. One reason for this is our inability to conduct actual interviews with current members or leaders of violent radical groups which corresponds to Schwartz's¹³ mention of our inability to understand the actions of terrorists from their perspective as a monumental limitation. The fact that most terrorism is based on secondary data prohibits further research and thwarts efforts of filling the gaps in the research we do have. Another considerable limitation revolves around the issue of diversity. For example, one culture may perceive an act of terror as the violent and destructive act of terror that it is, but a different culture may very well perceive said act as one of honor in an effort to gain political freedom for others and for themselves. More so, the diversity in the context of international terrorism increases the potential for inconsistency in data collection methods. Past as well as current literature acknowledges that the nature of terrorism research remains to be a constantly evolving phenomenon that hinders researcher's ability to adequately apply known rigorous scientific approaches.

Aggravating factors

There is a very good reason why the Constitution guarantees a defendant's right to a trial by jury, not by judge, and that is so the people can be protected by the jury "from the tyranny of the state".²⁰ Turlington²⁰ explains that when the non-statutory aggravation and

non-statutory mitigation is presented to the jury in the penalty phase of a capital trial, it is then followed by the weighing step in which the jurors are instructed to determine the aggravating evidence is not outweighed by mitigating evidence in order to select the defendant for the death penalty. In *State v. Whitfield*, the Supreme Court of Missouri indicated that the weighing step is about fact finding so it "should be required to be proven beyond a reasonable doubt, and that the burden should rest upon the state".²¹ Reason being, seldom ever does anyone contest non-statutory aggravating circumstances; but the same cannot be said regarding non-statutory mitigating circumstances. In the cases to be reviewed in this paper, one may assume the aggravating factors should be common knowledge as they are those that caused the death and injury to many Americans. However, for the unfamiliar reader, the terrorist's aggravating factors will be discussed and examined following the unfolding of each defendant's mitigation.

Socio-psychological factors as mitigating factors

Incidences where an individual's social-psychological and cultural factors have found relevancy in the mitigation phase of terrorist trials are not slim. According to the American Bar Association's Guidelines²² in Death Penalty Cases, Guidelines 4.1 and 4.2 states that legal defense representation should be of high quality consisting of two or more attorneys, a forensic investigator, and a trained mitigation specialist who is qualified to identify psychological impairments and/or disorders. According to criminal law, there are three reasons for introducing mitigation evidence in cases such as these and they include protection by the constitution to avoid the death penalty being "imposed in an arbitrary and capricious manner";²³ the judge and jury are obligated to be made aware of details of the defendant's background privy to a death penalty in line with the idea of individualized sentencing; and the implicit need to thwart the prosecution's case in pursuance of a death sentence. Within this paper, the applicability of psychological, social, and cultural adverse childhood and adult life experiences are analyzed in relation to the mitigating phase of the capital trials of Dzhokhar Tsarnaev in 2015 and Theodore (Ted) Kaczynski in 1998. As Hertz & Weisberg explain, Lockett²⁴ Ohio held that in a court proceeding, the court cannot be precluded from considering, as a mitigating factor, any aspect of a defendant's character or record and any of the circumstances of the offense that the defendant proffers as a basis for a sentence less than death.

In short, a defendant in a capital trial has the implied right to have an itemized list of mitigating circumstances included in jury instructions as a means of ensuring the juror's ability to consider the mitigating weight of every individual aspect of the defendant's character, record, and offense proposed (Hertz, 1981). Jurek²⁵ State raises the issue that by answering the question regarding the likelihood that the defendant will be a danger to society, such factors as the level of severity of the defendant's previous criminal conduct, his or her age, whether there was the possibility that the capital offense was committed under duress or under another person's domination, or if the defendant was under some emotional or extreme mental pressure (522 S.W.2d at 939-40) (as cited in Hertz and Weisberg, 1981).

Tsarnaev: mitigation

In light of the information above, when the jury determines the severity level of Dzhokhar Tsarnaev's danger to society, they must first consider the mitigating factors set forth as they correspond to Tsarnaev's age and impaired capacity due to his being under the domineering influence of his brother's extremist views during his most formidable years when his parents fled to Russia during a significant

developmental transition point in his life. It is noted by news coverage on the case that he was at or above the age of eighteen thus raising question as to its relevancy in mitigation. However, when the defendant is between the ages of eighteen and twenty-one, it remains to be a valuable point,²⁰ especially in light of the dysfunctionality of his unstable home life where he was neglected by his parents as a child.²⁶ Also to be considered under *Jurek v. State* is his lack of a criminal record and his status as a refugee; the latter of which is indicative of his being under extreme emotional or mental pressure at the time of the crime. To clarify, his status as a refugee demanded that the defendant be exposed to extremely adverse life experiences early in his childhood. Although Tsarnaev's brother was killed in the chase, it should be considered whether the issue of other defendants involved in the commission of the offense and their equal culpability (18 U.S. Code § 3591) fits anywhere in this picture?

Tsarnaev: aggravation

To be thorough, the government listed seventeen separate factors in pursuit of the death sentence, twelve of which are aggravating factors²⁷ that can be summarized as follows according to (18 U.S. Code § 3591). He intentionally inflicted severe bodily injury that caused death; he intentionally contemplated and participated in the taking of a life or lives with lethal force; and he willingly engaged in violence or reckless disregard for human life causing death. If the jury is unable reach a unanimous decision regarding those factors, the death penalty will be removed from the table. Because Tsarnaev's trial is ongoing to date, the research information is somewhat limited in comparison to that of Kaczynski.²⁸

Kaczynski: mitigation

As Ted Kaczynski's defense team prepared for the mitigation phase of his capital trial, they too, looked to the defendant's background for potential traumatic life experiences that factored into the development of his terroristic mind-set. Chase²⁹ offers a very informative piece of literature that reviews information from letters he received from Kaczynski as well as various quotes from personal interviews with those who knew Kaczynski during grade school on through his years at Harvard. Chase²⁹ does not reveal how he came to correspond through the mail with Kaczynski, only that he was one of many others. Chase's perspective was not one of blame and finger pointing, only of fact-finding in which he thoroughly reviews a variety of disturbing factors that influenced the development of Kaczynski's terrorist mind-set.

May 26, 1978 marked the start of Kaczynski's lethal campaign of terrorism stemming from "anti-technological despair" (as cited in Chase²⁹) resulting from his hatred of technology and what he referred to as the evil science. In an effort to keep the cart behind the horse, it is necessary to follow the timeline of his life as presented by those referenced in Chase's piece. In Kaczynski's grade school years it became apparent that his IQ was significantly beyond that of his classmates which is why it was recommended that he skip grade six. When children skip a grade in an effort to keep their mind intellectually challenged, the potential social issues that accompany such a move are sometimes overlooked. Some children are able to adapt, but others not so much. Turlington²⁰ discusses other significant issues of Kaczynski's home life beginning in 1952 when his parents moved them to a suburban community in Chicago to surround him with a higher class of friends. It turned out their motive for doing this was in no way for Ted's benefit, but for their own. Ironically, it backfired in their faces as that community soon became mixed with racially hostile Italians, Poles, and Irish who saw arrival of the Kaczynski family as an encroachment upon the racially mixed community. So on May 17,

1954, when *Brown v. Board of Education of Topeka* (1954) ruled against segregated schooling, for that particular suburban community, this meant war. Already, the Kaczynski family was isolated due to the war of the races in their community, but the fragmented school system of that community forced Ted's age group to be bused to surrounding schools causing those schools to be filled with kids who did not know each other. According to Spencer Gilmore, (as cited in Chase²⁹) a former science teacher at the school, there was "no commonality in the student body". Chase²⁹ describes the principle at Ted's new school as academically motivated and willing to spend much of the school's budget on locating the best teachers available in an effort to make a positive impact on the student's education. Unfortunate to the more naïve students who had never even experienced downtown Chicago, the well-intentioned but ill-advised new faculty members presented these young boys and girls with inappropriate college textbook material while presenting them with unfamiliar ideas and worldviews in which they were not equipped to digest at that time in their lives. This is believed to have blown the minds of some, according to Turlington,²⁰ perhaps even Ted. However, because of Ted's craving for knowledge, this new information sparked his curiosity to the point that adaptation to the curriculum never posed a problem. Chase²⁹ further notes that while most kids Ted's age were smoking cigarettes in the bathroom, Ted was alone reading, thus further isolating himself. The context of the books presented by the well-intentioned teachers inadvertently planted seeds of terror in Ted's hungry mind.

Ted was the quiet type so it was easy for the older kids to perceive him in a negative manner labeling him an outcast at a developmentally crucial stage in his life. Later, a school administrator encouraged Ted to skip his junior year so he could graduate sooner and make his way to Harvard. Mr. and Mrs. Kaczynski's strong desire for a more distinguished social status caused them to use their son's intellect to their advantage, disregarding his social status, or lack thereof. Although a few people had the wherewithal to recommend against Ted skipping his junior year, his father pushed for it to happen, thus placing Ted a little deeper in his dark hole of isolation. Kaczynski never seemed troubled by his social ineptness, but in his own words, he later admits (as cited in Chase,²⁹) "By the time I left high school, I was definitely regarded as a freak by a large segment of the student body".

Harvard's influence

The background of Ted's childhood offered a variety of psychological factors that influenced his worldview but it is upon his arrival to Harvard at the age of sixteen when the development of his terrorist mind-set took on a different meaning. Harvard's freshman dean also had the best of intentions when he set young Kaczynski and a few other highly intellectual freshman boys up in an environment that he believed to be a nurturing one, away from the upper classmen who were known for their demeaning pranks directed at freshman boys (Chase.²⁹) By isolating them in a separate dorm, he too, inadvertently hindered Ted's much needed social adjustment. In hindsight, the dean may have robbed him of a very significant rite of passage. Soon Ted became a somewhat willing but unwitting participant in psychiatric tests conducted by Murray at the Murray Research Center on campus. There he was subjected to thoroughgoing interrogations said to be agonizing and personally abusive. Murray attacked and assaulted the boys' egos, beliefs, and most-cherished ideals as part of his research on what Chase²⁹ describes as "the interplay between two individuals". Murray (as cited in Chase²⁹) referred to this interplay as the "dyad" thus marking his effort to link psychology to sociology in his support of the concept of brainwashing. This sort of testing was

designed to determine the level at which applicants could withstand interrogations, which Murray is credited for devising. In addition, the director of the Offices of Strategic Services (OSS) is said to have personally contacted Murray asking him to create a system to assess a “recruit’s ability to stand up under pressure, to be a leader, to hold liquor, to lie skillfully, and to read a person’s character by the nature of his clothing” to aid in the “Selection of Personnel for Clandestine Operations -- Assessment of Men” as described by his colleagues in a 1948 report (as cited in Chase.²⁹).

Kaczynski: aggravation

Kaczynski’s aggravating factors are described as follows. Similar to those of Tsarnaev as mentioned previously, Kaczynski’s particular capital aggravating offenses as covered by 18 U.S.C 3591 include 18 US Code § 844(d) (use of explosives resulting in death); 18 U.S. Code § 1716 (mailing injurious article resulting in death); Title 21, Section 848(n)(1)(D) intentionally and purposefully participated in conduct which

- i. The defendant was aware would put a person in grave risk of death
- ii. Which resulted in the death of said person;

18 U.S.C. § 3593 (a) other particular factors tailored to defendant; and low potential for rehabilitation.

Recommendations for Future Research

The absence of useful research on terrorism is due to researcher’s inability to directly interview terrorists. Even if given the opportunity, the imprisoned terrorists would not likely reveal their modus operandi. Therefore other options need to be considered. It is recommended that such disciplines as political science, sociology, psychology, forensic psychology, theology, and philosophy form a conglomeration of sorts to develop a cross-disciplinary method in which to improve the quality of research by placing restrictions on inferences and biased interpretations through the creation of online repositories where source authenticity will not be an issue (Hegghammer, n.d.). More so, Crenshaw³⁰ encourages researchers to apply an operationally-informed model that is expected to answer some central questions associated with research on counter-terrorism. An operational model is beneficial in the study of terrorism because if done accurately, preconceived notions on “causes” of behavior are cast out and focus is redirected to the guiding behaviors or those that accompany the outcome.³⁰ The findings from this research are believed to yield more productive means of gathering information as well as improving the manner in which the information is used.

Conclusion

The term “terrorism” is likely to remain closely linked to extreme violence in our minds because most have experienced it personally or by way of the media in some form or fashion. One could point to the lack of appropriate psychometrics as an obstacle preventing further research, but blame is an ineffective tool in any area of practice. The literature reviewed in this paper covered socio-psychological approaches that identified identity issues, social influence, exposure to violence, and one’s culture as a primary considerations in the effort to understand what makes a terrorist; yet there remains to be questions that have not been answered. When referring to the psychology of terrorism, clarifications need to be made that are not indicative of mental illness being a causative factor. Psychology is about human behavior and it is most advantageous to continue to study the influential factors that govern that behavior. However, while

conceptual knowledge will never be rejected, it may be that practical knowledge on terrorist behavior can prove to be more significant in helping researchers provide answers to the questions that have yet to be answered. All in all, terrorism is undeniably a situational, cultural, and contextual enigma; regardless of which lens one chooses to look through.

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