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Pain & power: what the pains of counterterrorism tell us about the workings of counter-terror power

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ABSTRACT

Since 9/11, a vast array of legislation, policies, actors, and practices have emerged under the banner of counterterrorism (CT). This paper conceptualises CT as a distinct social phenomenon, focusing on criminal legal responses as a biopolitical *dispositif* that deploys “counter-terror power” (CTP). CTP operates differentially, due to its reductionist emphasis on jihadist terrorism. The study examines how CTP functions “from below,” through the embodied experiences of individuals subjected to CT measures. Based on ethnographic research, the paper explores the lived experiences of four men convicted of terrorism-related offences in Switzerland. Each participant underwent between four and eight ethnographic interviews conducted between 2018 and 2024. By analysing their pains – expressed through the conceptual dimensions of weight, width, and depth – the paper develops an empirically grounded critique of the workings of CTP. Ultimately, CTP emerges as liquid, anonymous, and sticky, exhibiting an inertia towards elimination, or *killing* in the Agambian sense while simultaneously fostering apathy.

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1. Introduction

Counterterrorism (CT) has emerged as a pervasive social phenomenon, intricately woven into the structures of contemporary societies. Over the past two decades, CT has extended far beyond targeted security measures, subtly reshaping national and international landscapes of governance, civil liberties, and social cohesion, entailing challenges for the rule of law and human rights, and leading to securitisation and stigmatisation of racialised communities. The need to understand the social phenomenon that is CT remains pressing.

One of the main difficulties in critical CT research is arguably the lack of connection between compelling arguments about problematic epistemologies of CT at the *macro* level, and empirically grounded research investigating the workings of CT at the everyday *micro* level (Jensen and Larsen 2021). This paper tries to bridge this gap by drawing on longitudinal ethnographic interviews with four individuals convicted for

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terrorism-related offences in Switzerland, a country that remains understudied in relation to CT, to study the “pains of CT”, i.e. the repercussions of biopower (Foucault, 1975) deployed through CT onto the bodies, affects and subjectivities of those directly targeted. What can the weight, width and depth of the pains of CT tell us about the workings of counter-terror power (CTP)? The findings emerging from inductive analysis of the experiences and narratives of these four convicted individuals, that is, of their everyday vernacular security, allows for a scholarly dialogue with biopolitical, corporeal and intersectional approaches and enables theoretical advances for our understanding of how CT operates and what effects it deploys on the intimate and the everyday.

2. Counterterrorism post-9/11

In the post-9/11 context, terrorism’s understanding as an *exceptional* threat facilitates garnering support for *exceptional* measures (Jarvis 2019). The “state of exception” (Schmitt, [1922]2021) has become normalised in the fight against terrorism (Neal, 2009). This exceptionalism manifests itself in the amount of legislation, policies and practices intended to curb the terrorist threat. At the level of foreign policy and warfare, the post-9/11 era has seen the institutionalisation of extrajudicial killings and extra-jurisdictional domains (“black holes”) by state actors (Kurtulus, 2011). In terms of criminal law, the fight against terrorism has led to the expansion of criminal offences, notably preparatory offences (Cornford 2020; Mitsilegas 2023; Shahav 2023) which represent a form of “preventive justice” (Garms, 2018). In the realm of asylum and migration law, new grounds for the refusal of protection and for exclusion have been introduced (Zedner 2019). Other administrative measures used to counter terrorism include expulsions, entry bans, and citizenship stripping (Boutin, 2016; van der Baaren et al., 2022). In the domain of “soft” prevention, states have developed and promoted programmes and initiatives to prevent “violent extremism” and “radicalisation” (PVE) at the domestic level (Aguerrri & Jimenez-Franco, 2021; Brouillette-Alarie et al., 2022; Shanaah & Heath-Kelly, 2022). Internationally CT has led to increased intelligence gathering, data sharing, police cooperation, judicial cooperation, migration and border control (Andreeva, 2022; Balzacq & Léonard, 2013; Martins & Ziegler, 2018) and to important funding for development aid in so-called “failing states” (Simoncini, 2020),

Although largely spared by violent attacks since 9/11, Switzerland – where data collection took place for this paper – has also developed a multipronged CT apparatus that reflects international tendencies but remains significantly underexplored in academic research. The CT strategy first adopted in 2017 was updated in 2024 to broaden the definition of the terrorist threat (beyond violent jihadism) and included the creation of the first National Counter-Terrorism Agency (Conseil Fédéral, 2024). Under the National Action Plan on the Prevention of Radicalisation and Violent Extremism (NAP), the government has been funding programmes of prevention, disengagement and reintegration since 2018 (Swiss Security Network, 2023). Criminal law has been used to prosecute and punish support of and participation in groups like Al-Qaeda (AQ) since the mid-2000s and “Islamic State” (IS) since 2014 (Ajil and Lubishtani 2021; Todeschini 2019). Administrative measures such as expulsion orders (Fedpol, 2024), citizenship stripping (von Rütte 2023) or asylum denial (Frehner and Mullis 2019) are also resorted to. In 2022, the Federal police

office (Fedpol) received extensive investigative and preventive powers, and asylum and migration law were toughened with respect to terrorism suspects (Federal Police Office, n.d.).

These trends reflect that CT operates on a “whole-of-society”-approach (Akintayo, 2024). The “Prevent duty” draws broader society into the fight against terrorism, fostering vigilantism as non-state actors take on CT missions (Emerson, 2019; Götzsche-Astrup, Lindekilde & Fjellman, 2023; Larsson, 2017). These developments should prompt us to conceive of CT as a social phenomenon, driven and permeated by power structures and dynamics that manifest themselves in varying ways for those directly and indirectly targeted.

3. Conceptualising CT

The conceptualisation of CT proposed in this paper draws on a) biopolitical, b) corporeal (embodiment), c) intersectional approaches and d) the literature on everyday vernacular security. It adopts a post-structuralist view of CT by going beyond the legal technicalities of CT instruments to study how power drives and flows through them. This specific form of power will be referred to as *counter-terror power* (CTP). Counter-terror power runs through the CT *dispositif* (Foucault, 1975): It is born in the hearts and minds of the populus, influenced by collective imaginaries and existential fears; it is transposed into laws and policies by the political elite with various agendas; laws and policies are the basis for the state’s biopolitical interference in people’s lives: prevention programmes in schools, social services, migration centres serve to identify early signs of radicalisation; intelligence services identify threats, police services pursue offences, prosecutors accuse, judges sentence, prisons control physically, and reintegration and probation services accompany the way back into the free society. Through all these stages and actors, CTP flows. It takes both overtly harsh and violent forms and more subtle forms of disciplining penal control, ultimately altering the bodies, affects and subjectivities of those concerned. It is differential in nature, deploying with particular force on Black and Brown Arab-Muslim bodies (Kundnani 2012; Mohamedou 2017).

3.1. Biopower

According to scholars of biopower, states have shifted from traditional sovereignty, where power is focused on territorial control, punishment, and the authority to “make die or let live”, to a framework of modern biopolitics. In this framework, power is exercised not only over biological aspects of life such as birth, death, or health (*zoē*) but also social and political organisation and behaviour (*bios*) (Foucault, 1975; Foucault 1982). As a result, biopolitics treats populations as both a scientific and political problem, concentrating on collective phenomena with long-term political effects, striving to regulate them (Genel and Carson 2023). Rather than relying on brute force, power seeks to manage and discipline populations. It operates by defining societal “problems” to be fixed, identifying technologies and techniques to influence these problems with the aim of achieving specific ideal governance outcomes (O’Malley and Valverde 2014). The shift from sovereign power to modern biopower has led to a diffusion of power among multiple actors (Zedner 2019). Governmental actions work diffusely to organise

and manage populations, shaping practices and beliefs in alignment with specific policy aims (Butler, 2004). The challenge then lies in unmasking the mechanisms through which power asserts itself (Genel and Carson 2023) and in decrypting the “disciplinary assemblage” (O’Malley and Valverde 2014, 321) put in place to manage a specific phenomenon.

The analysis of power must establish five aspects in the most precise way possible. First, what is the system of differentiations? “Every relationship of power puts into operation differentiations which are at the same time its conditions and its results” (Foucault 1982, 792). In the field of CT, various forms of differentiation can be identified, based on legal status (Seet 2021), class, culture, religion (Ragazzi 2016), or ethnicity (Naji and Schildknecht 2021), or even “normality” of political engagement (Derfoufi 2022). Second, what are the types of objectives, that power appears to pursue? When CTP seeks to punish, what does it punish exactly, beyond the legal framework? Is it misbehaviour, political extremism, betrayal? Third, what are the means of bringing power relations into being? Is it complex means of control, explicit rules or tacit norms? Fourth, what forms of institutionalisation can be identified? Beyond legal structures, what is, precisely, the apparatus that deploys power? Sometimes, it is “very complex systems endowed with multiple apparatuses, as in the case of the state, whose function is the taking of everything under its wing, the bringing into being of general surveillance, the principle of regulation, and, to a certain extent also, the distribution of all power relations in a given social ensemble” (Foucault 1982, 792). Finally, what are the degrees of rationalisation? “The exercise of power is not a naked fact, an institutional right, nor is it a structure which holds out or is smashed: it is elaborated, transformed, organised; it endows itself with processes which are more or less adjusted to the situation.” (792). How is power broken down, nuanced, diffused, disguised, adjusted to the *problématique* at hand? In this respect, the shift of CTP from terrorism towards the prevention of “violent extremism” and “radicalisation” (Shanaah, 2023), has led to the spatial and temporal diffusion of power and the establishment of control over new categories of risk.

The knowledge that justifies power is based on normalisations, which create hegemonic discourse (Gramsci, 1971) and postulate a “common sense” (Kaleem 2022). CTP is an extraordinary form of biopower because it is “common sense” that the phenomenon to be addressed is extraordinary – terrorists have become the “abnormals” and “monsters” of our times (Rai 2004, Naji and Schildknecht 2021). Biopolitical analysis seeks to examine how “the state of exception endures within the normal situation. Always active, this state is continually presupposed as the maintenance and perpetuation of power” (Genel and Carson 2023, 53). Agamben argues that states of exception – moments of crisis where ordinary legal rules are suspended – are used to reduce certain individuals or groups to “bare life” (*vita nuda*) (Agamben 1998; Lemke, Casper, and Moore 2011). This is often justified in the name of national security, public safety, or emergency management. Such individuals, usually members of marginalised groups, are stripped of their political rights and reduced to mere biological life. They are made “homo sacer”, i.e. existing outside of the law, and can be killed with impunity. Symbolically, the exclusion from the political community through expulsions, entry bans or citizenship stripping, which are common CT practices (Seet 2021), can be seen as a form of elimination and the creation of “bare life” (Troyer, 2003).

3.2. Intersectionality

Scholarly inquiries highlight the differential impacts of CT policies and practices. They examine how CT practices stigmatise and marginalise Muslims and racialised Others with deleterious impacts on citizenship, belonging and democratic participation (Abbas 2019; Ahmed 2015; 2020, Eckert, 2008; Jarvis & Lister, 2016; Taylor 2020). Works in this field have uncovered the disproportionate impact of CT on visibly religious Muslim women (Auer, Sutcliffe, and Lee 2019; Aziz 2012), on Brown men (Bhattacharyya 2008), Black men (Meier 2022), foreigners (Naji and Schildknecht 2021), and the impact of gendered categories on female returnees (Stenger 2024). They demonstrate how CT has led to the construction of racialised categories of risk in prison (Liebling and Williams 2018), to stigmatising controls at airports (Blackwood 2019), to a problematic categorisation of “bad” versus “good” Muslims in society more largely (Taylor 2020), to policing practices that negatively impact relations between British Muslims and the police (Wright 2024) and to the construction of religious beliefs or practices in schools and universities as suspect (Busher, Choudhury, and Thomas 2019; Scott-Baumann and Perfect 2021). Scholars have looked at PVE and “deradicalisation” policies in Belgium and Netherlands and the ways in which they translate as mechanisms of policing the Muslim population (Fadil, Ragazzi, and de Koning 2019).

This bias shapes CT policies that operate differentially and thus demand intersectional analysis. Intersectionality, which explores how social identities such as race, gender, class, and sexuality intersect to create overlapping systems of oppression and privilege (Crenshaw 1989, 2013), is particularly valuable for studying how security policies – typical biopolitical instruments aimed at regulating life – disproportionately affect marginalised groups and creating unequal experiences of insecurity (Mythen and Walklate 2016; Nyborg, Singh, & Hoogensen Gjørsv, 2022; Schmid 2011; 2020). By revealing how marginalised groups bear the brunt of security measures, intersectionality challenges the idea of the “universal” citizen towards whom policies are directed (Hirsch, 2012). However, empirical research grounded in the lives of those directly impacted by CT remains quasi-inexistent.

3.3. Embodiment

Intersectionality is closely linked to the notion of embodiment (corporeality) within cultural studies and critical feminist theory. Embodiment refers to the ways in which social identities like race, class, gender, and religion are appropriated and embodied – whereas the body is understood broadly as a dynamic site where the representational and the lived dimensions intersect, where the material and immaterial are intertwined (Laketa 2021, 11). This strand of literature focuses on how social and political practices not only work differentially, but how the experience of these practices modifies bodies, affects (i.e. emotions and intensities) and subjectivities (i.e. constructions of the self in relation to the social world) (Mason-Grant 1997). Identities, meanings and social norms are not simply expressed, but actively (co-)constituted through repeated actions, behaviours and performances – something referred to as performativity (Butler, 1993; Mythen, Walklate, and Khan 2009; Salih, 2007). Power is not passively endured, it is actively negotiated, embodied, resisted.

The site of the body is essential to furthering our understanding of CTP and security policies: “Whose securities, from which terrorisms, do . . . state responses prioritize?” (Pain 2014, 539). Corporeal approaches reveal how the bodies, subjectivities, affects, practices and discourses reflect “constantly unfolding geopolitical tensions and conflicts” (Dixon and Marston 2016, 446). For example, Schenk, Gökarıksel, and Behzadi (2022) show how in the wake of 9/11, Muslim women’s embodied and everyday practices across both public and intimate spaces demonstrate their ability to reaffirm, challenge, and reshape gendered religious and political norms. Through creative strategies, they navigate the violence of daily life while pursuing their personal desires and pleasures (Schenk, Gökarıksel, and Behzadi 2022). Faria et al. (2020) highlight how antiterrorism trials often manipulate bodily presence, with disembodiment intensifying, enabling, or suppressing power dynamics in the courtroom. This process can lead to the dehumanisation of defendants or respondents, ultimately paving the way for unjust outcomes. Similarly, Laketa (2021) emphasises that “the apparatus of terror/security emerges through the bodies” (p. 15), rather than merely being imposed upon them. However, the study of how bodies are integrated into disciplinary regimes or how they can serve as sites of resistance remains underdeveloped.

3.4. Vernacular security

The body as a site of study resonates with the aspiration to understand the workings of “security from below”. It suggests a departure from traditional state-centric conceptions of security, by shifting the “analysis of security away from states and public institutions, towards individuals and communities” (Crawford and Hutchinson 2016, 1064). To understand the impacts of anti-terror instruments, scholars need to “drill down to the lived experience of (in)security” (Mythen and Walklate 2016, 1111). This corresponds to the “vernacular turn” in criminology and security studies (Vaughan-Williams and Stevens 2016), i.e. the increased reliance on ethnographic and qualitative work with communities and individuals whose voices have been sidelined in conventional discussions on security (Ajil, Jendly, and Campistol Mas 2020). This approach “from below” serves to elucidate how concerned individuals receive, perceive, engage with and resist anti-terror instruments in their everyday lives, thereby revealing the concrete manifestations of security/insecurity on the ground. In other words, the understanding of “security” is sought from the subjectivities of those directly affected by its workings.

4. Data and methods

Based on this conceptualisation of CT as a biopolitical *dispositif* whose repercussions need to be understood “from below” through an intersectional lens looking at the bodies, affects and subjectivities of those directly impacted by CT measures, this paper draws on originally collected ethnographic data, consisting of interviews and observation.

4.1. Interviews

In concrete terms, four men were interviewed between four and eight times per interviewee over a period ranging from 1 to 6 years (see Table 1). Interviews were

Table 1. Interviewee characteristics.

	Sami	Max	Redouan	Matteo
Sentence	Membership in a criminal/terrorist organization (precursor of Islamic State)	Support of Islamic State	Support of Al-Qaeda	Support of a criminal/terrorist organization (precursor of Islamic State)
Year of offence	2013–2014	2015–2016	2015	2013–2015
Interview period	2019–2024	2018–2024	2023–2024	2021–2024
Total interviews: number/hours (approx.)	8/20	5/17	4/18	5/19
Prison (years)	3	0.5	0	1
Restraint measures (in liberty)	Yes, ended 2021	Yes, ended 2020	None	Yes, ended 2021
Age group at time of interview	40–45	25–30	30–35	35–40
Swiss citizen	No	Yes	No	Yes
Interview language	Arabic	French	Swiss German	Swiss German

usually conducted face-to-face, or in a few instances, due to geographic distance, via videoconferencing (but every participant was interviewed at least three times in person). An approximate total of 74 deliberate and recorded interview hours were collected. All interviews were conducted by the author himself with no interpreter and no intermediary (apart from the first interview with Max, see Table 1, in 2018, where the gatekeeper was present). The choice of including males was not deliberate. It is related to the fact that most individuals convicted for terrorism-related offences are male. This sample must be considered as a convenience sample, because the population in question is hard-to-reach (recruitment efforts took place for several years).

The interview style combined a mix of semi-structured (Gideon and Moskos 2012), narrative-biographic (Fischer-Rosenthal and Rosenthal 1997) and ethnographic interviews (Dornschneider 2021; Spradley 1979). Interview questions revolved around the following phases of the individual's encounter with the CT apparatus:

- Perception and experience of the various steps of the criminal procedure, that is, opening of procedure, interactions with police, prosecutors, prison guards, reintegration services
- Perception of criminal sentence
- Specific aspects of the charges and the sentence
- Impacts of criminal procedure and sentence on various aspects (family life, social life, professional life, financial freedom, travelling, legal status)

In line with Fischer-Rosenthal and Rosenthal (1997, 418), three types of follow-up questions were asked: either *life-phase-focused* ("Can you tell me more about your childhood?"), *episode/situation-focused* ("Can you tell me more about the prison experience?"; "Can you elaborate on the experience in the courtroom, what you thought and felt?"), or *argument-focused* ("You mentioned a feeling of helplessness, when you heard about the charges against you. Could you elaborate on this?"). Interviewees were given a lot of space to elaborate on their narratives, and the interviewer-author intervened minimally during the narrative phases.

Following Ortiz and Beach's (2013) argument that "when thick description of a complex topic is sought, interviews accompanied by ethnographic observation may be most appropriate" (p. 51), the interviewer-author sought depth in the interviews by digging deeper into the affective and intellectual dimensions of the experience. He tried to develop a "disciplined intuition" (Ostrow 1990, 67) and register expressions, gestures, emotions, metaphors, tropes, the unsaid and moments of silence, to produce an ethnographic "thick description" (Ortiz and Beach 2013, 51). Such ethnographic observations were added to the interview transcripts in order to provide the affective context and tone to the statements. Ethnographic observation was also conducted at the Federal Criminal Court, where terrorism trials are held, in the case of Max and Matteo. Furthermore, the case files¹ were added to the analysis to provide legal context.

The following table provides an overview of the profiles of the interviewees selected for this article (Please refer to [Appendix I](#) for details on their individual cases):

4.2. Data analysis

The interviews were transcribed integrally. German and French interviews were transcribed in the same language and all excerpts used in this article were translated by the author. Interviews conducted in Arabic were simultaneously transcribed and translated into English. Analysis of the data was inductive, using MAXQDA, with the aim of identifying recurring themes and patterns. The transcripts were analysed first using open coding, before proceeding to focused, axial and then theoretical coding, to gradually gain distance from the raw data and reach a transversal theoretical understanding of the phenomenon at hand (Birks and Mills 2015; Charmaz 2006; Thornberg & Charmaz, 2014).

4.3. Mapping the pains: inspiration from the prison literature

Since the approach adopted in this study was predominantly inductive, in line with Grounded Theory (Birks and Mills 2015; Charmaz 2006) no prior theoretical framework was imposed on the collection and analysis of the data. Over the course of the analysis, the transversal theme between the narratives and experiences appeared to be these human beings' *pains*: Though complex and multifold, upon a more transversal view, the experiences resulting from confrontations with the CT apparatus appeared as painful marks that participants carried with them as they went on with their lives. The pains were then organised inductively according to the conceptual dimensions of weight, width and depth. This resonates with what prison scholars refer to as the pains of imprisonment (Crewe 2011; King and McDermott 1995).

Weight, in the context of CT, refers to the weight of the apparatus, the symbolic and the physical, as it is perceived by the subject. *Width* signifies the extent to which the criminal procedure sets in motion a whole set of other processes that exert penal control over the subject, sometimes beyond the control of the institution that initiated the process. Finally, *depth* refers to the invasiveness of the system, the ways in which it changes the individual's sense of self, its bodily and affective components. The findings will be organised according to these three conceptual dimensions.

5. Findings

5.1. *Weight: heavy, asphyxiating, silencing*

One recurring theme in the narratives relates to the discrepancy between the perceived gravity of the act with which the person is charged and the criminal qualification as a terrorist offence. This has to do with the above-mentioned expansion of terrorism-related offences into the preventive sphere, with seemingly mundane acts becoming subsumed under the larger category of “terrorism”. Activities such as the sharing of images or videos, or travelling to a conflict zone, are not per se understood as being ethically wrong the way terrorist violence is, neither in the collective imaginary, nor in the views of the interviewees.

In the case of Matteo, he reports not expecting that travelling to Syria to hand over donations collected in Switzerland and staying there for three weeks in a camp of a group that seemed to have no apparent affiliation to a terrorist organisation (the courts found the group to have ties to ISIS) without participating in fighting, would be illegal, let alone prosecuted as terrorism. Sami first thought his arrest was in line with his illegal presence in Switzerland. He was shocked when he heard that the charges were related to planning a terrorist attack (the court later did not find him guilty of planning an attack). Redouan was incredulous when he heard the Federal Prosecutor was pressing charges against him for an interview that he had conducted with a Saudi cleric involved in the Syrian civil war on the side of the rebels. In the interview the cleric explains why ISIS is problematic and discourages young Muslims from joining them (the court later found that the interview gave the cleric a platform to promote the coalition “Jaysh al-Fath” to which Jabhat al-Nusra (former Al-Qaida affiliate in Syria) belonged at the time):

It really felt like something very absurd. We were trying to counter the IS-narrative with that video and then the authorities came to charge us with terrorist propaganda. I couldn't believe that this was happening, and to be honest, I didn't take it very seriously in the beginning. (Redouan, February 2024)

Max, on the other hand, who was conscious of the illegality of his attempt to join ISIS and was arrested in Turkey, was aware that investigations had been opened against him and nevertheless chose to be repatriated, accepting to face punishment.

Hence, depending on the actual behaviour, the moment of “moral shock” (Jasper 2011) sets in differentially. It is due to the perception of institutional reaction as either completely unjustified (Redouan, Sami) or as disproportionate (Matteo). The moment of shock is described as a visceral, dizzying one, where it feels like “their lips [the prosecutor's] were moving, but I couldn't hear anything” (Matteo) or one of “what on earth is happening here? This can't be real.” (Sami), or, less viscerally and more intellectually, “you can't be serious, you really believe you will get through with this?” (Redouan). It is a moment of utter insecurity, which, initially, does not leave much space for a sense of injustice.

As the accused progress through the investigations, either in prison or outside, they come to realise the weight of the institution, notably in the encounters with the prosecutors and the police officers, and through the interrogations. The interrogation is perceived as a show of force, where the authorities' narrative dominates and overshadows the nuances inherent to the behaviour in question:

They were not seeking to establish the truth. They were trying to prove their point. [...] After I participated actively in the first interrogation, and realized that it was not about establishing truth, I decided not to testify in the second interrogation. (Redouan, March 2024)

Sami admits that he lied during the first interrogations because he thought, naïvely, that this could get him out of prison. Although he started being truthful, he realised that there was not much he could do to alter the dominant narrative according to which he was part of a “terrorist cell planning to commit attacks in Europe” (Sami case files). Matteo, who was quite coherent throughout the interrogations (which the police and court documents seem to confirm), could not alter the established narrative according to which he had intended to join the group in Syria to support ISIS, and that he had actively recruited members for ISIS:

I mean, they had all my data on the phone and in my cloud since 2011, they had wiretapped me for over a year, but they couldn’t provide a single piece of evidence that proved their allegations! I mean, even in Islam, which they see as retrograde, you need better proof than this to sentence someone! (Matteo, April 2021)

In fact, the weight of the *pain* appears to be related to the relative sense of guilt or innocence: Where interviewees, like Max, accept their wrongdoing, that weight is less crushing. For Sami and Redouan who maintain their innocence and Matteo who does so for most of the charges, the weight is much heavier, precisely because they are caught up in a struggle against the dominant narrative for the “true” version of events.

Interestingly, the powerlessness does not only show when interviewees tried to defend their own version of events to their own benefit. It also shows when that version, though truthful, does not benefit them. Max repeatedly expressed his desperation, throughout the years, with the way his co-defendant was treated by the authorities:

I always told them, very sincerely, he did not recruit me. If anything, I was the one who pushed him to leave. But I felt like they didn’t care about what I said, they had their version of things. They didn’t seem willing to change it. But it’s not true, and it feels unjust. [...] To me, it’s like they were telling him “You’re a piece of shit” and if you keep telling someone that, he will become a “piece of shit.” (Max, September 2020)

This feeling of *powerlessness* in the face of the dominant narrative, the *regime of truth* established on their case, continues throughout the entire criminal chain, and attains its theatrical pinnacle in the courtroom, when prosecutors “tell their story” of how and why the accused broke the law and use imagery to illustrate the gravity of the defendant’s acts. Max, for example, was profoundly troubled when the prosecutor showed a video of him practicing combat techniques with a piece of wood, alongside scenes from an IS-propaganda video showing beheadings in a slaughterhouse, while stating that “See, ladies and gentlemen, what he was practicing for?” (Fieldnotes from courtroom observation, 2022). “I don’t understand what he is doing, why is he trying to depict a monster? It feels so unjust, it’s mean and evil.”, he said visibly troubled and in tears, while his girlfriend was holding him, during a break from the trial (Fieldnotes from courtroom observation, 2022).

The *moral shock* relates to the perception, by the interviewees, of the justice system treating them in a blatantly unjust manner. This shock relates specifically to the encounter with the judge: after having accepted that the prosecutor and the police are not impartial and try to impose their narrative, they continue to believe that the judges will be more

balanced, but all of them (apart from Max who remembers the judge as “incarnating justice” (January 2024)) report a situation where they realised that the judge was “against” them. As a consequence, they feel like the world is turned upside down, because the institutional narrative seems so all-encompassing, invasive, shared by those with power, leaving little to no space for the version of events and facts as the interviewees perceive them. Complex realities undergo a double process that is perceived as a form of epistemic violence (Suresh 2016) by the interviewees: on the one hand, the complexity of their behaviour is *de-complexified*, by pressing the complex reality into juridical categories. On the other hand, these judicialized facts become convoluted in a legal jargon, intellectual constructions, and thereby *re-complexified* in a wording that escapes the interviewees’ understanding. They are simply unable to fully comprehend the legal qualifications of their own actions, and even their own person as the “protagonist in the drama” (Redouan, February 2024), as it is legally re-appropriated, refurbished and reflected to them.

This discrepancy is largely due to an important aspect of CT which may be specific to the Swiss context. Since there had not been any major attacks at the time of their trial, the accused stood, in some way, representative of the “terrorist threat”. “It felt like, they now had their Bin Laden”, Matteo remembers (March 2024), and expresses a feeling voiced by the other interviewees as well. It is as if the weight of the apparatus was designed to confront the worst of the worst, “monsters” (Rai 2004), but ends up deploying itself onto the backs of individuals who, for the four of them, did not engage in nor prepare concrete acts of violence, nor produced any immediate victims.

This specific *powerlessness* provokes *resignation*:

I kept thinking to myself: This is such a huge construction. To explain to you why it is wrong, I have to take every detail of your accusation and return it. It is so much effort, and I didn’t have the energy for it. (Redouan, February 2024)

as Redouan explains, or “I felt like a deaf man in a wedding [Arabic saying]. I really didn’t understand a thing”, as Sami (February 2020) recounts, who did not understand the main language of the proceedings (German), of which only the most important aspects were interpreted to Arabic.

Also, with the shift into the preventive, pre-criminal sphere, material facts become more diffuse and harder to establish, and subjective aspects (intention, knowledge) become more salient and the object of competing narratives with the institutional narrative usually dominating. The dominant narrative is usually one which disqualifies indigenous, meaning Arab-Muslim, perceptions and understandings of certain concepts such as jihad, shari’a, shaking women’s hands, raising children, views on democracy, etc. and imposes a singular, predominantly negative, understanding of these concepts (see Ajil 2023).

Finally, the weight of the apparatus also appears through a process of escalation of the individual’s role. The individual’s acts become blurred with the crimes of the organisation that is, so the institutional narrative, supported or participated in. Hence, the interviewee stands as a representative and becomes treated, charged and eventually sentenced as such, namely as fully endorsing the organisation’s crimes. This feeling, that “I have to pay for what Bin Laden did” (Matteo, January 2024), is pervasive and transversal. It is especially challenging, on an emotional level, when the moment of the trial comes after the individual has been liberated from prison for several years, which was the case of Max

and Matteo, who did not re-offend during their time out of prison and who distanced themselves from IS (which both had sympathised with). The dominant narrative then works to fixate them in a past they have processed and tried to move on from.

Physically, the weight of the apparatus manifests itself through measures of constraint or restraint, of varying degrees. The prison experience, which Max, Matteo and Sami, went through, is not, per se, specific to terrorism-related offences. However, their “terrorist” profile led to a series of additional restraint measures and terrorism-specific excesses of psychological violence. Since they are perceived to be potential recruiters or radicalising agents, they rotate more frequently between sections of the prison:

Whenever I started finding a group of people I could work out with at the gym, they changed me to the section of the elderly, where the only daily hour out of the cell was at 7 AM. I regularly missed it. (Matteo, January 2024)

Or, in line with certain events, for example, terrorist attacks in Europe, their regime was suddenly harshened, without the interviewee having changed behaviour. The three interviewees who did time in prison also concur that they experienced moments of harassment by the prison guards (e.g. whispering “terrorist” or other insults, “forgetting” to fully open the cell door, thereby making it impossible to leave the cell, dripping cigarettes in water before handing them out, random searches that leave the cell in chaos). These instances of psychological violence are usually the product of a few specific individual guards and do not represent a generalised treatment (it should be noted that they all spent most of their time in the same prison, frequently used for terrorism offenders). However, combined, with the uncertainty of the length of detention (all three spent their prison time entirely as pre-trial detention, which, in Switzerland, has no specific time limit), and the general sense of alienating hypervigilance directed at them, this hostile treatment added to the weight of their pains in relation to the criminal procedure.

Outside of the prison, the physical weight of the apparatus is less heavy, but it does not disappear fully. For the interviewees who did time in prison, several measures were introduced after their liberation, including geographic restrictions to the canton or the municipality, electronic monitoring, intensive collaboration with police, confiscation of documents, and contact restrictions.

In sum, regarding the conceptual dimension of *weight*, the findings point to a conglomerate of psychological and physical aspects which vary throughout the procedure, but, as shall be demonstrated below, never really fully wear out. At times, they take explicitly harsh forms, and other times subtler forms of punishment or discipline. They can be summarised as a form of powerlessness that prompts different coping mechanisms, ranging from resignation to a sort of paranoid frenetic appearance management, as will be demonstrated below.

5.2. *Width: living with the label*

The conceptual dimension of width is spatial and temporal in nature. In temporal terms, terrorism-related procedures are lengthy. The time that elapsed between the opening of the criminal procedure and its definitive conclusion was four (Sami), five (Max), five (Redouan) and eight years (Matteo), respectively. The nature of preventive

terrorism-related cases, which are, as mentioned, to a large part focused on intentions and subjective aspects, means that a lot of time is invested in analysing mobile phones, communications, obtaining information from international partners, etc. As a consequence, interviewees spent a long period of time in pre-trial detention, or were subjected to substitutive restraint measures upon their liberation, which sometimes perdured throughout the appeal process. Matteo, for example, might face another prison sentence for offences he committed more than 10 years ago. This is particularly counterintuitive to the interviewees because they have spent years out of prison, without re-offending (applies to all four).

In addition, the costs of the criminal procedure are imposed on the convicted. This means considerable debt that takes years to reduce, let alone pay off. In Sami's case, almost 200,000 Swiss francs (approx. 224,000 USD) resulted from the procedure, in the case of the other three it was between 10,000 and 20,000 Swiss francs (approx. 11,000 and 22,000 USD). Especially since all four don't dispose of substantial financial means, nor of a well-paying job, the debts function as a recurring reminder of the criminal procedure and run counter to potential reintegration efforts. But they can also function as a motivator, as in Max' case:

I am looking forward to the day when I will be able to pay back those debts. It really motivates me. Because once I am able to pay those debts, it means I have succeeded in overcoming this story, not only financially, but also in symbolic terms. (Max, January 2024)

However, two aspects that are characteristic of terrorism-related cases but not directly tied to the criminal procedure arguably increase the dimension of width significantly, adding to it a notion of space: On the one hand, these concern administrative measures that accompany the criminal procedure. In Sami's case, administrative measures included the cancellation of his application for asylum, his expulsion and entry ban (which could not be executed), and later the revoking of his preliminary admission as an asylum seeker. These measures also implied a legal struggle which perdured for many years after the sentence. At the time of writing, Sami remains stuck in Switzerland, hoping that the expulsion will not be executed, and he does not dare leave the country for he would be certain not to be allowed back due to his entry ban. He puts it like this:

I feel like I am still in prison. It was a gradual process, it started out with isolation in the prison, then the normal prison with others, then I got out and I wasn't allowed to leave the perimeter of the municipality, then that of the canton (province), and now the whole of Switzerland. Of course, I was happy, when I was able to travel again outside the canton, but it is still a very limited kind of freedom. And of course, there is the constant fear that I might get deported anytime. (Sami, June 2024)

Redouan, who does not have Swiss citizenship, but spent his entire life in Switzerland, has been revoked his residency once and achieved to reinstate it after a tedious legal struggle. As a consequence of that experience, he remains wary that authorities could revoke his residency at any time. Matteo, who was citizen to another country, rushed to the country's embassy to give up his citizenship shortly before his trial, in order to avoid being stripped of his nationality.

Other more subtle administrative measures include the inscription in the databases of Interpol or the Schengen Information System (SIS), which can have dramatic consequences for the mobility of individuals (see also, Vavoula [2023](#)). Matteo, Max and

Redouan report being stopped repeatedly on borders and denied entry. Inscriptions in the database led to (unforeseeable) entry bans, which were usually only notified once individuals attempted to cross the border. In the immediate situation, this meant spending nights at an airport before being put on an airplane to another destination, but as a general impact, it created a sense of constant insecurity about one's ability to travel, and which countries may unexpectedly pronounce entry bans. As Matteo put it once:

I mean it's annoying not to be able to travel freely, but what's more annoying is simply being unable to *know* where you can go and where not. (Matteo, March 2024)

Given that these problems occur in the Schengen area, interviewees report being afraid of travelling outside of Europe for example, to the Maghreb region, to visit relatives, in Redouan's case.

On the other hand, width is expanded through the impact of the "terrorism"-label. Being convicted for terrorism-related offences carries a whole series of social and political issues that escape the apparatus itself, in the sense that they are not the direct consequence of criminal or administrative measures. They manifest themselves in difficulties on the job market, which are often differential in nature. For individuals who speak out on issues related to Muslims, for example, against Islamophobia, such as Redouan, or have another form of public persona, the terrorism label entails a definitive loss of legitimacy and credibility. For Max who works in a gym, Matteo who works in a car garage or Sami who works in a window factory, the professional impact of the label is less tangible. Difficulties on the housing market are also reported by the interviewees whose cases have attracted public attention or whose legal status (in Sami's case) prompts property owners to ask for a criminal record. In any case, employers or house lords asking for a criminal record will be dissuaded by the mention of the offence "support or participation in a criminal/terrorist organisation", which will normally be erased after 15 years only. They also express themselves through the freezing of assets, the closing of bank accounts and the impossibility of opening new ones, which also hampers economic reintegration and entails a range of administrative issues, because most bureaucratic processes require a bank account these days.

In the case of foreign citizens, like Sami, the weight of the label deploys its impact in the home country as well, among families and friends who are afraid to be associated in any way with terrorism. Sami remembers that his mother and brothers told him that, when he was in prison, a group of police officers once showed up at his family's house to enquire about him. Although nothing eventually happened, the action was intimidating, because it meant the family could be held responsible in some way for Sami's conviction in Switzerland. Until this day, Sami avoids talking to his family about the details of the conviction, because he is afraid it could affect them negatively.

In sum, the weight of the CT *dispositif* gets expanded temporally beyond the period of the criminal procedure and spatially, in territorial terms beyond the Swiss territory, and in sectorial terms to other aspects of life which are not the direct object of the criminal sentence.

5.3. Depth: how dangerous am I?

The impacts of CT, through the *dispositif's* physical, psychological and symbolic weight and width, also reach *deep* into the inner workings of the individual, meaning they operate changes beyond the strictly behavioural and physical to alter the individual's body, affect and subjectivity (Laketa 2021).

The above-mentioned discrepancy between the expanding criminalisation into the pre-criminal sphere and the perceived legality of their own actions, leaves the interviewees in a state of uncertainty about their possibilities for being, acting and moving in this world. While on the one hand becoming more informed about the activities that can be illegal, they do not seem to get a clear grasp of where the boundaries of their legality of being and acting lay. As a precautionary measure, they *withdraw* from what they believe would be perceived by the authorities as contentious activity. This includes avoiding predominantly legal activities such as *Da'wa*, spreading the word of Islam in a missionary fashion (Matteo), self-censoring one's criticism of Islamophobia and reducing one's engagement for various forms of a political, normative Islam, through speech and art (Redouan), but also avoiding Muslims and Arabs more generally (Sami), or renouncing religion and politics altogether (Max). The uncertainty about what is legal and what not, expands not only to the *politicised* forms of religious praxis, but also to religious praxis *per se*. This is reinforced by interrogations which focus on religious questions:

They asked me so many questions which to me made no sense. No connection to the case. Like, what do you think about your daughter wearing a hijab? If you keep hearing those things, as a Muslim, you will never be able to practice normally again. You know, when I got out, everyone said I had changed. Of course I had changed! With everything I do, I question myself ten times. They get you to a point where you are ashamed for things that are just normal *Deen* [religion]. Which are completely normal. Like opinions, attitudes. That's also why I went back into my cell and pretended to be a *kaafir* [unbeliever], more or less. (Matteo, March 2024)

Because of the meshing of Islam, radicalisation and terrorism, interviewees report becoming wary of displaying forms of religious praxis that could be perceived as risky and dangerous. Matteo started to pray only in hiding while he was in prison, and did not visit any mosque after his liberation, although he would like to practice his faith in the community. Almost paranoid, he once asked me whether I thought he was radical and perceived as a threat by authorities, and whether that assessment would change unfavourably if he started going to a mosque again (April 2024). Sami started asking himself:

I really started to have doubts, because I thought if they all see me as that major threat, perhaps I am indeed a threat? (Sami, September 2020)

The notion of threat is a recurring one. In fact, a charge or conviction in relation to terrorist offences seems to inevitably imply an assumption of dangerousness. This assumption sometimes expresses itself in institutional decisions, when expulsions or entry bans are justified on grounds of the individual's posing a threat to the country. More often, they are expressed more subtly, in interactions with officials or ordinary citizens. Regardless, interviewees report growing accustomed to expecting the assumption of their

dangerousness in every interaction they have with institutional and non-institutional actors aware of their conviction.

In line with their perceived dangerousness, interviewees develop different strategies. First, there seem to be two contrasting positions regarding their conviction. Matteo and Sami tend to downplay and hide it as much as possible, by trying to make sure that new acquaintances do *not* learn about their conviction. Max and Redouan, on the other hand, choose to actively inform new acquaintances, once trust is established, and to explain the conviction in detail, beyond the terrorist connotation, to confront any assumptions or fears that may come up. Second, all interviewees display an acute sensitivity to signs in their behaviour or speech that may be interpreted as dangerous and try to reduce such signs as much as possible:

It's like, when I cross someone I know, I talk to them but I keep thinking about what they think of me, whether they know about the conviction or not, and whether that might scare them. (Redouan, April 2024)

This also has to do with the fact that the conviction, confirmed for all four by the highest courts, carries with it assumptions about the gravity of the act and the dangerousness of the individual. Sami recalls:

When they took me to the high-security prison, I met all these criminals, murderers, you know scary people, and they looked at me and said "What, you are the terrorist we read about in the news? You don't look at all like what we expected!" This happened so many times. (Sami, June 2023)

The conviction and its repercussions can also lead to sense of isolation, of not being understood, not only by authorities, but also by loved ones who are themselves impacted by the "regime of truth" construed by the highest echelons of (juridical) power:

One of the most absurd things was debating about the role of [the cleric I interviewed] in the Syrian civil war, at the dinner table, with my family. It was like I had to dissect the charges time and time again, and fight against the narrative among family and friends. (Redouan, February 2024)

The ontological insecurity, the perception of dangerousness and the appearance management related thereto, have differential impacts depending on the religiousness or visible Otherness of the interviewee. Max, who had only adopted Islam, as he says, to be able to join IS, quickly renounced the religion after returning to Switzerland. Sami was never religious, but his Islamic name and his origins associate him inevitably with Islam. Redouan reports becoming "a more dedicated, faithful Muslim" (February 2024) as a result of the criminal procedure. Matteo, finally, has maintained a very strict practice of Salafist Islam, but restricts it to his family and his home. The impacts and the coping mechanisms therefore vary massively between the interviewees: Max has barely any problems in this respect, Sami tries hard, and often unsuccessfully, to avoid any association between his person and Islam, although he considers himself as an atheist. Redouan remains both political and Muslim but takes care not to appear too prominently in public with his name "that carries the terrorist association" (Redouan, May 2024). Matteo, as the above-mentioned excerpts indicate as well, displays an internalisation of the amalgamation between Islam and dangerousness: Because, in a way, the only Islam he knows is a very conservative one, and because his actions for which he was convicted, were in line

with his religious convictions, the ontological uncertainty related to what is legal or illegal, religiously speaking, is particularly pronounced in his case:

I don't wear the *Jallabiya* [traditional dress] in public and I don't go to mosques, because I am scared they could think "Oh, look, he's becoming radical again" [...] I avoid having young people around me when I pray because they might think "See, he's indoctrinating youth again". (Matteo, April 2024)

This feeling is reinforced by the way the accusation of *taqiya* operates. *Taqiya* is a theoretical Islamic concept according to which a Muslim may be allowed to disguise their religious affiliation in dangerous situations. In the discourse of CT practitioners, *taqiya* has established itself as a form of institutionalised mistrust with a specifically anti-Islamic bias (Ajil 2023; Chantraine and Scheer 2021). In the case of the interviewees, police officers, prosecutors, judges, psychiatrists and other experts reportedly used the term to disqualify ostensive changes in behaviour or discourse. In Sami's case, a psychiatric expertise said:

Thus, in accordance with the religious literature of this culture, the use of cunning and deception against people of other faiths is expressly permitted or even encouraged, especially if one is in a difficult situation oneself. Within the Shiite religious community, this strategy of deception is known as *taqiya*, but it is also well known in the Sunni community to which the examined [Sami] belongs. (Sami case files)

During Max' trial, the prosecutor accused his co-defendant, whose Arab-Muslim heritage could not be concealed, of practicing *taqiya* when he claimed that he had distanced himself from the IS-ideology (Fieldnotes, June 2022).

6. Discussion

The experiences and narratives of the interviewees allow for an analysis of counter-terror power (CTP), as it is operationalised and deployed *in casu* by the Swiss CT apparatus and embodied by the interviewees, from *below*. This analysis is partial because it looks primarily at the *criminal* handling of terrorism, although certain administrative measures, as demonstrated, sometimes run parallel to or set in after the criminal procedure. However, with the expanding criminalisation of activities that are increasingly detached from the actual harm committed by the terrorist act, the weight of the criminal prosecution of terrorist offences can be assumed to represent a significant aspect of the workings and impacts of CTP. The criminal law assemblage in the field of CT represents a "power strategy" (Foucault 1982, 793), that serves to deploy CTP. The actions through which CTP flows, in this analysis, are actions upon those actions that are deemed to be criminally relevant. The conceptual dimensions elaborated on above point to specific characteristics of CTP that reveal themselves on and through the bodies of the subjects. In a sense, then, the present analysis allows for a backward reconstruction of CTP starting from its destination, namely the subject.

CTP is *heavy*, because it is informed by an apocalyptic imagination of an intolerable threat, namely the terrorist attack. The increase of AQ/IS-inspired attacks from 2015 on, coupled with a collective imaginary reducing terrorism to its most extreme Islamist variations, makes this initial impetus a differential one: The main terrorist threat that needs to be prevented is the jihadist one, more so in the central European and specifically

in the Swiss context. Given then, that the criminal justice apparatus is the legally competent one to counter this threat, CTP *flows* through it, down to the operational and tactical level. The weight that the subject perceives, the dominant narrative that comes with it, the mercilessness of the epistemic violence, stems from the fact that they represent the threat that CTP must address, regardless of the actual gravity of their offence.

The weight of CTP operates on different levels and in different phases. It *breaks* the subject morally by re-establishing not an equal system of justice, but an unequal system of domination between the accusers and the accused. It renders the subject powerless through a process of *de-complexification* of the actual acts committed and a *re-complexification* into juridical jargon. It deploys a dominant narrative that delegitimizes and suppresses the voice of the subject, thereby “subjugating [the] knowledges” (Jackson 2012), in this case, of the subaltern. By establishing its proper “regime of truth”, CTP develops an *inertia* that overruns the views, the will, and the agency of the subject. This leads the subject to *resignate* cognitively and affectively.

Besides this heaviness, CTP also travels temporally and spatially, as well as in sectoral terms, through the lasting impacts of criminal measures (length and debt), restraint measures after liberation from prison (both criminal and non-criminal), non-criminal administrative measures (expulsion, entry bans, revoking of residency permit, citizenship stripping), and through the “terrorist” label. The weight is thereby spread and extended throughout time and space, as if it were *liquid*, resurfacing at different times in different places to varying degrees, but nevertheless remaining present, thereby operating changes deep inside the sense of security, affects and subjectivity of the subject. Even if there are no daily reminders, the *depth* is such that the subject develops an acute sensitivity and hypervigilance that leads him to constantly recall the “thing”, the “case”, the “story”, “what happened”. They point metaphorically to a sort of “cloud” that constantly travels with them and that overshadows their lives and those of loved ones, or mention an “oil spill” that accompanies them and affects their surroundings. They report a permanent state of stress, which manifests with varying degrees of intensity, but which is latently present all the time, ready to redeploy as panic, for example during border controls or stop and frisk situations. Hence, one major observation that imposes itself is that CTP is *sticky*, through the administrative and symbolic entanglements that it effects on the subject.

Importantly, CTP is also *anonymous*, whereas the subject is personalised, individualised, exposed and “stripped naked” in Agambian terms (Agamben 1998; Seet 2021). Although the case files demonstrate that it is a small group of individuals (police officers, prosecutors, judges) who hold the power over operational and tactical decisions inside the CT *dispositif*, they do not act as individuals, but as representatives of state power. This has major repercussions on the symbolic violence of CTP, but also on accountability: While the subject is held accountable, disciplined and punished for every single detail in his behaviour and mindset, CTP remains camouflaged, elusive, intangible, and *unpunished*, and has therefore little to fear.

CTP further works differentially, prompting thereby an intersectional approach, as mentioned above. The common factor between the experiences of the interviewees presented in this paper, is their conviction for terrorism-related offences. No other selection criterion was introduced to analyse intersectional impacts specifically. The intersectional framework emerged as a heuristic necessity from the inductive approach adopted.

CTP operates differentially, because while it flows through the entire apparatus, it deploys with stronger force depending on the “embodied difference” of the subject. Max, while arguably committing the most serious offences, has remained relatively spared by the deleterious force of CTP. Compared to the other three interviewees, he presents three main differences: his Whiteness, his “original” Swiss heritage, his legal status (Swiss citizen) and his renouncing Islam altogether. On the other end, Sami, who is Brown, a refused asylum seeker, unable to hide his Arab-Muslim identity although he does not consider himself as a Muslim, experiences the impact of CTP much more strongly, even many years after the end of his sentence. In his case, CTP can *unfold* and *flow* with less restrictions, because his identity markers do not present sufficient protection or resistance to CTP’s inertia. As much as he may struggle actively against the power, or even fully interiorise the disciplining effects of CTP, the Arab-Brown man remains legally and culturally speaking a more fragile subject. In cases like his, CTP is able to effectively produce “bare life” in Agambian terms: a human body that is expelled from the sanctum of the nation and whose execution can be effected with impunity (Agamben 1998; Lemke, Casper, and Moore 2011). It is this aspect of CTP, the fact that it works towards exclusion of the individual from the “nation”, which led Matteo to rush to the embassy and nullify his second citizenship, or what prevents Redouan from living with his family in another country, for fear of losing his residency permit in Switzerland.

In fact, the Agambian reading reveals something else: The priority of CTP, the direction in which its inertia pushes, is towards exclusion, and, *in fine*, elimination. This inertia betrays the power’s camouflage and sophistication, because it proves its inherent *unmodernity*, namely a traditional and stubborn tying of power to *territory*. The priorities and workings of CTP reveal that power remains tied to sovereignty in the traditional sense, as being focused on territory – with all the implications this has for the bodies, affects and subjectivities that encounter themselves at its destination.

When CTP cannot *kill* in Agambian terms (as, for example, through drone strikes or bombings), it will nevertheless operate differentially, punishing and disciplining those whose “embodied differences” remain reminiscent of the stereotypical “terrorist threat”, namely their Muslimness, non-Whiteness, their religiosity, their politicality, their *undisciplined* nature, their resistance to the status quo. In other words, to accommodate CTP, to limit its impact in affective and bodily terms, it becomes strategic to be *disciplined*, *areligious*, *apolitical*, and therefore *apathetic*: Apathy then imposes itself as at least one of the objectives of CTP, not because it is intentionally pursued (although Bechrouri (2024) argues that fostering apathy has always been an inherent part of counterinsurgency strategies), but because its own power finds itself weakened, slowed down and softened where apathy sets in or reigns in the subject.

7. Conclusion

Hence, what do the pains of CT tell us about the workings of CTP? This article sought to answer this question by studying the impacts of CT measures on individuals concerned by them. It focused on individuals who were convicted for terrorism-related offences in the Swiss context. Based on longitudinal ethnographic interviews conducted between 2018 and 2024 with four men, accompanied by legal and thematic analysis of their case files, and trial observations, this article sought to demonstrate how CTP works, by looking at it

from the point of view of “vernacular” and “everyday security”, from the embodied experience and subjectivity as revealed by the interviewees.

The analysis revealed that CTP flows, deploys and *lands* on the bodies, affects and subjectivities of its subjects according to three conceptual dimensions, namely weight, width and depth. The weight of counter-terror power results from the discrepancy between an apparatus designed to combat otherized “monsters”, yet whose reach is expanded legislatively to encompass a large array of non-violent activities. The weight relates to imposition of a dominant narrative and the delegitimization and silencing of the subject, which operates concurrently to a de-complexification of reality and its re-complexification into legal jargon: the result is not death, but silence by *asphyxiation*. The weight is expanded temporally and spatially through lengthy procedures, conviction-related debt, administrative measures and the terrorism label. This weight and width operate bodily and affective changes and provoke constructive and destructive performativities inside the subject.

In sum, counter-terror power appears to be *liquid*, *anonymous*, and *sticky*. It punishes and disciplines by threatening to *kill* in Agambian terms, and it promotes *apathy*. It does so differentially, by targeting and disciplining Black and Brown Arab-Muslim bodies, affects, subjectivities disproportionately. It does not, as the findings demonstrate, do so unilaterally, because the subject is eventually co-constituted, as Foucault (1982) reminds us:

There are two meanings of the word “subject”: subject to someone else by control and dependence; and tied to his own identity by a conscience or self-knowledge. (781)

These findings invite us to *think* CT more holistically, by complementing critical scholarship with reflections on the origins, workings and impacts of what I suggest naming counter-terror power (CTP). Per se, I do not believe that scholarship in this respect must absolutely be normative. In fact, it might be beneficial to refrain as much as possible from adopting a normative positionality, while trying to map out meticulously and faithfully how CTP flows and how it works. Judgements on whether these workings are problematic for democratic societies and for humanity more generally can then diverge depending on the political, moral and ethical standpoints and biases of the observer. But at least, the ways and workings of counter-terror power are *laid bare*.

Notes

1. Sentences are publicly available through the court’s website. Case files were obtained through the participant’s themselves.
2. The group “Islamic State in Iraq and al-Sham” (ISIS) relabelled itself “Islamic State” (IS) after proclaiming the “caliphate” in June 2014.
3. For a sociolegal analysis of the criminal-administrative complex that operated in Sami’s case, see AUTHOR REFERENCE.
4. For a detailed legal analysis, see AUTHOR REFERENCE.

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Appendix I

Following, short descriptions of the interviewees cases are provided for contextualisation:

Sami

Sami came to Switzerland in 2013 as an asylum seeker. After his asylum request was denied, he went into hiding, in the home of a refugee that he had met in a transition country. After two months, he was arrested with his host and two others on charges of planning a terrorist attack in Europe. He was later sentenced to 3.5 years in prison (most of which he spent in pre-trial detention) for being a member of a precursor organisation of ISIS², mainly based on Facebook messages exchanged with a person in Syria believed by the authorities to be a high-ranking member of ISIS at the time. He maintains his innocence. He left prison in 2017³.

Max

Max attempted to join ISIS in 2016 but was arrested by the Turkish authorities and spent six months in a Turkish administrative prison before being handed out to Swiss authorities. He also sent money to another IS-sympathiser who was convicted for planning a terrorist attack in another European country. He was convicted to a suspended prison sentence of approx. two years (of which he spent six months in pre-trial detention) for supporting ISIS. He admits all the charges against him. He left prison in 2017.

Redouan

Redouan is a filmmaker who travelled to Syria several times after the outbreak of the Syrian civil war and published several low-budget documentaries about the realities of the population living in areas controlled by rebels. In autumn 2015, he produced an interview with a Saudi cleric involved with rebel groups fighting against Bashar al-Assad, to deconstruct the narrative of ISIS. He was convicted to a suspended prison sentence of approximately two years for violation of the AQ/IS-Law, because the cleric was seen as promoting a jihadist agenda that concurred with the ideology of Al-Qaeda.⁴ He maintains his innocence until today and remains convinced of the political nature of the charges and the conviction.

Matteo

Matteo travelled to Syria in 2013 and stayed with a group of rebels for approximately three weeks. He was involved in Salafist circles and activities and several acquaintances of his travelled to Syria to join IS. He was sentenced to 3.5 years in prison (partially suspended) for his support of a criminal organisation (the group in Syria was seen as a precursor of IS) and for recruiting several individuals for IS. He admits to being an IS-sympathiser but maintains that he did not travel to Syria to support IS, nor did he recruit the individuals who, he claims, all travelled on their own accounts without informing him (there was, in fact, no material evidence of any of them informing him before their departure). He left prison in 2017.