

The Jihadist Threat in jail: Islam and the processes of radicalization in European prisons.

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The general population — as well as many counterterrorism officials — dismiss violent extremism as an irrational act by irrational individuals. Apart from the occasional outlier with authentic psychological disorders, most terrorist campaigns reflect a rational calculus designed to achieve very specific outcomes.

The overarching question is why an individual would opt for the path of violent extremism. While individual motivations are manifold, the stories — or narratives — that motivate large movements are far easier to differentiate and understand. And although the global, local, and national narratives focus the energy of followers on decidedly different vectors, they share the power of a compelling story to spur individuals toward very radical actions.

It remains far too easy — and ultimately of limited value — to describe terrorists and violent extremists as irrational actors. To do so reflects a lack of understanding of the challenge, a systemic unfamiliarity with the adversary that has created an Achilles' heel in many counterterrorism/counter-radicalization programs¹. Certainly, there are the occasional outliers, which arguably may include such individuals as Anders Behring Breivik², the Norwegian right-wing extremist who wrote a 1500-page manifesto detailing his exclusionary beliefs before murdering 77 innocents in 2011. His rationality was clearly called into question when court-appointed psychiatrists diagnosed him with paranoid schizophrenia.

From a macro view, however, those responsible for crafting effective counter-terrorist strategies or managing de-radicalization programs might be better served by keeping in mind the reality that, as eloquently stated by terrorism

¹ *Narratives: Stories that Animate Violent Extremism* in <http://soufangroup.com/news/details/Article236>, March 22, 2012.

² He is a Norwegian terrorist, and the confessed perpetrator of the 2011 attacks in Norway. He regards Islam and cultural Marxism as the enemy, and argues for the violent annihilation of "Eurabia" and multiculturalism, and the deportation of all Muslims from Europe (culminating in the year 2083) to preserve European Christendom. On 22 July 2011, Breivik bombed the government buildings in Oslo, which resulted in eight deaths. He then carried out a mass shooting at a camp of the Workers' Youth League (AUF) of the Labour Party on the island of Utøya where he killed 69 people, mostly teenagers. On 25 July 2011 Breivik was charged with violating paragraph 147a of the Norwegian criminal code, "destabilising or destroying basic functions of society" and "creating serious fear in the population", acts of terrorism under the criminal law, and ordered held for eight weeks – the first four in solitary confinement – pending further court proceedings.

expert, Louise Richardson³, “Extremists and terrorists rationally and carefully calibrate their tactics to exploit their enemy’s weaknesses and ensure maximum effect”.

Reframing terrorism as a rational act does not require that we acknowledge it as an legitimate behavioral choice; rather, in doing so, we create the much-needed cognitive space to meaningfully explore a decidedly complex phenomenon.

The radicalization process is not simple addition; rather, it is more like differential calculus, as the multiple, interactive influences change over time and context. Given this reality, it is not surprising that perhaps the only definitive finding thus far emerging from studies of radicalization is that it is exceedingly difficult to identify the precise profile of individuals who are most vulnerable.

Fortunately, an evolving understanding of the narrative — especially the content and the manner in which it is presented — provides a useful window into this shadowy world. And that understanding provides a very meaningful narrative taxonomy.

Generally speaking, narratives can be divided into three primary categories. One of the most commonly cited since 9/11 is the global narrative, which conjures up the image of a worldwide community of like-minded individuals bound together by a shared struggle and a common vision. The fatwas promulgated by Osama bin Laden in the late 1990s are excellent examples of this narrative form. In 1998, bin Laden captured the essence of the global narrative when he famously claimed that Muslims *everywhere* had the responsibility to act in defense of oppressed Muslims *anywhere*. That exhortation still resonates in many parts of the globe.

In contrast to the global narrative, the local narrative offers a more narrow, albeit just as emphatic perspective. One aspect that separates the global and the local narratives is that the former can be viewed by some as more theoretical or even utopian, while the latter has a far more tangible feel to it, with a vision that can appear within the reach, and influence, of the individual.

Finally, there is a national (or nationalist) narrative. As the term would mean, this story tries to make the spirit of patriotism and/or connection to a homeland. Surprisingly, the national narrative can be just as strong in immigrant populations (and even second and third generation within that

³ L. RICHARDSON , *What Terrorists Want: Understanding the Enemy, Containing the Threat* (2006).

population) as it is for those who still live at home⁴. Is of this type of profile that we have to concentrate to understand what happened in the “*massacre of Toulouse*”.

The second and third generation of immigrants in France - those most profoundly affected by an identity crisis and most bereft of a sense of belonging to the Republic - are most directly involved in the growth of Islamism and radical Islam in France. While the first generation retains many of its past North African cultural references, the younger generations occupy the more challenging territory that lies between their parents' and grandparents' traditional culture and French modernity. These younger generations, raised for the most part in a secular France replete with prejudice, no longer see themselves as Algerians or Moroccans or Tunisians. Rather, they seek a more satisfying source of identity, often by embracing a universal Islamic identity that supersedes any specific ethnic or national identity. For many, the term “Arab,” which evokes their parents' immigrant past, is rejected and replaced by “Muslim” or “Islamist.”

It's called *identity crisis* and resulting Al Qaeda. Merah Mohammed, the head of the massacre of Toulouse, corresponds perfectly to the potential Islamic terrorists in Europe⁶.

The largest reservoir of potential recruitment is that of second generation immigrants, as Merah, 24 years, French and Algerian nationality. A hybrid, in terms of ethno-national self-identification. He lives in a country that makes its flag of secularism. Yet he feels Islam. Perhaps you feel, indeed, most of its Muslim brothers born in Algeria Algerian and Algerian nationality.

The second generation of youth are young people who idealize a past that does not have inner experience, and who meet by chance (just like Merah)⁷ in

⁴ The role of the national narrative stands out as if the Irish Republican Army has fought, often viscous, for independence from British rule.

⁶ *Quatre morts dont trois enfants devant un collège juif toulousain*, in *Le Monde.fr*, March 19, 2012.

⁶ The French antiterrorist system is actually very critical. It is largely based on Article 421-2-1 of the Penal Code which provides that “constitutes an act of terrorism to participate in any group formed or association established with a view to preparing” an act of terrorism. In recent years, the DCRI has stepped up preventive arrests in the midst of radical Islam. The Penal Code thus leaves some leeway for police and magistrates. The League of Human Rights (LDH) recently denounced the trial scheduled for March 29 and 30 of Adlène Hicheur, a French-Algerian physicist who converse regularly via the Internet with a man suspected of belonging to Al-Qaeda in the Maghreb Islamic.

⁷ Mohamed Merah was born in Toulouse in October 10, 1988, his parents came from Algeria to France. In 2007 he says he was arrested in Kandahar, a former stronghold of the Taliban in southern Afghanistan and sentenced to three years in prison. The governorate's Pakistan region, however, has said he never had a Mohammed Merah in its prisons. Unconfirmed reports that even those would have

a plane that takes them to Afghanistan, Pakistan, to learn the methods of guerrilla warfare and terrorism, to join the extreme fundamentalist movements and become available to martyrdom suicide emulating Twin Towers (the watershed of the 9/11). It happened in Great Britain even at that Dhiren Barot, agent of Al Qaeda in the United Kingdom, arrested in 2004 for plotting a series of attacks, which had formed in guerrilla warfare and terrorism in Kashmir (birthplace of Al Qaeda).

It would be shameful to generalize, but the growing Muslim population of the second generation in Europe is the demographic group most vulnerable to extreme Islamism sirens.

Panel beater for work, passion for jihad, Mohammed Merah, the killer of the Jewish school of "Ozar Hatorah" and Montauban, was proclaimed a militant of Al Qaeda and said he acted to "avenge the Palestinian children" who continue to be killed in Israel and to "punish" the army of Paris for its actions abroad.

The man had long been known to the DCRI, the French intelligence service, because reported by Pakistani intelligence. His brother who was arrested at dawn and in whose car was found explosives pleaded Salafi jihadist. The Islamic Salafi movement is a school of thought that refers to the early followers of Islam: salaf in Arabic means "ancestor, ancestor" Salafist preaching and teaching of Islam purified of all the influences from the Western Christian world and, worse again, an atheist.

The Direction Centrale des Renseignements Généraux (DCRG) (a services that merged with Direction de la Surveillance du Territoire or DST to form the DCRI), estimated that five thousand Salafists live in France. One of the most visible indicators of radicalization is the control of mosques. Like everywhere else in Europe, Salafist circles seem bent on infiltrating into mosques by subterfuge in order to practice entryism, and then take control of them, especially those of the Tabligh. Another indicator is obviously the radicalization in jails. From the French point of view, the question of the jihadi terrorist networks has to be analyzed within the broader framework of the Maghrebian

escaped prison with a group of former Coranic students, taking advantage of an assault launched by his companions. In 2008 it was presented to a military training center in Lille, where he passed all the tests, but was rejected for some minor criminal record and a few months in prison. Between 2010 and 2011 he made two trips in the tribal areas of northwest Pakistan, near the Afghan border, perhaps to participate in jihad training schools (known as *madrasas*). In 2010 he also tried to join the Foreign Legion, in presenting a night in the center of Toulouse, where, however, of volition, he would go without participating in the harsh assessment test.

diasporas (the first, second, third, and even fourth generation), and the various degrees of activism related to Islam. It is believed that the jihadi networks are micro-networks that prey on Muslim populations that have various religious (and non religious/secularist) practices, and many socio-cultural standards and ways of life⁸. From the mid-1990s, jihadi cells have been dismantled in France on a regular basis. An analysis of these cells has revealed that such cells are generally formed by individuals having various links (historical, familial, geographical, political, and inspirational) with foreign countries. "Land of jihad" can be instrumental in polarizing individuals (Iraq, a few years ago, and on a smaller scale, Afghanistan and Pakistan now). Maghreb is obviously the hub, and the most influential region for "made in France" jihad. It must be said that the French-Maghrebian jihadi networks in France, and sometimes, in other states, are shaped by Maghrebian culture. There is a positive side to this: Malekism- the Maghrebian rigorist Islam- does not culturally demand martyrdom and religion-based violence. Unlike Wahhabi or Pakistan's Madrassas, it does not attract people from across the world. At times, it is also challenging: the typical Maghrebian petty-crimes which can include the hashish, counterfeit clothes and cosmetics trade, and the halal sandwiches business are deeply, and by definition, decentralized and on a small scale. For these reasons, terrorist micro-fundings are hard to detect. Decentralized, and leaderless jihadi networks in France display various characteristics: for example, their operational level may be very low, but their logistics can be highly sophisticated, and cover many states (see for instance: the French-Belgian networks responsible for the suicide-bombing in Iraq a few years ago). The links to prestigious or inspirational foreign jihadi leaders seems essentially rhetorical. It does not mean that Frenchmen or individuals with dual citizenships cannot be found in Pakistan or Afghanistan.

It mostly implies that French jihadi networks are multifaceted: autonomous cells, self-radicalized individuals can appear or even interact abruptly. The most visible threat is obviously Al-Qaida in Islamic Maghreb. This organization has the prestige of being affiliated, in one way or another, with the Al-Qaida" core structure (Al-tanzim al Qaidat al-jihad), and claims to unify Maghrebian jihadi organizations and initiatives from Maghreb and around (Sahara and Western Europe). In France, the AQMI constantly tries to recruit individuals for terrorist activities. But as of now, the situation is not significantly alarming. However, the DCRI continues to make regular arrests of

⁸ MARRET, J.L., *Les Fabriques du Jihad*, Paris, Presses Universitaires de France, 2005.

individuals with AQMI connections⁹.

Ended the "Battle of Toulouse" jihadist sites, increasingly redundant rhetoric of martyrdom, certainly not lose the opportunity to celebrate *Merah* as a martyr. His death or his capture will be a moral victory for the jihadist to help recruit many new "aspiring Merah" in the turbulent North African suburbs of French cities, especially in prisons where a thief can enter and exit as a soldier of God.

Mohamed Ghaleb Kalaje in Spain, held since 2001, gave instructions on the financing of terrorist activities from prison. Visitors were used as couriers. In France have been identified, which were well 442 Islamic proselytism in jail. In many countries, the introduction of religion in prisons was first perceived as a factor of order and stability by the penitentiary authorities. The regular practices of Islam are likely to provide a moral framework, and therefore, ensure stability in a prison. In the post-colonial period, Islam first made its way into French prisons in the beginning of the 1970s with *Tabligh*, a pious and rigorist movement. Later, in the 1980s, it appears that the prison authorities tolerated the introduction of Islam in prisons in order to counter the (sometimes prominent) influence of gangsters (Caïds). The first interrogations on Radicalism took place in the middle of the 1990s, coinciding with the civil war in Algeria. But the case that is particularly indicative of radicalization in jail is the case of Khaled Kelkal- a delinquent- living in a poor Lyon suburb, and who was re- converted to Islam by a radical Imam in jail¹⁰.

In British prisons, one of the most famous prisoners, Abu Qatada¹¹, who in-

⁹ JEAN-LUC MARRET, *Prison De-radicalization and disengagement: The French case*, Fondation pour la Recherche Stratégique, Paris, 2009.

¹⁰ Khalid Kelkal, who was radicalised in a French prison in the early 1990s. Recruited by radical Algerians, he went on to become involved in the murder of a moderate imam in Paris and the attempted bombing of the high-speed rail link between Paris and Lyon; b) Operation Nova in Spain, which involved supporters of the Algerian Armed Islamic Group (GIA), who recruited new followers during their stay at a prison in Salamanca. By 2004, they were planning a terrorist attack against the Spanish Central Court; c) Kevin Gardner - later known as Abbas Shafiq - who turned towards extremism during his stay at a Young Offenders' Institution in England in 2006-07. He became obsessed with the British Army and plotted an attack on a military base from within his cell.

¹¹ Abu Qatada, sometimes called Abu Omar, is a Palestinian Islamist militant of Jordanian citizenship. Under the name Omar Mahmoud Othman, he is under worldwide embargo by the United Nations Security Council Committee 1267 for his affiliation with al-Qaeda. Although imprisoned in the UK since 2005, he has not been prosecuted for any criminal or conspiracy offences. According to the Algerian government, Qatada oversaw and organised the deployment phases of al-Qaeda-linked groups both inside Algeria and abroad, as well as being the ideologue of al-Qaeda and the leader of terrorist groups in the Maghreb region, the United States, Belgium, Spain, France, Germany, Italy, and his native Jordan.

spired cells in Italy, preparing documents against a farewell to arms of Egyptian terrorists. Richard Reid, the terrorist who wanted to blow up a passenger flight with explosives hidden in his shoes, he converted to Islam in a British prison.

Prisons have played an enormous role in the narratives of every radical and militant movement in the modern period. No matter how different their causes or backgrounds, Egyptian Islamists, German Marxists and Irish Republicans have all regarded their comrades' imprisonment as traumatic turning points in the histories of their movements. The prisoners and the ways they were treated came to be focal points for their groups' campaigns, and they significantly influenced their supporters' attitude towards violence and the state.

The processes of radicalization in prison should be seen in the general context of the growth of religion in prison facilities. It's well known that the prison environment is favorable to a new awareness of the spiritual and religious feelings of individuals. In addition, there are special reasons for which the atmosphere in many prisons is in favor of political and religious radicalization. The prison sentence is inevitably an emotional and psychological shock exacerbated by the isolation of much of prison life. The deprivation of liberty, combined with the often high number of prisoners of different faiths, lead many to practice a religion, for the first time, during the regime of internment. For many inmates, adopting strict religious beliefs is a solution to spiritual emptiness and their failure, as well as offering the chance to start a new life.

Entering prison - especially for the first time - is usually an overwhelming experience. Prisoners Muslims (even those not religiously observant) tend to gravitate towards Muslim groups for emotional support and protection against other inmates or ethno-religious rivals.

In many cases the prisoners adopt extreme versions of religion for spiritual, social and pragmatic. In general, the adoption by the individual of extremist ideas occurs as the result of two distinct but overlapping and simultaneous processes: the push and pull factors¹².

The association with radicals cells occurs, for example, through the combined action and simultaneous phenomena, very different from each other, but functional to one another in the transformation of the detainee and in its gradual cooptation. The phenomenon of "pull" of attraction is linked to the

¹² JAMES BRANDON, *Unlocking al-Qaeda - Islamist extremism in British prisons*, Quilliam Foundation, November, 2009.

practices of extremist groups through co-optation of the prisoners of the Islamic religion, especially among younger people, considered to be highly vulnerable because of inexperience and fear for entry into prison. The phenomenon of "pull" is the result of positive action aimed at attracting the individual through processes of fraternization, familiarization and inclusion in Islamist cells, and through indoctrination.

Regarding the phenomenon of "pull", are typical features in the light of the religious component: the use of spirituality and the necessity of faith for the sake of salvation. The phenomenon of "push", however, is determined by the will of the individual to adhere to extremist cells, and is generally the result of living conditions in prisons, the frequent inability of the administration of justice to adopt neutral models, and isolation of groups, as a result of the independence of prison life.

Consequently, greater is, capacity of prison facilities to intervene in the phenomena "pull" and "push", decreases the ability of cells to intervene on Islamic extremist prisoners, thereby limiting the capacity of attraction of the weakest in the meshes of radical extremism¹³.

The respect of basic religious needs, combating violence and abuse, the systematic removal of the insult and humiliation, and the correct and constant communication of the legal principles underlying the detention, have shown in model prison experiences to be the most powerful antidote to the proliferation of extremist cells.

The correct use of de-radicalization then also made a decisive influence on the ability of individuals to escape the lure of radical cells during the phase of detention.

While on the contrary hard prison experience and characterized by militancy in extremist cells has almost always given rise to a continuous post-prison cells or individuals. Often turned-jihadist volunteers during the first months of the regime of freedom.

The adoption of measures and techniques from the authorities responsible for the management of prison facilities, primarily identified in respect of the person and his religious values, in the management of decent living conditions and adoption of appropriate rehabilitation programs, is the solution that addresses the co-optation of extremist inmates in cells, and especially to imple-

¹³JAMES BRANDON, *Unlocking al-Qaeda - Islamist extremism in British prisons*, Quilliam Foundation, november 2009

ment models and strategies aimed at enhancing the protection of religious minorities in prison.

The dynamics of radicalization in prisons are relatively simple. Often, radicalization occurs when the prisoners are "magnetized" by extremist Islamic ideology to exorcise the violence and abuse by other prisoners. The prisons themselves create acute feelings of loneliness and failure, that the most vulnerable overcome by radical Islam, a promoter of spiritual certainty, sense of belonging and group identity. The formation of groups for mutual support and protection is an inevitable feature of prison life, where violence often occurs along the border.

The victimization of the prisoner, is fertile ground for recruiting cells, which in the prison system have been able to build a powerful network by monitoring and manipulation.

Muslims, in fact, seem to face an extreme version of their immigration status, forced into a space defined by rules and logic that are different from those of their culture of origin. So, for those who suffer from a condition of victimization, religion is seen as an opportunity to rebuild self-esteem, and as the key to access a new affirmation of identity.

The Islamic identity is an analgesic that the Muslim can take to overcome any uncertainty: communication with God and the challenge of daily attacks by infidels, are elements of introspection in the most vulnerable, and reverberate as fate or God's will return to religious practice, typical of the prisoners, is an attempt to carry through such plots, oscillating between intense asceticism prayer and strong body.

While devoting ample attention to the collective dimension of the Muslim presence especially in prisons, we must concentrate on the reconstruction of the ways in which religion operates in the subjective dimension of the prisoner, for which Islam becomes a reaffirmation of identity and a new found experience of order in the organization of life. The relationship with the religious dimension often appears as the only resource capable of ensuring the development of a meaning for their condition, especially in cases where the restriction is added to the prison conditions of those belonging to a minority.

When the rules of a cultural area in conflict with those of another area, it creates a condition called cultural conflict and social disorganization (these two concepts have been used in reference to social conditions characterized by inconsistency of the influences that direct individuals) characterized by patterns of behavior in conflict with the directives that push to conformity. The phenomenon becomes more evident in the encounter of Western and Islam-

ic culture, where the stiffness of the precepts of the second makes it inevitable, not only conflict, but even the contrast. The current concept of Islamic origin can certainly be read with the lens of theories of conflict¹⁴.

For a real understanding of Islam in the West, we must, however, rotate the axis of interest in terms of minorities, or of "a group of people who, because of its physical or cultural characteristics, are distinguished from others within the society they live for differential and unequal treatment which it is subjected, and for that reason considers himself the subject of collective discrimination. The existence of a minority in society implies the existence of a corresponding dominant group enjoys a better social status and greater privileges. Minority status derives from the exclusion from full participation in society. Minorities are considered special, unique, different, with the majority, on the contrary, it considers the general, universal, normal. Particularism and the difference or approved minority defendants are often considered a negative and / or devalued by the majority, in any case seen as a deviation from the norm defined by the majority group and attributed to himself"¹⁵.

Ultimately, what is considered central to the concept of minority is the condition of domination, dependency and exclusion. In this sense, should be adopted the notion of minority situation, so that even on this concept, as in other similar (ethnicity), the weight of the attribution of some serious original foundation¹⁶.

The reference to "minorities" is increasingly common in studies on the relationship between law and religion. Despite the doubts and resistance of those who fear a "snowball effect" from "authentication" of this general category by the law, the "religious minorities" seem well-represented, first, in their actual situation, the contemporary societies liquid and fragmented¹⁷, on the other, in their reality evocative, the riots in reaction to the fragmentation of that expressed by the reactivation of narratives majority.

A focal area in the dynamic individual and collective identity is constituted by religion, more specifically from the exercise of religious freedom, or more broadly by the possibility of pursuing a life founded on a specific idea of good

¹⁴ SELLIN T., *Culture Conflict and Crime*, Social Science Research Council, New York, 1938; trad. it. in MELOSSI D., *Stato, controllo sociale, devianza. Teorie criminologiche e società tra Europa e Stati Uniti*, Mondadori, 2002.

¹⁵ WIRTH, L., *The Problem of Minority Groups*, pag. 347, in Ralph Linton (ed.), *The Science of Man in the World Crisis*, New York: Columbia University Press, 1945

¹⁶ GUILLAUMIN C., *L'Idéologie raciste, genèse et langage actuel*, Paris/La Haye, Mouton, 1972. Nouvelle édition: Gallimard, Coll. Folio essais (n° 410), 2002.

¹⁷ BAUMAN Z., *Liquid Modernity*, Cambridge, 2000.

or of particular values in prison. In this context, freedom is not diminished but enhanced and maintained in its instrumental value to the full participation of the inmate rehabilitative activities, participation in whose interest is the subject of public interest.

The introduction of the theme of the assumptions of the model of compliance for the protection of religious freedom in a multicultural paradigm evokes a consideration that seems to envisage a theoretical framework alien to an instance of complete and effective protection of minorities 'voluntary' and, therefore, distant (least conceptually) to a landing on the floor of the right solutions. It's clear that the compliance of a system is excluded where the multicultural paradigm in the political and juridical connection with the social science disciplines that help to focus the concept of culture and to delineate the difference between the sphere religious and cultural sphere as a whole. Add to this that the religious affiliation is the soil in which we measure the first (not fluid) attempts of democratic regimes to protect and promote diversity through regulation. And 'in this context that becomes significant observation that the theme of multiculturalism runs almost entirely religious in membership and even more specifically in belonging to Islam¹⁸.

In the case of Islam it is believed that a model of protection of religious freedom that changes in the inclusive ability sense of law and politics can not be implemented. It seems plausible that the additional potential of the penitentiary stops in front of Islam. The individuality of the ultra-right to religious freedom, with reference to the Muslim faith, suffered a crushing compression. Identify the religious Muslim with the size of relevance of the multiculturalism mean, however, reject the problems that the phenomenon, as a whole, entails.

Under the protection of religious minorities, the relationship with Islam, is the field in which most clearly is possible to continue the discussion in the light of the guideline range: verification of the actual scope and application of the principle of substantial equality.

The centrality of the principle of substantial equality, is inherent to the protection of religious freedom understood as a subjective legal situation due to the group as well as the individual. It is no coincidence, then, that "recognition of the existence of traditions, customs, values, special rules not related within the fold of general law is historically with specific reference to religion.

¹⁸S. N. EISENSTADT, *The Resurgence of Religious Movements, in Processes of Globalisation - International Journal on Multicultural Societies (IJMS)*, Vol. 2, No. 1, 2000: 4 - 15

One major problem is definitely inclusive of defining the scope that the recognition of a religious minority in prison can lead to. It implies the protection of religious feeling and of their religious beliefs, but traditionally it is argued that if the full recognition of denominational requirements ensures full respect for identity, it could also lead to the introduction of practices that run counter to the fundamental principles of Prison reception. With regard to the latter question, in reality, there is no doubt that the ultimate limit of the legal system track is the respect for human rights.

Given the complexity of the Islamic religion, which relates to the rules laid down by their national penitentiary, the presence of religious minorities in prisons poses a series of difficulties and problems primarily to the administrative authorities and prison.

The European penitentiary rules (Recommendation of the Committee of Ministers to member states on the European Rules) adopted in January 2006, form the legal and ethical framework governing the actions of the penitentiary authorities. They lay down the fundamental principles and practical recommendations concerning the conditions of detention, health and access to health care, public order rules in jail, penitentiary staffers, inspections and controls, and the mode of detention of sentenced individuals as well as those under preventive detention.

Prisons are highly unsettling environments in which individuals are more likely than elsewhere to explore new beliefs and associations. Confronted with existential questions and deprived of their existing social networks, prisoners with no previous involvement in politically motivated violence are vulnerable to being radicalised and recruited into terrorism. Prisons, therefore, are 'places of vulnerability' in which radicalisation can take place¹⁹.

The importance of policies governing religious diversity in multicultural societies is increasingly recognised in both academic and public debate²⁰. The management of religious diversity raises a variety of practical questions concerning effective ways of protecting the fundamental right to religious freedom.

¹⁹ P. NEUMANN, B. ROGERS, *Recruitment and Mobilisation for the Islamist Militant Movement, in Europe* European Commission, Directorate General for Justice, October, 2007. Also, Peter R. NEUMANN, *Joining Al Qaeda: Islamist Militant Recruitment in Europe*, *Adelphi Paper 399*, International Institute for Strategic Studies, January, 2009, Chapter 3.

²⁰ BECKFORD J. A., *The Management of Religious Diversity in England and Wales with Special Reference to Prison Chaplaincy*, in *International Journal on Multicultural Societies* 1, 1999.

The prisons systems are very good indicators of policies governing religious diversity, because such diversity, often understood in fairly theoretical and abstract terms, is experienced in everyday life in these "total institutions". On a more theoretical level, it is argued that the circumstances of prison and military institutions call into question the classical idea that religion should be restricted to the private sphere; on the contrary, the practical problems of policies of equal opportunity in these institutions demonstrate the relevance of religion in the public sphere, even in modern societies.

However, issues of equal opportunities for religion are also relevant to other state institutions, such as the prisons. First, The confined nature of prison can increase sensitivity to matters of individual and collective respect. Perhaps this is related to the fact that prison inmates are deprived of certain rights and privileges enjoyed by the rest of the population. Second, most prisoners are subject to similar conditions, regulations and discipline. In these circumstances, if they perceive that privileges or penalties are given to some groups and not to others for no legitimate reason, feelings of resentment will tend to be strong. Religious believers who perceive that their particular religion does not receive the same degree of respect as do others may feel offended and disadvantaged. For all these reasons, considerations of equal respect are important in these types of institution²¹.

The arguments presented focus on issues of potential dissatisfaction or resentment, and possible unrest. However, the argument here is that the study of equal opportunities for religion in prisons poses more fundamental questions relating to issues of state and religion, for two reasons.

The first has to do with the fact that these institutions are two fundamental, formal, controlling institutions in society, and they are based on power and force. Obviously, participation in the prison system is not voluntary, but forced. In contrast, there are few adaptations to religious minorities within the prison service. Muslim prisoners do not have the right to leave work to pray without having their wages reduced. Whereas some prisons serve halal food, others refuse to do so. Many prisons give amnesty for Christmas, but not for the Muslim festivals of 'Id al-Fitr and 'Id al-Adha. Also, Friday prayers led by an imam are seldom arranged. Finally, the Christian prison chaplains can freely visit prison cells, whereas the imams are refused such access. In short,

²¹ BECKFORD J. A, and S. GILLIAT, *Religion in Prison. Equal Rites in a Multi-Faith Society*, Cambridge University Press, 1998.

there is no systematic adaptation of food, religious holidays, clothing or visits from religious leaders to various religious minorities within the prison system. Why do the opportunities for non-Christians to practise their religion differ so much in these two types of institution? The answer seems to be twofold, related to the fundamental goals of the institutions and their claims for legitimacy in the larger population. In contrast, the basic goal of the legal system is to protect the society and its citizens against internal threat. The basic goals of the prison system imply a differentiation between groups of citizens relating to opportunities, rights and duties. In fact, the punishment of those inside the prison walls consists largely of the deprivation of the opportunities and rights granted those outside the walls, combined with a greater amount of duties. These contrasting fundamental goals give different degrees of legitimacy to the demands presented by persons within these institutions.

During a series of seminars and training sessions conducted by the International Scientific and Professional Advisory Council of the United Nations (ISPAC), it was found that administrative and security personnel in many prisons throughout the world do not understand the religious rights and duties of the Muslim inmates they hold. Good correctional practice is built upon a recognition of, and respect for, fundamental human values such as respect for the rights and duties of all individuals. This includes the need to respect the social, cultural and religious differences of individual offenders²².

It has become apparent that administrative and security personnel in many prisons do not understand the religious rights and duties of Muslim inmates. This material will help criminal justice personnel find ways to permit observant Muslim inmates to practice as many of their religious duties as good prison practice allows. Muslims are forbidden to eat ham or pork as meat, soup, or gravy. A separate menu or alternative food source should be provided to Muslim inmates. Every Muslim is required to pray five times each day. An alarm clock or other method of indicating the time should be provided to Muslim inmates. Every Muslim should have access to the Koran. Inmates should be allowed to purchase their own Koran or have one provided to

²² By analyzing the criminological research on the phenomenon, it seems that the idea of drafting a basic prison workers and detention center for the protection of Muslim minorities in prisons, is probably due to Director of Crime Prevention Information Centre United Nations and criminal justice. So the contents of this guide has been compiled, prepared and organized by the Naif Arab University for Security Science (NAUSS), Riyadh , Saudi Arabia, in coordination with the Ministry of Interior, Ministry of Justice and the Grand Ulama Council and the Department of Islamic Research in Saudi Arabia. GARY HILL, *Muslim religious rights and functions held in prisons*, UNODC, Kabul, 2008.

them. Every Muslim must fast during the month of Ramadan each year. Muslim inmates should be allowed to have a late feeding time if the normal time is prior to sunset or they should be allowed to have food in their housing area that they can eat after sunset. Every Muslim is required to wash his or her hands, face, head, ears, arms, and feet before every prayer and before handling the Koran. The provision of soap and water at a place convenient to where the inmates will pray or handle the Koran should be no problem in a prison environment. Female Muslim inmates must be completely dressed, except for face and hands, in front of other males or females. Dressing, bathing, and toilet facilities should be provided with a door or curtain for both male and female Muslim inmates. Muslims have the right to be alone with their spouses in a private room. If security does not permit a furlough for an inmate to meet with his or her spouse in their home, then a private facility within the prison should be considered.

Take account of Islamic precepts, now mentioned, is certainly of interest to the prison administration. This is because the same definitely responds to good health, both physical and mental, of the prisoner. They sure help receive, very important safeguard for the health of that, a full protection of their religious faith through the adoption of conditions of prison life such that will enable them to fully adapt to the Koranic teachings. This may not be not the best basis for an adequate and profitable treatment.

It should be remembered, by the way, the religious component of the induction process also realize the thinking of Islamists: 1) control environment, 2) mysticism replaced the logic in everyday life, 3) requests for political purity and / or ideological 4) personal confession; 5) acceptance of the basic tenets of the group as sacred; 6) forced limitation of language as polarized; 7) submission to the doctrine of the person; 8) Cancellation of existence²³.

Only those who do not have any familiarity with the Sharjah Islamic wonder will show respect to any specific legislation that is the basis of the strict code of rights and duties of a Muslim detainee. As you see, is not invoked both the need for an affordable living space for the prisoner, as do the UN Standard Minimum Rules for the Treatment, the formal observance of religious hygiene rules minute.

Koranic prescriptions relating variety of materials such as, for example, the clothes that women is convenient wear, or the prohibition of eating pork or punishment for fornication: what has the 'appearance of specific solutions to

²³ LIFTON R.J., *Thought Reform and the Psychology of totalism*, 1961.

particular problems, rather than attempts to deal with general issues in a comprehensive manner²⁴. But respect, at least formally, to the above requirements, because of their divine origin, is strongly felt and practiced. It should be noted that individual human rights are in the second line with respect to the need for rules of Sharia, whose base is essentially the Koran, are carefully and strictly observed. The individual Muslim acquires no rights and obligations of his bond with the community, but from his religious faith that makes everyone equal before Allah the practice. All of these faithful, he is, regardless of ethnic, racial, national, tribal, the Islamic Community. And this community (Ummah) of the Prophet Mohammed replaces the ancient tribes, based on blood relationship, genuine or fictitious: that is, a group of people that came down, or said to be descended from a common ancestor.

Islamists want secular law to be replaced by the Sharia, which they regard as being a single set of fixed laws which are purely divine in origin. Islamists generally interpret the sharia as instituting discriminatory laws for men and women, Muslims and non-Muslims. In addition, 'sharia' punishments advocated by Islamists often include stoning women for adultery, executing apostates and killing those who seek to overthrow or question Islamist political systems. Islamists think that the traditional concept of the Muslim ummah, the collective description of Muslims around the world, should be redefined to imply the creation of a political bloc. To Islamists, this means that Muslims should be loyal to other Muslims, whoever they are and wherever they are, ahead of being loyal to non-Muslims.

Jihadists are Islamists who believe firstly in using violence to advance Islamism's objectives and secondly that Muslim individuals anywhere in the world have the right to carry out violent attacks against any state, organisation or individual which they believe to be "oppressing" Muslims or to be actively hostile towards Islam. Even if the Koran is the basis of the Law, there is also, complementary source, the Sunna (Tradition) which includes the 'Hadith, that is, the narrative of what the Prophet said and did. The Koran consists of different provisions (Precepts positive) and prohibitions (negative Precepts) contained in the suras (chapters) and ayat (verses). The proper sphere of positive law includes all human actions considered in their outward manifestations. Some of them concern the observance of the fundamental precepts of Islam, that the profession of Unity of God, prayer, fasting, tithing, or the help for the poor and the pilgrims. This is not of faith ("the actions of the heart"),

²⁴ NOEL J.C., *A History of Islamic Law*, Edinburgh University Press, 1994.

since the heart escapes the expertise of lawyers, but rather the actions of the body, those outward acts of worship or worship imposed on the believer from the precepts of Islamic law.

That these precepts should be respected wherever and by whomever, that is, by non-believers, believers in the sense of allowing prisoners to observe them, resulting today in terms of regulation not only by the Universal Declaration of Human Rights, but even by dating rules at the time of the Prophet, who, although they did not exist then the prisons in the modern sense of the term, ordered in the case of a man held prisoner in someone else's house, it was the prisoner with humanity and dignity and to give him food²⁵. In the first case of misconduct specified, the captives incur Islamic offenses which are crimes punishable by legally established. These provisions, to be observed strictly, are severely punished because they bring great harm to the interests of the primordial Islamic Community.

The prison experience is often the first item in the chain process of radicalization. The psychological and emotional element of which the individual is a victim entering the prison system has become over time a fertile recruiting ground for extremist Islamic organizations, which in the prison system have been able over time to build a powerful network monitoring and manipulation.

There are a number of factors that contribute to increased psychological pressure of the detainee and his progressive plasticity, which is why the authorities must be able to replace the root cells present in prisons by ensuring the provision of services otherwise provided by the cells themselves, as in the case of places of worship. At the same time it is necessary to implement programs de-radicalization through the adoption of practical and psychological tools that enable it to counter radicalism, through providing services and rehabilitation programs, preventing isolation and separation of communities, and creating virtuous mechanisms of cooperation between prisoners and society.

Unfortunately, often, the prison systems are inadequate to the management of the phenomenon, and rather inclined to the adoption of methods and strategies have proved over time to the explosive proliferation of the phenomenon of proselytizing.

The dynamics of prison radicalisation are relatively straight-forward. Radicalisation occurs where prisoners are both 'pulled' towards Islamist ideologies

²⁵ M.C. BASSIOUNI, *The Islamic Criminal Justice System*, Oceana Publ., London - Rome - New York, 1982

through extremists' deliberate recruitment methods while also 'pushed' towards such messages through racism, violence and mistreatment at the hands of prison staff and other prisoners. Unfortunately, such apparent simplicity does not mean that solutions to this problem are equally simple. Indeed, there are genuine questions about whether radicalisation in prisons can ever be entirely stopped. Prisons by their very nature create the acute feelings of loneliness, fear, anger and self-doubt which will always make individuals vulnerable to radical ideologies like Islamism which promote spiritual certainty, simplistic solutions to complex socio-economic problems and a powerful sense of belonging and group identity. The formation of gangs, whether Islamist or not, for mutual support and protection will similarly remain an almost inevitable feature of prison life as long as prisons remain places of fear and intimidation where violence often occurs along ethno-religious lines. An additional challenge for those seeking to prevent Islamist radicalisation in prisons is that, as this report has shown, extremists in prisons are often highly motivated and charismatic individuals who believe it is their religious duty to convert others to their ideology.

Even allowing for the propagandistic nature of some extremists' accounts of prison life, there can be little doubt that incidents of racism and ethnic violence remain rife in prisons given that even the government's own surveys report that many Muslim prisoners feel that their religious beliefs are trampled on and that they are not treated equally or fairly by prison staff. Crucially, many positive Prison Service policies have arguably been compromised by their poor implementation. For example, the much overdue recruitment of Muslim prison chaplains has risked being compromised by the recruitment of predominantly individuals at the expense of other Islamic schools of thought which arguably have a better track record of promoting inclusivity and tolerance. Other lapses have actually facilitated radicalisation by actively empowering extremists. For example, prominent extremists have on occasion been given 'mentoring' courses, allowed to lead Friday prayers and treated as representatives of all Muslim prisoners. Other elemental problems also endure: pro-jihadist books remain available in prisons, leading jihadist ideologues freely communicate with their followers outside prison and many prison staff lack the necessary training which will enable them to recognise or effectively tackle Islamist extremists.

There is much that the Prison System can do to tackle prison radicalisation within an overall framework of making ordinary Muslim prisoners less susceptible to Islamists' messages while also challenging existing Islamists' ideo-

logies and reducing their ability and motivation to recruit others. Ordinary Muslims can be made less vulnerable to Islamist recruitment through addressing key grievances such as perceptions of an official bias against Muslims which help drive ordinary Muslims towards Islamists – as well as tackling anti-Muslim sentiment among non-Muslim inmates. This can also be done through raising awareness of inclusive and tolerant forms of Islam among prisoners and staff, breaking down social and psychological barriers between Muslims and non-Muslims.

At the same time, it is increasingly clear that special measures will be needed to de-radicalise existing Islamist extremists in the prison system. This can be done initially through initiatives such as exposing Islamists to alternative forms of Islam, arranging meetings between extremists and victims of terrorist violence and allowing prisoners to access Islamic texts which challenge and refute Islamists' core ideologies²⁶.

If public policies are to generate equal respect and equal opportunities for religious minorities, these groups should be involved in the discussion about how religious care can be provided to conscripts, personnel and prisoners. Other faith communities should have access to facilities funded from public resources for religion in these institutions. In this way, their requirements for religious care would be met as a matter of routine, rather than exception.

One may question whether policies based on human rights as advocated here would actually generate equal respect for religious minorities. One possible consequence is that religion would become more controversial as religious minorities threaten the position of power of a religious majority. Another consequence may be that religious minorities would become more segmented and separated from the majority population. On the other hand, religion may be an important tool with which minorities could sustain their identities, providing a basis for handling the difficult process of integration. Religion can be viewed, then, as a resource rather than as a problem²⁷.

Forced removals of non-nationals are permitted under international law. Article 13 of the International Covenant on Civil and Political Right (ICCPR) allows for the expulsion of legally resident foreigners²⁸. The United Nations Human Rights Committee (UNHRC) has noted that the provisions of Article

²⁶ JAMES BRANDON, *Unlocking al-Qaeda - Islamist extremism in British prisons*, Quilliam Foundation, November, 2009

²⁷ INGER FURSETH, *Religious Diversity in Prisons: The Rights of Muslim Immigrants*, in *International Journal on Multicultural Societies (IJMS)*, Vol. 2, No. 1, 2000

²⁸ ICCPR, 16 December, 1966, G.A. 2200A (XXI).

13 may be departed from in cases involving “compelling reasons of national security,” and also, that normally, an alien who is expelled must be allowed to leave for any country that agrees to accommodate him²⁹. Several European governments have supported a common EU policy on expulsion of terrorist suspects. In July 2005, and then again in September 2005, Italy proposed the definition of a common approach to such expulsions³⁰. In March 2006, the Interior ministers from the G6 countries (France, Germany, Italy, Poland, Spain, and the UK) agreed to share information on the expulsion of those suspected of preaching racial or religious hatred.

Interviews with inmates and prison staff in various prisons show that Britain and France make sharply different provisions for the practice of Islam. The well-established practice of Christian chaplaincy in British prisons has been so well adapted to the needs of Muslims that Islam is becoming institutionalised and cemented into the structure of prisons. By contrast, French prisons provide relatively few opportunities for Muslim prisoners to practise their religion under the leadership of qualified imams. Consequently, varieties of do-it-yourself Islam and of Muslim extremism flourish unofficially on the margins of French prisons³¹.

France used its Presidency of the EU in the second half of 2008 to promote a joint action with EU partners on the radicalization indicators in jails. The manual developed by France, Germany and Austria is supposed to be handed out to prison civil-servants. This manual is supposed to be given to twenty four thousand penitentiary staffers, police officers, gendarmes⁵² and Counter-Terrorism judges. Certain sources revealed that it was for the first time that Algerian security services were associated to the project. Although this handbook on violent radicalization is classified, it appears to throw light on selective indicators such as daily routine, religious practices, physical appearance (and noticeable changes), inmates’ access to media, code of conduct on Internet access, books, telephone calls etc. The handbook also goes on to prescribe recommendations on the exchange of information between penitentiary authorities, police services, and other partners, and finally, for training the penitentiary staffers³².

²⁹ U.N. Document HRI/GEN/1/Rev.6, 140 (2003), paragraphs 9-10.

³⁰ Council of the European Union Document 11330/05, 19 July, 2005.

³¹ JAMES A. BECKFORD, DANIELE JOLY AND FARHAD KHOSROKHAVAR, *Muslims in Prison: Challenge and Change in Britain and France*, Basingstoke: Palgrave Macmillan, 2005

³² JEAN-LUC MARRET, *Prison De-radicalization and disengagement: The French case*, Fondation pour la Recherche Stratégique, Paris, 2009

Although overt recruitment has been driven underground, prisons and other ‘places of vulnerability’ are increasingly important alternatives. We must explore the recruitment roles of radical imams, gateway organisations and activists, and highlight the kinds of message that facilitate the recruitment process. Internet also has come to play an increasingly significant role.

There is little evidence of systematic, top-down jihadist recruitment in Europe. Rather, the activist leaders of cells increasingly drive the process. There are different possible options for European governments wishing to disrupt violent extremist networks, recognising that it will also be necessary to address some of the underlying risk factors that fuel jihadist recruitment. Ultimately, the major challenge for European states lies in constructing more inclusive societies in which the narratives of exclusion and grievance will not resonate to the benefit of recruiters to the extremist cause³³.

³³ PETER R. NEUMANN, *Joining Al Qaeda: Islamist Militant Recruitment in Europe*, Adelphi Paper 399, International Institute for Strategic Studies, January, 2009.