

Prisons and Radicalization: Breaking the Cycle through Rehabilitation

by Francesca Capano

Concerns over migration, economic growth and the rise of populism seemed to overshadow the threat of terrorism in many European countries during 2018. While the number of attacks and alleged plots in Europe have declined considerably compared to previous years, experts have long warned that measuring the terrorism threat on the basis of successful attacks was a "mistake".¹

The warnings were proven right. With just twenty days to go before the end of the year, Chérif Chekatt, a 29-year old French national of North African descent walked into a Christmas market in Strasbourg and fired indiscriminately on pedestrians, killing five and wounding 11.

¹ Petter Nesser, "Europe Hasn't Won the War on Terror", in *Politico*, 5 December 2018, <https://www.politico.eu/article/europe-hasnt-won-the-war-on-terror>.

A few hours into the attack, Chekatt's profile began to emerge. It did not surprise many that Chekatt was a petty criminal turned terrorist. The profile would in fact confirm a familiar pattern, one common to previous attackers such as Anis Amri, the Berlin Christmas market attacker. In both cases, a past life of petty crimes gradually morphed into terrorist-leaning sympathies through a radicalization process – what national authorities now call "gangster-jihadists".²

Chekatt had served multiple prison sentences for non-terrorist related offences in France and Germany between 2011 and 2016 and was known to French, German and Swiss authorities. He showed signs of radicalization during his last prison sentence in France and was labelled a radicalized individual by the

² Kim Willsher, "Chérif Chekatt: Who Is the Strasbourg Shooting Suspect?", in *The Guardian*, 12 December 2018, <https://gu.com/p/a72n5>.

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authorities, which included him in two different national databases and placed him under surveillance.

Finally, on 11 December, the very same morning that French police tried to arrest him for attempted murder and armed robbery, Chekatt managed to evade capture, escaping into the city where he eventually carried out his deadly attack on the Christmas market. Five other people were arrested during the raid, with the police recovering grenades, firearms and hunting knives in Chekatt's apartment in Strasbourg.³

Chekatt was eventually found and killed in a shootout with the police in the residential Neudorf neighbourhood of Strasbourg on Thursday 13 December. While the investigation is still ongoing and many have cast doubt over the authenticity of these claims, the Islamic State publicly claimed responsibility for the attack, describing Chekatt as a "soldier" of the Caliphate.⁴

Official reactions to the events in Strasbourg by European politicians mainly focussed on expressing sorrow and condolences to the victims and their families. Yet, a number of French politicians and personalities sought to capitalize on the events, calling for more securitized approaches to radicalization and the threat of lone-

wolf attacks.⁵

Debates thus quickly turned to Chekatt's profile and the alleged shortcomings of the police and law enforcement agencies. In particular, much of the debate focussed on Chekatt's time in prison as holding the key to his radicalization process. This follows a general dictum that sees prisons as hotbeds for radicalization, a common mantra in recent years. Yet, some seem to be missing the point behind this link between detention and radicalization.

Italian media and politicians were not that far behind their French colleagues. The events in Strasbourg were followed closely in Italy given that one of the casualties was a young 29-year old Italian journalist who was fatally wounded during the attack. Details about Chekatt's criminal past thus immediately led to calls for tougher, and longer, prison sentences for terrorist suspects or radicalized individuals.

Italy's Interior Minister and Deputy Prime Minister, Matteo Salvini, among others, quickly took to social media to join the chorus of voices demanding harsher police measures. On an official visit to Israel at the time, Salvini specifically called for the "immediate arrest" of whoever was praising the attack in Strasbourg.⁶

³ David Chazan, "Chérif Chekatt: Everything You Need to Know About Strasbourg Terror Suspect", in *The Telegraph*, 12 December 2018, <https://www.telegraph.co.uk/news/2018/12/12/cherif-chekatt-everything-need-know-strasbourg-terror-suspect>.

⁴ Angelique Chrisafis, "French Authorities Investigate Why Strasbourg Attacker Wasn't Stopped", in *The Guardian*, 14 December 2018, <https://gu.com/p/a7f37>.

⁵ Cécile Guerin, "The French Far Right Is Hijacking the Strasbourg Shooting to Sow Division", in *The Guardian*, 13 December 2018, <https://gu.com/p/a79xe>.

⁶ ANSAmed, "Those Who Rejoice at Terror Attack Will Be Arrested –Salvini (3)", in *Ansa*, 12 December 2018, https://www.ansa.it/english/newswire/english_service/2018/12/12/those-who-rejoice-at-terror-attack-will-be-arrested-salvini-3_8fb69f82-e875-40b6-bc80-3905dcd277c.html.

Such reactions may seem reasonable: no one wants to live next door to someone who is praising the murder of innocent civilians. Yet, going beyond the concept of detention is equally, if not more, important. One must ask what happens once an individual is locked up and, especially, once their sentence is over?

Salvini's statement, like others to a similar effect, reveal an incomplete understanding of the role prisons play in the radicalization process and the challenges posed by the incarceration of extremist offenders. The real focus, and challenge, should be on how to reintegrate individuals into society and how to mitigate those multidimensional grievances that too often become a breeding ground for radicalization, especially during and after prison sentences.

Only one year ago, Italy was poised to adopt its first ever Law on Radicalization, which ultimately failed to be adopted.⁷ The draft law foresaw the establishment of a National Centre on Radicalization and a number of regional coordination centres. The National Centre would have been tasked with the development of an annual strategic plan for the prevention of radicalization and the rehabilitation of individuals, while the regional centres were responsible for implementation at the local level.

Most importantly, the National Centre would have assisted the Ministry of Justice in the development of prison

⁷ Francesca Capano, "Italy's Draft Law on the Prevention of Radicalization: A Missed Opportunity?", in *IAI Commentaries*, No. 17|34 (December 2017), <https://www.iai.it/en/node/8652>.

interventions aimed to disengage individuals from extremist ideologies and rehabilitate prisoners convicted for terrorist related offences. All of this was consigned to oblivion with the end of the legislature in December 2017 and the consequent failure to adopt the law.

Italy's aborted law on radicalization reveals an Italian context that is largely unprepared to deal with the important dimensions of rehabilitation and reintegration of radicalized inmates, let alone sentencing schemes that provide alternatives to incarceration. Instead, much of the debate revolves around punitive measures, including prison sentences and, when possible, the repatriation of extremist offenders. While still containing some shortcomings, Italy's proposed Law on Radicalization could have provided a political and legal framework to also begin addressing the delicate post-detention and reintegration phases.

Luckily, there are some exceptions at the local level. Indeed, while Italian law does not foresee de-radicalization and disengagement programmes, this has not prevented *ad hoc* measures or EU-funded projects that seek to implement similar initiatives at a local level.

In April 2018, news emerged about the first case in Italy of so-called "de-radicalization programme". A 15-year old found guilty of spreading Jihadist propaganda online avoided prison and was instead assigned to a team of experts who would walk him through a de-radicalization process.⁸ The

⁸ Although it would be more appropriate to speak about "disengagement", the word used in this

process, which was strictly tailored to the teenager's profile, worked on both behavioural and ideological dimensions and included daily, and eventually weekly, meetings with the team.⁹

Simply locking someone up for borderline offences that are considered a "grey-zone" in the terrorism spectrum is a very dangerous and false-promising approach. This is particularly true for the Italian context, which is still far from implementing systematic nationwide rehabilitation and reintegration programmes for general inmates, let alone radicalized individuals. In its yearly report, *Antigone*, an Italian NGO dealing with the protection of civil rights in the penal system, specifically warned about Italy's restrictive special prison regime for serious offenders, inducing dangerous organized criminals and terrorism or terrorism-related offenders.¹⁰

While no doubt necessary for the most dangerous cases of terrorist-related offences, punitive treatment and the deprivation of liberty may end up feeding further grievances, particularly

case was "de-radicalization". For a clarification see, Francesca Capano, "The Endless Terrorism Debate: To De-radicalise or Disengage?", in *The Spark*, 24 September 2018, <http://bit.ly/2EDsEDa>.

⁹ Cecilia Attanasio Ghezzi, "Il primo caso di deradicalizzazione in Italia: parla la psicologa", in *Lettera43*, 25 April 2018, <https://www.lettera43.it/it/articoli/interviste/2018/04/25/italia-deradicalizzazione-udine-isis-jihad-terrorismo/219526>.

¹⁰ Claudio Paterniti Martello, "Radicalizzazione e libertà di culto", in *Antigone*, *Un anno in carcere. XIV rapporto sulle condizioni detentive*, April 2018, <http://www.antigone.it/quattordicesimo-rapporto-sulle-condizioni-di-detenzione/radicalizzazione-e-liberta-di-culto>.

if accompanied by feelings of injustice, hopelessness in the future or more general discrimination. Toughness does not always pay off. Criminology literature and past experiences with domestic terrorism in twentieth century Italy, Germany and Northern Ireland demonstrate that harsh punitive measures can backfire and even further exacerbate the problem.¹¹

These considerations highlight the danger of generalized calls for harsh punishment. Each sentence should instead be individualized based on the circumstances of the specific case. This is the direction taken by the UN and the European Union: interventions that aim to de-radicalize or disengage a radicalized individual should be tailored to specific cases and lean on the work of a multidisciplinary team of experts, including psychologists, religious counsellors, mentors, social workers and educators.

Several policy documents have been produced at both the European and international levels on what variables need to be taken into account to avoid prisons becoming facilitators for radicalization. These range from the respect of fundamental human rights, safe and healthy prison environments, security and prison regimes, risk assessment and inter-disciplinary cooperation in the realm of

¹¹ See for instance, Javier Argomaniz, and Alberto Vidal-Diez, "Examining Deterrence and Backlash Effects In Counter-Terrorism: The Case of ETA", in *Terrorism and Political Violence*, Vol. 27, No. 1 (2015), p. 160-181; Joanne Wright, *Terrorist Propaganda. The Red Army Faction and the Provisional IRA, 1968-86*, Basingstoke/London, Macmillan, 1991.

rehabilitation programmes.¹²

In the aftermath of the Strasbourg attack, the European Parliament adopted a resolution on the findings and recommendations of the Special Committee on Terrorism, which was gathering in Strasbourg on the very same day of the attack. In recommendations on "Preventing and countering radicalisation leading to violent extremism", the Committee urged member states to adopt comprehensive national strategies for disengagement programmes.¹³ Earlier this year, the European Commission also called on member states to look into possible alternatives to detention for terrorism-related crimes.¹⁴

These calls, also shared by many practitioners, contrast starkly with recent media and political debates, where stringent prison sentences for any terrorism-related offences tend to dominate the discussion. The sooner political leaders embrace more holistic and multidimensional approaches to countering the threat of terrorism and violent extremism – in all its shapes and colours – the closer European societies

and governments will be to providing effective preventive security measures for these threats.

While attractive for political and public opinion purposes, incarceration and long prison sentences represent only a small part of the solution. Rehabilitation and reintegration, while difficult to sell and operationalize, represent more effective long-term approaches, both in Europe and further afield.

It is high time for governments and international organizations to adopt and integrate the lessons learnt from the ongoing exchanges of best practices between expert practitioners in the field. This would help steer the debate towards a more in-depth understandings of the radicalization cycle and the need for effective exit and reintegration strategies for radicalized individuals and inmates.

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¹² For an overview see, Francesca Capano, "Radicalizzazione in prigione. Dinamiche europee e internazionali", in Lorenzo Vidino, *Deradicalizzazione*, Rome, Argos/Gnosis, June 2018.

¹³ See point 30: European Parliament, *Resolution of 12 December 2018 on Findings and Recommendations of the Special Committee on Terrorism* (P8_TA(2018)0512), <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2018-0512&language=EN>.

¹⁴ High Level Expert Commission Expert Group on Radicalisation, *Final Report*, Luxembourg, Publications Office of the European Union, 18 May 2018, p. 6, <https://europa.eu/!mg47Db>.

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