

Prevention of Jihadist Radicalization in Spanish Prisons. Current Situation, Challenges and Dysfunctions of the Penitentiary System

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Prevention of Jihadist Radicalization in Spanish prisons. Current Situation, Challenges and Dysfunctions of the Penitentiary System

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Abstract:

There are many experiences of jihadist radicalization in prisons, some of them also in Spain. This article first describes the situation of Muslim convicts in Spanish prisons. Following, it analyzes the challenges and inefficiencies that the Spanish penitentiary system is currently facing. These are weaknesses that affect the relationship between convict jihadists and common prisoners of Muslim origin, the prevention and control of the prisoners' daily lives, the diffusion of radical documents inside the prisons and the communication between the interior and exterior of the center. Overall, it is noticeable the lack of a strategic plan from the penitentiary Administration for the prevention of jihadist radicalization.

Keywords: Islam, prisons, radicalization, jihadist militancy, counterterrorism

1. General panorama of Islam in Spanish prisons

Since the year 2000, the foreign population in Spanish prisons has duplicated, representing **18% of the total convict population in January 2000** (7.900 convicts), to sum up **33% on December 2007** (19.123 prisoners of a total of 57.701).

Among the foreign population, the **convicts coming from countries with a Muslim majority** constituted a total of 6.144 up to the 31th of October 2007. This means a **10.4% of the total of prisoners**. In the table 1 their nationalities are detailed.

The most frequent crimes comitted by the convicts coming from countries of Muslim majority are the following ones: crimes against the public health (drug traffic), robbery (in its different modalities), public document fraud and falsification. These are criminal acts sanctioned with a relatively short prison sentence. A considerable proportion of these convicts can accede the third degree (which allows them to pass most of the day outside the penitentiary center) in a matter of months or very few years. Most of the convicts

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coming from Muslim countries constitute a kind of floating population in the Spanish prisons, which frequently enters and leaves fulfilling sentence.

Table 1
Convicts coming from countries with a Muslim majority
(December 2007)

Afghanistan	4	Malaysia	27
Algeria	1.048	Morocco	4.592
Egypt	21	Mauritania	73
Ethiopia	5	Palestine	73
Indonesia	5	Pakistan	48
Iraq	23	Saudi Arabia	1
Iran	37	Sudan	9
Jordan	3	Syria	28
Kuwait	1	Tunisia	33
Lebanon	34	Turkey	64
Libya	14	United Arab Emirates	1
Overall: 6.144			

The data does not include the Autonomous Community of Catalonia, which has its proper competence regarding prisons. Convicts from other countries with an important Muslim population but where there are also animist and cristian populations have also been excluded: Mali (61), Nigeria (428) and Senegal (125).

Source: Head Office of Penitentiary Institutions

The convicts of Muslim origin are scattered throughout the totality of the Spanish penitentiary centers. The percentage varies weekly in each center. The about six thousand prisoners belonging to this category are distributed not proportionally in 66 prisons. They are not concentrated in separate prison buildings, but in some centers there is a high concentration, since its number oscillates between 50 and 75 in buildings of, approximately, one hundred convicts. This happens for example in the prisons of Ceuta, Melilla, Almeria and Monterroso (Lugo).

To a great extent this situation is due to the **masification of the Spanish jails**. The aim, established at the beginning of the current Zapatero's Administration (2004-2008), of one prisonere per cell is surely far from being real. In fact, the Administration concludes with the construction of a single penitentiary center (Port III) with 1,180 places, and an increase of more than 7,200 convicts from April 2004 to September 2007. The revision and update of the Plan of Creation and Amortization of Penitentiary Centers, passed in December 2005 and which covers the period 2006-2012, will allow the penitentiary system (without considering Catalonia which has full competences in this matter) to dispose a total of 43,000 functional cells of ordinary regime and 5,129 functional cells of

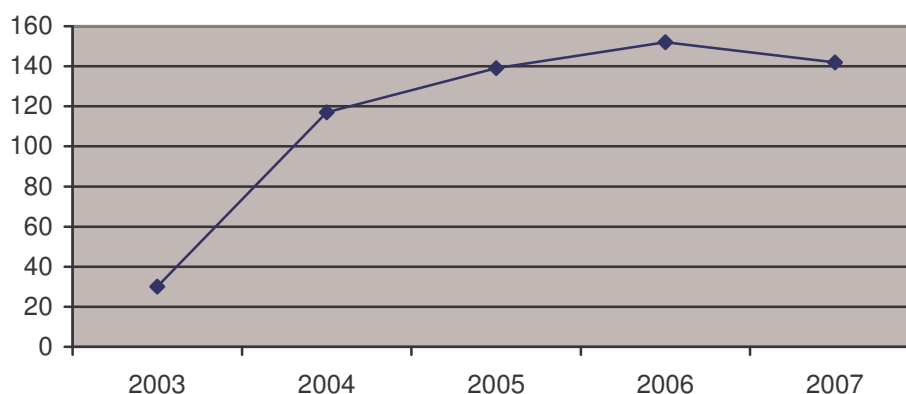
open regime. That is to say, **48,129 functional cells for 2012**, when the **number of prisoners in December of 2007 was already of 57.463**.

The over crowded Spanish jails, as well as the constant increase of the number of convicts, restrain the application of the penitentiary's separation criterias (first time/recidivist, youngsters/adults, terrorists/commons), as well as a ordered and constructive task of the criminal's reintegration and resocialization. Regarding the convicts of Morrocan origin, only a 4% of them go regularly to the alphabetization programs.

The masification does not only creates problems for the reintegration tasks. Those of surveillance are also seriously implicated since the **ratio prison officer/convict is of 1/160**.

On the other hand, in the prisons there was, dating **July 2007**, **142 convicts connected to the jihadist terrorism**, distributed in 25 centers of the Spanish geography. The presence of jihadists in Spanish jails is a relatively new phenomenon since, although the first police operations against this type of networks date from the mid 90's, it is not until during the year 2004 when a substantial increase of the number of imputed or condemned convicts takes place due to their entailment to jihadism. Consequently, the formation and experience on this particular matter of prison officers is still poor.

Graph 1
Evolution of the number of convicts imprisoned for their connection to jihadist terrorism



Source: Head Office of Penitentiary Institutions

Table 2
Nationality of the arrested convicts for their connection to the jihadist terrorism
(data up to the 14th of February 2007)

Morocco	52
Algeria	46
Spain	16
Pakistan	14
Syria	14
Palestine	3
Ex-URRS	2
Egypt	2
Lebanon	2
Turkey	1
Iraq	1
Mauritania	1
Tunisia	1
Afghanistan	1
Overall	156

Source: Answer of the Government to a written question form the Parliament.
Author: Alicia Sánchez Camach, formulated the 26/01/07 and replied the 8/3/07.

2. Inefficiencies of the Spanish penitentiary system under eventual radicalization and jihadist recruitment processes in prisons

There are numerous precedents of radicalization in prison contexts: the deceased Abu Musab al-Zarqawi, Richard Reid (more well-known as the shoe-bomber), Kevin James (an individual who in August 2005 was condemned for the creation of a cell in a Californian prison with the aim to execute attacks in Los Angeles) or Jamal Ahmidan (who was radicalized during his imprisonment in a Moroccan jail and later played a key role in the financing of the Madrid bombings). At the same time, it is not infrequent that groups of individuals that radicalized in prison have developed jihadists activities after being set free¹.

The Spanish prisons have also been the scene of radicalization processes and jihadist recruitment. The most famous case was the NOVA operation, conducted in October and November 2004 against a jihadist network partially created in Spanish prisons. The network was composed by old militants of the Algerian GIA that had attracted new supporters during their imprisonment in the prison of Topas (Salamanca) between the years 2001 and 2003. The leader of the group, Abderrahman Tahiri (alias Mohamed Achraf) selected the potential recruits to use them once they were set free. The activities of the group ended up generating alarm and their members were dispersed throughout several Spanish prisons. Finally, a police operation was performed in which more than thirty individuals were arrested and fourteen of them were still in jail. The terrorist network was preparing a campaign of attacks in Madrid for the occasion of the first anniversary of the March 11, 2004 attacks.

Another example was the one of Allekema Lamari, one of the operative leaders of the Madrid bombings. He left prison in 2002 (he had been arrested in 1997 for his activities in the GIA) extremely radicalized and decided to commit an attack in Spain². A desire that indeed fulfilled hardly a year and a half later.

There exists real possibilities that new situations of radicalization and jihadist recruitment in the Spanish prisons can occur and their consequences would be grave. The recruiters can make contact with marginalized people and of antisocial conduct, and offer them an opportunity to redeem and fill of sense their life through the jihadist salafism which, in addition, would legitimize their criminal practices in the name of the jihad. The prisons also offer the opportunity to extend the jihadist financing networks throughout common or organized delinquency³. Moreover, in addition to this enormous risk, the **Spanish penitentiary system continues to suffer inefficiencies** which makes it difficult to prevent and detect these phenomena. Followingly, we are going to indicate the most problematic aspects:

- 1) Not all the jihadists convicts are in isolation buildings. Approximately a **15% of them live in buildings with common delinquents**, which in many cases are also of **Muslim origin**. It was this mélange which allowed the creation of the terrorist network disarticulated by the NOVA operation in 2004. In spite of that episode, the connivance of jihadists and common delinquents of Muslim origin in a same building is still maintained, surprisingly, nowadays.
- 2) Another weak point of the penitentiary system is encountered by the **little control** which is exerted on the **people who visit the prisoners of Muslim origin** and who, possibly, can be invested with special jihadist salafist authority, and exert negative influences on them. In fact, not only the identity and origin, but even the exact number of imams who visit the Spanish penitentiary centers is unknown. For example, in July 2007, the delegate of the union ACAIP in the prison of Picassent (Valencia) remarked the fact that more than 40 religious ministers visited the convicts of the penitentiary center.
- 3) On the other hand, penitentiary institutions lack of a computer system which would allow to know right away if the person who visits a prisoner convicted for jihadist terrorism has visited convicts in other jails of the country, culpable or condemned for the same or different causes.
- 4) In line with the previous vulnerability, the current legislation prevents **integral inspection** of the people who visit convicts. Those visits can not only provide drugs, but also **mobile phones or tapes/CDs with radical contents**.
- 5) There is neither a sufficient **control on the NGO's that attend prisoners of Muslim origin**. The only registered NGO which recognizes its Islamic character is the one of the An-Nur mosque in Ceuta, linked to the Jama'a al-Tabligh movement. As it is known, the Tabligh movement itself is not jihadist, but frequently radicals have come close to their followers in order to catch new recruits. Of the more than

three hundred NGO's remaining which conduct activities in the Spanish penitentiary system it is unknown their political-religious orientation, except for the ones that have a noticeably Christian character, like for example *Cáritas*. Through those NGO's approximately 5,000 volunteers enter the Spanish jails who, generally, lack of a specific formation to be able to treat the group on which they intervene. The work fulfilled by those organizations is, in the immense majority of the cases, praiseworthy and necessary; but, however, it would be convenient to pay attention to possible radicals infiltrations through some of them. The islamists groups - including the radicals - frequently use the cover of preaching and charity organizations with the aim to develop its proselytism⁴.

- 6) The rotation of the officers in charge of the building's surveillance makes it difficult for them to familiarize with such task, and supervise, thus, suitably, the open or clandestine activities developed by convicts. This fact has to be put in relation with the **apparently low profile that is perceived in jihadist convicts**. Years ago the external appearance showed in many cases their radicalism; however now, they make an effort to pass unnoticed. Their dress-code and behavior tend to be apparently more *Western*, and is it probable, that if they recruit new followers, they transmit those same conduct guidelines to them.
- 7) Meanwhile, the prison officers have not received **formation on jihadist terrorism**; therefore the surveillance they can exert on the matter is at the mercy of each one's mere intuition. It also stands out the insufficient number of officers with technical qualification - specially psychological - who can notice and prevent the radicalization processes. At the moment the ratio is of approximately a psychologist for each five hundred convicts. And in many cases, the prison's administrative tasks reduce their time to carry out a direct intervention on the prisoners.
- 8) Also a serious deficiency of translators within the centers is noticeable. The Penitentiary Institution has approximately **35 Arab translators for more than six thousand convicts** coming from countries with a Muslim majority, who in many occasions use **local dialects**. But, in addition, the translators **cannot enter inside the prison buildings**. Their work is limited to translate appointed telephone conversations and supervise the written correspondence intervened by judicial mandate. Consequently, the prison officers responsible for each building **are incapable to know about what Muslim convicts speak** during their meetings in the yards, in the leisure rooms, or in the study room fitted as a mosque within the penitentiary center. Certainly, the translators have their specific function which is, naturally, alien to the observation and listening of the convicts. Perhaps this task should proper to specially trained officers with Arab knowledge (classic, dialectal, etc), and with a suitable functional coverage within the penitentiary center's organization.
- 9) The same happens with the content of tapes, CDs and books in Arab that the convicts receive from the outside. The prison's security system supervises them to avoid the entrance of prohibited objects as, for example: weapons, drug or mobile phones, etc sent to the prisoners through packages; but this system **is not able to**

avoid, efficiently, the entrance of publications or tapes with radical islamist doctrine. Such contents, also can, disguise through apparently innocuous supports. It has occurred, for example, the case of tapes with labels of a Spanish course of the Open University in which were engraved speeches of one imam in Arab. The lecture of the Arab documentation by the interpreters are select randomly, and has to count with judicial authorization case by case.

- 10) At the same time, in the prisons there is a lack of technology to detect **falsifications in visitors' identity cards**, and the civil employees are neither suitably prepared to discover fraudulent identity cards. It would be possible therefore that a person filed as dangerous visited other convicts with a false identity.
- 11) The Penitentiary Institution lack a legislation which allows the **control of the money that the convicts receive**, let it be the transferences coming from the outside, as well as the ones that they carry out from prison to prison. Any person can send them money anonymously by a postal office. For instance, Allekema Lamari, before executing the of Madrid attacks, but already being in a hunted and arrest situation, sent money through postal to jihadists convicts, giving them encouragement messages.
- 12) The **external communications' control** of the prisoners **linked to jihadism is insufficient** because it is part of a random surveillance. In addition, saving exceptional cases (because there is a police operation in progress), only the telephone number is supervised but not the content of the conversation.
- 13) At the same time, the jihadists who live in buildings with common prisoners **can reach an agreement** with any convict so that this one includes in his call list numbers of the jihadist so that he can call later with the convict's card (each convict has the right to communicate with ten telephone numbers, a variable number of times during the week established by each center). The common prisoners' calls are not controlled in the same way that those of the convicts related to the jihadist terrorism. The agreement can be made on the base of money, favours in the interior or outside of the center, or group or religious leadership. By this way it would be also possible to cheat the communications' surveillance.
- 14) On the other hand it is very difficult to control the communications that can be made inside and outside the prison **through couriers**. There are many convicts of Moroccan origin who achieve confidence positions or remunerated posts that allow them within the prison to accede different departments. Also, there are numerous Moroccan prisoners convicted by small crimes who can leave to the outside with permission, and who could take and bring messages to the jihadists convicts.
- 15) **There does not exist sufficient coordination between the prison staff and the counterterrorist agencies.** Members of different security bodies visit the establishments emitting recommendations to the security subdirectors and gathering information generated inside the centers. The recommendations vary according to the police body and the visited center. The Head Office of Penitentiary Administration includes security coordination, to the front of which is a Lieutenant Colonel of the

Guardia Civil (Gendarmerie); up to now the collected information has not resulted in benefits and/or recognitions to the civil officers of Penitentiary Administration. **Therefore a structured interinstitutional cooperation system lacks**, which would enable the connection of the penitentiary system, and its centers, with information and intelligence agencies engaged in the antiterrorist fight. This system would have to be equipped with the architecture, means and procedures, that guarantee the cooperation in different tasks such as the surveillance, the acquisition and exploitation of relevant information on activities and external relations of the radicalized convicts or those exposed to a jihadist radicalization process.

- 16) Consequently and, finally, **there does not exist** from the penitentiary system **a global strategy in order to prevent and avoid the processes of radicalization and jihadist recruitment**. No specific program, which allows to detect and analyze how these processes in the jails occur, has been developed. Therefore, due to the lack of a global vision of the problem, the adopted measures are improvised and lack coherence. Actually, it is the Head Offices of each prison which, according to their own criteria, draft the orders that develop the recommended generic programs from the Head Office of Penitentiary Administration. Some Head Offices of centers incide more on the treatment matter, whereas others prioritize the center's inner security and the prevention of conflicts.

3. Conclusions

The panorama just described is, at least, perturbing. As it is known, the detected cases of radicalization and jihadist recruitment in the Spanish prisons, have determined, from the counterterrorist agencies an effective and strong answer. This unquestionable fact should be an obligatory referent in order to improve the interagencies' cooperation.

Nevertheless, the difficulties are not few. In the interviews realized to prison officers it is noticed that the convicts of Muslim origin systematically form differentiated groups within the Spanish prisons. This obeys to a comprehensible dynamic. The diversity of origins and the penitentiary's unwelcoming atmosphere, lead the individuals to relate with the most compatible inmates in terms of language, culture or religion. But this natural process could be used by the jihadists to attract supporters in the prisons and create new terrorist networks in Spain. And the worst is that, in case this was taking place, the penitentiary Administration would hardly be able to detect and neutralize it because of the inefficiencies commented in this article. **To the day of today, the jihadists could be using the Spanish prisons like a breeding ground where to forge a new generation of radicals and, of being this way, most probably the Administration would not be conscious about it.**

In summary, the solution to this problem requires, from the penitentiary Administration, **the design, the implementation and the continuous evaluation of a global strategy against the jihadist radicalization**. When confronting this challenge it would be essential to count on the penitentiary Institutions' body of prison officers. In general there are qualified professionals (in a 70% of the cases they have university degree) and

well familiarized with the prisons' internal dynamics. It makes any sense to leave them at the margin of the diagnosis, analysis and management of this challenge.

¹ Chris Zambelis, "Radical Networks in Middle East Prisons", *Terrorism Monitor*, Volume 4, Issue 9 (May 4, 2006); Omar Guendouz, *Les soldats perdus de l'Islam: les réseaux français de Ben Laden*, (Paris : Éditions Ramsay, 2002), pp. 44-51; Schweitzer, Y. "The Case of the "Shoe Bomber" Lessons in counter-terrorism—this time at no cost", International Policy Center for Counter-Terrorism, January 4, 2002

² José María Irujo, *El Agujero. España invadida por la Yihad*, (Madrid: Aguilar, 2005), p. 212.

³ Javier Jordan; Fernando M. Mañas; Nicola Horsburgh, "Strengths and Weaknesses of Grassroot Jihadist Networks": The Madrid Bombings, Volume 31, Issue 1, 2008, pp. 17-39

⁴ Diane Singerman, "The Networked World of Islamist Social Movements", *Violence as Contention in the Egyptian Islamic Movement*, Quintan Wiktorowicz (ed.) *Islamic Activism. A Social Movement Theory Approach*, (Bloomington & Indianapolis: Indiana University Press, 2004), pp. 143-184; General Intelligence and Security Service (AIVD), *From Dawa to Jihad. The various threats from radical Islam to the democratic legal order*, (Amsterdam: Ministry of the Interior and Kingdom Relations, 2004).

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- The paper can include graphics and charts inserted in the text.
- Each article should be summarized in an **abstract** of not more that 100 words
- Five **key words** must be included and a **short bio** of the author is required (no more than 50 words)

References:

- References must be at the end of the text.

Articles:

Shaun Gregory, "France and the War on Terrorism", *Terrorism and Political Violence*, Vol.15, No.1 (Spring 2003), pp.124-147

Book:

Peter L. Bergen, *The Osama bin Laden I Know*, (New York: Free Press, 2006)

Book Chapter:

Mohammed M. Hafez, "From Marginalization to Massacres. A Political Process Explanation of GIA Violence in Algeria", Quintan Wiktorowicz, (ed.) *Islamic Activism. A Social Movement Theory Approach*, (Bloomington & Indianapolis: Indiana University Press, 2004), pp. 37-60