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Captivated by fear

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Chapter Seven

The Prison Regime

Whereas the previous chapter examined the policy's primary elements (see Figure 3.1), this chapter focuses on the terrorism wing's two secondary objectives (to prevent terrorism activities and further radicalization among inmates in the terrorism wing) and their corresponding instruments (extended security level and individual regime). Like in the previous chapter, this chapter firstly discusses whether the instruments are implemented as intended, and secondly whether the instruments produce intended and/or unintended mechanisms. Where possible, preliminary policy outcomes will be discussed.

To examine the policy's daily delivery several regime components will be analyzed, including the security level, control over internal and external communication, the level of association among the inmates, and daily routines. The extent to which intended preconditions are realized will also be discussed. To gain insight into whether and how the implementation developed over time, a comparison will be made between the implementation in the months after the terrorism wing's opening (2006) and during the time of data collection (2010). This way, it is possible to identify potential unforeseen circumstances and examine their impact on the inmates and the daily functioning of the terrorism wing. The description of the regime will be based primarily on the situation in P.I. Vught, because only two prisoners have been housed for a relatively short period in P.I. De Schie. According to the two respective prison governors, the two terrorism wings were operated in almost identical ways.

Daily Functioning

Security Level

As became clear in Chapter Three, the decision makers intended to house the terrorism wing in an 'extended' security level, which is one level below the maximum security level. The rationale is that the extended security level facilitates control over the inmates' external communication, and thereby prevents them from plotting terrorism acts. In addition, the extended security level is supposed to contribute to order and security within the institution.

2006 – Unit 1

The (then) governor of the P.I. Vught, who was referred to by other decision makers as the 'architect' behind the terrorism wing, played an important role in designing the intended regime type. According to the governor, the regime reflects a combination of the regime in the maximum security unit on the one hand, and a regime for exceptionally aggressive and disruptive inmates on the other hand.⁴⁰

In 2006, the terrorism wing was established in the *temporary* maximum security unit (Unit 1) of the P.I. Vught, an old building that had served as a concentration barrack during WWII. Within Unit 1, the terrorism wing encompassed two sections of respectively eight and ten cells. The courtyard had to be rebuilt in order to maintain the individual regime on the terrorism wing, so that five cages were constructed where inmates could be allowed to exercise simultaneously in separated areas.

Unit 1 applied an 'extended' security level, which includes additional security measures to prevent (violent) in- or outbreaks and imposes substantial restrictions on inmates' individual autonomy. When outside their cells, inmates are always guided by a minimum of two guards (see also Molenkamp, 2009). According to the applicable rules, inmates are frisk searched before and after each moment of contact between staff and prisoner. In practice, this means that inmates are searched each time they leave or enters their cells. Strip searches occur when inmates arrive at or leave the institution and after visits without separating glass walls.

⁴⁰ Landelijke Afdeling Beheersgevaarlijke Gedetineerden (LABG).

The regime on the terrorism wing in Unit 1 was the subject of criticism by politicians and the media. The TV-documentary 'Guantanamo Vught' scrutinized the building's old state and poor facilities. In 2007, the terrorism wing was temporarily displaced due to fire hazard. In June 2007, the European Committee for the Prevention of Torture (CPT) visited the terrorism wing and concluded that the building lacked sufficient climate control (CPT; 2008). In his reaction to the CPT's report, the Minister of Justice announced the opening of a new unit in 2009.

2010 – Unit 5

In November 2009, the terrorism unit was moved to Unit 5, which houses the maximum security unit. Unit 5 consists of four wings of six cells each. Three wings are reserved for the maximum security unit, the fourth wing is allocated to the terrorism wing. In contrast to Unit 1, where communal areas are shared between different wings, in Unit 5 each wing has its own courtyard, kitchen, fitness room and recreational rooms. Unit 5 is especially designed to optimize all areas of the building. The building is light, modern, and equipped with CCTV systems and advanced technology that limits the need for correctional staff to interact with inmates.

Unit 5 is tailored to house the maximum security unit, and therefore applies a higher security level than Unit 1. As such, when the terrorism wing was relocated from Unit 1 to Unit 5, the security level was automatically upscaled from an 'extended' to a 'maximum' security level. The rules and regulation that apply to the maximum security unit also apply for the terrorism wing and the same staff operate both regimes. According to the prison staff, the authorities never developed a tailored staff manual with instructions and procedures to manage inmates in the terrorism wing, although such a manual does exist with regard to the maximum security unit. At the time of data collection, this was frequently the subject of debate between staff and the prison directorate. On occasion, the lack of a staff manual caused confusion about the required procedure, for instance with regard to the treatment of (e.g., veiled) visitors. In most cases, prison staff relied on the manual of the maximum security unit. In the interviews, the prison staff emphasized the need to formulate a tailored staff manual and regulation for the terrorism wing, in order to identify and explain (to both staff and prisoners) as to how the regime on the terrorism wing is supposed to differ from that on the maximum security unit.

External Communications

In order to prevent inmates in the terrorism wing from communicating extremist messages or coordinating or supporting extremist activities with others outside prison, their external communications are subjected to close control. Incoming and outgoing mail for inmates in the maximum security unit and terrorism wing are monitored by the facility's Bureau for Intelligence and Security (BIV). Telephone calls and visits are audio recorded (and translated where necessary), and cues of extremist messages or illegal conduct are reported to the prison governor. BIV also monitors the inmates' library use. The Prison Service developed a list of 'forbidden' literature, which bans extremist or potentially radicalizing literature. Since 2002, BIV also investigates cues of radicalization among non-extremist prisoners in regular units, but this has never resulted in transfers to the terrorism wing.

2006

In the interviews, the staff indicated that procedures regarding control on inmates' external communication have been strictly followed since the opening of the terrorism wing.

When it comes to external contacts, a distinction is made between personal and privileged individuals. Privileged individuals, such as solicitors, are allowed to visit and freely communicate with the inmates. In addition, inmates are entitled to one personal visit a week. Personal contacts are vetted by the Detainee Intelligence Service before being allowed to visit. Inmates can forward ten persons for vetting; external contacts are not allowed to visit multiple prisoners in the wing. When deemed necessary, the prison authorities can decide to refuse personal contacts for a maximum of twelve months. Visits are always monitored by prison staff.

The only element where the prison regime in the terrorism wing differs from the maximum security unit concerns visits behind glass. Whereas inmates in the maximum security unit always receive their visits behind a glass wall, inmates in the terrorism wing are granted the choice to receive their visits in a room without a glass wall. Shaking hands is permitted at the start and end of the visit. Inmates are strip searched before and after the visit; in case of visit behind glass the inmates are frisk searched before and after the visit. Interviews with both staff and the inmates revealed that in the first months after the opening of the terrorism wing, most inmates opted for visits without glass.

2010

The staff indicated that the procedures regarding control on inmates' external communication are still closely followed in 2010. However, one amendment has been made to the regulations concerning visits. After repeated requests from one of the inmates to permit physical contact between him and his children, the prison authorities allowed him five minutes physical contact at the beginning and end of a visit, every six weeks. Over the course of years the inmates increasingly opted for visits behind glass to avoid strip searches, which they experience as uncomfortable and humiliating.

Level of Association

2006 – individual regime

The decision makers intended to subject the prisoners to an individual regime, which is supposed to prevent intensified radicalization and network strengthening by separating the inmates from one another. According to the prison authorities, within an individual regime in principle the inmates undertake out-of-cell activities, such as sport and recreation, on an individual basis. Association with others is considered a privilege, not a right. According to prison staff, in the first months after the opening the individual regime was strictly implemented, so that inmates spent most of the time in isolation and could not communicate with other inmates. However, in the interviews both the authorities and the prison staff pointed out that the isolation can negatively impact the inmates' mental health, and that it was considered undesirable to impose the individual regime for sustained periods of time. A few months after the opening of the terrorism wing, prison staff allowed the inmates to associate during recreational hours in small groups of three to four inmates. Inmates who were charged in the same court case were kept separated and were not allowed to communicate.

2010 – limited association

Over the course of years, the level of association developed from an individual regime to a regime of 'limited association' (*'beperkte mate van gemeenschap'*), which is also applied in the maximum security unit. Under a regime of limited association inmates undertake out-of-cell activities in groups of a maximum of four inmates. The prison governor has discretionary powers

to put inmates back on an individual regime when necessary, for example in cases of behavioral disruptions or extremist activities, but according to prison staff this has never happened.

Daily Routines

2006

In the first months after the opening the prisoners in the terrorism wing were offered a basic program of daily activities. Prisoners were confined to their cells for approximately 21 to 22 hours a day and would only leave their cells for one hour's solitary exercise in an individual cage on the courtyard. They were entitled to exercise and shower twice a week under supervision of a sports instructor. Education or labor activities were considered incompatible with the individual regime and were not offered to the inmates.

2010

After a few months (starting early in 2007), the prison staff gradually began to expand the range of activities offered in the terrorism wing. At the time of data collection, the inmates were allowed to spend approximately forty hours a week outside their cells. Between eight in the morning and five in the afternoon they were, within the constraints of the regime, relatively free to decide how to spend their day. Since the terrorism wing moved from Unit 1 to Unit 5 it has its own fitness room and recreational areas, which do not need to be shared with inmates from other wings. In addition, in Unit 5 all cells are equipped with a shower, so that inmates are no longer limited to two showers a week but can shower when they want. The terrorism wing also has its own kitchen; inmates are allowed to cook every day. For security reasons, only one inmate can use the kitchen at the time and although inmates often cook for each other, they eat individually in their cells.

According to the prison authorities, the relocation from Unit 1 to the new and modern Unit 5 is the primary reason for these changes. Unit 5 is equipped with modern technology that allows inmates to move from one room to the other without physical intervention from prison staff. The staff encourage the inmates to spend as much time as possible out of their cells to prevent boredom and seek stimulating activities and interactions with other inmates. According to one respondent:

“I’d rather have them all standing outside in the courtyard or reading the newspaper in the recreational area, then to have them in their cells all day. When they are in their cells you have no idea what they’re doing or how they are. By giving them something to do you can stay in contact with them and prevent them from withdrawing in isolation.”

According to the administrator of the terrorism wing, whether and how it is possible to offer the inmates a broader range of out-of-cell activities depends to a large extent on the population size. When the group of inmates is relatively small, the prison staff can more easily offer flexible daily routines within the constraints of the security level and regime than when the group is large. Since 2007 many of the inmates have been transferred or released; as of late 2008 the population size varied between four and eight inmates, which created possibilities to offer the inmates more activities and out-of-cell time. In addition, the administrator emphasized that the inmates’ behavior improved considerably as the group size decreased, which contributed to the authorities’ motivation and ability to extend the program where possible.

Realized Preconditions

Chapter Three described which preconditions the decision makers had in mind for the intervention to successfully contribute to realizing its objectives. In this section, I examine to what extent these preconditions have been realized in practice.

Monitoring

As was done for the maximum security unit, the decision makers intended to install a Selection Advisory Committee (SAC) for the terrorism wing, to advise the selection official in decisions concerning placements and transfers of terrorism offenders. At the time of data collection the SAC had not been implemented, for uncertain reasons. However, a more informal focus group had been introduced, which meets monthly to discuss issues or problems on the terrorism wing and improve the daily functioning of the terrorism wing. The focus group includes the selection official, a representative of the detainee administration of the P.I. Vught, the director of Unit 5 (which houses the maximum security unit and terrorism wing), the administrator of the terrorism wing, and representatives of the Public Prosecutor’s office and the Detainee Intelligence Information Service (GRIP). According to the (then) chair of the focus group, in

contrast to a Selection Advisory Committee, the focus group has no discretionary powers to decide on placements and transfers of terrorism offenders but assumes an advisory role.

Periodic Assessment

The selection procedures describe a period assessment of inmates who have been allocated to the terrorism wing on the basis of selection criterion (c), expressing extremist messages. The intended aim of such period assessments is to evaluate whether the inmates' stay in the terrorism wing is still necessary and goal-oriented. For inmates allocated to the terrorism wing on the basis of criteria (a) and (b), suspicion of or conviction for a terrorism offense, no period assessment was intended. Given that selection on the basis of criteria (c) has never occurred (all inmates have been selected on the basis of criteria (a) and (b)), no periodic assessments have been conducted between 2006 and mid-2010.

Staff

Specialized training was intended for prison staff working on the terrorism wing. At the opening, the staff consisted of sixteen members. Prior to the opening, these staff members were offered a training module, which was developed and supervised by representatives of the Detainee Intelligence Service, Intelligence Service, and the Prison Service and aimed to enhance specialized skills to manage terrorism offenders. The training focused predominantly on knowledge about radical Islam and about the background and characteristics of the envisioned target population. In addition, the training included a 'verbal judo' module and elaborated on rules and regulations of the regime that would be implemented on the terrorism wing. Staff who started on the terrorism wing after the opening have not participated in the training.

In addition, the Prison Service published an educational folder for all prison staff working in the penal system, in which staff are encouraged to be alert for signals of violent extremism among inmates. The folder provides behavioral guidelines for staff and identifies cues that may signal radicalization, such as rapid changes in religious beliefs or practices and changes in attitudes and behavior like frustration and fatalism, proselytizing, correcting other Muslims, etcetera. The folder focuses singularly on Islamist radicalization. On the back cover, the Prison Service emphasizes that religion is not necessarily an indication for radicalization.

Rehabilitation

Detention phasing

Rehabilitation was explicitly rejected as an objective of the terrorism wing. As such the prison regime in the terrorism wing does not include elements that are aimed at rehabilitation. The program theory intends to transfer inmates to a more lenient regime in the final four to twelve months of their sentence, to facilitate increased levels of association and probation possibilities.

In practice, detention phasing is not realized. Of the twenty-six prisoners who have been transferred from the terrorism wing only one spent the last phase of his sentence in a regime with a level of 'limited association'. In contrast to the intended four to twelve months, the transfer occurred only two months prior to the inmates' eviction. No rehabilitation programs were offered because, according to the prison authorities, the prisoner would be evicted after release. According to representatives of the focus group, most inmates did not stay long enough in the terrorism wing to be eligible for detention phasing.

Education

Despite the policy officially not accounting for rehabilitation efforts, the prison authorities and prison staff have aimed to introduce elements into the prison regime that promote a successful return into society. For example, during the time of data collection, the prison staff tried to organize Discmans for the prisoners so that they can listen to audiobooks.

In addition, partly on request of the inmates, the inmates are provided the opportunity to obtain accredited graduate degrees from the Open University. At the time of data collection, four inmates participated in master courses in social science, management studies, and linguistics. Educational materials are provided throughout the institution and inmates are allowed to use a shared computer (without internet connection) to complete assignments.

The prison staff ascribe great value to providing education, not only because it breaks daily monotony but also because education may contribute to de-radicalization and reintegration. According to the wing's administrator:

“What is important, is to provide them with an abundance of books and magazines. This way, you can sow doubts. Because when you are at the train station ready to blow yourself up, you have got to be 100% sure that that is the right thing to do. If you have 10% doubts, I think you won’t do it. And by getting people interested in science, and by giving them education and some wisdom, perhaps it is possible to give them a different perspective on the future.”

According to the administrator, the restrictive prison regime hinders the implementation of more rehabilitation efforts. Even small changes like providing Discmans are time consuming and require a series of bureaucratic procedures to be followed.

The Inmates’ Perspectives

In general, the inmates experience certain elements of the regime as severely restricting and drastic. Moreover, they feel unjustly treated and argue that the need to place them in the terrorism unit is not sufficiently substantiated by the government. Several inmates pointed out in the interviews that prior to being transferred to the terrorism wing they spent months in regular prison units, where they had significantly more freedom and could associate freely with other inmates and prison staff. Being transferred to the terrorism wing conveyed substantial losses in personal autonomy.

One of the central themes that emerged in the interviews concerns the lack of privacy. Outside their cells, inmates are permanently observed.

“The most difficult thing for me is the complete lack of privacy. It is just like ‘Big Brother’ here, but then for real. It scares me to think about that, it is not good for your mental state if you are continuously being watched and monitored. I try not to think about it, but you cannot ignore it.”

In addition, the regular frisk searches are experienced as a drastic intervention. Most inmates receive their visitors behind glass to avoid being strip searched. One inmate talked about frisk searching:

“Especially the frisk searching is difficult, but you can’t get around it. Every day you are being touched all over your body, on all the intimate places. It makes me reluctant to leave my cell in the morning.”

All the inmates indicated they were bothered by the fact that the prison staff write daily reports on them. In the words of one inmate:

“They interpret every step you take here, and they write everything down. If they come at your cell and you don’t say good morning enthusiastically enough, they write down that you are in a bad mood today. If the next day you are again not enthusiastic enough they will start to wonder whether something is the matter with you. They assign meaning to behavior that often doesn’t have any meaning at all.”

Another issue that came up in the interviews is the strict control on communication with personal relations. The inmates indicated that it is difficult to maintain personal relationships because all communication is closely followed. Family and friends are often reluctant to visit because they feel intimidated by the security procedures. In particular, the lack of physical contact is experienced as unjust:

“Before I was transferred to the terrorism wing, I could touch and hug my wife and children when they came to visit me. That is no longer allowed since I am here. Simply because I am suspected of a specific type of offense they deprived me of my right to touch my children. If I had killed someone that would have been allowed, but I did not even use violence. I don’t think that is fair.”

The inmates feel that the prison staff respect their religiosity. The inmates indicated that religion gives them strength to deal with the pains of imprisonment. The Friday prayer is important to them and they would prefer to pray collectively under guidance of an imam, but this is not allowed. Inmates pray individually in their cells.

The interviews exposed that the inmates are gravely concerned about their future prospects. The regulations prescribe that they spent their entire sentence incarcerated in the terrorism wing, regardless of how they behave. The inmates perceive this as demotivating, because good behavior does not earn them anything. They feel stigmatized and expressed concerns that they

will face difficulties readjusting to life outside prison. In the documentary 'Guantanamo Vught', an ex-prisoner talks about his stay in the terrorism wing, and about his re-entry into society:

"When I came out I couldn't handle crowds, if someone spoke to me I did not want to speak to them, I did not feel like talking to people. I couldn't handle it. If I went outside I couldn't handle it, I just wanted to stay at home and lock myself up in my room."

Although the inmates experience the regime as harsh and drastic, they also see advantages in being detained in the terrorism wing. For example, the terrorism wing is much quieter than regular wings which house larger numbers of inmates. In the terrorism wing, the inmates can concentrate on their education and religious practices. For most inmates, education comprises an important element of their daily routine and gives them some confidence in the future and their reintegration prospects. One inmate claims that his study caused him to renounce violent extremist ideologies.

The prisoners are happy with the move from Unit 1 to Unit 5. In the new building, the cells are more comfortable, there is more sunlight and each cell has its own shower. Moreover, the inmates can move from one room to the other without physical intervention from the prison staff, which reduced the number of daily frisk searches. The prison administrator confirms:

"Because we can electronically transfer an inmate from room to room, they can participate in several activities in a row without physical contact with the prison staff, so that they don't have to be frisk searched. Compared to Unit 1, the numbers of frisk searches probably reduced about eighty percent."

When asked whether they would prefer to stay in a terrorism wing or a regular prison wing, the inmates answered that they see advantages and disadvantages to both. On the one hand, being concentrated in a restrictive terrorism regime without individual risk assessment makes them feel stigmatized and discriminated. On the other hand, the terrorism wing allows them to focus on their study, so that they can prepare for their future after release.

Conclusion

This chapter examined how the terrorism wing's security level and regime are implemented. In doing so I aimed to gain insight into whether and how threat-induced pressures on the policy context may have affected the policy's implementation, and also in the extent to which the decision makers' assumptions about how the policy is supposed to function are valid in the light of policy reality. The findings are in line with the findings of the previous chapter and indicate that the policy's architecture seems a source of undesired outcomes, which – to the extent possible – had to be adjusted during the implementation phase.

In general, the reconstruction of the terrorism wing's daily functioning sketches a picture of a policy that is disproportionately balanced toward achieving instant security and leaves little room for differentiation on the basis of individual characteristics and needs, or for future-oriented security objectives. The policy accounts for an extended security level and a restrictive prison regime (which in practice turned out to be even more restrictive due to the terrorism wing's allocation to the maximum security facility), in order to optimize control over the inmates' behavior. In practice, however, it turned out that such restrictive confinement conditions caused several undesired side effects, such as serious infringements on inmates' individual freedoms and a risk of eroded well-being as a result of the regime. Above anything else, the regime does not allow for efforts geared toward rehabilitation and reintegration, which triggered concerns among the prison authorities that the inmates would radicalize further during their incarceration or have poor reintegration prospects, possibly leading to recidivism.

In an attempt to minimize undesired side effects, the prison authorities and prison staff have tried to add components to the prison regime with the aim to grant the inmates more individual freedom (e.g., more out-of-cell time than intended), avoid erosion of well-being as a result of the harsh confinement conditions (e.g., more interaction with other inmates than intended) and prepare them for their return into society (e.g., educational activities). In the first months after the terrorism wing was installed, fear and uncertainty about potential security risks associated with terrorism offenders dominated the practitioners' perceptions and behaviors toward these prisoners. As time progressed these fears largely subsided; the staff perceived the inmates as 'model detainees' and started to explore the ways to relax the prison regime. In practice, however, this turned out to be very difficult. The standardized and risk averse policy design appears incompatible with longer-term objectives and does not allow much room to tailor the regime to the inmates' individual risks or needs and to incorporate elements that are geared

toward rehabilitation and reintegration. This outcome was perceived as problematic not only by the prison authorities and staff but was likewise recognized by the decision makers, who (in hindsight) stressed the importance of rehabilitation and reintegration objectives for terrorism offenders.

In sum the findings of this chapter support the suggestion that emerged from previous chapters, that threat-induced pressures on the policy context negatively influenced not only the decision making process behind the terrorism wing but also shaped its implementation and daily functioning in undesired ways. As a result, critical questions should be asked about the policy's ability to effectively contribute to preventing violent extremism among prisoners. Arguably, the policy facilitates control over terrorism offenders' behaviors and minimized their behavioral freedom to participate in clandestine activities. At the same time however, it is wholly unclear whether and to what extent the policy is necessary or suitable to prevent prisoner radicalization, and the policy's design causes several undesired outcomes, primarily that it fails to prioritize longer term outcomes such as preventing recidivism.

Recapitulation

Based on the findings presented in the previous chapters, what can we thus far say about the expected use and value of concentration strategies as a means to detain terrorism prisoners? The study has provided insight into the underlying dynamics of the decision making processes as well as into the probability that concentration can adequately tackle the spread of violent extremist ideologies throughout the prison system.

To begin with, the analysis of the Dutch policy, which was selected as a representative of similar approaches implemented around the globe, suggests that public and political fears of terrorism may play an important role in shaping such policies (Part One). In the Netherlands, societal anxiety and concerns at violent extremist ideologies resonating among Muslims put pressure on politicians and policy makers in ways that undermined sound reasoning and realistic appraisals of risks and available policy alternatives. It seems clear that the decision to segregate terrorism offenders from the remainder of the inmate population and subject them to restrictive prison regimes served important symbolic functions: the decision makers felt the need to quickly produce a prison policy that would not only prevent further terrorism attacks but would also obtain public and political consent by sending out a signal that the government is taking a decisive stance against terrorism suspects.

Possibly as a result of the perceived urgency to satisfy public and political demands, combined with prevailing uncertainties as to the possible outcomes of different policy alternatives, the policy makers largely transferred the task of crafting the governments' terrorism detention strategy to the practitioners. This meant that the prison authorities had a large say in defining

the policy's architecture, which paved the way for lower bureaucratic-level fears and concerns to shape the envisioned objectives and instruments. This seems to have translated into the policy's features: the policy response reflects a tendency to avoid risks (and blame) or ambiguities and is geared to establish a safe and secure prison environment.

The concentration model seems largely rooted in the belief that inmates are susceptible to violent extremist ideologies and that the presence of terrorists in the broader inmate community conveys a risk of radicalization and recruitment. Is this really true? Over the past decade, much has been written on the risk of prisoner radicalization. Based on a review of relevant international research, I found that academic and empirical knowledge provides no support for the assumption that prisons are hotbeds of violent radicalization, nor that concentration policies can be an adequate solution to it (Part Two). If anything, the available knowledge seems to suggest that the perceived risk of prisoner radicalization may be vastly exaggerated and that 'security-first' segregation strategies can create further problems by intensifying grievances and frustrations that feed into violent radicalization. Problematically, given that research that empirically assesses the probability and dynamics of prisoner radicalization or the outcomes of different correctional policies is lacking, it seems as yet impossible to substantiate and justify the implementation of concentration policies on the basis of academic knowledge.

In fact, the analysis of the Dutch policy provided further support for the idea that there is little evidence that concentrating terrorists is a necessary and useful way to prevent prisoner radicalization (Part Three). In the Netherlands, there is no objective indication that inmates who are placed in the terrorism wing indeed pose a risk of radicalizing or recruiting other prisoners and thus that segregating them is a necessary and helpful reaction. Between the installation of the concentration model (September 2006) and the moment of data collection (June 2010), no inmates have been sent to the terrorism wing on the basis of personal risk assessments: all inmates were selected on the basis of general criteria (terrorism charges). Whether they also pose a risk of proselytizing extremist messages has not been investigated. According to the prison staff most inmates behave as model detainees and displayed no signs of radicalization or recruitment ambitions; in fact, in some cases inmates were reported to de-radicalize and renounce violent extremist ideologies. However, whether this might be the case as a result of, in spite of, or unrelated to the policy remains an open question.

The findings of Part Three suggest that external pressures on the policy context can influence not only the decision making process but also the implementation phase. In the Netherlands, policy

decisions that were made under pressure during the decision making process caused operational problems during the implementation phase, which could not be avoided without deviating from the intended policy. To a large extent such problems seem associated with the risk averse and standardized nature of the policy design, which leaves little room to tailor the implementation policy to the policy objectives or to situational circumstances where needed. For example, the decision to automatically allocate terrorism-related prisoners to the terrorism wing causes radicalized prisoners to be detained together with likeminded peers, which is perceived as undesirable by both the practitioners and the policy makers. In some cases, the practitioners deviated from the intended policy to avoid such outcomes.

Even more, the Dutch case exposed yet another problem related to the concentration policy, namely that little attention is paid to rehabilitation and reintegration agendas, which may in the longer run increase the risk of post-release radicalization and recidivism. In the Netherlands rehabilitation is firmly embedded in the penitentiary act, which states that imprisonment should contribute to a peaceful reintegration into society after release. When it comes to inmates in the terrorism wing, however, the policy makers explicitly rejected rehabilitation as a policy objective and crafted a prison regime that focuses solely on acute threat reduction. This is not unique to the Netherlands: Neumann (2010) found that terrorism detention policies generally reflect a 'security first' approach that does not emphasize rehabilitation. If it is indeed true, as was suggested in Part Two, that concentration may convey an increased risk of intensified radicalization and negative labeling of the offenders, then it might be that such policies ultimately give rise to post-release radicalization and recidivism and thereby possibly reinforce rather than thwart the threat of terrorism.

In all, these results beg the question of what motivated policy makers to develop and implement concentration strategies for terrorism offenders in the first place, even though there is no evidence that such policies may be necessary or effective and that, on the contrary, the available evidence points in the direction of unwanted or even counterproductive outcomes? The findings presented in the previous chapters suggest that fear and threat-induced pressures in the policy context may offer an important explanation for this puzzle. Arguably, the socio-political conditions under which terrorism detention policies are created play a crucial role in shaping the ultimate policy design, in ways that seems to erode the decision quality and induce suboptimal policy making. In Part Four, I will subject this proposition to closer scrutiny and take a preliminary step to assessing whether and how threat and fear may shape the international policy debate on terrorism detention.

Part Four

Captivated by Fear

