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Captivated by fear

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Chapter Eight

Fear-Based Terrorism Detention Policy

The argument that fear can be a driving force behind counterterrorism policy is not new. Furedi (1997; 2006) maintains that Western democracies are dominated by a 'culture of fear' in which fear and risks have become guiding principles in the functioning of individuals, institutions, and society at large. Furedi observes that over the past decades, the political and public discourse in the West increasingly centered on uncertainty and on seemingly inevitable but unknown risks and threats, which led fear to become a driving factor in public life. According to Furedi (2007), the culture of fear is also firmly rooted in the political system and the functioning of governmental institutions, with the result that public policies are based on exaggerated risk assessments and a sense of vulnerability and weakness. In 'Invitation to Terror', Furedi (2007) argues that vulnerability-led responses to terrorism are likely to increase rather than reduce the threat of future attacks because such policies betray confusion and vulnerability and expose a lack of confidence in the ability of both the government and the public to cope with adversity, which in turn increases the appeal of terrorism as a strategic instrument (Furedi, 2007).

A similar point was made by Richardson (2006) when she argued that Western democracies are playing into the hands of terrorists by giving them exactly what they want: revenge, renown, and reaction. Although there is still no single definition of terrorism that commands full approval in academic or governmental circles, most definitions tend to coalesce around the idea that terrorism is designed to instill fear and fear-driven reactions (Kushner 2003; Schmid & Jongman, 1988). In Richardson's view, terrorists aim to provoke from their enemies a psychological and behavioral overreaction, because overreactions are often self-destructive and bear high financial and societal costs like increased intergroup tensions, loss of privacy, and a

climate of fear and uncertainty. Moreover, fear-driven responses to terrorism are often accompanied with indiscriminate aggression and violence, which can mobilize support for the terrorists' cause among the affected communities (Richardson, 2006; see also Buena de Mesquita & Dickson, 2006). The success of terrorism can thus be interpreted by its impact on the target's responses. If the reaction is one of counter-reactions driven by emotions rather than by substantiated consideration, terrorism is an investment worth making (Veldhuis & Bakker, 2013, p. 96).

If the aim is to develop evidence-based and goal-oriented prison policies for terrorism offenders, awareness of the different ways in which fear can negatively influence the development, implementation and outcomes of the policy process is thus of utmost importance. To contribute to such knowledge I will present the findings of a review of the available literature on terrorism detention and prisoner radicalization, focusing on the possible influence of threat perceptions and fears in shaping the international policy and scholarly debate. I suggest that the field seems in the grip of a mindset of fear, which resonates at different levels and layers of the debate and exerts strong influence on the design and delivery of policy responses (see Figure 8.1). It seems that public fears of violent extremism in general and prisoner radicalization in particular spill over to the policy domain via a discourse of threat and vulnerability that is adopted by stakeholders throughout the policy process, including politicians, policy makers, scholars and practitioners, and shapes how they frame and respond to relevant issues. This way, fears can become institutionalized in the policy process and negatively affect decision making at different stages and levels. At the policy making level, it may lead to inadequate and inefficient use of information and result in unbalanced policy decisions, at the scholarly level it may lead to a lack of evidence-based knowledge development, and at the operational level it may induce case insensitive and unnuanced policy implementation. As a result, correctional policies for violent extremist offenders are likely to be suboptimal, imbalanced, and prone to produce undesired policy outcomes.

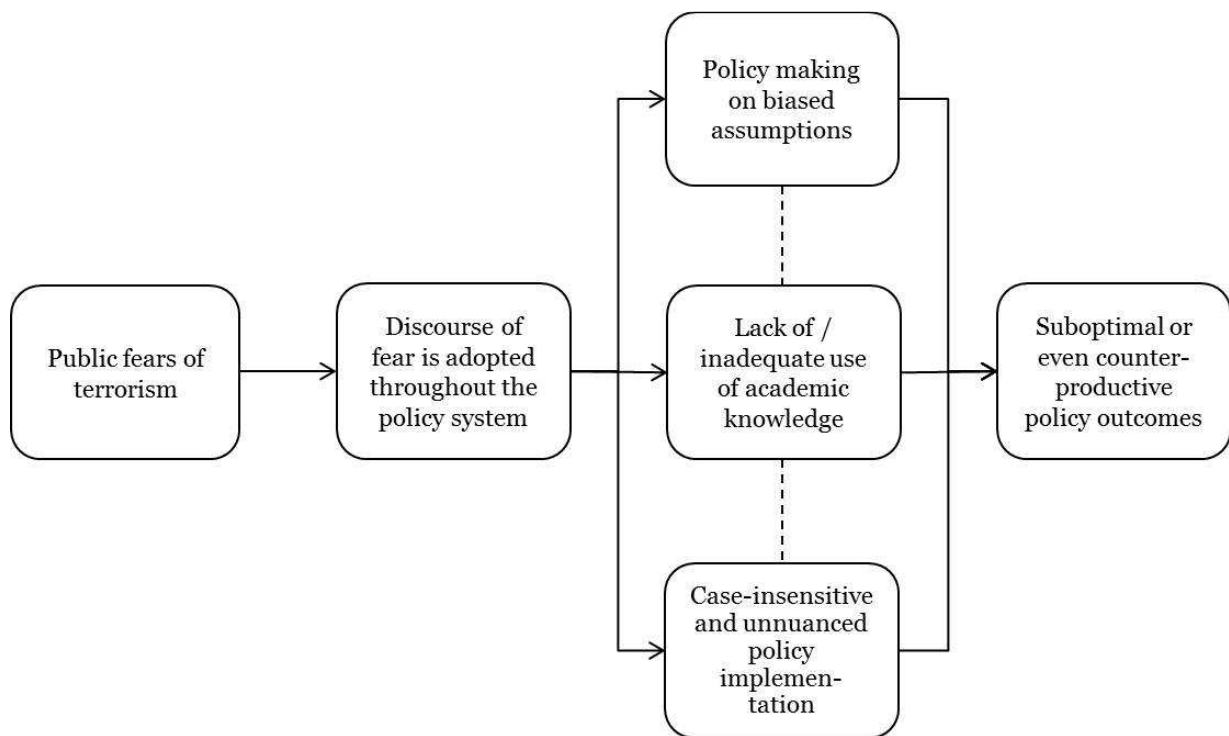


Figure 8.1. *Fear-based policy making*

Institutionalization of Fear

Public fears of terrorism in Western societies were propelled by the attacks in New York and later in Madrid and London. In the first months and years after 9/11, studies and opinion polls consistently exposed elevated levels of fear of terrorism and identified terrorism as one of the most prominent concerns of citizens in the Western world (see for studies on fear-related responses to terrorism e.g., Boscarino, Figley & Adams, 2003; Dumont, Yzerbyt, Wigboldus & Gordijn, 2003; Galea et al., 2002; Galea & Resnick, 2005; Silver et al., 2002; Sinclair & Antonius, 2012). After the attacks in the U.S and Europe, the public and politicians realized that violent Islamist ideologies were not confined to the Muslim world but also resonated among indigenous Muslims, who had been born and bred in the countries they would end up attacking (e.g., Buijs, Demant & Hamdy, 2006; Silber & Bhatt, 2007; Wilner & Dubulouz, 2010). This led to fears of ‘homegrown’ radicalization among second and third-generation Muslims in the West and triggered concerns that fundamentalist Muslims would hatch terrorist attacks on Western soil (e.g., Silber & Bath, 2007).

In the aftermath of 9/11, the Global War on Terror created an influx of terrorism related offenders into prison systems around the world, which drew attention to prisons as possible breeding grounds for violent extremism. Prisons are traditionally seen as ‘schools of crime’ (see for instance work on prisonization, Bonta & Gendreau, 1990; Haney, 2003; or strain theory, Agnew, 1999; 2006) and before long fears were expressed that prisons might also be ‘schools of terrorism’, where inmates are incited to plot and commit terrorist attacks (see Jones, 2014; Neumann, 2010; Pantucci, 2009). The idea that prisons might create conditions that are conducive to violent radicalization and expose potentially vulnerable young Muslims to already radicalized Islamists aroused fears of violent extremist ideologies spreading like wildfire through the inmate population (e.g., Sinai, 2014; The Guardian, 2014; Travis, 2008).

Fears of prisoner radicalization were further increased by uncertainty about who the arrested terrorists were, how they had radicalized to the point of using violence and how they would behave in prison. Terrorism detention had received little empirical attention; criminological studies had not yet zoomed in on terrorist prisoners as a special needs category and the scholarly field of terrorism and counter-terrorism had only recently begun its rapid expansion. Little was known about whether and how violent extremist ideologies might spread through the inmate population and about how terrorists can best be incarcerated in order to minimize that risk. Probably what added to the fears was that the little information that *was* available, primarily on the importance of incarcerated leaders in the emergence of the Muslim Brotherhood (e.g., Kepel, 2002) and on the management of Republican paramilitary prisoners in Ireland (Gormally, McEvoy & Wall, 1993; McEvoy, 2001) and leftwing extremists in Germany (e.g., Aust, 2008; Groenewold, 1992) in the 1970s and 1980s, suggested that the imprisonment of violent extremists might pose a source of (security) problems.

Societal fears of prisoner radicalization may spill over to the policy domain by a public discourse that revolves around concepts of threats, vulnerabilities, and risks, which is then adopted by stakeholders throughout the policy process. Altheide (2002; 2006; 2007) argued that the mass media play an important role in accelerating fears of terrorism by creating a discourse that is driven by excessive use of rhetorical language of threat and by coverage that is designed to strike an emotional chord among the public. Politicians, decision makers, and media then contribute to these emotional responses by communicating to the public that danger and fear are central features of everyday life. This point dovetails with Furedi’s (2007) argument that fear and risk have become guiding principles in the public discourse in general and on terrorism in particular,

and that governments reinforce a culture of fear by signaling vulnerability in their communications and policies.

When the issue of prisoner radicalization emerged on the international policy agenda, politicians and decision makers hastened to emphasize the seriousness of the threat. As an illustration of the depth of concern, in 2005 U.S. Congresswoman Jane Harman (2005) released a statement in which she said she was “deeply concerned” about radicalization in U.S. prisons and emphasized that “our prisons cannot become training grounds for terrorism.” In 2011 the U.S. House Committee on Homeland Security conducted a series of hearings on the threat of prisoner radicalization. In his opening statements to the second hearing, Peter King (2011), the Republican chairman of the Committee, claimed that “the danger [of prisoner radicalization] remains real and present” and that “a number of cases since 9/11 have involved terrorists who converted to Islam or were radicalized to Islamism in American prisons, then subsequently attempted to launch terror strikes here in the U.S. upon their release from custody.” In the same meeting, Michael Downing (2011), head of the counterterrorism unit for the Los Angeles Police Department, warned that “prisoners by their very nature, are at risk and susceptible to recruitment and radicalization by extremist groups because of their isolation, violent tendencies, and cultural discontent” (p. 2) and continued that “if left unchecked prisons can and do become incubators of radicalization leading to violent extremism” (p. 6). These statements are exemplary for a more widely spread tendency among government representatives to present the risk of prison radicalization as a national security crisis.

Such discourse creates the impression of a crisis situation, is conducive in exerting pressure on the decision making process, and arouses public demand for immediate and decisive governmental action (e.g., Boin & ‘t Hart, 2003). For instance, in one of the first reports on prisoner radicalization in the U.K., the Quilliam Foundation stressed that “in light of the role that prisons have historically played in incubating modern Islamist extremism, it should be a matter of urgent concern for the British government that there are currently record numbers of Muslims in British prisons at a time when the UK is under sustained threat from Islamist terrorism both at home and abroad” (Brandon, 2009b, p. 7).

Public administration research has well established that threats and crisis situations can dramatically influence policy outcomes. The perceived public demand for immediate and decisive governmental action can lead to considerable deviations from “tried and true” policy routines. A useful framework to understand such processes is offered by punctuated equilibrium

theory (Baumgartner & Jones, 1993; Jones & Baumgartner, 2005), which explains how disruptions in the policy context can produce a “tipping point oriented toward sharp and explosive policy change” (Givel, 2010, p. 188; see also Baumgartner & Jones, 1993; Jones & Baumgartner, 2005). That external pressures can lead to hurried action and drastic deviations from policy as usual (see for example May, Workman & Jones, 2008) is also recognized by studies on crisis management, which speak of a ‘window for reform’ (Keeler, 1993) that allows radical policy decisions that would otherwise be unthinkable to be implemented rapidly and with little challenge (Boin & Hart, 2000). This idea may offer a first hint at explaining why, when confronted with a potential terrorism threat emerging from behind prison bars, several governments demonstrated willingness to implement – or at least contemplate – far-reaching, expensive, and sometimes unprecedented measures to counter the threat of prison radicalization virtually “on the spot”.

In this way, the door is open for fear to shape the decision making process and resulting policies. When decision makers publicly commit to the seriousness of the threat and embrace a narrative of threat and fear, they must also commit to such rhetoric in their actions. After all, publicly emphasizing the threat and then refraining from taking appropriate actions is likely to thwart the public’s consent. Keeler (1993) explained how crisis situations can trigger a sense of urgency within the government that action must be taken to prevent the situation from being exacerbated. Moreover, fear-induced pressure on the decision making process can accumulate in what Keeler (1993, p. 234) termed ‘the fear mechanism’, whereby crisis- or threat-induced social mobilization related to demands for reform can create a sense of genuine fear that doing nothing will result in death or destruction of property. This point is illustrated by internal documents of the British Ministry of Justice, which became public in 2008, which stated that there is an “urgent requirement” to give priority to the control of extremist prisoners (e.g., Travis, 2008). Moreover, the actual or possible failure to prevent a terrorist attack being hatched or coordinated behind prison walls is also likely to lead to an intense scrutiny of the policy framework, and possibly to a retrospective assessment that a different or more proactive approach may have prevented the attack. The political imperative to be seen to have done all that is necessary to prevent attacks is reflected in British Prime Minister Tony Blair’s comment that “what we are desperate to avoid is the situation where, at a later point, people turn around and say: ‘If you’d only been as vigilant as you should have been, we could have averted a terrorist attack’” (cited in Pickering, McCulloch & Wright-Neville, 2009, p. 45).

In sum, my conceptualization of fear as a driving force in the policy debate on terrorism detention moves beyond the traditional interpretation of fear as an acute psychological response to an imminent threat. Rather, it identifies fear among policy makers as a derivative of collective fear in society (linked to a fear-based public discourse) that puts pressure on the decision making process and simultaneously arouses fears among the relevant stakeholders about the consequences of tardy or inadequate governmental actions for which they carry responsibility. The stakeholders involved do not necessarily have to experience fear of terrorism themselves in order to be in the grip of a mindset of fear and caught in a discourse that centers on high-stake threats. As I present in some more detail in the next paragraphs, being in the mindset of fear has psychological consequences on what is attended to, how information is processed, what risks are perceived, what decisions are taken, etcetera. All these consequences are likely to influence the quality of the decision-making.

Fear-Based Responses

Threat and its corresponding emotional reactions, primarily fear and anxiety, can exert profound influence on how people think, feel, and act (e.g., Blanchette & Richards, 2010; Harvey, Watkins, Mansell & Shafran, 2004). In the present discussion, what matters most is that fear changes how people process information and affects social dynamics within decision making groups, in ways that are likely to erode the decision quality.

One important outcome of fear is that it causes an attention- and interpretation bias that induces people to focus their attention on threat-related cues and to interpret information that is seemingly irrelevant or ambiguous in negative, threat-congruent ways (Blanchette & Richards, 2010). When people are afraid they tend to selectively search for information that confirms the danger and ignore or discard information that signals safety (Harvey, Watkins, Mansell & Shafran, 2004; Remmerswaal et al., 2014). As a result, they are likely to overestimate the actual risk and the probability of future threats (e.g., Constans & Matthews, 1993; Constans, 2001; Lerner, Gonzalez, Small & Fischhoff, 2003), often without being aware of it (Fischhoff, Gonzalez, Lerner & Small, 2005). As such, when decision makers are in the grip of fear, this is likely to induce a bias toward cues that confirm the presence of a threat, while cues that challenge the threat are likely to be ignored or discarded. In all, this may favor exaggerated risk assessment over realistic appraisals.

Fear is also related to what has been called “motivated reasoning” (Kunda, 1990). Under conditions of threat and pressure, people are likely to experience a heightened need for structure (e.g., certainty and predictability) and cognitive closure (e.g., unambiguous information and firm, simple answers to questions or problems) (Kruglanski, Webster & Klem, 1993; Kruglanski & Webster, 1996). This is likely to induce psychological and behavioral processes that are geared to avoiding uncertainty or ambiguity, such as tendencies to engage in stereotyping, reject opinion deviates, resist persuasive influence, and adopt conservative belief systems (Kruglanski & Freund, 1983; Jost, Glaser, Kruglanski & Sulloway, 2003; Wichman, 2012). In this way, fear can trigger a tendency toward simplistic, categorical reasoning that leaves little room for nuance and ambiguity.

Fear can also affect social dynamics among stakeholders in the policy process. Studies on group decision making suggest that threats increase the risk of groupthink, which causes the collective desire for unanimity to override individual motivation to realistically appraise alternative causes of action (Janis, 1982). Groups affected by groupthink can become preoccupied with one alternative and discount warnings or challenging information. Pet assumptions are protected, ethical or moral concerns are ignored, dissenters are pressured to conform, and group members self-censor doubts or deviating views. Groupthink affects the decision making process in that only a few alternatives are considered while others are ignored or discarded, and preferred or rejected alternatives are not reassessed. New information and expert opinion are likely to be selectively integrated, only when it matches the preferred course of action (Janis, 1982).

In all, there is a solid research base that suggests that threat perceptions and fear in the decision making context can cause biases that translate into the policy debate. Specifically, I maintain that the policy debate on prisoner radicalization and terrorism detention suffers from several fear-induced flaws, including a tendency to selectively interpret information, to favor some policy alternatives at the expense of ignoring others, to be biased in risk assessment, to stereotype certain social groups, and to prioritize consensus over realistic assessment.

Threat-Congruent Bias

The policy debate betrays an inclination to interpret information as confirmative of a risk of prisoner radicalization, whereas cues that challenge the threat tend to be ignored. One indication of this confirmation-bias (Blanchette & Richards, 2010) is that claims about the threat of prisoner radicalization generally track back to an exceptionally small number of – and always the

same – anecdotal examples, which are frequently reiterated to demonstrate the seriousness of the threat. As Hamm (2009; 2013) notes, radicalization to the point of engagement in terrorism among prisoners is extremely rare. There are only a few incidences in which terrorism has been linked to (former) prisoners, and in many instances these cases are poorly documented or based on ambiguous information. Nevertheless, a few of these accounts have been recycled so often that they have seemingly gained a false status of irrefutable evidence of the risk of prisoner radicalization.

One such example is Kevin James, who recruited fellow inmates for his Islamist group (JIS) and hatched a plan to commit terrorist attacks in Los Angeles (Hamm 2009, p. 668-669). Notwithstanding that the JIS case remains the only documented instance in the United States of a terrorism plot being hatched behind bars (Hamm, 2009), it is popularly referenced to illustrate the possible outcomes if prisoners are left to radicalize unchecked. For example, in 2006, U.S. Senator Suzan Collins referred to the JIS case as a possible tip of an iceberg and emphasized that “we have to wonder how many other such conspiracies are taking shape under the radar in other prisons” (Collins, 2006).

Another case that became a ‘poster child’ of inmate radicalization is Richard Reid, a fundamentalist Islamist who became known as the Shoe Bomber after attempting to detonate a bomb hidden in his shoes on an American Airlines flight from Miami to Paris in December 2001 (e.g., Elliot, 2002). It later appeared that Reid had been radicalized during or directly after his stay in a London-based prison, where he had allegedly encountered radical inmates who had inspired him to adopt violent extremist Islamist beliefs (Brandon, 2009b). Although several authors have pointed out that little evidence exists for the relationship between Reid’s imprisonment and his later terrorist intentions (Ilardi, 2010; SpearIt, 2013), Reid is regularly forwarded as proof that inmates are susceptible to radicalization and violent extremist ideologies (Ciluffo & Saathoff, 2006; U.S. Department of Justice, 2004).

Whereas cues that signal danger are regularly reiterated, accounts that challenge the ‘prisons as hotbeds of radicalization’ perspective appear to have little impact on the discourse. Especially in recent years, several authors have nuanced the risk of inmate radicalization and have argued that claims of radicalization among prisoners are false, or at least overstated, and driven by fears more than by empirical evidence (e.g., Ilardi, 2010; Jones, 2014; Useem, 2012). For example, on the basis of interviews with a number of academics, civil rights, law enforcement, and correctional officials about prisoner involvement in radical groups, Klein (2007) concluded that

there is no evidence of radicalization among prison gangs in the U.S.⁴¹ Klein's finding was corroborated by Useem and Clayton (2009), who concluded from interviews with almost 300 inmates and more than 200 prison officials that correctional institutions in the U.S. have responded with urgency to the possible risk of radicalization among inmates, but that actual levels of radicalization are low. Useem testified in the House Committee on Homeland Security's hearings on prisoner radicalization, where he emphasized that Muslim terrorists are not particularly likely to emerge from prisons (Useem, 2011, p. 2). However, in the hearings as well as in the literature, the dominant voices appear to belong to those who endorse, rather than challenge the seriousness of the threat.

Stereotyping

The policy debate tends to revolve around stereotypical beliefs about terrorists and Muslims. In the political discourse as well as in the literature, the focus is characteristically on Islamist violent extremism, while other forms of violent extremism are less accounted for. In 2011, the House Committee's hearings on prisoner radicalization were criticized for focusing solely on Muslims and ignoring other groups, such as gangs and white supremacists (Cratty, 2011). The emphasis on Muslims is also reflected in the vast number of publications that mushroomed on issues related to Islam in prison, such as religious conversions to Islam (Hamm, 2009; Spalek, 2005; Spalek & Hassan, 2007), relationships between Muslim and non-Muslim prisoners (Liebling, Arnold & Straub, 2012; Liebling & Arnold, 2012) and experiences of Muslims in prison (Beckford, Joly & Khosrokhavar, 2005; Spalek & Wilson, 2002).

Moreover, at least in the West, people seem to apply different lines of reasoning in judging Muslim and non-Muslim terrorists. Whereas Muslim terrorists are seemingly perceived as typical for the Muslim world, 'indigenous' terrorists are perceived as deviants and black sheep, who are not considered part of the ingroup (see for a discussion of the black sheep effect Marques, Yzerbyt & Levens, 1998). In a study in the Netherlands, Doosje, Zebel, Scheermeijer & Mathyi (2007) found that non-Islamic respondents attributed responsibility for violence committed by Muslims to the Islamic world as a whole, but tended to attribute responsibility for violence committed by native Dutch people to the individual perpetrator rather than to the

⁴¹ It must be noted that Klein (2007) did not describe the methodological details of his study, such as sample characteristics and analysis techniques, so it is not entirely clear how he derived his findings.

Western world. These findings suggest that whereas extremist Islamists are likely to be seen as terrorists, extremist leftwing, rightwing, or other types of 'ingroup' terrorists are more likely to be perceived as madmen and mentally deranged. Among decision makers, such biased lines of reasoning can lead them to approach the management of Islamist prisoners with categorical and standardized policies (because these prisoners are 'all' considered a potential risk of radicalization), whereas indigenous types of extremists are dealt with 'as they come' (because these are considered atypical and exceptional).

Desire for Consensus

It would appear that the policy debate is hindered by a collective desire for consensus among stakeholders, which is likely to produce agreement on short term answers and solutions that may be seemingly informative (because unambiguous and agreed upon) but are possibly flawed. Societal and political concerns over prisoner radicalization can put pressure on decision makers to formulate policy responses that are comprehensible, can be implemented rapidly and with relative ease, and which can be expected to produce immediate results. Under such conditions, decision makers (may feel that they) cannot afford extensive elaboration but that consensus is essential, which can lead to rapid agreement on important issues while complex and ambiguous issues remain undiscussed.

The desire for consensus is a symptom of groupthink (Janis, 1982) and is likely to stem – at least in part – from a threat-induced need for cognitive closure among stakeholders, which reduces people's motivation to deal with ambiguity (e.g., Kruglanski, 2004). Threats also tend to increase the desire for common understanding or shared reality with others, which serves to establish or maintain interpersonal relationships and to create a stable, predictable, and potentially controllable environment (e.g., Hardin & Higgins, 1996). In order to achieve such goals, people tend to 'tune' relevant attitudes, beliefs and behavior toward those of important others and become less tolerant of others who hold deviant opinions (Jost, Ledgerwood & Hardin, 2007). For example, Kruglanski and Webster (1991) showed that external pressures (e.g., an approaching decision making deadline or loud noise), increase the tendency to reject others who express deviant opinions and to praise conformists.

One of the most prominent illustrations of the desire for consensus is that the policy debate is based on the assumption that stakeholders share an understanding of central concepts like violent extremism, (prison) radicalization, and recruitment, despite the fact that most concepts

are still the subject of debate and lack universally accepted definitions (see for a discussion Schmid, 2013). Fear-induced pressure on the decision making process may induce stakeholders to pursue continuity of the policy debate, regardless of possible errors in the underlying assumptions on which it is based. At a deeper cognitive level, how individual actors frame the discussion depends on their objectives, world view, personal experiences, religion, political views, and exposure to sources of knowledge (e.g., empirical research, media). For example, whereas actors at the decision making level may frame prisoner radicalization as a national security issue, prison authorities may perceive it predominantly as an institutional concern that affects social dynamics within the inmate community. Such differences in perspective are rarely made explicit, however. As a result, policy decisions, research projects, and funding allocations are likely to be based on varying and potentially flawed assumptions about what prisoner radicalization entails, what causes it, and how it can be prevented.

Selective Risk Aversion

The debate exposes a 'better safe than sorry' attitude, which reflects a reluctance to implement policies that bear the risk of being blamed and a preference for policies that produce more certain but possibly suboptimal expected payoffs. Risk aversion is a well-documented response to threat and threat-related emotions (e.g., Blanchette & Richards, 2010). Conditions of threat reduce people's motivation to deal with uncertainty and induce actions that optimize predictability and controllability of the environment. When pressured to reach a decision, people are thus inclined to avoid risks and to opt for safer alternatives (Ben Zur & Breznitz, 1981). However, the consideration of risks is highly selective because only the fear-related risks are considered. Risks of detention regimes for negative consequences regarding, say, rehabilitation after release from prison, are not even considered.

At a political level, decision makers may be motivated to obtain or maintain the consent of the public and to avoid policy and political failures by implementing policies that optimize control (e.g., Bovens & 't Hart, 1996). In developing prison policies for violent extremist offenders, decision makers have to balance multiple objectives including the (visible) pursuit of security, human rights, proportionality, and accountability. The imperative to prevent prisoners from plotting terrorist attacks or being incited or recruited to extremist violence is of a more immediate and perhaps tangible nature. Concerns over political scrutiny of policy procedures may enhance the motivation to prioritize measures that facilitate control and short term security, regardless of whether such measures have been proven effective or convey a risk of potential

undesired outcomes in the longer run. Such instinctive, control-oriented bureaucratic reflexes are for instance visible in special terrorism legislation such as extended pre-trial detention periods (Elias, 2009), prolonged sentences (e.g., the ‘terrorism enhancement’, Brown, 2014) and the criminalization of preparatory conduct for terrorism-related felonies (Scanlon, 2014).

Fear in the Expert Debate

The institutionalization of fear affects not only how stakeholders in the decision making process operate, but also influences the work of experts. It is possible that scholars suffer from similar fear-induced cognitive biases as decision makers. However, pressure on the decision making context is not likely to directly affect the work of scholars who, unlike decision makers, bear no political responsibility for policy outcomes. A more likely scenario is that the work of scholars is negatively affected by fear-led decisions at an institutional level. In particular, I argue that the body of expert knowledge lacks the input of novel intellectual insights, that the small amount of knowledge that is available is insufficiently used, and that – as a result – the debate revolves around continuously recycled threat-congruent rhetoric that feeds into the climate of fear.

Lack of New Intellectual Input

I argue that fear-induced (institutional) barriers hinder the development of an empirical knowledge base on issues related to terrorism detention. Given the amount of political and scholarly priority that the issue of terrorism detention has received, surprisingly little empirical knowledge has been accumulated over the past years. Even basic figures, such as the extent to which radicalization in prison occurs and among whom, the numbers of Islamic conversions among inmates, and recidivism rates among former terrorism prisoners are unknown. More complex matters, such as the social and psychological mechanisms that drive prisoner radicalization, the conditions under which prisoners are likely to adopt violent extremist belief systems, or the post-release factors that predict relapse into violent extremism are even more poorly understood (e.g., Rappaport, Veldhuis & Guiora, 2012; Veldhuis & Kessels, 2013).

I am neither the first nor the only one to make this argument. Others have similarly warned that the policy and academic debate on prisoner radicalization is based on weak and limited evidence (e.g., Murray, 2014, p. 18-19; Gartenstein-Ross & Grossman, 2009, p. 14-15; Hamm, 2013, p. 160; Rappaport, Veldhuis & Guiora, 2012; SpearIt, 2013; Useem & Clayton, 2009). Ilardi (2010) for example, argues that claims of the threat of prisoner radicalization are rarely based on

evidence and that little is known about the dynamics of prisoner radicalization. Ilardi concludes that research on prisoner radicalization fails to provide adequate explanation around three key areas, namely a) the nature of the individuals' prison experience, b) the mapping of individual's post release experiences, and c) the relationship between individuals' pre- and post-release experiences. In a similar vein, Jones (2014) concludes from a cross-examination of prison systems in six Western and (South East) Asian countries⁴² that Islamist prisoner radicalization and recruitment are more the exception than the rule. Jones explicitly challenges the presumption that prisons are incubators of violent extremism and posits that cues that signal a risk of prisoner radicalization appear to have been over-emphasized (Jones, 2014). My point here is not only that claims of prisoner radicalization may well be exaggerated; above anything, I hope to have demonstrated that our current understanding of the core dimensions of prisoner radicalization is problematically poor and that this can have detrimental consequences for policy making in this field.

In part, attempts to advance empirical knowledge of issues related to terrorism detention are hindered by conceptual, methodological and operational barriers that make research in this domain a "difficult and contentious" undertaking (see Hamm, 2013, p. 45). The field of terrorism studies has long been plagued by conceptual ambiguities. Scholars have spent decades trying to formulate universally accepted definitions of core concepts like terrorism, radicalization, and violent extremism (e.g., Schmid & Jongman, 1998). In the context of corrections, even more ambiguities exist. For instance, whereas Kruglanski and colleagues (2014) speak of 'de-radicalization' programs, El-Said (2014) appears to refer to similar efforts as 'Counter-de-Rad' programs, Veldhuis (2012) uses the term 'rehabilitation' as inclusive of both 'de-radicalization' and 'disengagement', and the Global Counterterrorism Forum (GCTF, 2012) aims to capture it all within the framework of 'rehabilitation and reintegration'. Although it is generally assumed that stakeholders intuitively grasp what is meant by these concepts, it is unclear whether they are actually talking about the same thing.

Moreover the key concepts are not only difficult to define, they are also difficult to measure, especially among prisoners. How does one methodologically operationalize the complex dynamic between longitudinally changing attitudes, beliefs, and motivations that make up the process of radicalization and de-radicalization? Measuring attitude change has proven a challenge for psychologists, and scholars generally agree that self-reports, the most common technique to

⁴² The U.S., the U.K., Australia, the Philippines, Indonesia, and Pakistan.

measure explicit attitudes, are not only vulnerable to social desirability but may also fail to capture automatic and affective components of attitudes (e.g., Greenwald & Banaji, 1995). Also, inmates themselves are a difficult research population (e.g., Liebling, 1999). They are disempowered and may not be (or feel) truly free to decide to participate in research or not. They may be vulnerable to exploitation, may have psychological issues or lower levels of analytical or literacy skills, and may be easily influenced by even modest incentives (Veldhuis & Kessels, 2013).

To a large extent, however, research attempts may also be blocked by fear-based institutional barriers. Conceptual ambiguities originate at least partly in deeply rooted (subconscious) cognitive differences in how actors in the field perceive and frame the issue as a function of personal views, experiences, and interests. Fear-induced pressure on the policy process prevents such differences from being explicitly exposed and discussed, with the result that driving assumptions behind the policy debate are likely to remain unchallenged and unsubstantiated. Also, it is likely that the fear-based discourse affects the demand for scholarly input. Research that could contradict the fear-based views meets with little demand and is often ignored and generally not further encouraged by granting agencies, colleagues, and 'expert' committees, while research that confirms fear-based views is commonly accepted.

Governmental institutions may erect barriers to research efforts that require access to (ex-)violent extremist offenders. Following the prison's institutional mission to isolate criminals from society, prison authorities are understandably reluctant to having civilians roam about within their institutions. When it comes to terrorism offenders, resistance may be even stronger. Terrorism prisoners are generally subjected to intensified monitoring, often under supervision of external governmental counter-terrorism divisions, and authorities may be reluctant to relax control (whether real or perceived) over the inmates and may be uncertain as to what kind of information will be reported and how. Hamm (2013) describes his own experience of having to overcome substantial resistance from the authorities before being granted access to California and Florida prisons, and concludes that "conducting primary research on prisoner radicalization is nearly impossible due to widespread official reluctance to allow researcher access to prisons, often for spurious reasons" (p. 45). Albeit to some degree understandable, such reluctance hinders the generation of new intellectual input into the scholarly and policy debate and thereby contributes to sustaining poorly informed policy decisions.

Inadequate Use of Existing Knowledge

I also argue that the small amount of empirical knowledge that *is* available is insufficiently or inadequately used to inform the policy debate. Such knowledge may be deemed irrelevant or does not seem readily applicable to contemporarily relevant issues. For example, a vast body of criminological research exists on detention and rehabilitation of regular prisoners, but this literature is rarely used as a theoretical or empirical foundation for studies on violent extremist prisoners (see for exceptions Horgan, 2009a; Lafree & Miller, 2009; Mullins, 2014). In the United States for instance, a growing body of research emerges on the functioning and consequences of supermax prisons, which are segregated high-security facilities designed to house extremely dangerous and violent offenders (Mears, 2008; Riveland, 1999). Studies in this area have begun to address questions related to the impact of supermax incarceration on institutional security and inmates' mental and physical health and reintegration prospects (e.g., Mears & Watson, 2003). Despite the apparent similarities between supermax prisons and specialized high-security prisons for terrorism offenders, research on supermax incarceration rarely informs the debate on terrorism detention.

In the literature on terrorism detention, several researchers have set out to improve the status quo of research and are publishing on the basis of primary resources. Part of this work focuses on identifying the conditions under which prisoners are likely to turn to violent radicalization (e.g., Useem & Clayton, 2009; Liebling, Arnold & Straub, 2012). A prominent voice in this area comes from Hamm, who is one of the few scholars who has collected data among prisoners in the U.S. prison system to examine violent extremism among (ex-) prisoners (e.g., Hamm, 2007; 2009; 2013). Other scholars focus on what happens *after* imprisonment. El-Said (El-Said & Harrigan, 2012; El-Said, 2014) for instance conducted a series of in-depth case studies on de-radicalization and reintegration initiatives in Muslim majority states. El-Said's work fits within a broader line of research that examines processes of de-radicalization and disengagement and the policies and programs that pursue these objectives (e.g., Ashour, 2009; Barrett & Bokhari, 2008; Bjørge & Horgan, 2009; Chowdhury Fink & Hearne, 2008; Horgan, 2009a; 2009b; Gunaratna, Gerard & Rubin, 2010; Rubin, Gunaratna & Gerard, 2011; Vidino & Brandon, 2012). Recently, Kruglanski and colleagues (2010; 2014) have undertaken efforts to empirically assess the influence of deradicalization programs with a longitudinal quasi-experimental research design that is designed to include both cognitive and affective/motivational components of the deradicalization programs.

Although some scholars appear to gain evidence-based influence on the policy debate and several efforts have been made in previous years to integrate insights from related fields (for instance by inviting experts on criminal gangs, different types of extremism, and rebel groups to conferences on prisoner radicalization), the fear-induced tunnel vision and simplistic reasoning that characterizes the contemporary debate is likely to prevent such insights from being effectively integrated or translated to transferrable lessons.

Recycling of Rhetoric

I further argue that a large part of international scholarship is biased toward threat-congruent information. Despite the lack of novel intellectual input into the body of expert knowledge, scholars are regularly invited by decision makers and media to share their expertise. Albeit understandable, this leads to recycling of unsubstantiated and often threat-congruent information.

Part of the problem is that several experts have reiterated and intensified fears of prisoner radicalization, often without providing evidence for their claims (see for discussions Hamm, 2013, p. 46; Rappaport, Veldhuis & Guiora, 2012). For instance, in testimony before the Senate, conservative writer and researcher Michael Waller declared that “radical Islamist groups (...) dominate Muslim prison recruitment in the U.S. and seek to create a radicalized cadre of felons who will support their anti-American efforts. Estimates place the number of Muslim prison recruits at between 15–20% of the prison population” (Waller, 2003). Waller’s estimate yields a shocking number of prison recruits. In a total prison population of nearly 1.6 million in 2010 (PEW, 2010), this suggests that the number of radicalized felons in United States prisons is between 240.000 and 320.000. However, the basis for Waller’s dire warning is wholly unclear. As Hamm (2009, p. 681) writes, Waller “offers no explanation for his numerical estimate; no case studies of radicalization and terrorist recruitment; no interviews with wardens, intelligence officers, chaplains or prisoners. In fact, there is no reason to believe that Waller has ever set foot inside a prison”.

In 2008 the British think tank RUSI made national news (e.g., Travis, 2010) when it offered a dramatic warning that “some 800 potentially violent radicals, not previously guilty of terrorism charges, will be back in society over the coming five to ten years” (Clarke & Soria, 2008). RUSI’s estimate was based on a 2008 news article, which stated that “probation officers (...) believe that attempts have been made to convert one in ten of the estimated 8,000 Muslims in the eight

high-security prisons in England and Wales to the Al-Qaeda cause in the past two years" (Leppard, 2008). The figure, however, was subsequently rejected by a Ministry of Justice spokesman, who said: "there are only 6.000 prisoners in the High Security Estate, most of whom are not Muslim. The figure of 'one in ten of the 8.000 Muslims' in the High Security Estate is therefore unrecognizable" (Doyle, 2010).

Another example of experts putting oil on the fire concerns the frequently forwarded claim that large numbers of prisoners are converting to Islam. The concern is that this group poses a particularly high risk for radicalization (see for a discussion Hamm, 2007), but statements about high conversion rates are often poorly substantiated. For example, Dix-Richardson (2002) asserts that converts to Islam in the U.S. number 30.000. Waller contends that the number of Muslim inmates increases by 40.000 per year, with the majority of the growth occurring through conversion (Waller, 2003). These are dramatic estimates. Unfortunately, the source for these estimates is unclear. Dix-Richardson's estimate, for example, is drawn from a single sentence in a book by Smith (1999) on Islam in America, in which Smith writes that "while exact figures are again hard to determine, it is estimated that more than 300.000 prisoners are converts to Islam, and that the rate of conversion may be more than 30.000 per year" (p. 165). Smith herself offers no citation in support of that figure. The source for Waller's estimate of up to 40.000 converts per year is similarly uncertain. Nevertheless, these claims are frequently referenced (e.g., Hamm, 2007, p. 20; 2011b, p. 3; Gaffney, 2005; Popeo, 2006, p. 137; Williams & Lynch, 2009, p. 38; see for critical discussions Rappaport, Veldhuis & Guiora, 2012; SpearIt, 2012; 2013).

These examples are only the tip of an iceberg of opinion that portrays prisoner radicalization as one of the most serious security threats since 9/11. The problem is that fear, through its influence on how people process and respond to threat-related information, allow such statements to gain a life of their own and to be continuously recycled throughout the literature without critical scrutiny. This way, the absence of empirical knowledge creates a vacuum in which unfounded, rhetorical statements can gain the status of alleged evidence, which in turn further reinforces and intensifies the impact of fear on the policy debate.

Rehabilitation and Reintegration

Fear does not only affect the making of terrorism incarceration strategies, but arguably also affects rehabilitation and reintegration efforts. When the issue of terrorism detention had obtained a solid position in the international security debate, a new problem emerged on the

policy agenda: how to prevent violent extremist prisoners from returning to terrorism after release from prison (e.g., Pluchinsky, 2008)? Signs that former Guantanamo Bay prisoners had returned to terrorist activity triggered concerns about recidivism and the role of terrorism detention policies in post-release violent extremism (Fahey, 2013; Macedo, 2010).

In response, policy makers and scholars embarked on a quest for ‘good practices’ in rehabilitation and reintegration. This resulted in an extensive body of literature, generally summarized as the de-radicalization and disengagement debate, on the processes by which radicalized movements or individuals (prisoners, ex-prisoners, and non-prisoners alike) leave violent extremism behind (e.g. Bjorgo & Horgan, 2008; Horgan, 2009a; Ashour, 2009; El-Said & Harrigan, 2012). In 2012, the Global Counter Terrorism Forum (GCTF), a multilateral cooperation between twenty-nine UN Countries and the EU, formally adopted the ‘Rome Memorandum on Good Practices for Rehabilitation and Reintegration of Violent Extremist Offenders’ (henceforth Rome Memorandum), which identifies a series of guiding principles that can potentially serve as the foundation for states’ policies (GCTF, 2012). The Rome Memorandum and the international collaboration efforts in which it is embedded reflect a commendable ambition for more balanced policies that integrate short-term security objectives with ameliorative efforts to promote rehabilitation and reintegration.

In principle, this change in focus presented an opportunity to move away from fear-based policy making to a more balanced prioritization of objectives. However, I argue that fear-based detention strategies cause path-dependent effects that still haunt the debate today. The contemporary debate on rehabilitation and reintegration of violent extremist offenders remains flawed because underlying assumptions have not changed and are still rooted in the fear of prisoner radicalization, now reinforced by novel fears of terrorist recidivism. Such path dependencies are visible in several characteristics of the rehabilitation debate.

Preoccupation with Risk

Firstly, the contemporary rehabilitation debate signals a preoccupation with risks and vulnerability. Much of the literature on rehabilitation and reintegration is vested with references to risks and threats related to violent extremism. Rehabilitation and reintegration are generally not presented as inherently valuable and worthy objectives, but as necessary efforts to fight the threat of terrorism. For example, Stern (2010) stresses the importance of de-radicalizing Islamist terrorists by citing General David Petraeus saying that the United States “cannot kill [its] way to

victory” in the struggle against Islamist terrorism (p. 95). Stern goes on to warn that terrorism prisons like Guantanamo Bay and Abu Ghraib could inflame violent extremist ideologies among the inmates (and their supporting communities), and that “effective deradicalization programs could help make such individuals less dangerous” (p. 96). In a similar vein, Gunaratna (2011) expresses anxious concerns that contemporary detention and prison conditions contribute to radicalization, and that “unless a terrorist is rehabilitated from custody, he is likely to pose a security threat to the government and a societal threat to the community upon his return” (p. 65). These comments do not stand alone, but are illustrative of a general trend to present violent extremist rehabilitation and reintegration as a necessary step in protecting the public against an otherwise inevitable and dangerous threat.

Inefficient Use of Existing Bureaucratic Structures

Second, and related, it seems that existing knowledge and bureaucratic structures are inefficiently used, which might be another symptom of prevailing fears. Rehabilitation efforts for violent extremist offenders are based on the assumption that these inmates are ‘special’ and cannot participate in regular programs but require specialized treatments. What distinguishes violent extremists from other inmates, it is often argued, is their ideological motivation and sincere conviction that their acts are moral and even obligatory (e.g., Neumann, 2010, p. 12). Although probably true, it is not clear whether this is sufficient or necessary ground to subject these offenders to different treatments. In many countries for instance, violent extremist rehabilitation programs are implemented in strictly controlled confinement settings where violent extremists are housed separately from other prisoners (see for an extensive discussion of various programs El-Said & Harrigan, 2012).

Interestingly, the recommended programs for violent extremists largely overlap with what is recommended for ‘regular’ prisoners, such as education, vocational training, psychological and behavioral therapy, and after-care, and seem to differ primarily in their emphasis on changing religious or ideological motivations. Yet rather than integrating violent extremist offenders into regular rehabilitation efforts, complemented with additional components to address ideological motivations, most programs operate the other way around and only integrate violent extremists into the regular inmate community when risk assessments indicate a reduced risk of radicalization and recruitment. The resulting policies tend to be very costly and labor intensive. In other words, the starting point for rehabilitation of violent extremists is the assumption that a threat exists and needs to be contained, rather than that *if* a threat exists, the institutional

system will be able to deal with it at hand. Again, the underlying assumption is one of fear and uncertainty.

Conclusion

In this chapter, I have examined the proposition that fear might play an important role in shaping the international policy and scholarly debate on prisoner radicalization and terrorism detention. Based on an extensive review of relevant literature I suggested that, when it comes to terrorism, fear has become institutionalized at different levels and layers of the policy process and negatively affects the decision making of actors throughout the system, including politicians, policy makers, scholars, and practitioners.

My argument is that public fears of terrorism and prisoner radicalization spill over to the policy debate by giving rise to a discourse of threat and fear, which is adopted by stakeholders in the policy process and influence how they think, feel, and act. From psychological research it is known that a real or perceived threat leads to “motivated reasoning” by creating an asymmetric focus on the threat at the expense of (potentially relevant) information that is considered less urgent or challenges the presence of danger. Also, it can lead to stereotyping, risk aversion (especially when it comes to risks that can lead to blame), and a strong desire for consensus among stakeholders. Such cognitive biases affect how stakeholders cognitively represent the problem of prisoner radicalization, primarily in that they are likely focus disproportionately on the possibility that such a problem is indeed present, regardless of information that states otherwise. In addition it is also likely to affect social dynamics between stakeholders and trigger a strong desire for shared reality, risk aversion, and firm and unambiguous information.

Fear in the policy domain not only affects policy makers burdened with the responsibility for terrorism detention policies, but is also reflected in the international scholarly debate. Although prisoner radicalization has received substantial political and academic priority over the past few years, scholars have produced little evidence-based knowledge on this issue. Much of the work in this field is descriptive rather than empirical, and experts have displayed a tendency to recycle rhetorical statements that are based on little evidence but resonate with the threat-based discourse applied by policy officials and media.

In part, the lack of academic knowledge may be the result of conceptual and methodological difficulties in studying prisoner radicalization. In part also, however, it seems that fear-based

decisions made by the authorities erect barriers that prevent or discourage empirical research endeavors: researchers often face difficulties obtaining access to (violent extremist) prisoners and research funding appears to favor short-term, policy-oriented projects over theory-driven, empirical efforts that may require more time and resources.

Ultimately, fear in the policy context may also reach down to the operational level, where practitioners are confronted with constraints imposed by fear-based decisions made in the policy formulation process. In addition, practitioners may be influenced by lower-level bureaucratic fears of policy failure and security risks at the operational level and may respond accordingly by focusing on cues that signal danger and ignore cues that signal safety. This way, fear may erode decision quality at different stages of the process and ultimately lead to the development and implementation of suboptimal policy responses.

Arguably, the institutionalization of fear may not only be relevant in the context of incarceration strategies but may also affect rehabilitation and reintegration efforts targeted at violent extremist offenders. When such policies are implemented, they are likely grafted on top of fear-based incarceration strategies. This creates internal inconsistencies because the incarceration strategies generally tend to be designed in ways that conflict with longer term rehabilitation objectives (e.g., see Neumann, 2010; Veldhuis & Lindenberg, 2012b). In addition, the rehabilitation policies are themselves likely to be strongly influenced by fear of extremist proselytization, and designed to prevent extremists from recruiting others. More recently, fed by signals that former Guantanamo Bay inmates have returned to violent extremist movements, these concerns have been complemented by fears of recidivism among released terrorism offenders. As a consequence of the influence of such fears and the corresponding discourse, it is plausible that such policies are also suboptimal and that they are poorly tailored to their formal aims and objectives.