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by

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# **The prevention of jihadist radicalisation in prison in Italy**

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# SUMMARY

- RELIGION IN ITALIAN CONSTITUTION AND ITALIAN PRISON SYSTEM
- RADICALISATION IN PRISON
- ITALIAN ANTI-RADICALISATION STRATEGIES: STRENGTHS AND WEAKNESSES
- THE ROLE OF RELIGIOUS FREEDOM: THE “SIMURGH” PROJECT

# CONSTITUTION OF THE ITALIAN REPUBLIC

- Art. 8: All religious denominations are equally free before the law.
- Art. 19: Anyone is entitled to freely profess their religious belief in any form, individually or with others, and to promote it and celebrate rites in public or in private, provided they are not offensive to public morality.
- Judgment no. 203/1989, Constitutional Court: “Neutrality does not imply indifference to religion but the State **guarantee for the protection of freedom of religion**, under the religious and cultural pluralism”.
- Art. 27, par. 3: Punishments may not be inhuman and shall aim at re-educating the convicted.

# ITALIAN PRISON SYSTEM

## (L. 354/75 - D. P. R. 230/2000)

- Art. 15, par. 1: The treatment of the prisoner is carried out using mainly instruction, work, **religion**, cultural, recreational and sports activities and facilitating appropriate contacts with the outside world and relationships with the family.
- Art. 26: Prisoners and internees are free to **profess** their religious faith, to **be instructed** in it and to **observe** it. Celebration of the rites of the Catholic Church is ensured in the prisons. At least one chaplain is appointed to each prison.
- Those persons belonging to a cult other than Catholicism have the right to receive the assistance of ministers of their own faith upon request and to celebrate the rites of the same.
- Art. 58, par. 2: Prisoners and detainees who wish to do so are allowed to display images and symbols of their religious faith in their own room or in their own portion of a room containing several persons.

# RADICALISATION IN PRISON

- As well known, together with the Internet, prisons are the main jihadist recruitment and proselytization hubs: “Fertile territory for the cultivation of the jihadist ‘virus’” (Report to Parliament of the Italian intelligence systems, 2018).
- Factors
  - social exclusion;
  - sense of existential failure and suffering for the deprivation of liberty;
  - need for a new sense of belonging: attempt to reconstruct own personal and collective identity;
  - absence or weakness of ties with the family of origin;
  - linguistic and cultural barriers.
- On the one hand, all these circumstances can favour the birth or the return of a simple desire for religious practice, on the other they can make the prisoner particularly sensitive to extremist messages, spread first and foremost just inside the prison walls.

# ANTI-RADICALISATION STRATEGIES

- Department of Penitentiary Administration (DAP) of the Ministry of Justice makes a distinction between three different profiles of detainees involved in radicalisation process:
  - subjects detained for terrorism or political-religious extremism (**terrorists**). These detainees are isolated from the rest of the prison population in High Security Circuit AS2;
  - subjects detained for other crimes who espouse an extremist ideology and are charismatic figures within the prison population (**leaders**);
  - subjects detained for other crimes who are particularly vulnerable to extremist ideology and can be fascinated and influenced by leaders (**followers**).
- Since the terrorists are isolated (66, as of October 18, 2018), the problem of jihadist proselytism mainly regards the latter two categories.

# THE «LEVELS» OF RADICALISATION

- In order to monitor the detainees, DAP relies on the monitoring activity of Central Investigative Unit (NIC) of Penitentiary Police. NIC gathers, analyzes, processes all the information assumed by the penitentiary institutions regarding the risk of radicalisation of a subject.
- This activity is based on three different observation levels:
  - HIGH: detainees for crimes related to international terrorism and those who have already shown signs of proselytism and/or recruitment activities or are deeply radicalised (233);
  - MEDIUM: detainees who showed signs, or more specifically behaviours, of sympathizing with jihadist ideology while in prison, and who may be involved in proselytism and recruitment activity (103);
  - LOW: detainees who, because of the vagueness of the information received, require just a deeper evaluation (142).

# THE «INDICATORS ON RADICALISATION»

- DAP distributed a series of guidelines, titled “Indicators on radicalisation”, taken from the manual “Violent Radicalization – Recognition of and Responses to the Phenomenon, by Professional Groups Concerned” realized in 2009 by Austria, France and Germany in a project funded by European Union.
- The indicators are intended to help prison staff identify detainees in the process of radicalisation, signaling behaviours that, taken individually, do not provide absolute evidence of effective extremism, but which should require vigilance and surveillance and, if necessary, to act.
- The indicators mainly concern conducts related to the exercise of **religious practices** of the detainees, their daily routine, the organization of the detention room and the way of managing relationships with other people.

# SOME INDICATORS...

- Exercise of religion: contestation of the Imam (when present), **sudden intensification of religious practice in a perceptible way, creation of a prayer group.**
- Daily routine: insistent claim of everyday Muslim practices, contrasts with other inmates who do not respect them, proselytizing to make them become true and faithful Muslims, rejection of the company of non-Muslim prisoners.
- Organization of the cell, private life: **decoration of the cell** with prayer rugs and Islamic calligraphy, **possession of a copy of the Koran**, ostentatious manifestation of support for violence.
- Change in the person's appearance (more traditional clothes, beard) and interests (religion, politics).
- Sudden change of behaviour towards women, part of the prison staff, or towards prison staff in general, visible breakage of external contacts with family members, continuous requests for visits by religion teachers.

# THE STRUCTURAL WEAKNESSES OF THE INDICATORS

- It could be very difficult for people who work in prisons to distinguish between the legitimate practice of religion and signs of radicalisation (in 2017 Ministry of Justice reported the participation in courses of Arabic language of just 10 members of the Penitentiary Administration staff).
- As already seen, religious freedom is guaranteed both by the Constitution and the prison law.
- Prisoners who approach, or come closer to, faith can find in religion a key element of their path of re-socialization, developing new relationship strategies with institutional referents and living the prison experience in a more constructive and peaceful manner.

# PREVENTION AND DE-RADICALISATION

- Penitentiary Administration has so far concentrated mainly its efforts on identifying the symptoms of extremism. However, it is still lacking an organic project that deals with the prevention of radicalisation and de-radicalisation processes.
- Radicalisation in prison is considered a sort of illness; **an incurable disease**, whose symptoms must be countered, even at the first manifestations. The measures adopted aim at its isolation, in order to prevent contagion, rather than its recovery.
- Once the radicalisation of a subject has been ascertained, in the absence of an overall strategy aimed at its recovery, DAP then intervenes, to prevent him from coming into contact with other prisoners, usually merely providing for the transfer to remove him from the environment that may have facilitated his adherence to the jihadist ideology and to avoid the risk of proselytizing.
- The only Bill aimed at introducing measures for the prevention of radicalisation and violent extremism of jihadist origin was passed by the Chamber of Deputies in the summer of 2017, but it never received the final approval from the Senate.

# THE MAIN REACTION TO RADICALISATION: EXPULSION

- Administrative deportation is the “cornerstone of Italy’s counterterrorism strategy”.
- The provision can only be employed against foreign individuals present on Italian territory, if there are "reasonable grounds to believe that his stay in the State may in any way facilitate terrorist organizations or activities, including international”.
- According to the latest official report, in 2018 Italian authorities conducted 117 administrative deportations on the grounds of extremism: 79 individuals had been deported for national security reasons upon release from prison.

# RELIGIOUS FREEDOM AS AN ESSENTIAL RESOURCE

- The main challenge is devising policies that address security concerns without sacrificing the fundamental right to freedom of religion.
- On the one hand, the idea that the restriction of personal freedom cannot imply the denial of **fundamental rights**, including that to the profession of one's belief, constitutes an indispensable principle of Italian Constitution, based on the primacy of the person and his rights (Article 2).
- On the other hand, the exercise of religious freedom can serve as an **indispensable tool** to counter radicalisation: the adoption of measures capable of making the exercise of that right concrete could, and should, find space in a comprehensive strategy to fight jihadist extremism.
- Report of the UN Special Rapporteur on freedom of religion and belief, 2017: “Rather than impose undue restrictions on the right to freedom of religion or belief, promoting and protecting this right can more effectively serve to prevent or counter violent extremism”.

# Simurgh

## Understanding and managing religious pluralism in prisons in Lombardy



### SIMURGH'S ID CARD

Birthplace: Milan

Date of birth: 2017

#### Promoters:

University of Milan, Department of Legal Sciences  
"Cesare Beccaria"

Department of Penitentiary Administration,  
Lombardy

Biblioteca Ambrosiana

Diocese of Milan and Caritas Ambrosiana

Jewish Community of Milan

Italian Islamic Religious Community (COREIS)

Institute for Studies of Tibetan Buddhism of Milan  
Ghe Pel Ling

Funder: Cariplo Foundation



Progetto  
**Simurgh**

CONOSCERE E GESTIRE  
IL PLURALISMO RELIGIOSO NEGLI  
ISTITUTI DI PENA LOMBARDI

## KEYWORDS

### CULTURAL AND RELIGIOUS PLURALISM

→ factual background (34% of detainees are foreign)

### DIVERSITY

→ essential value for the construction of new models of coexistence

### EDUCATION

→ strategy based on concrete experiences of how religions can coexist by responding to human needs in a dimension of mutual respect, freedom and pluralism





## AIMS

- countering religious illiteracy
- preventing the stereotypes and the processes of radicalisation based on a distorted perception of religion
- fostering dialogue between cultures and religions
- laying the foundations for "living together"





## TARGETS

Penitentiary Administration (police officers, educators, teachers, social service officers, doctors and nurses)

Detainees

## PRISONS INVOLVED

C.C. San Vittore, C.C. Pavia, C.C. Brescia

C.R. Bollate, C.C. Como, C.R. Vigevano

C.R. Opera, C.C. Monza, C.C. Bergamo





## HOW?

### THREE MODULES

- **anthropological**: interactions between culture and religion
- **sociological-legal**: religious freedom in a plural society
- **ethical**: relations between different ethics and religions

### EDUCATIONAL WORKSHOPS

