

Performing the enemy? No-risk logic and the assessment of prisoners in “radicalization assessment units” in French prisons

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Abstract

This article is based on a sociological research, combining qualitative interviews and ethnographic observations, undertaken in “radicalization assessment units” (RAU) in French prisons. The RAUs are units that hold, for a fixed period of time, a dozen prisoners described as “Islamic terrorists” or “suspected radicalization” so that a multi-disciplinary team can evaluate their degree of radicalization. In the first section we will show how the climate of terrorist attacks during the period prior to opening of the RAUs not only engendered a warlike rhetoric that would overdetermine the decline of trust in detention. It also engendered institutional improvisation whereby these special units were set up one after another without much preparation. Secondly, we will detail the RAU’s security organization and the warlike relationship that grew between the guards and prisoners, between radical defiance and criminology of the Other. In the third section we will return to the evaluation work itself. During this evaluation work in the RAU, although each professional makes efforts to refine the prisoners’ profiles, the job is deeply biased by an obsession to fight against the “*taqiya*” and against “dissimulators”. Lastly, at the end of the evaluation, the evaluation summary and recommendations for final orientation are overdetermined by the imperative to avoid professional risks.

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Introduction

“If the system tells you you’re the enemy, then you will become the enemy. And this will prove them right ...”

(a prisoner under evaluation)

“There’s a line from a play that says: ‘unhappy the land that needs heroes’. But I would say: “unhappy the land that needs monsters’ ...”

(Matthieu Chavanne, lawyer for a terrorist prisoner)

The series of attacks initiated in France between 2012 and 2019 – of which the Charlie Hebdo and Bataclan incidents are just the bloodiest of a long list – generated a strong collective emotion that produced or amplified intense political controversies regarding terrorism and the fight against terrorism, reorganization of the intelligence agencies (Foley, 2009; Thuillier, 2019), tensions between the rule of law and the need for security, and the extension of police records (Gautron, 2019), Islam in the suburbs (Bigo et al., 2008; Micheron, 2020). More concretely, it represents a turning point in France for criminal and security policies.

In a context of increasing incarceration of prisoners prosecuted for acts related to terrorism, the role of the prison was quickly brought to the spotlight in two distinct ways. First, by questioning the prison institution and its harmful effects on the individuals it locks up: “Is prison a school of radicalization?” (Jones, 2014; Silke and Veldhuis, 2017). Secondly, by questioning the prison administration’s ability to adapt and provide solutions to this growing and specific form of crime (Dugas and Kruglanski, 2014; Silke, 2014): “How should the prison identify, manage and treat ‘radicalized’ prisoners in order to prevent proselytism, attacks being committed on French soil and the strengthening of violent ideologies in connection with ‘radicalized Islam’?” For the prison administration, these two questions quickly posed a concrete problem of how to manage the individuals and groups concerned (Jones and Morales, 2012). Should they be placed in isolation, in order to prevent proselytism, but at the risk of further fueling their “hatred for the Republic”? Should they be grouped together, again in order to prevent propaganda and recruitment, but at the risk of strengthening their sense of belonging to a common group, with links, networks and ideology collectively solidified by the very effect of the grouping? And in the end, should they be dispersed in

ordinary detention and provided with handling conducive to violent disengagement . . . but this time at the risk of proselytism?

In the attempt to answer the question of whether to “group or disperse”, the prison administration decided on what could be described as a mixed method (Rushchenko, 2019): disperse then group a limited number of prisoners for evaluation in “radicalization assessment units” (RAU), in order to disperse them again in “ordinary detention” (with the rest of the prison population, under a normal incarceration regime), isolate them in solitary confinement units, or group them in specialized units (first called “violent prisoner unit”, then “radicalization management unit”).

“The [radicalized] prisoners will be subject to individualized monitoring, specific management and assessment at least biannually” declared the Minister of Justice on 25 October 2016 when he announced the opening of “radicalization assessment units” (RAU) in French prisons, following other penitentiary measures that had been deemed inadequate. In concrete terms, the RAUs are units that group, for a four-month period, a dozen of prisoners described as “Islamic terrorists” or of “suspected radicalization”, in order to have the extent of their radicalization assessed by a multidisciplinary team. Guards are responsible for daily observations; integration and probation officers, educators and psychologists are responsible for individual interviews and this whole set of professionals meet regularly in order to prepare an individual assessment summary for each prisoner. The primary and formal objective of the assessment is therefore to direct the prisoners to other prisons and other units after their stay at the RAU.

This article is based on a sociological research conducted in radicalization assessment units in French prisons, in 2017–2018. The study is the fruit of an agreement between the Prison Administration Directorate (PAD) and the National Centre for Scientific Research (CNRS), an agreement that is a requisite for the access and communication needed (Field et al., 2019) to move through the bureaucratic obstacles (Reiter, 2014) of this “difficult terrain” (Boumaza and Campana, 2007). It is covered by a strict protocol for protection and anonymization of individuals and data, in agreement with the CNIL.¹ The research is the result of a hundred days of ethnographic observations during immersion in three French prisons and on 90 semi-directed interviews. The objective was not to study radicalization trajectories, as found in a large portion of radicalization studies (Crettiez and Ainine, 2017; McCauley and Moskalenko, 2008; Malthaner, 2017; Moghaddam, 2005; Thomson, 2016). This study, in line with the ethnographic tradition of the sociology of total institutions (Goffman, 1990) and more specifically the prison (for example, Bosworth, 1999; Chantraine, 2004; Clemmer, 1958; Crewe, 2009; Fassin, 2015; Liebling and Arnold, 2004; Sykes, 2007), aims to study, understand and describe the organization and institutional operation of these units, the relations between the professionals, the effective nature of their daily work, the prisoners’ individual experiences, and the assessment process itself and its place in a specific security apparatus. The volume of data gathered – internal notes, interviews with all the professionals, interviews with prisoners, ethnographic

observation notes, assessment summaries, etc. – enabled a detailed analysis of work and detention within the RAU during the field observation periods. An immersive and intensive ethnography is the only method capable of revealing systematic and in-depth data on the assessment practices and the precise actions of one and another actor, the almost invisible action of information-gathering in detention or the prisoners' criticism of the apparatus. In addition to an ethnography intended to be thorough, the immersive experience was "total". Indeed, carrying out research on (and in) an apparatus like the prison system – one that is in full experimentation, regularly under the scrutiny of administration authorities or political representatives and often presented as being at the core of the fight against terrorism and efforts to detect national security threats – implies two positions: the fact of being oneself (as a researcher) taken into this climate of emulation and definition of national priorities as well as the fact of being able to "make the most" of the occasion (knowing that the methodological apparatus set up is always at risk of being questioned or renegotiated). Furthermore, the prevailing social climate and its implications on daily research work – controls by soldiers in the streets, alerts about parcel bombs in public transport on the way to the prison, a pervasive fear of a new attack, stigma against certain neighborhoods or places that are frequent sites for researchers – all this reinforces the "total" nature of the ethnographic immersion.

In the first section of this article we will show how the climate of terrorist attacks during the time preceding the opening of the RAUs not only led to a warlike rhetoric that overdetermined the "decline of trust" (Liebling and Arnold, 2012) in detention; it also led to institutional improvisations where one specialized unit followed another without much preparation. We will detail the RAU's security organization and the warlike relationship that grew between the guards and prisoners, between radical defiance and criminology of the Other (Garland, 2001). In the third section we will return to the assessment work itself. During this evaluation work in the RAU, although each professional makes efforts to refine the prisoners' profiles, the job is deeply biased by an obsession to fight against "*taqīya*", against "dissimulators". Lastly, at the end of the evaluation, preparation of the assessment summary and recommendations for final orientation are overdetermined by the requirement to avoid professional risks.

Political panic, counterterrorism and the RAU genealogy

During the years 2015–2017 the social and political context in France was tense: two different Presidents (Hollande and Macron); rapid succession of three Prime Ministers and four Justice Ministers over the period; intervention by French armed forces in Mali, Iraq and Syria fighting the Islamic threat; a series of plans to fight terrorism; resignation of the director of the prison administration; extension of the state of emergency; increasing power granted to the intelligence agencies in the fight against terrorism (see especially, Hamilton, 2019). Various measures against terrorism or to bolster homeland security were adopted: massive military

deployment in public space; protection of so called “sensitive” sites (houses of worship, schools, train stations); extension of intelligence agency powers; harsher prison sentences for public outrage, rebellion or threat; installation of services to fight violent radicalization in several administrations, and so on. These measures are the first steps towards installing a lasting “state of emergency.”² Since its enactment in 1955, the state of emergency had been pronounced only five times; it has been pronounced as many times since November 2015, with each new attack feeding the – controversial – idea that a new extension of the state of emergency and reinforcement of the security services were needed to fight terrorism effectively. The prison administration did not elude the movement and its services were reorganized to account for the terrorist threat: creation of a “security” sub-directorate in the central administration, installation and expansion of a service devoted to the Mission to Fight against Violent Radicalization (MFVR), massive development of intelligence through the Central Office for Penitentiary Intelligence (COPI, later becoming the National Service for Penitentiary Intelligence), etc.

“The topic [radicalization in prison] is obviously a major issue for our [penitentiary] administration because it is a major issue for our society traumatized by the barbarian attacks it has undergone and those they fear are coming.”

J.-J. Urvoas, Minister of Justice, speech on 25 October 2016

The prison is at the heart of the public security apparatus. As such, since 2015 prison security has been an overarching topic for the Justice Minister, who has called for extending the investigation and control measures inside prisons, reinforcing the means of the police and developing a penitentiary intelligence of its own. Some informed observers denounce the potential for a drift of the penitentiary administration towards the Interior Ministry or the prison services shifting towards a more policing approach (Quinquis, 2016).

During this period, the specific prison units in charge of managing radicalization were quickly reformed and transformed. They were assigned different missions: preventing proselytism, deradicalization, assessment. In fact, these developments depend on political uncertainties, whereby each government or minister concerned must show the strength of its determination to take action, often even before one or another initiative has had time to prove its effectiveness. Political scientists know this as well as criminologists of the new culture of control: showing that something is being done about punishment is a political operation that is all the more necessary because there is no concrete solution to clear up the problem (Garland, 2001).

In three years, various attempts and experiences followed one after the other. In October 2014, the Fresnes prison Director more or less legally grouped a dozen of so-called proselytism prisoners on an “experimental basis” (CGLPL, 2016). This initiative took shape in the creation of the “proselytism prevention unit” (2PU). As an internal report (Troendlé and Benbassa, 2017) pointed out, this

creation was related to issues of order in the prison, not to the implementation of a formalized policy for managing and dealing with these specific groups. Even though this report denounced the vagueness of the unit's objectives and the lack of assessment to measure its effectiveness, the government decided to use this local initiative as a model for expanding the management system for radicalized prisoners.

"The Prime Minister, at his level, introduced the 2PU in January 2015, calling them dedicated units (DU) [...] Then the central administration slightly changed the name, calling them radicalization prevention units (RPU), which in October 2016 became the RAU. I think this is really symptomatic of the impact that politics has on these measures. The initiative was local and highly criticized at the time, whether politically, in the media or by the CGLP inspection. Then came the attacks [in September 2016]: someone had to announce something!"

Penitentiary manager

Between January and March 2016, five new "dedicated units" (DU), both for assessment or management, were opened. This opening was perceived as something carried out in an emergency, without any real preparation. These "dedicated units" were quickly transformed into "radicalization prevention units" (RPU). This was to give them a legal existence and to be able to receive convicted prisoners and not just prisoners in pre-trial detention. Then, on September 4, 2016 a prisoner assaulted a supervisor with a homemade knife during a cell exit in the RPU of a prison near Paris. This aggression was criminally reclassified as a "terrorist attack" and led to the abrupt closure of the RPUs. They were replaced by the "radicalization assessment units" (RAU). The first result of this new system was a massive tightening of security conditions, which we will detail below.

The questions of detection, assessment and management – "what are the appropriate ways to identify/evaluate/manage?" – seem to be at the core of the issues motivating the actors concerned. However, these debates are not purely theoretical; on the contrary, they are deeply shaped by contemporary prison conditions in France, namely living and working conditions in prisons, marked in particular by prison inflation (despite recent inversion in several prisons of some European neighbors), massive prison overcrowding and, more generally, by a situation almost unanimously judged with great severity by informed observers (Council of Europe, CPT, European Court of Human Rights, etc.). Beyond any penological concern, the problem of managing "radicalized" prisoners is also one of pure flow management. In 2017, there were 1300 common law prisoners suspected of radicalization and 460 "IST" ("Islamist Terrorists") detained for terrorist offences in prison; three quarters of the IST have been assigned to prisons in the Paris region (Ile-de-France), a situation that causes daily problems according to prison guard unions.

Moreover, at that time, only three RAUs were in operation in Fleury-Mérogis, Fresnes, and Osny. The challenge in terms of flow is therefore twofold: on one hand, to have IST evaluated in RAU and then assigned to prisons outside the Île-de-France region; on the other hand, to gradually open other RAUs (or double their capacity, from 12 to 24 or even 36 prisoners), in order to have all IST evaluated in a RAU.

It is important to stress the variety of profiles among the prisoners placed in assessment units whether socio-demographically, in virtue of their prison record or life story. During the three sessions observed, we saw men ranging from 19 to 55 years of age, from various social classes (more varied than in normal detention, even if here there was also a preponderance of working-class background). There was a mixture of multiple trajectories, whether or not they pledged allegiance to a terrorist organization (ISIS, Al Nosra, other), with or without a prison record,³ whether or not they went to Syria, whether they joined (or left) ISIS before or after the 2014 establishment of the Caliphate. This heterogeneity takes on full importance considering that ISIS is the only group that organized, committed or claimed responsibility for attacks on French soil. What is more, this characteristic leads to completely unheard-of interactions and interrelations, between transposing the global context to a smaller scale and seeking balance among the Islamist organizations present in a prison in the aim for order. Indeed, several prison managers or guards explain the importance of varying and mixing the prisoner profiles depending on allegiance, or real or imagined involvement in the jihad so that the more moderate can nuance the words of the most radical, the more realistic can deconstruct the ideals of potential fighters and to make sure that no single terrorist organization representation completely dominates the other (for a similar example in another national context, see Hamm, 2013).⁴ Many prisoners who pledged allegiance to other groups, recognized as “terrorist organizations”, stated that they had nothing to do with attacks committed on French soil, and that they had merely gone off to fight Bachar-El-Assad, whom France itself had designated at that time as the public enemy number 1. Furthermore, the grounds for the charges – regularly under the polysemic accusation of “conspiracy to commit acts preparing for acts of terrorism” – come in all shapes and sizes: “real” fighters and candidates for the jihad, people imprisoned for recent or old charges, possible recruiters and people who helped a friend or relative return from the territory at war. Despite this variation, all the prisoners are subject to the same protocol. The assessment takes place in a top security environment and is conducted by a series of professionals: guards, educators, psychologists, probation officers – over a four-month period in order to decide on their future handling in prison and their location following assessment.

Controlling the bodies and gestures of the nation’s enemies

The RAUs form a highly sophisticated security system that is extremely constraining, all the way to constraint of the prisoners’ bodies and their gestures. Before

they were named RAU, these units were called “radicalization prevention units” (RPU). As explained above, on 4 September 2016, at the RPU in the Osny detention center, a prisoner stabbed a guard during cell exit, using a handmade knife. This attack was penally requalified as a [terrorist] “attack”.⁵ The RPUs were quickly closed and replaced by the RAU. The main feature of this new type of unit was a massive tightening of security conditions: a multiplication of security portals, additional surveillance cameras installed, escort protocols revised, etc. More basically, the Osny stabbing was a turning point in the relationship between the prisoners and the guards in this type of units.

“*Even those who seem the most well-behaved may be fighting and killing machines*” became a leitmotif shared by many guards. Some guards assigned to work in an RAU are invited to view images of the stabbing and incited to see each RAU prisoner as a “dangerous other” (Drake, 2011). The guard/prisoner ratio is unprecedented – one guard for each two prisoners, the security procedures are strict and there is very little leeway for improvisation. Furthermore, the guards make a distinction between ordinary prisoners and “terrorists”, through their degree of presumed harmfulness: ordinary prisoners are “thugs” while the terrorist prisoners are “enemies”. A priori defiance is the intangible frame to guard-prisoner interactions in this type of unit. As such the RAU is the explosive incarnation of a prison underpinned by a warlike rationality and conceived as an apparatus to neutralize “enemies”, in this case “enemies of the Republic”.

[The guards] make us understand that this is *their* place, that we are not welcome. We’re prisoners, but prisoners of war! When you see the way they look at you, you can feel that the fight is far from over. There’s a climate . . . it’s hard to explain . . . pfff. It’s us against them! Here, you get the impression that you’re public enemy n° 1, the man to kill.

A prisoner

The RAU thus appears to be a system for permanent control and surveillance of the prisoners’ acts and gestures, which recalls Lorna Rhodes’s descriptions of mental health units in the US supermax prisons (Rhodes, 2004) or other maximum security prison establishments (Scheer, 2013). The RAU is a sealed sector where a strange atmosphere reigns. The hallways are almost always empty. Doors open surreptitiously, during the prison walk, a shower, for a visit or an interview. The guards generally assemble in a common office, where they prepare observation reports, study surveillance camera images and constantly readjust their security procedures. Cameras and security portals have been added. Three guards are on hand when a cell door is opened, the prisoners are regularly patted down, and no prisoner can leave the cell until all the others have been confined in a secure place. All movements are “triangularized” in the form of three guards surrounding the prisoner. Just one guard speaks during these movements. An agent remaining in the guards’ office follows the operation on camera. The guards all call themselves

by warrior nicknames: “Viking”, “Watchtower”, “Shield”, “Blitzkrieg” and so on – so as to guarantee their anonymity towards the prisoners. The regular cell searches are very stringent and follow protocols letter by letter. Furthermore, many of the guards are fascinated by military gadgets and arms. The security routine does not lower the vigilance of the guards, who regularly repeat that “anything can happen”.

“You can feel that the tension is different. With the other prisoners, you play at cops and robbers. It’s a game. They’re little punks, kids from the hood who went bad. And they stand up to authority. But we’re still able to establish ties to make them understand the way things work. But with the terrorists, it’s not the same. They’re the enemy, that’s for sure. Dialog is impossible. All they want to do is slash our kids’ throats, machine-gun our terraces. You can see that right away when you exchange glances... With them, it’s death. There’s no going back. The objective is destruction. In one way or another: they want to destroy us, and our objective is to destroy them.”

A guard

The relation between the professionals and the prisoners in the RAU and, more broadly, between “radicalized” prisoners and the prison administration, is thus regularly described in bellicose terms. The “them/us” divide is even more present than in ordinary prison, between managing a population of offenders on one hand, and fighting enemies of the Republic on the other. The stances of the guards towards this context are varied. They can be summarized in three profile types, based on the way they see their work at the RAU and the individual emotional work (Crewe et al., 2014; Liebling, 2011) at play in detention.

First, some guards exaggerate their control mission, based on experience and expertise acquired before their assignment to the RAU, for example in solitary confinement units or bodyguard functions in the prison administration (security during transfers) or outside prison (VIP escort and protection). These guards, highly expert in security, integrate and reproduce the warlike relation with the prisoners in their daily job; they try to avoid any emotion in their work. This distance is presented as a condition for efficient procedures and the repeated security actions. Searches, escorts or even interventions can only be efficient when emotions are pushed aside; empathy and hate take second place to a procedural vision of security.

“Why are they there? I could really give a damn. That’s not the question. If I thought about that, I’d lose my own judgement. I’d started to tell myself: ‘Oulah, that could have been one of my kids at the Bataclan. I’ll make you pay for this, you bastard!’ You have to avoid that. That’s the easy reaction. [...] You have to transform hate to make it...to be more professional. I do my job correctly, with no vengefulness, applying security procedures to the letter.”

A guard

In this environment, knowing the other – the enemy – ensures more security. Other guards, the second profile type seen in the analysis – invest themselves in a discreet mission to closely monitor gestures, gazes, communications, reading material, sports or religious practices. If the activity of observing is a common component of the guard profession, in this case, observation is described in terms of “spying” and some guards proudly claim their close links with the prison intelligence agents. Through abundant professional writings – observation notes transmitted to the intelligence services, re-transcription of phone calls, consigning books found in the cells, etc., these professionals attempt to “know the enemy better” in order to prevent violence being committed, both in the prison and on the outside. These guards regularly evoke the climate of terror and the genuine risk of new attacks. Motivated by fear and commitment to their duty as citizens, they are convinced that they are participating, in close encounter, in the fight against terrorism. In the case of these first two profiles – obsessed with security and information, the prisoners are reduced merely to their potential dangerousness.

Lastly, the guards in the third profile type resist this dichotomy. Their aim is not to *know* but rather to *acknowledge* (Honneth, 2005) the prisoners assessed in the RAU. The activity of these guards, who often practice a religion – Muslim or Catholic – is motivated by the effort to establish a “*relative peace*” and to “*recreate*” ties. They stress the fact that the true mission of the penitentiary is that of “*a human job of pacification and showing how to achieve a faith stripped of violence*”.

The context of the attacks in France (and in prison) along with the social climate marked by fear also have a direct impact on the RAU’s real practices: the question becomes one of controlling, securing and above all of “distrusting”, even more than in ordinary confinement. The idea of “the other as enemy” prevails from the very start and constantly. The paradox of this security-based organization is that it is open to criticism by the guard staff as counter-productive for rendering it impossible to distinguish the inoffensive prisoner from the “dissimulator”. Thus, the guards regularly explained that the stabbing “attack” at the Osny prison was committed by a prisoner whom everyone described as “well-behaved”, while “in reality” he was extremely dangerous. All the prisoners are described as conforming to the image expected of them: “*they blend into the crowd before hitting hard*” one guard explained, evoking what in his opinion was an “*ISIS strategy*”.

Unmasking the dissimulators

Traditionally, prison evaluation in France has been based on knowledge linked to the social work of integration and probation officers (Benbouriche et al., 2012; Bouagga, 2012; Larminat, 2014): social assistance for the individual, and involving the person in their follow-up. In other words, unlike many other countries⁶ (Hannah-Moffat, 2005; Silke, 2014), the evaluation work actually had little to do with actuarial logics or detection tools. Tools of the actuarial or structured professional judgement type, such as VERA-2 (Pressman and Flockton, 2012) are

nevertheless available (Herzog-Evans, 2018). Although the staff is trained in their use, they are not imposed as the main basis for evaluation and are also strongly criticized (Chantraine and Scheer, 2020).

Inside the RAU, we analyzed the progressive construction of the evaluation and the way that, from one step to another, the data, analyses and information circulate and are translated, interpreted, reformulated up until the final recommendations. The time of an evaluation system is a constrained time in virtue of the way it condenses different types of activities. To begin with, the time for observing of and interviewing the prisoner represents the initial information gathering phase. Then comes the time for the pluridisciplinary meetings – PM, which meet about every two weeks, assembling all the staff at the RAU to discuss each individual case and compare their points of view on each prisoner. Last is the time for each professional to prepare their assessment report before a director prepares an assessment summary. All these different phases end up reducing the time for data collection. In reality, one tool overdetermines the work actually undertaken. This is the evaluation grid itself, in the sense that both the interviews and the observations must be conducted pragmatically in the aim to meet a highly concrete objective: finish what paperwork has to be completed in the time allotted. Thus, the description of the events leading to imprisonment, police record and potential compensation to the victims are elements transmitted solely by the probation officers. The special educator describes the family, marital and social relations as well as the socio-professional trajectory. The psychologist is responsible for reporting on the prisoner's psychological health, analyzing psychological functioning as well as intellectual and cognitive skills. Elements relating to the prison trajectory, disciplinary antecedents and communication outside the prison are transmitted by the guard staff. In one of the three RAU studied, the team was completed with a "religion mediator", an expert in Islamology and geopolitics, responsible for analyzing the prisoners' relation with religion. In this constrictive temporal context, the professionals must attempt to avoid the easy reflex of confirming the hypothesis of radicalization. From the start of this evaluation process, the staff observe and interview the prisoners in order to progressively build profiles that are as accurate as possible.

"I have the radicalization detection grids provided by the prison administration directorate. But with that, you can be considered as radicalized just by the length of your beard. I just use only as something to jog my memory. All the rest takes place in the interviews. We can detect psychological problems or personality disorders clinically. In 80% of the cases, we do find psychological problems or personality disorders, but that doesn't necessarily mean serious pathology. We can detect that in the interview, asking them about their life path, relations with other people... We see cases of PTSD. We make them take special tests when needed: questionnaires, projective tests... And we adapt them, depending on the case."

A psychologist

Nonetheless, despite this endeavor to do a good job, the overall strategy apparently imposed on the professionals is to “keep on searching to find” in order to fill any void in objectivation with elements that would constitute potential dangerousness, dissimulation of ideological anchorage or strategies to get around the institution. “*If we don’t find anything it’s as if we didn’t do our job,*” one staff member remarked. In this progressive construction, we can observe an omnipresent fight against the prisoners’ “dissimulation” – attributed to a potential *taqîya* (Mariuma, 2014), in other words a practice consisting in concealing one’s faith in a context of constraint or persecution, which ISIS hijacked to use as a strategy for victory (Antoine, 2016). Yet in the fight against *taqîya*, there is always the risk that the evaluator may fall into their own trap, no longer being able to perceive those who do not represent a danger. They only see that the person presenting themselves as radicalized is indeed radicalized and the one who behaves well is a dissimulator. This bias tends to be reinforced during the final meetings, where the recommendations are overdetermined by an imperative to avoid taking risks, leading the manager to doubt some of the professionals’ assessments occasionally seen as “angelical”. In short, any nuance is cancelled both by the idea that the innocence of these prisoners is impossible and by the need to not take any risks.

The prisoners, thus placed under evaluation, adapt. Most accept the play the game; admittedly the carrot (prospects for transfer to ordinary prison) is occasionally stronger than the stick. This displayed will to be sincere and authentic nevertheless comes up against the structural operation of the RAU, with the constant risk that “information” be turned into “clues”, the fruit of a conscious or subconscious over-interpretation.

“You can’t act natural when you’re observed day in and day out. Everything I do is subject to interpretation. If I run during the exercise period, it’s because I’m training for battle. If I clean up my cell, it’s because I’m completely radicalized and seeking purity. If I pray, well let’s not even talk about that . . .”

A prisoner

So, the prisoners adapt, they prepare for the assessment, they cover their tracks, they dissimulate occasionally . . . The effort to avoid serious mistakes, like sending signs of radicalization or that could be interpreted as such, sometimes sparks conversations on the need to adapt oneself to the apparatus. The prisoners, especially during their exercise periods, share the “right gestures” to adopt: shake hands if the evaluator is a woman to not appear misogynist, not talk about Muslim authors during the interview, not try to hide elements in the file, and so on.

“We share tips. About homosexuality, for example, we have set replies. We share them because they treat everyone the same way. They ask you about your childhood and religion, but also questions about society: the woman’s place, homosexuality, democracy . . .”

A prisoner

Although it appears without a doubt that some prisoners assigned to the RAU are involved in active jihadi networks (*cf. supra*) and that others (or the same ones) represent a true danger for public safety, the problem is that the evaluation structure and process makes it hard to distinguish between one prisoner and another, the a priori view of the generalized dissimulator contaminates the whole process.

Evaluation and professional protection

Following this individual work of observation, interview, data collection and progress construction of each prisoner's portrait – conditioned, as we have seen, by a feeling of impossible innocence and permanent suspicion, the next step is for all these individual portraits to be pooled. All the professionals meet together and discuss each prisoner in order to collectively build these profiles emerging from the assessment, written in the form of an assessment summary. During this pooling of information, some aspects are pushed aside – due to lack of unanimity, over-complexity or power relations among professionals – and others are put forward. In particular, the logic of avoiding risk overdetermines the process. We thus observed a process whereby the prisoners' profiles hardened during their construction by the professionals. For example, one prisoner, on his arrival at the RAU, was described by all the professionals as "miscast"; they all concurred on his lack of radicalization and distance from any radical ideology. In just a few weeks' time, however, he became a "potential terrorist band leader" who needed to be monitored. There are numerous cases like this: a skilled athlete whose boxing training was interpreted as the sign of possible enrolment as a jihadi fighter (see below); a friendly talkative prisoner who came to be seen as a powerful proselytizer because of his extended social network and camaraderie; an extremely discrete and timid prisoner, in the absence of real evidence, was perceived as a recalcitrant and disturbing dissimulator. The prevailing idea can be summed up simply: at the final evaluation stage, a false positive is better than a false negative.

In the meeting, all the professionals agree on the fact that, other than the person's high level of intelligence, no tangible element makes it possible to say whether the prisoner was strongly radicalized or not, dangerous or not. Following this observation, the prison director grabbed the prisoner's prison file and began to speak, visibly angry:

— "I want us to get our heads out of the clouds and stop being so ridiculous. He's a recruiter, he trained fighters in close combat. But all I've read are observations on his capacity to attract people, that he was courteous and well-behaved. We're not here to turn people into angels!"

The evaluators reply one by one:

— Chief guard: "I'm not inventing a thing. All I can say is that I don't know. Even if I may have some doubts about the truth of his version of things, I have nothing to prove my doubts."

— Psychologist: “I don’t have any elements either. He doesn’t reveal a thing. But that doesn’t mean he’s dangerous. He’s just intelligent. That’s all I can say.”

— Religion mediator: “He’s the perfect example of people who saw the light about the Califate. He went there to fight long before 2014 and came back on his own choice.”

— Integration and probation officer: “We’re not denying the seriousness of the facts. But we can’t go looking for elements that haven’t been given to us. We need to base our arguments on something.”

The prison director retorts:

— “When he said he went there to do humanitarian work, that’s reason enough to see he’s taking us for a ride! I remind you that you answer to what you write. They dangerous. All of them! And we’re being much too precautious. He’s known to all the internal security forces. With ordinary prisoners, we took much less precaution before mentioning risks of recidivism!”

The psychologist replies:

— “It’s going to take more than 90 days to pierce his shell. His arguments hang together. He’s intelligent and what’s more he’s got ‘grit’. He’s a former top athlete. A boxer. He practiced combat sports. He’s got grit. But he’s also intelligent enough to change.” He added: “All I can write in my psychological analysis is what I see. I have to stay objective.”

— The director replies: “Well, I’m going to be subjective when I write. Believe you me” adding “but you told us that he practiced combat . . .”

— The psychologist: “No, professional boxing.”

— The director: “Yes, but, well you said combat. So, OK, we can say he’s a fighter!”

— “No, a professional athlete. Meaning he’s got grit. He can adapt . . .” the psychologist replied before being interrupted by a prison intelligence agent:

— “If he wants to adapt, we’ll adapt as well: solitary confinement in the maximum-security prison!”.

The director closes the file, concluding: “Very well then.”

PM meeting in a RAU (observation journal)

This extract from the observation report illustrates clearly how the evaluation follows a processing logic where avoiding risks and identifying dangerousness

become the only possible interpretation methods. Many professionals who participated in the assessment have denounced the instrumentalization and appropriation of their work, along with a denial of their analyses. “Trust” here is impossible (Liebling and Williams, 2018).

“If something should happen, they will bring out the summary and say: ‘But the prison administration made a bad assessment.’ And you can’t just place bets on security. The whole society’s security is at stake! You can’t just say ‘Let’s bet on him. We’ll trust him, he says he wants to change. We’ll trust him, but we nevertheless have some doubts.’ We can’t do that!”

Probation director

The irony of this evaluation dynamics where no risks are allowed lies in its potentially performative nature. Thus, during the interviews, the professionals and prisoners alike describe and deplore a hardening of some prisoners’ radicalization as the very effect of this institutional stigma. Both prisoners and professionals evoke a defensive reaction towards the institution, thereby redoubling their hostile, if not warlike, attitude.

“The [IST] have the impression that Islam is being attacked. We’re turning them into war dogs. And there will be vengeance!”

A psychologist

The performative effect, consisting in producing an enemy by naming one, is certainly the most recurring criticism of the way the RAUs operate.

“They mix religion with what’s going on [terrorist attacks]. They’re hunting down Islam. They don’t try to find out if you’re violent or want to go fight; they try to find out if you believe in Islam, if you really believe. Actually, they turn the . . . Because that gives a reason to fight the system. The Muslims aren’t the system’s enemies. But if the system tells you you’re the enemy, then you will become the enemy. And this will prove them right . . . See what I mean?”

A prisoner

This question of written “traces” produced by the assessment summaries refers back to the way the professionals manage risks. As Michèle Grosjean and Michèle Lacoste already pointed out in a different context, when writing became computerized in organizations this reinforced and accentuated its role in legal protection (Grosjean and Lacoste, 1999). We have already seen the same process in prisons for minors in France, when indicating a risk of suicide became a tool for individual protection in case of an incident (Sallée and Chantraine, 2014). On this subject, in

the RAUs, for the professional the assessment summary becomes an essential protection device in case an incident occurs. The professionals consider more widely that the credibility, the very survival, of the whole structure is at play. Thus, it becomes a question of protecting oneself by rendering the radicalization diagnosis visible.

Thus, the RAU, through control and surveillance, collecting information or by evaluations adds fodder to a process that stabilizes and freezes a negative image of the prisoners, which at its worst establishes the conditions for their guilt and dangerousness.

Conclusion

The objective of this article was not to provide a normative or penological answer to the question of how to deal with radicalized prisoners in prison – should they be dispersed among the prison population or grouped together, and how and why should this be done? Our intention was rather to study how the organizational responses to these questions are the fruit of political and institutions issues and constraints: panic and need to take action on one side, evaluate without taking any risks on the other.


The assignment proposals arising from the RAU assessment reflect the weight of the political and social context on the RAU organization, the complexity of a logic to manage flows in a context of overcrowded prisons and professional logics of protection from risk. The RAU is an archetype, for prisons, of what Pratt and Anderson (2020) analyzed as a “revolt against uncertainty”. Indeed, some 70% of the prisoners assessed in the RAU are sent into solitary confinement and 20% are planned to be transferred to a collective supervision unit for “violent prisoners”. Only 10% are eligible for “ordinary detention”; even then this “ordinary detention” must be served in a prison that meets precise constrictive security criteria. Furthermore, even if post-RAU assignments in ordinary prisons are the minority, they also reflect a pragmatic/security puzzle: who can we send where, given the state of the prison stock, the judicial obligations of each individual and the local balance in each institution? More generally, ordinary detention is always perceived as risk-taking (proselytizing or acting out). Likewise, the administration’s reluctance to assign “radicalized” prisoners to ordinary detention is actually the avowal of the administration’s lack of faith in any beneficial effect of the prison. In this sense, immediate security and protection of the professionals seem to prevail over vigilance and long-term surveillance (intelligence is of better quality in ordinary detention since prisoners can choose their relationships more freely). The results of the assessments are thus the reflection of the professionals’ defensive reflex and the tendency to confirm the hypothesis of dangerousness.


Moving forward, it is a paradox that, while the assessment and orientation process is constrained by a logic of intensive flows, it is also this logic of flows that, starting in 2020, will subsequently, force professionals to diversify and qualify their recommendations and restore the nuance. The special units – Radicalization

Assessment Unit, Violent Prisoner Unit, Radicalization Management Unit – are indeed full, and a distinction must be made between those who really deserve to be assigned to them and those who can go into ordinary detention. Furthermore, with a quelling of terrorist events, the decline of ISIS or an emergence from an intensive phase of attacks, the professionals will be able to be more nuanced in their evaluations. Professionals, however, remain terrorized by the idea of a new attack on the outside and this would seem to prevent them from producing “risky” assessments of the prisoners already inside. The professionals regularly state, fatalistically: *“Sure, we can write refined and nuanced evaluations or assign one or another prisoner to ordinary detention . . . until the next attack occurs.”*

The contradictions and the professionals’ concerns are real, between a sincere commitment to “doing one’s duty as a citizen”, “protecting the country”, “preventing attacks”, and the fear of being counterproductive and potentially contributing to the reinforcement of terrorist designs and projects. These contradictions that shape for “RAU” apparatus raise more broader questions on the condition of the contemporary prison in France. First, the fear of proselytizing contagion is merely an accentuated form of a traditional fear held by both the penitentiary and society that produces the, often well-founded, image of the prison as a “school for crime and a recidivism factory”. Furthermore, searching for a prisoner’s best possible assignment following the RAU evaluation in an overcrowded penitentiary stock is nothing more than an archetypal illustration of a need to manage flows when the dam is at the breaking point.

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Notes

1. France’s National Commission for Informatics and Liberty (CNIL) is an independent French administrative authority. The CNIL is responsible for making sure that information technology is at the service of the citizens and that it does not infringe on human identity, human rights, privacy or individual or public liberties.
2. Loi n°2015-15-01 of 20 November 2015 in France, extending the application of the law n°55-385 of 3 April 1955 on the state of emergency. The ‘state of emergency’ is a governmental measure in case of imminent national peril or security danger, including the restriction of certain fundamental freedoms in the name of security.
3. Apparently, there is a greater number of first offenders among the population of prisoners charged with acts of terrorism compared to ordinary incarceration. While one usually finds many trajectories of social disaffiliation marked by fairly regular prison stays among ordinary prisoners, the RAU holds a greater number of people who “discover” prison or even who “absolutely never expected to fine themselves in prison”.

4. In California prisons, moderate Muslim inmate leaders organize their religious services which act as a prophylactic against the spread of radicalization to the general prison population. These programmes receive the full support of prison guards and chaplains (Hamm, 2013). This is not the case in French prisons, where the involvement of prisoners in “deradicalization” efforts is hidden and informal.
5. The perpetrator was sentenced to 28 years imprisonment.
6. To take just one example, the Canadian VERA-2 tool (Violent Extremist Risk Assessment, Pressman and Flockton, 2012), designed for its easy international transferability and thus high commercial potential (Herzog-Evans, 2018), is used by many prison administrations, from the Netherlands to the United States, from Australia to Singapore.

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