Countering Radicalization and Recruitment of so-called Jihadists - Proscription of Radicalization Hubs

Daniel H Heinke
Abstract: The investigation and prosecution of criminal offenses with regard to political and/or religious extremism are at the core of an effective domestic counterterrorism policy. However, additional approaches may augment these endeavors. The proscription of certain extremist organizations can be an effective instrument to address the threats resulting from identified radicalization hubs.

Keywords: Islamism, radicalization, proscription, ban, recruitment.

Introduction

The successfully executed terrorist attacks in Western Europe in the past one and a half years – first and foremost the assaults in Paris (France) in January 2015 and November 2015, in Copenhagen

1 Received 09 October 2015. Accepted 28 April 2016.

2 Director, Policy Planning Staff and Special Affairs Directorate, Ministry of the Interior, Free Hanseatic City of Bremen, Germany. E-Mail: daniel.heinke@inneres.bremen.de.


(Denmark) in March 2015,5 and in Brussels (Belgium) in March 2016,6 as well as comparable plots thwarted at the last minute, either by law enforcement agencies, such as in Verviers (Belgium),7 or by courageous intended victims fighting back, such as on the Thalys train from the Netherlands to France8 – in addition to the steadily increasing number of individuals from Western, especially Western European countries, who decide to join extremist factions claiming an affiliation with Islam in the civil war in Syria and Iraq over the past two years, have rendered painfully obvious the imminent threat for Western societies resulting from the radicalization of individuals towards a so-called jihadist ideology.

Governments face the challenge in making a stand against this threat rooted in an ideological radicalization, while at the same time preserving and protecting the civil rights of freedom of (and from) religion, freedom of opinion and freedom of speech. In this context, the measures of law enforcement and intelligence authorities have to be augmented by multipronged prevention and deradicalization endeavors.9 This article, however, focuses on the option of the proscription of organizations as an instrument to neutralize centers of gravity of radicalization efforts by so-called jihadists.

The radicalization process and the significance of radicalization hubs

The ‘Who’ and the ‘How’

It is still difficult to identify a ‘target group’ for such a radicalization. Various studies examining and analyzing so-called jihadists, i.e. violent extremists claiming an affiliation with Islam (ECAI), in Western countries as well as the analysis by German security authorities individuals who traveled from Germany to Syria out of an assumed extremist motivation, confirm the findings that

---


the existing intelligence does not – as desirable as it might be to prevent future threats – support a reliable sociodemographic profile of these so-called jihadists.10

If the ‘who’ cannot be satisfactorily answered, the question as to the ‘how’ of the radicalization process gains even higher importance. Superficially, the pathways to terrorism seem as varied as the actors themselves.11 Developing from diverse starting points, extremists follow many different paths to their ultimate involvement in terrorist activities, either in their respective countries of residence or by joining international terrorist organizations like the so-called Islamic State. The findings of several analyses conducted by Western security authorities (law enforcement agencies and intelligence services) indicate an underlying base model of the radicalization process. Hunter and Heinke12 – elaborating on a sketch originally presented by Neumann13 – proposed a unified simplified model of the radicalization process, based upon three definable main components: ‘grievance’ (more often than not, rather a diffuse discontent with the individual’s status of life), ‘ideology/narrative’ (the embrace of an extremist belief as a perceived answer to the existing answers), and ‘mobilization’ (crossing the threshold to actively engage in the violent fight against the perceived enemies of Islam). This model has been confirmed by observations over the last few years.14

The basic prerequisite of the radicalization process (not only within the context of ECAI) seems to be a (starting from a mostly rather diffuse) discontent.15 Relevant issues driving this attitude in Western countries may include a sense of uprootedness, alienation, or a lack of acceptance; feelings of discrimination (especially among second- or third-generation immigrants); or a general search for identity. It comes as no surprise that young persons are particularly susceptible for such a discontent.

The process of ideological framing absorbs this diffuse feeling of discontent and vectors it towards a defined direction. The core narrative of ‘us’ – the ummah (community) or ummat


12 Hunter and Heinke, “Radicalization of Islamist Terrorists in the Western World”.


al-mu’minin (the community of the believers) – defending against ‘them’ – the nonbelievers conducting an alleged “War against Islam” – secures a strong bond among the followers while alienating them from Western society. By accepting this highly polarized worldview (right vs. wrong; true believer vs. infidel; friend or foe) and its narrow set of rules, the uncertain individual searching for meaning receives simple answers, as well as a comprehensive framework of social and moral norms and values, thus paving the way for the ultimate decision to actively employ violent actions.

**Radicalization hubs**

Even though the ideological framing portrayed may in some instances happen individually – mainly via the Internet – in most cases social contacts with peers play an important role in this context. As conveying a sense of community, of mutual belonging to a ‘chosen’ group, and posing a defining element of the framing process, this mechanism is all the more effective when the individual experiences this community in a direct way. The propagandists of this extremist ideology are particularly aware of the heightened vulnerability of youth (juveniles and adolescents) to the offer of an ‘anchor’ for their lives. Therefore they very often try to establish isolated and focused surroundings in which they can educate juveniles (or even children) about their narrative of the ideal society. These surroundings may include social centers, Qur’an classes, or mosques, but may as well be institutions – notably including prisons – exploited by charismatic leaders for their purposes.

In a recent example of a Salafi mosque community in the German city of Bremen, the group used their mosque/community center – beyond from worship activities – to teach Qur’an lessons and other forms of education, and thus to propagate their extremist persuasion and an aggressive scorn of other religious beliefs through enduring indoctrination. In specific circumstances, such ‘radicalization hubs’ can gain vital importance, when more and more individuals frequent this place through expanding contacts, and the intensive exchange with the believers already following this group induces them to develop or deepen their own extremist conviction: Until the proscription of this Bremen mosque community in December 2014, all individuals that had left Bremen for Syria due to extremist motivation were related to this organization in some way; the departure total count was substantially higher than the German average. After the proscription, the number of new – successful and attempted – departures declined significantly.

---


Such ‘radicalization hubs’ are not the norm. In many cases a radicalization takes place in more informal and much smaller groups and social contexts. Nevertheless, it becomes clear that such centers of gravity may gain immense importance. In these cases the responsible authorities should assess whether that node should be abolished in order to eliminate the threat emanating from it. On this, the proscription of the organization operating the identified hub can be a viable measure to battle radicalization.

**The proscription of organizations**

Most Western countries provide a legal basis to proscribe organizations if certain criteria are met and can be proven, with a distinct surge in the usage of such measures in the aftermath of the terror attacks of 11 September 2001 against ECAI.

A crucial event was the adoption of Resolution 1373 by the United Nations Security Council immediately after those terrorist attacks. This resolution – described as “the most sweeping sanctioning measures ever adopted by the Security Council” – requests all states to criminalize, prevent and disrupt terrorist financing by freezing the funds of perpetrators of terrorist activities and of identified associates to them, and to fulfil other related demands. UNSCR 1373 created a new legal framework for the international attempt to counter ‘material support’ of terrorist movements and resulted in the passage of a great deal of counterterrorism legislation in the member states. However, interdicting financial assistance is just one part of administrative counterterrorism efforts. As stated above, sometimes the proscription (ban, outlawing) of a terrorist-supporting group – thus covering far more than only the financial aspect – is a suitable tool to support a state’s counterterrorism endeavors.

Governmental proscription powers regularly render illegal the existence of definable designated groups/organizations within a specific geographic area (typically the proscribing state’s territory) as well as the membership of, or support for, those groups. The consequence of such a designation is that the targeted group or organization is outlawed, resulting in a ban for it to operate and rendering it a criminal offence to belong to or to support the proscribed organization.

---


The proscription of groups or organizations deemed dangerous by the government is not a new phenomenon. Legrand and Jarvis point out that law suppressing or prohibiting activities targeted against the British establishment – both monarchy and Parliament – dates back as far as the anti-monarchy Yorkists of the fifteenth century. Nevertheless, despite the repeated use of proscription as a counterterrorism tool in many Western countries in recent history, so far only limited scholarly attention has been paid with regard to the prerequisites, procedure and results of these measures. Many scholars who have offered an opinion, though, take a distinct sceptic stance. To address the valid concerns, it has to be highlighted that the proscription of an organization due to its political position obviously does result in a limitation of the fundamental right of free speech and the right to freedom of peaceful assembly and association, and thus can only be justified when it is restricted to those cases where the proscription of a group is irrefutable to counter a serious threat posed by the organization. In other words, in appreciation of the implied interference with fundamental rights, executive powers must utilize particularly careful scrutiny in this context, especially with regard to the fundamental right of freedom of religion.

Implications for law enforcement and intelligence agencies

Obviously the proscription of an organization differs from the classic law enforcement activities (mostly criminal investigations). On the other hand, it is equally evident that there exist considerable interdependencies between these activities and the proscription procedures. This situation may result in very practical effects but surfaces notably with regard to the question of the concatenation and the coordination of the respective proceedings:

The authority responsible for the proscription of an organization has to rely on a comprehensive assessment of the situation. To start establishing this assessment only with the beginning of a formal proscription inquiry results in a significant additional burden for the security agencies – consuming time and resources that cannot then be used for other activities. Furthermore, this involves the risk that relevant information is not collected or is at least not completely collected and/or disseminated. As a result, it should be the aim to gather the necessary intelligence in a process integrated into the appropriate activities of all agencies tasked with security and/or intelligence missions. For this

24 Legrand and Jarvis, ibid, p. 454.
26 See references above.
27 Universal Declaration of Human Rights (1948), Article 20.
30 Groh, Vereinsgesetze, § 3, margin no. 14.
31 For example, a negative effect would be that the monitoring of certain activities is disrupted when members of the organization no longer carry out those activities openly due to the proscription. A positive effect would be that law enforcement agencies acquire new intervention options as certain legal activities are outlawed by the proscription.
purpose it is necessary to raise the awareness of all law enforcement officers and intelligence personnel involved regarding the option of a (possibly considerably later) proscription procedure. To this end two main aspects have to be highlighted: First, all intelligence with regard to the organization, structure and activities of an identified group should be gathered and scrupulously documented even when there is no obvious relevance for the specific investigation, and disseminated within the law enforcement and intelligence communities. Second, in many circumstances it will be sensible to expand the original focus of the investigation and conduct additional inquiries to shed some light on the group’s structure, intent and activities. As the proscription procedure is a distinct and separate process, findings very well may have an immense relevance with this regard even though they bear no significance on an individual level.

To state the obvious, it should be noted that such findings have to meet the same formal requirements as compared to a regular criminal investigation.

**Conclusion**

The investigation and prosecution of criminal offenses with regard to political and/or religious extremism are at the core of an effective domestic counterterrorism policy. However, additional approaches may augment these endeavors. In certain cases nodes are identified as multipliers for propagating extremist ideology – radicalization hubs. The proscription of an organization can be a viable instrument to annihilate such an identified radicalization hub then, thus preventing or at least significantly hampering the radicalization of additional persons. It complements the individually-oriented, well-accepted law enforcement activities with regard to both criminal investigations and preventive provisions. Therefore the security authorities always should bear in mind the possible proscription of a definable organization as an addition to their primary responsibility, even though they might not be responsible for these proceedings. Information of possible relevance for a proscription order should be indiscriminately collected, documented and properly disseminated.
BIBLIOGRAPHY


Bartlett, Jamie, and Birdwell, Jonathan, *From Suspects to Citizens: Preventing Violent Extremism in a Big Society* (Demos, 2010).


Eriksen, Lars, Safi, Michael, and Rawlinson, Kevin, “Copenhagen Shootings: Suspect was known to authorities,” *The Guardian Online* (15 March 2015).


Ständige Konferenz der Innenminister und -senatoren der Länder (Innenministerkonferenz), „Analyse der den deutschen Sicherheitsbehörden vorliegenden Informationen über die Radikalisierungshintergründe und -verläufe der Personen, die aus islamistischer Motivation aus Deutschland in Richtung Syrien ausgereist sind“ (Innenministerkonferenz [Permanent Conference of the German Ministers of the Interior], 2014).

