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So many supportive people served as a cheering section as I pursued this study. My mentor, John O. Voll, Ph.D., could not have been more patient when months turned into years of research. He probably understood better than I that a government study was not a simple undertaking. Short conversations with Dr. Voll always introduced a new insight or approach that moved the research toward completion. My readers also helped me capture insights I might not have explored without their encouragement. My “ABD group,” Anne McGee, Karen Wilhelm and Elizabeth Shelton, D.L.S., encouraged me to continue, each time I decided all over again to abandon the project.

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FROM “BLACK MUSLIM” TO GLOBAL ISLAM: THE EVOLUTION OF THE PRACTICE OF ISLAM BY INCARCERATED BLACK AMERICANS

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DLS Chair: John O. Voll, Ph. D.

ABSTRACT

The current practice of Islam in the United States prison system is a legitimate religious expression of Sunni Islam that emerged from new religious movements of black Americans during the last half of the twentieth century in Midwestern and Northeastern urban centers.

Analysis of the progression of Black Muslim prisoners to a legitimate expression of Sunni Islam is based on historical methods of research. Evidence in support of the hypothesis is drawn from primary source material including archival and published documents of the Bureau of Prisons, and the Congress. Reliable secondary resources complement primary sources. Religious texts are limited to English translations of the Koran and *ahadith*. The analysis incorporates basic legal research principles.

For a quarter century beginning in the late 1950s, incarcerated members of the Moorish Science Temple of America and the Nation of Islam shared the title “Black Muslims.” Only a common African heritage tied these movements to global Islam. From that shared heritage, urban black Americans asserted their chosen self-identity as
Muslims. This identity ensured an inherent sense of dignity and purpose for men incarcerated in a milieu far from that of their free world experience.

The 1980s witnessed the strengthening of the Worldwide Community of Islam in the West, the first of the new religious movements with genuine ties to Sunni Islam. More recently Muslims adhering to the Sunni tradition in the prisons tend toward a strand of Salafism associated with a strict adherence to the Koran and *ahadith* in religious matters. This development is viewed by some as a threat to national security. Only with a clear understanding of the strands of Salafism can one understand how religious purity may be a positive life-changing experience for the incarcerated.

Today the ritual dimension of Islam in prisons is similar to global Islam, but a certain cultural dimension is lacking. Black American Muslims do not share the cultural mores and experiences that shape free-world immigrant Muslim communities. This problem cannot be resolved without immigrant Muslims willing to support their black American brothers during incarceration and upon release from prison.
PREFACE

This study was inspired in the days and weeks immediately following September 11, 2001. Like most Americans, I was suddenly aware of how little I knew about Islam and Muslims in America. However, unlike most Americans, as Chaplain Director of the Federal Bureau of Prisons (Bureau), I had both the task and the moral obligation to tailor government policies and procedures to ensure the free exercise of religion for incarcerated Muslims in the largest prison system in the nation at a time when public sentiment questioned the degree of threat to national security posed by Islamic inmates. Still stunned by the gravity of the terrorist attacks, I pursued the scholarly study of Islam very carefully, not wanting to cause secondary trauma to victims, their families and associates in Washington, D.C., rural Pennsylvania and New York City—all places where large numbers of Bureau personnel earn their livelihood. Many had friends, colleagues or associates who were personally victimized by the al-Qaeda attacks, or the “Muslim attacks,” as they were so frequently identified. Emotions were raw. Anger, pain and fear were practically indistinguishable. Past assaults on staff by Muslim inmates, and the cry for retaliation in some segments of our nation and its prisons heightened awareness of the threat that Muslims could pose within the federal prison system and the nation.

Within months of the 9/11 tragedy three considerations led me to seek the guidance and assistance of the Center for Muslim-Christian Understanding (CMCU) at Georgetown University. They were: (1) media allegations of poor management and supervision of Muslim inmates, (2) the suggestion of the system’s cavalier attitudes
toward the dissemination of dangerous Salafi literature, and (3) the nature of the professional training of Bureau Muslim chaplains. After an occasional consultation with John L. Esposito, Ph.D., and his generous donation of audio-taped basic classes on Islam, I became convinced that government officials, prison administrators and staff, as well as the general public, would benefit from a better understanding of who and what Islam in American prisons looked like.

First, the key question: Were the roots of terrorism really being planted among the inmate population? Then, were the media and the general public aware that at least ninety percent of Sunni Muslim inmates were African Americans with almost no knowledge or understanding of the geopolitics of global Islam? Did they understand that the “faithful remnants” of two twentieth century New Religious Movements (NRM) were actually the so-called Black Muslims in prisons throughout the country? Did they know, or care, that fewer than one hundred Muslim prisoners (less than one percent) were foreign nationals? Did they grasp the deep division that existed between the incarcerated immigrant Muslims and the African-American Sunnis, such that most of the immigrants refused to pray behind a black American imam, and/or rejected the African-American Sunnis prisoners as less-than-authentic Muslims? Did they recognize that the issues that fire up the threat of terrorism in Western Europe were related to pre-World War II colonialism; but that this European colonial oppression was different from the situation in the twentieth century United States? What were the most salient criteria for a scholarly understanding of Wahhabism, Salafism, and Jihad within the prison context?

With these questions roiling inside me, I ventured back into the ivory tower with the intent of finding evidence to support my belief that the Sunni Muslim inmate program in
the Bureau of Prisons was a legitimate *religious* program and worthy of all the opportunities for religious expression that were afforded the twenty-two other religious groups authorized to meet for religious worship and study in the Bureau of Prisons. I approached the study with both a closed and open mind.

My mind was *closed* in the conviction that Islam in prison was authentic and good for the inmates who preferred to practice Islam or one of the tangential NRM groups while incarcerated, even if submission to Allah was not a long-term commitment that would accompany them back into the community. I observed the discipline, dignity, and brotherhood of Islam as restorative for urban black men whose lives had been benchmarked by economic poverty, failure, poor quality education and under- or unemployment, crime, alienation, absent fathers and maternal dominance within the home.

I recognized, too, that Islam has been classified in prisons in monolithic terms, certainly not reflecting the reality of prison Islam. The religious preference category “Muslim” as defined by the Bureau fails to differentiate between four religious movements: (1) the Nation of Islam (Nation); (2) the Moorish Science Temple of America, Inc. (Moors); (3) the Sunni followers of the late Malcolm Shabazz or Warith Deen Mohammed; and (4) immigrant Muslims from the Islamic world.

While I recognized the three NRMs did not meet the criteria for what might be called authentic expressions of global Islam, or even Islam in America, I also wanted to acknowledge that they were legitimate religious movements giving meaning and purpose to hundreds, even thousands, of incarcerated men and women and their counterparts in major urban centers such as Chicago, Detroit, Philadelphia, New York, Baltimore,
Pittsburgh, and, to a lesser extent, to urban centers in the western regions of the United States.

At the same time, I was open to the possibility, even the likelihood that the well-intentioned, but predominately Christian prison officials and chaplains may have erred in their attempts to classify and accommodate the “Moors,” the “Nation” and the “Sunni” Muslims. This error had gone uncorrected for more than a quarter century because Muslim subject matter experts were difficult to identify and yet, particularly when a majority of their “free world” coreligionists viewed both Caucasians and Christians with suspicion. This was further complicated by a high degree of secrecy within the groups identified here as NRM s. Finally, it would be naive to overlook the unconscious biases of correctional administrators who, until twenty-five years ago saw little or no need to accommodate religious groups who were non-Christian unless ordered to do so by the courts.

The perceived security threat posed by the new Muslim religious movements created a great demand for Islamic chaplains, but supply just did not meet the demand. In 2001, fewer than five percent of Bureau chaplains were religious Muslims. The range of their academic preparation for ministry and experience was varied and uneven. All were Sunni. Yet, ideological differences among the Muslim chaplains left some believing that others were infidels because of personal beliefs and practices. A decade later, perhaps due to the complicated and mutually suspicious nature of the relationship between the United States government and the American Muslim community, as well as the Muslim chaplains’ inability to resolve their ideological differences, the number of chaplains who are Muslim is even lower than in 2001.
A scholarly understanding of both global Islam and the sociology of religion has half-opened my closed mind regarding the potential for prison radicalization, and half–closed my open mind regarding the incarcerated Muslims. Furthermore, all that I learned in the study of Islam had to be measured against my twenty-eight years of work in the field of correctional ministry within state and federal prison systems. As a chaplain in the field, and then an administrator, I took my duty to protect religious rights very seriously. While in the field, I was observing and facilitating prisoners in the expression of their beliefs and practices. Later, in my capacity as Chaplain Director in the Bureau headquarters in Washington DC, I had unique opportunities to observe and record the behaviors of inmates in prison “chapels” throughout the country.

On any Friday in the field, I could observe the routine transformation of the Chapel multi-purpose room from a Christian “church” to an Islamic “mosque” in a matter of minutes. Icons were respectfully stored in a sacristy, the blinds lowered over the stained glass windows, and a large ornate rug was carefully vacuumed by inmates in socked feet as the call to prayer was made. Muslim inmates arrived, fresh from the shower, to pray together and to be instructed and inspired by the khutbah. The all-too-careful attention of novice Muslims was always apparent in the prostrations and motions of inmates who had recently learned the rituals from their inmate brothers, elders in the faith. Then by late afternoon, a similarly respectful transformation readied the shared space for Jewish Services which would begin at sunset, or a Sabbatarian service scheduled for the next morning.

These are the observations that eventually led me to view the NRMs and the African American Sunni Muslim prison groups as a topic worthy of scholarly research, to prove,
or perhaps to disprove, my hypothesis about the importance of these religious expressions, particularly for African-American incarcerated males.

My thesis is this: The current practice of Islam in the United States federal prison system is a legitimate religious expression of Sunni Islam that emerged from new religious movements of black Americans during the last half of the twentieth century in Midwestern and Northeastern urban centers.

I will demonstrate the validity of this thesis through scholarly research using an historical method that focuses principally on the analysis of primary sources to determine reliability, significance, accuracy and comparability of the data. The historical research is enriched by careful analysis of twenty-eight years as an informal observer of inmate religious observances within the federal prison system, and more specifically within prison chapels. It was my commitment to ministry, as well as an interest in human behavior and history, that resulted in the recording and preservation of particular events, behaviors, beliefs and practices of inmates. Clearly my search for knowledge and understanding of diverse cultures and religious pluralism was propelling me into this interdisciplinary study.

Unfortunately, the Bureau of Prisons did not look favorably on social science research that would highlight the conversions, beliefs and practices of Islamic inmates. Due to the post 9/11 political climate and intense scrutiny by Congress and the Executive Branch, Bureau administrators preferred to “stay under the radar” on religious matters. They were convinced that the dissertation would draw further unnecessary and unwelcome surveillance of the Muslim staff and inmates, as well as the overall Muslim program. I am in agreement with their position, having personally endured nagging
scrutiny for seven years. It was necessary, then, to rely on archival material, and personal memoirs by former inmates and staff to provide a view of prison culture and religion. Many of these works were unrefined, but they clearly reflected the bias that is a normal consequence of years of incarceration, and rang true to my own observations of the experience of inmate values, beliefs and mores.

Literature from the fields of Corrections, Black History, Religious Studies and studies of Islam in America have informed this research, but the literature from each of these disciplines can be viewed as incomplete without the inclusion of carefully researched findings to reinforce the legitimate and unique contribution of Islam in American Prisons. This study addresses a lacuna in the literature by presenting findings that support the thesis: The current practice of Islam in the United States federal prison system is a legitimate religious expression of Sunni Islam that emerged from new religious movements of black Americans during the last half of the twentieth century in Midwestern and Northeastern urban centers.
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### Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>Moors</td>
<td>Moorish Science Temple of America, Inc.</td>
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<td>Nation</td>
<td>Nation of Islam</td>
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<td>NRM</td>
<td>New Religious Movement</td>
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<td>SMT</td>
<td>Social Movement Theory</td>
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<td>Bureau</td>
<td>Federal Bureau of Prisons</td>
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<td>WCIW</td>
<td>World Community of Islam in the West</td>
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<td>FOI</td>
<td>Fruits of Islam</td>
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<td>TDCJ</td>
<td>Texas Department of Criminal Justice</td>
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<tr>
<td>SHU</td>
<td>Special Housing Unit</td>
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<td>CMU</td>
<td>Communications Management Unit</td>
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Ahmadiyya: A movement within Islam, generally rejected by Sunnis because of a difference in beliefs and practices; one of the earliest American Muslim movements.

A salaam alaikum: “Peace be to you” a traditional greeting among Muslims.

Aya/Ayat (pl): Verse/verses, as in chapter and verse.

Dawa: A "call" or "invitation," for Muslims to follow Islam more faithfully; Islamic proselytizing.

Dhikr beads: Islamic prayer beads used to recollect and recite the ninety-nine names for Allah.

Eid al-Adha: Muslim holiday commemorating the willingness of Ibrahim to sacrifice his son Ismael; celebrated seventy days after the end of the month of Ramadan.

Eid al-Fitr: Muslim holiday and festive celebration commemorating the end of the Ramadan fast; often called the Eid feast.

Fiqh: Islamic jurisprudence based on the four schools of Sunni Islamic law.

Ghusl: Full ablution before prayer, mandatory after intercourse or discharge of semen, whether voluntarily or involuntarily.

Hadith/ahadith (pl): Sayings of Muhammad as recalled by his followers; a narrative of the Sunnah.

Iftar: Community meal for breaking of the fast during Ramadan.

Insha Allah: If God is willing.

Jalabiyya: Muslim garment similar to a loose-fitting robe worn by Muslim men.

Jinnah cap: A fez-like cap worn by Pakistani Muslims; named for Muhammed Ali Jinnah, a Pakistani statesman; also worn by many adherents of the Nation of Islam.

Ju’mah: Obligatory Friday congregate prayer; derived from the Arabic jama meaning obligatory.

Kafir: Unbeliever.
**Khutbah**: Sermon delivered by the imam at Friday congregate prayer.

**Kufi**: Brimless, knit head covering worn by Muslims, particularly Muslims of North African descent.

**Mahdi**: The messiah who will come at the end of time to bring the faithful to paradise; one who claims to be the messiah; Wallace D. Fard claimed to be the Mahdi.

**Mahgrib**: One of the five obligatory daily prayers prayed by Muslims just after sunset.

**Masjid**: Islamic place of congregate worship; mosque.

**Muwahhidun**: Members of Wahhabi Islam.

**Salafiyya**: Extreme Islamic movement grounded in a literal reliance on the Koran, and ahadith as recorded by the first three generations of pious ancestors of Muhammad. The strains of salafiyya are (1) religious purity, (2) social and political action, and (3) militant jihad. Related terms: Salafism, Salafist

**Shahadah**: The first pillar of Islam; there is no god but Allah and the Prophet Muhammad is the Messenger of Allah.

**Shia**: Second largest branch of Islam; rejects the first three Sunni caliphs and regards Ali, the fourth caliph, as Muhammad's first true successor; Muslim who adheres to this branch of Islam.

**Sufism**: Mystical movement within Islam that often honors saints and engages in practices that some Muslims consider un-Islamic.

**Sunnah**: Lived example of the Prophet Muhammad, recalled and recorded by his followers in ahadith.

**Sunni**: Largest branch of Islam; followers of lived example of the Prophet Muhammad.

**Sura**: Chapter, as in chapter and verse.

**Tayammun**: Dry ablution substitutes for *wudu* when water is not available.

**Ulama**: Community of Muslim legal scholars who interpret Islamic doctrine and law.

**Ummah**: Community; this term may refer to the world community, a nation or a local community of Muslims.

**Um’rah**: Non-Hajj pilgrimage to Mecca.
Wahhabi: Extreme Islamic movement founded by Muhammad Ibn al-Wahhab in the 18th century for a renewal of the spirit of Islam; a rigid interpretation of Islam that permeates Saudi Arabian society; falls within Salafism but is not synonymous with Salafi thought. Related terms: Wahhabism, Wahhabist.

Wudu: Mandatory ablution before prayer.
INTRODUCTION

At year-end 2009, more than two million men and women were incarcerated in United States jails and prisons. One in four of the world’s prisoners were incarcerated in the United States and one in every one hundred adults in the United States was under lock and key. An even more dismaying statistic reveals that one in nine African American men between the ages of 20 and 34 was imprisoned.¹ Jails, ordinarily the responsibility of local jurisdictions, incarcerated approximately 760,400 adult men and women who were charged with a crime and remanded to await trials and sentencing, or who were serving short sentences for crimes against the state or local jurisdiction. In contrast, the 1,613,740 men and women in prisons had already been convicted of a felony and were serving sentences longer than one year; 1,405,622 were incarcerated in the fifty state correctional systems and 208,118 were under federal supervision. Some few were serving misdemeanor sentences, but that is far from the norm.

Forty percent (649,000) of all people incarcerated in United States prisons are in the custody of four prison systems: more than ten percent of all prisoners are in federal custody, and the remaining thirty percent are incarcerated in Texas, California, or Florida.² The disproportionately large number of federal prisoners is significant because, in many cases, federal prisons and federal courts are in the forefront of shaping general policies for correctional institutions throughout the United States.


² Bureau of Justice Statistics, December 31, 2008. www.bjs.ojp.usdoj.gov (accessed March 8, 2011). This is a sobering figure, given the fact that more than 3,100 jails and 47 other prison systems account for the remaining 1.3 million + incarcerated Americans.
The Federal Bureau of Prisons, the locus of this study, confines civilian men and women found guilty of crimes against the United States government in any of the fifty states, or United States territories, including diplomatic and military installations in foreign countries. Less than one tenth of one percent of inmates (98) is incarcerated for national security crimes. More than seventy percent are people of color, primarily African American or Hispanic. Seventy-three percent are United States citizens and 38.5 percent self-identify as African Americans. Fewer than five percent are from countries outside the Americas. These statistics add credibility to the assertion of prisoner advocacy attorney David Cole who contends:

[O]ur criminal justice system affirmatively depends on inequality….Absent race and class disparities, the privileged among us could not enjoy as much constitutional protection of our liberties as we do; and without those disparities, we could not afford the policy of mass incarceration that we have pursued over the past two decades.

Journalist Murray Kempton also decried the abuse of minority incarceration in the United States when he remarked “What an interesting populace we have. Nobody seems at all worried by the fact that we have the largest prison population and that it consists preponderantly of young blacks, a whole generation in jail.” This indeed supports the notion that incarceration is often viewed as a rite of passage or a benchmark of manhood within urban black communities.

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It should come as no surprise, then, that once sentenced to a term in prison, incarcerated African Americans seek ways to establish their ethnic boundary markers and identity. A major way of doing so is by “grouping up” with people who look like they do and come to prison from similar surroundings. As is true in most distinguishable cultures, race, religion and ethnicity are key contributors to the mores and values adopted by inmates. Affiliating with Islam, a religion black Americans have historically tended to view as inherently belonging to people of color, offers inmates the opportunity to self-identify with other people of color and with a respected world religion.

Two substantial contributors to the development of a distinct prison form of Sunni Islam have been the system-wide classification of inmates and the characteristics of prison subcultures. Many components of prison culture are discernible in all U.S prison systems; however, this study limits its focus to the distinct subculture that identifies those who focus their time and energy on religious matters during incarceration. This introduction acquaints the reader with the inmate classification system and the nuances of prison subcultures in order to offer a context for the study of Muslims in the federal prison system. Findings in this study provide evidence in support of the thesis that the current practice of Islam in the United States federal prison system is a legitimate religious expression of Sunni Islam that emerged from new religious movements of black Americans during the last half of the twentieth century in Midwestern and Northeastern urban centers.

Inmate Classification

Since 1934, federal inmates have been incarcerated in designated prisons based on a classification system which factors in the severity of their crimes, length of sentence,
threat to public safety, threat of internal violence, and serious health concerns. Secondary factors include judicial recommendations, population management (best use of bed space), mental health, programming and special needs. 

Inmate classification is a six-tiered system, which takes both primary and secondary classification factors into account. The system is comprised of four security levels and five types of institutions, as illustrated in Table 1. However, more than towers and fences differentiate the various prison security levels. Each institution within a particular management and security classification has unique and discernable characteristics—a personality, you might say.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Population</th>
<th>Description</th>
<th>Institutions</th>
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<tbody>
<tr>
<td>Administrative</td>
<td>Inmates from all security levels based on specific staff security needs and/or medical needs</td>
<td>Require double fence and very close staff supervision because of internal or public security threat, medical or mental health treatment, Security Administrative Measures (SAMS) or limits on communication, pre-trial detainees; controlled or armed-escorted movement</td>
<td>Administrative Maximum (1); Communication Management Units (2); Hospital Units (5); Predatory Sex Offender Unit (1) Detention Centers (10) Transfer Center (1)</td>
</tr>
<tr>
<td>High</td>
<td>11.0%</td>
<td>Double security fence; Require close staff supervision and controlled movement</td>
<td>Penitentiaries with armed towers</td>
</tr>
<tr>
<td>Medium</td>
<td>29.3%</td>
<td>Double security fence; Require careful and constant staff supervision; work and program oriented</td>
<td>Federal Correctional Institutions</td>
</tr>
<tr>
<td>Low</td>
<td>37.9%</td>
<td>Double security fence; require careful inmate supervision; dormitory or cubicle housing; work and program oriented</td>
<td>Federal Correctional Institutions</td>
</tr>
<tr>
<td>Minimum/Community</td>
<td>17.4%</td>
<td>Ordinarily unfenced; low staff to inmate ratio; dormitory housing</td>
<td>Camps</td>
</tr>
</tbody>
</table>

Table 1: Custody and Security Classification Chart.

According to John C. Watkins, who studied prison culture in the 1960s, the “administrative structure, the geography and the physical plant” were the most important factors

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shaping the culture of the prison and the behavioral patterns of inmates. These classification factors described by Watkins in 1964 remain key contributors to a unique prison culture even a half century later. Criminologists and law enforcement professionals have labeled the inmate tendency to develop prison subcultures and particular behaviors “prisonization.” Prison sociologist Donald Clemmer, coined the term in the 1930s to describe the inmate behaviors he observed during his fieldwork at the Menard Illinois Penitentiary. Prisonization happens, he observed, as inmates begin “taking on in greater or lesser degree the folkways, mores, customs, and general culture of the penitentiary”

The Legal Terms, Definitions and Dictionary complements Clemmer’s classic definition with a fuller explanation of this prison phenomenon:

Prisonization is the process of accepting the culture and social life of prison society. It can be described as a process whereby newly institutionalized offenders come to accept prison lifestyles and criminal values. Prisonization forms an informal inmate code. Prison inmates slowly accept these institutional features and codes of the prison in their struggle for survival. …Prisonization includes all changes the prisoner undergoes in prison, whether due to adoption of subcultural values, opposition to the subculture, or changes unrelated to the subculture.  

The classic notion of prisonization was adapted to twenty-first century corrections in the work of criminologists Stephen Stanko and Wayne Gillespie and Gordon A. Crews. These criminologists found Clemmer to provide the most complete study of the prison (life) concluding that prisonization is a bona fide social process that continues to

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occur unevenly inside twenty-first century prisons. The authors cite a particularly noteworthy passage from Clemmer’s study:

Acceptance of an inferior role, accumulation of facts concerning the organization of the prison, the development of new habits of eating, dressing, working, sleeping and the adoption of local language, the recognition that nothing is owed to the environment for the supplying of needs and the eventual desire for good jobs are all aspects of prisonization which are operative for all inmates.

Prisonization occurs most readily in prisons where community ties are severed by the structure itself, the remote setting, and physical design of the institution, thereby creating a prison universe that has to meet every need and desire of those who live or work in the environment. The administrative structure, including fences and towers, perimeter patrols, the custody requirements for movement ranging from armed escort to open movement: all are indicators of the severity of the threat to safety and security of inmates confined therein, and the subculture that prevails there. The inmate-to-staff ratio, a significant part of the administrative structure, contributes to the attitudes and behaviors of inmates that, over time, become so predictable as to describe a recognizable subculture. Lower security prisons, absent layers and layers of staffing and supervision are generally more low-keyed and manageable. Inmates in the lower security classifications or serving shorter sentences are less likely to become deeply immersed in the inmate subculture because they are less affected by the institution and their personal freedom is less restricted.

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Geography contributes to prison subcultures less now than it did in the 1960s, but it remains a reliable indicator of culture. A half century ago, before jet travel was available for inmate movement, and when the federal inmate population was smaller and more homogeneous, geography played a far greater role. For example, Native Americans (and their cultural anchors) were located in facilities near Indian Reserves; urban gangsters and Mafioso were more likely to be incarcerated in penitentiaries near major urban centers where a different ethnocentric set of values stood ready to shape particular inmate behaviors. In the twenty-first century, however, it is only in the two prisons (Puerto Rico and Hawaii) outside the contiguous forty-eight states that almost all inmates are native to their geographic regions. Detaining prisoners close to their homes has proven to be economically, socially, and culturally advantageous to the system, as well as to the inmates and their families.

Yet another overall geographic contributor to prisonization relates to inmates’ access to the community. Federal prisons are most often located in rural or economically depressed areas not easily accessed by public transportation. This contributes to the culture with respect to the frequency of visits and the inmates’ adaptation to infrequent or no visits from family and friends.

The physical plant of a prison is perhaps the greatest predictor of inmate subcultures. The height and density of the external walls or prison fences and the architectural design immediately suggest a certain prison climate, a certain type of inmate and a predictable set of inmate behaviors.

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The earliest places of punitive confinement were dungeons, where criminals were enclosed, deprived of light and hidden from society. By the eighteenth century, enlightened reformer Jeremy Bentham proposed new prison architecture, which was foreseen as more humane yet secure. Bentham’s proposal to change negative behaviors through constant supervision eventually resulted in little improvement over the dungeon because it substituted what turned out to be an equally inhumane system of constant and invisible surveillance of inmates. Panopticism, the institutional method of constant observation and stark isolation developed by Bentham, was built on his observation of management and care of patients during the European plagues of the seventeenth and eighteenth centuries. Bentham’s concept slowly crept into Western correctional systems, eventually becoming the preferred means of ensuring constant inmate surveillance without increasing costly inmate-to-staff ratios. This was not the original intent of Bentham’s design.

Bentham asserted that constant scrutiny would influence, even permanently change inmate behaviors for the better because he believed untoward behavior was unlikely when one was aware of being watched. Michel Foucault, an opponent of panopticism, critiqued the design plan of the panopticon prison adaptation in this way:

…at the periphery, an annular building; at the center, a tower; this tower is pierced with wide windows that open onto the inner side of the ring; the perepheric building is divided into cells, each of which extends the whole width of the building; they have two windows, one on the inside corresponding to the windows of the tower; the other, on the outside, allows the light to cross the cell from one end to the other. All that is needed then is to place a supervisor in the central tower and to shut up in each cell a madman, a patient, a condemned man, a worker or a schoolboy. By effect of backlighting, one can observe from the tower, standing out precisely against the light, the small captive shadows in the cells of the periphery. They are like so many cages, so many small theatres, in which each actor is alone, perfectly
individualized and constantly visible. The panoptic mechanism arranges spatial unities that make it possible to see constantly and to recognize immediately.\footnote{Michel Foucault, *Discipline and Punish: The Birth of the Prison*, 2nd ed. (New York, Vintage Books, 1995), 200.}

A twentieth century adaptation of the panopticon prison concept is perceived by correctional executives as a successful prison model, and the concept is frequently used in this country. Unfortunately, it is far less humane than its designers envisioned. The design of the physical plant that made surveillance possible has been replaced by a system of sophisticated monitoring devices. The functionality of the panopticon prison has only been enhanced by the sophisticated electronic surveillance techniques developed in the last quarter century. Now, twenty-four/seven surveillance can be achieved, not by backlit cells and curtained towers, but by constant live video and audio transmissions of every move in every cell, and in virtually every area of the prison where inmates congregate. Cells, recreation areas, classrooms, visiting and dining areas, offices and chapels are electronically monitored to protect against threats to national security.

*Prison Subculture: The God Squad*

In such an alien world it is not surprising that inmates develop their own code, their own social controls, rules, customs, values and norms to ensure their ability to navigate the environment, as incarceration becomes their way of life. The configuration of housing, the accessibility and availability of program areas, the recreation yard and places to escape constant staff surveillance all contribute to the culture. Watkins identifies seven components of the inmate culture or code:

- reasonable way of life,
Watson’s key components are easily recognized by seasoned chaplains working among religious inmates. Incarceration is always a stressful time for first time offenders, who look for anchors to ensure their safety, acceptance, and a measure of normality during their involuntary separation from their own milieus. For many inmates, religion serves as that anchor.

“Jailhouse religion” has its own designation among prison subcultures. Sociologists and correctional professionals, particularly chaplains, argue that men and women engaged in religious programs make up a distinguishable counter-culture characterized by such core values as religiosity and good behavior. Rodney Stark and William Bainbridge maintain that this prison subculture is “rooted in common religious commitment and immersion into like-minded religious groups.” Not surprisingly, those who find community, solace, a safe environment and the opportunity for personal transformation in the prison chapel are often called the “God Squad” or “Chapel Groupies” by staff and other inmates.

Religion offers inmates who desire it, a reasonable way of life and a design for living. Opportunities to participate in congregate worship and study, and the constructive use of leisure time contribute to this design for living. The positive use of time and

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16 Watkins, Modification of Subculture, 161-162.

energy minimizes negative aspects of other prison subcultures while nurturing positive social behaviors.

Religious *rules* and a *code of conduct* tend to be even more strictly adhered to inside prison chapels than in the free world, where privacy affords a certain level of secret departure from the rules of religion. Inmates’ strict adherence to religious rules and conduct codes often produce staunch traditionalists, such that conformity to an ultraorthodox interpretation of their beliefs and practices is more the norm than the exception. Roman Catholic thirty-somethings “remember” pre-Vatican rituals, and long to return to these roots. In their search they vicariously remember not the church of their childhood, but the sacred recollections of their ancestors. Similarly, many Reform and Reconstructionist Jews lean toward orthodoxy, while black American Muslims with little or no prior understanding of Islam embrace the religious rigor of Salafism, often after testing out the seemingly contradictory and imprecise beliefs and practices of the Nation of Islam or the Moorish Science Temple of America.

*Ethnocentricity* is assured by the inmates themselves. Strict adherence to an inmate religious membership code establishes and enforces its own ethnic and racial group identity. In spite of this ethnocentricity, or perhaps because of it, a far greater tolerance grows among believers of different ethnic and cultural backgrounds, than is likely to occur outside the religious context. The requirements and limitations of shared time and space foster tolerance, particularly when intolerance is likely to result in loss of chapel time and space.

The *intimacy* of brotherhood and the lofty commitment to all things sacred may not sublimate sexual desires, but this level of intimacy and commitment among inmate
believers does seem to result in a more integrated sense of self and the beginning of a
new understanding of the value of community.

The language of the God Squad is peppered with references to all things holy.
Thus, “Praise God” and “Insha Allah” replace the more frequently uttered
“%$#@&$!.”! Similarly, “Peace, brother” or “a salaam alaikum” is much more likely
to be heard than more frequent utterances, such as “Get out of my face!” The
commitment to disavow cursing and the use of four letter expletives is generally
commensurate with, perhaps even a predictor of, the inmates’ religious sincerity. This is
true even if that sincerity does not eventually evolve into a permanent life change in
behaviors and religion.

It is difficult to assess the reason for inmate involvement in religious activities
and the long-lasting effect religion has on inmate beliefs and practices, because
longitudinal studies have not been successful in determining the influence of religion on
inmate lives. Even anecdotal information is scarce because of the instability of the
population after release from incarceration, and the inevitable loss of contact with
participants once they return to the “free world.”

Social Movement Theory (SMT)

The definitions and concepts presented here are drawn from the works of social
movement theorists who identify common themes, although each author articulates
unique properties of classic SMT framework in his works. Social movement theorists
Charles Tilly, Sidney Tarrow and Doug McAdam agree on the basic definition of SMT
framed by Tilly. He asserts that a social movements result from the convergence of the
following factors:

- Contentious claims against some level, or multi-levels, of power (civil, religious, economic, political) with groups of individuals who share or support the claims.

- Supporters who frame the contentions into a repertoire of targeted actions that heighten awareness of the social problem and maximize the number of activists engaged in the movement and the level of commitment within civil society.\(^{18}\)

Sydney Tarrow, a frequent collaborator with McAdam and Tilly, identifies four key concepts essential to the understanding of classic SMT as espoused by his colleagues. These are:

- Political opportunities for change must exist or be created,

- Networks of formal and informal mobilizing structures must be in place,

- Collective actions must be framed in such a way as to “speak to” particular agents of change, e.g., government, politicians, religious leaders,

- The established repertoire of actions, for example, pamphleteering, public demonstrations, social networking, conferences and assemblies, must clearly address the issues in a manner that will influence the targeted audience.\(^{19}\)

Social movements articulate the contentious claims of the movement in a relatively standard set of group behaviors theorists call the “repertoire.” The repertoire is comprised of actions targeted toward particular audiences and designed to demonstrate the cause has sufficient worthiness, unity, numbers and commitment to warrant the


attention of government and civil society. The acronym “WUNC” is used to describe the characteristics of a social movement:

- Worthiness of the claim
- Unity of the activists
- Numbers committed to social change related to the claim, and
- Commitment of the activists to the movement.\(^{20}\)

The repertoire of actions is organized to change—to correct—existing social and/or political problems. In order to accomplish change, the “WUNC” of the group must be effective change agents.

It is against my own working definition and the work of these three theorists that this study examines and analyzes the place the Moorish Science Temple of America and the Nation of Islam hold within classic social movement theory.

New Religious Movements

Major contributors to this dimension of the sociology of religion are Bryan Wilson and Gordon Melton, two of the world’s most recognized scholars in the field of sociology of religion. The term “new religious movement” was coined by Bryan Wilson to define in neutral or non-judgmental terms, unfamiliar religious groups that emerged in the twentieth century. With respect to their religious-ness, Wilson states:

\[\text{[T]}\text{he movements generally offer theological statements about the existence and nature of supernatural things and propose answers to the ultimate questions traditionally explained by mainstream religions, such as: Is there a god? Who am I? How might I find meaning and direction in my life? And, is there life after death?}^{21}\]"
In helping others to understand the phenomenon of NRM\textsubscript{s}, Wilson cites an example from recent religious history, referencing the bigotry and misunderstanding that surrounded, even hindered the work of the Salvation Army when it was incorporated in the United States in 1899. It was not until the last quarter of the twentieth century that the Salvation Army, a group of Christian believers who followed a different drummer, came to be regarded as mainstream on the religious landscape.

Wilson estimates there are approximately 2600 known NRM\textsubscript{s} in the West, and more than 10,000 worldwide.\textsuperscript{22} Commonly, before Wilson and Melton engaged in the study of New Religious Movements, they would most likely have been identified as cults or sects—both pejorative terms to non-specialists. Cult is perhaps the most pejorative term attached to religious experience. Before examining the beliefs and practices of the Nation of Islam and the Moorish Science Temple of America, it might be well to mention a few of the other emergent twentieth century American NRM\textsubscript{s}—and perhaps recognize some commonalities among them. In the United States, many, even most of the NRM\textsubscript{s} are grounded in ancient mythologies and ethnic traditions. These include Wicca, Asatru, Odinism, Native American Spirituality, Rastafari, Christian Identity, Reconstructionist Judaism, Jews for Jesus, and the Metropolitan Community Church. Their commonality with one another and with the Nation and the Moors begins and ends with their search for meaning in life and death, the involvement of the divine in their lives and their rootedness in a particular ethnicity or culture.

\textsuperscript{22} Ibid.
Religious Preference in Prisons

For one hundred years, religious preference in the Federal Bureau of Prisons was self-reported by inmates only when requested by chaplains. Some chaplains tracked religious preference very carefully while others estimated the religious composition of their flock with no documentation to support their estimates. No system was in place to accurately track religious beliefs and practices until 1992, when Bureau policy established an automated system to record and track the religious preference of each inmate.

Inmate participation in the 1993 religious preference process was voluntary. Nonetheless, the new process created suspicion among inmates, resulting in incomplete records for the first two years of tracking. Many inmates believed the system would be used for purposes of discrimination against unfamiliar faith groups, so they refused to declare a preference for several months, even years, after the system was in place.23 This was particularly true of Muslims and Jews, who frequently felt compelled to seek remedy for religious discrimination through litigation. It was only when inmates believed the religious preference documentation could work for them that the inmate population began to accurately report their preferred beliefs and practices. Voluntary designation of a particular religious preference carries various entitlements, such as dietary accommodations, ceremonial meals, particular distinguishing attire, and even the right to

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23 “Religious Preference of Inmates,” Susan Van Baalen Papers, Islam in U.S. Prisons, file: Religious Preference. In a February 11, 1993 internal memorandum, the Case Management Chief for the Bureau reported the results of the first religious preference profile. Fifteen percent reported no preference and 23% were designated “religion unknown.” Ten years later, in 2002, “no preference” was indicated for 12.7% of the population, and the “religion unknown” was reduced to 5.3%.
an occasional smoke. Religious preference was easily changed by the chaplain upon request of the inmate.

The purpose for the religious preference profile has always been twofold. Administratively, the estimate of inmates’ religious preferences is a valuable part of the Religious Services budgeting process, ensuring that funds are allocated equitably. More importantly from the Chaplain’s perspective, the religious preference profile assures appropriate accommodation of inmates’ religious beliefs and practices, especially for worship accommodation, access to spiritual leaders, and spiritual guidance during times of illness, incapacity or death.

Although never a stated purpose, one has to question in hindsight whether or not, there was a security reason for initiating a preference profile in an era now marked by threats of international terrorism. The 1988 downing of the Pan Am flight 103 over Lockerbie, Scotland was in the recent past, and the first World Trade Center bombing occurred even before implementation of the religious preference system was complete in 1993.

Religious accommodation is not an easy task, even among citizens of the free world, but within prisons, accommodation is often complicated by the duplicity of inmates. To be clear, “Religious Preference” in the correctional context does not connote membership; it declares only a preference for the beliefs and practices of one particular religious group over another. The term describes an institutional by-product of the United States Constitution’s proscription against establishment of religion, and the separation of church and state. An unintended consequence of the preference system is that it offers inmates the opportunity to borrow from other cultures and traditions as a
means of finding a personal and religious identity that “fits.” To some correctional chaplains cultural borrowing was viewed as an affront to the chaplains’ own religious and cultural practices, but to others it was seen as a graceful tool for spiritual growth.

Motives of inmates are not always pure. Experimentation with new religious beliefs and practices offers benefits not generally associated with religious observance or even viewed as benefits in the free world. Religion provides inmates singular opportunities to individuate in a setting that is otherwise established and managed by rigidly enforced common behaviors and rules. For example, prior to the last half century, Sunday was the day of worship in prisons; meals were often preceded by common grace before meals (particularly in institutions for women and juveniles); there were no religious diets, attire, or accommodations for non-Christian believers. Those few who were not Christian worshipped and practiced their faith in private with occasional visits from clergy of their own tradition.

Beginning as early as the 1960s, “Black Muslims,” members of the Nation of Islam, and to a much lesser degree, members of the Moorish Science Temple of America, began to litigate and win their rights to the free exercise of their beliefs and practices via the courts. Ordinarily the cases were brought by inmates without benefit of counsel or assistance from religious leaders in the community.

Religion fills a multipurpose role in the prison milieu. The chapel is a place to “group up” with others who share a common way of thinking, feeling or acting. Inmates frequent the chapel for various reasons, the first of which is to share in the opportunity to meet, and perhaps to pray, with others of their own race or ethnicity. This open space contributes significantly to the development of racially-homogeneous new religious
movements in United States prisons. Inmates most often choose a religious preference to suit their cultural as well as their spiritual needs. While Christian believers glean worshippers from every race and ethnicity, other religious groups are most often defined by ethnicity or race.

In chapel, inmates find identity with others of their race or ethnicity, worshipping together without the overbearing presence of the “other.” Black men find groups of “Black Muslims,” Black American Sunni Muslims, or a prison version of the syncretistic Rastafarian, Voodoo, Yoruba, or other African animistic religious expressions of the Caribbean. Native Americans find a sweat lodge filled with mixed tribes of Native Americans, including the Caucasian Wannabe tribe. Besides Christians, white men find a small coven of Wiccans, or Nordic Odinist worshippers of the Asatru tradition. Hispanics find Santerians, Adventists and born-again Christian brothers. Asians find Buddhists or Hindus. Jews find Hasidic, Orthodox, Conservative, and Reformed Judaism. Middle Eastern Muslims, on the other hand, generally do not frequent the chapel for ritual prayer or brotherhood, because they do not identify or share a culture with the black American Sunnis who are present in great numbers.

Perhaps more than any other factor, inmates find in the chapel an opportunity to share a racial or ethnic identity, ensuring for themselves at least a modicum of safety, familiarity and acceptance. Some find a place where they can be a part of a group, even exercise leadership in one or another of these groups, thus individuating even further from the masses. Religious experience, it must be acknowledged, is generally the by-product rather than the primary reason for these encounters, but the religious dimension must not be viewed as anything other than real and highly significant. It is one thing to
recognize reasons why men first come to the chapel, but a far more compelling question is figuring out why so many persevere in their rigorous pursuit of a new religious experience during incarceration. Answering this question requires insights from anthropology, sociology, psychology, theology, family systems theory, and religious experience itself.

Those new to prison find their way to the chapel in almost the same way that lawbreakers or undocumented workers seek sanctuary in churches. The sacredness of the setting, and the protection it offers, is not dissimilar to other houses of worship. In chapel, some look for the God of their childhood; others, disenchanted by that God’s failure to rescue them from a life of crime and the privations of prison, experiment with new religious beliefs and practices. They hope, even pray, for a better outcome than that imposed on them by their more familiar God and the criminal justice system.

Each prison group, regardless of established “free world” religious norms and standards, has a well-established set of external identifiers. New converts often take religious names; some even legally change their names to reflect their new system of beliefs. A distinctive head covering, a medallion or a pin, an eagle feather, tefillin, a prayer shawl or a rug, a bow tie or dhikr beads are all distinguishing accoutrements authorized for personal possession and use. Possession of and reverence for a variety of sacred texts further sets each group apart from the masses of humanity with whom they are required to share life in a confined space.24

It would be negligent to conclude this section without acknowledging that many inmates become sincere and faithful believers in their jailhouse religion. Unfortunately,

there are few reports or studies—not even sufficient anecdotal information—to support the premise that these prison preferences result in lifetime changes. However, one thing is certain: racial or ethnic homogeneity of religious group does help men serve their time more peacefully and productively. Judging from the behaviors of inmates who use religion as a means of serving their time in a productive way, religion in prison appears to affirm the Marxian critique that “religion is the opiate of the masses.”

However, it is more than that. Religious experience offers emotionally underdeveloped “boys” the opportunity to participate in a world of good, an opportunity to grow and change and become the kind of men they most want to be.

The characteristics that separate new religious movements from Christianity, and more importantly from global Islam, give rise to questions about the nature of religion, and its self-definition. Who or what determines one’s religion? How does one distinguish between religion as creed and ritual, and religion as personal choice regardless of adherence to creed and ritual? Inarguably, there are objective criteria that describe the adherents of particular beliefs and practices. Established religions have precise creeds and rituals which define them. It seems, though, that in most cases, religious tenets are often configured by the believer, rather than by the established beliefs and rituals. Is one not really a Roman Catholic because s/he does not believe as s/he was taught that the pope is infallible on matters of faith and morals when he speaks ex cathedra? Is one not really a Muslim because s/he believes, as s/he was taught, that Christianity is for Caucasians and Islam is for Asiatics?

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For now, I simply raise the question: Is sincerely submitting to God with the intention of embracing Islam the only way to become a Muslim? Does the sincere recitation of the Moorish American prayer: “Allah the Father of the universe, the Father of Love, Truth, Peace, Freedom and Justice. Allah is my protector, my guide and my salvation by night and by day thru his Holy Prophet Drew Ali. Amen.” make one a Muslim? Or, does having one’s name inscribed in the Lost-Found Nation of Islam’s “Lamb’s Book of Life” make one a Muslim? One’s response to these queries cannot be summarily dismissed using objective criteria, because the answer lies, it would seem, with the disposition of the individual believer.

According to United States Public Law, the answer lies with one’s sincerely-held religious beliefs and practices. That is a large part of the legal criteria established in the Religious Freedom Restoration Act of 1993 (RFRA) and the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), two enactments that strengthened the First Amendment protection of religious freedom for institutionalized persons. This question of creed or personal choice as the basis for religious identification cannot be minimized as one continues to examine the religious authenticity of the Moorish Science Temple of America, Inc., and the Nation of Islam.

Plan of the Study

The study includes five chapters. The first and second chapters introduce Islam in twentieth century America. Chapters three through five explore the development of

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Islam inside the prison system during three periods or generations of approximately twenty years, beginning in the mid-1950s. A brief conclusion presents the findings in support of the significance and legitimacy of Islam in prisons. Some events flow from one generation into the next as the prison system takes its time implementing policies and procedures to strengthen the religious rights of the new religious movements.

Chapter One acquaints the reader with the origins of global Islam in America. It examines the few descendants of slavery that survived into the twentieth century, as well as early immigrant settlements. Black American Sunni groups emerged in New York City during the 1960s. Some followed Malcolm X into global Islam; others were members of a movement known as the *Dar ul-Islam*.

Chapter Two introduces the twentieth century social and religious roots of two black American New Religious Movements (NRM) with loose ties to Islam, the Moorish Science Temple of America (Moors) and the Nation of Islam (Nation). The chapter examines the Moors and the Nation to identify those factors that drew black Americans, especially incarcerated black men, to these movements in such great numbers. It includes an examination of the early leadership, and the development of a set of beliefs and practices which spoke so urgently to the social and religious concerns of black Americans between the World Wars. The beliefs and practices were based on each movement’s contentious claims against society and a repertoire of actions that situate the organizations within a classical social movement framework, as well as within the realm of new religious movements. The meshing of the social and religious movement is illustrated in “The Muslim Program” appended to this study.
Chapter Three analyzes the prison expression of the black American NRM against the backdrop of prison culture described in this introduction. The analysis demonstrates the inextricable link between United States prisons, both state and federal, and the development of a distinctly indigenous American Muslim identity forged in prisons during the last half of the twentieth century. This is a human link. Hardly a prominent indigenous African American Muslim can be identified whose history does not include “client” ties to United States prisons. American Muslim luminaries, including The Noble (Timothy) Drew Ali, Wallace D. Fard, Elijah (Poole) Muhammad, Malcolm (Little) X, Muhammad Ali (Cassius Clay), Warith Deen Mohammed, and Silis Muhammad, all found themselves entangled in the courts and/or the prison system for crimes ranging from burglary to sedition. Some came to a new-found commitment to Islam-as-they-knew-it while incarcerated for common street crimes; others were adjudicated and/or incarcerated because of their beliefs, specifically for their refusal to register for the draft during World War II and the Vietnam War. Another characteristic shared by these prominent early prison NRM was that these were all men of color, presumably African American.28

The movements to be analyzed include singularly American movements, the Moorish Science Temple of America, Inc., and the Nation of Islam especially as practiced inside federal prisons between 1957 and 1977. It also looks at their struggle for recognition as legitimate religious groups in an institution and nation founded on Christian principles. The struggle occurred primarily in the courts. Clair Cripe, Bureau

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28 The racial identity of Wallace D. Fard is uncertain, but it is commonly held that he was probably bi-racial, perhaps “passing” for white.
General Counsel stated in 1976 that “the religious cases brought by Black Muslims in the early 1960s brought about a Correctional Law revolution.”

Chapter Four examines the impact of the development of factions within the Nation of Islam after the death of Elijah Muhammad in 1975, and the growth and solidification of two distinct movements within the prisons between 1977 and 1997. The ten years following Elijah Muhammad’s death were marked by schism within the Nation, and the eventual emergence of separate movements: The Lost Found Nation of Islam in the West, under the leadership of Louis (Wolcott) Farrakhan, and the World Community of Islam in the West (WCIW) led by Wallace D. Mohammed, the son of Elijah Muhammad and prophetic heir to the leadership of the Nation.

During this era, the religious legitimacy of the Nation under the leadership of Louis Farrakhan was affirmed. Programs, rituals and community resources contributed to the establishment of a separate and solid religious identity. Similarly, the Sunni Muslims under the leadership of W. D. Mohammed, were also firmly established, during this era, and Sunni Muslim imams were hired as full time Bureau chaplains.

Historically, it is worthy of note and germane to this study that James V. Bennett, then-Director of the Bureau, in a report to Congress fifty years ago stated that seventy-eight percent of foreign born inmates were born in Mexico, and only thirteen of the 14,474 inmate population were from nations other than Mexico, China and Japan. Only one inmate was serving a sentence for violation of National Security laws other than Selective Service Administration or wearing the United States military uniform illegally.

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But things were about to change. It was toward the end of this era (1977-1997) that evidence of a third movement, Salafism, began to emerge in the prison system. Salafism is a movement within global Sunni Islam characterized by exclusivism and strict adherence to the Koran and the Hadith. Salafi ideology is rooted in seventh century Islam, but has modern roots in the 18th century. Modern Salafism was popularized in Saudi Arabia in the last hundred years, and crept into the United States during the last thirty years. Not surprisingly, the past experiences of the very rigid Nation and the first fervor of new converts facilitated movement into the religious extremism of Salafism.

Chapter Five analyzes the struggle of the Sunni Muslims between 1997 and 2007, focusing primarily on the period after September 11, 2001. Greater security measures had to be put in place after the 1997 murder of a Correctional Officer by a Muslim inmate in Lompoc, California. These measures included program adaptations, structural changes in chapels, and added security measures to protect the security of the United States against Wahhabist radicalization of inmates.

Congressional Committees and the Department of Justice Office of the Inspector General exercised a significant role in scrutinizing the character and intentions of the Sunni Muslim chaplains, volunteers and contractors, as well as the inmates after September 11, 2001. In the ten years since then, live audio and video surveillance has been imposed in chapels and other common areas and reading materials have been reviewed for incendiary radicalism. In spite of this, the black American Sunni inmates, those who were the presumed threat because of the vulnerability of their backgrounds, have maintained their center and claimed to understand the need and rationality for increased surveillance. The black American Muslims who are the subjects of this
study—those who found identity and meaning in Islam—were able to rise above the fray and continue their personal jihad, their struggle toward submission to God.

This study addresses a lacuna in the literature from the fields of Criminal and Social Justice, Black History, Security Studies, Religious Studies and studies of Islam in America by presenting findings that support the thesis: The current practice of Islam in the United States federal prison system is a legitimate religious expression of Sunni Islam that emerged from new religious movements of black Americans during the last half of the twentieth century in Midwestern and Northeastern urban centers.
CHAPTER ONE

ISLAM IN AMERICA: 1890-1960

This chapter examines global Islam in the United States, including the rapid increase of African-American Muslim adherents during the Black Nationalist era of the 1960s. Global Islam in the United States before 1960 was a mixture of immigrant Muslims, indigenous Muslim movements affiliated with global Islam, and only a few descendants of West African slaves who had preserved a Muslim identity, but were not themselves Muslims. Brief mention is made of the slave descendants and immigrant communities only to ensure the reader a fuller understanding of the diversity within the pre-1960s Muslim population; however, there is no data to suggest that these communities had strong ties to Islam in American prisons.

Descendants of Slaves

Although there were vestiges of Muslim beliefs and practices among African Americans who were direct descendants of slaves, these were a small number predominantly located in the remote Sapelo and Sea Islands off the coast of Georgia. In her work on Muslim enslavement in the Americas, anthropologist, Sylviane Diouf writes:

The orthodox Islam brought by the enslaved West Africans has not survived…in the Americas and the Caribbean, not one community currently practices Islam as passed on by preceding African generations. Where orthodox Islam exists in America it has been reintroduced by immigrants from the Middle East, Southern Europe, Asia, and, recently, West Africa again. The United States is the only American country with a native Muslim population of African descent, but there is no indication so
far that the African–American Muslims of today inherited Islam from the Muslims of yesterday.¹

According to Yussuf Naim Kly, a Sunni Muslim, both Timothy Drew and Elijah Muhammad migrated north from the coastal regions of South Carolina and Georgia where descendants of slaves spoke and prayed in Gullah, a strange English dialect interspersed with Arabic fragments, evidencing the presence and influence of Muslim slaves.

Today, when we observe…the South Carolina and Georgia coastal region (also the region from which 95% of all African-Americans originally began their sojourn in the U.S.) we find that the only African-American (sic) which came into existence among the enslaved Africans awaiting transportation to America is still spoken today in altered form by about 250,000 African-Americans, almost all of whom are now Christian, although not closed to Islam.²

*Immigrants*

By the 1890s, Muslims in the United States were largely immigrant Muslims from the Ottoman Empire, in the region that is now Lebanon, Syria, Jordan and Palestine. Like most late-nineteenth century immigrants, they came to the United States seeking economic prosperity and better lives for themselves and their families. Scholars agree that their intention was to emigrate temporarily, with a view to returning to their homeland with a share of the riches of the United States in hand. Most settled in communities along the Atlantic coast, while seeking their fortunes as merchants and peddlers. In 1897 some Muslim immigrants, commonly known as “Syrians,” took

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advantage of the Homestead Act of 1862, to lay claim to farmland in the North Dakota. One hundred years later, the coastal regions and Midwestern urban centers remained key locations for Muslim immigrant communities.

The first known settlement of Muslims in the last quarter of the nineteenth century was in Ross, North Dakota. Who these early immigrants were is practically unknown one hundred years later, but their legacy remains. It is estimated that probably two-thirds of the immigrants fleeing to the United States from the toppling Ottoman Empire were Christians whose assimilation was difficult, but far less so than for the Muslims. It was not until 1909 that the United States government withdrew its objection to the “Syrians” becoming naturalized citizens.

A Syrian peddler from the Atlantic coast, Hassin Juma and his family were among the first Muslims to settle in Ross. There are records of a small but flourishing immigrant Muslim community of about twenty families dating back to 1902. By 1909 they had established their own prayer space in the basement of a home. This basement mosque was perhaps the first designated Muslim prayer space in the United States. In a 1999 interview with Father William Sherman, Hassen Abdullah recalled that the basement mosque was an area about thirty feet by forty feet. An elegant rug in the central area was its only adornment. The northeast corner of the area was set aside for prayer. The congregation faced east as they prayed in Arabic each Friday. Nevertheless, it was not until the 1930’s that a permanent mosque and community center were built in Ross.

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By that time Cedar Rapids, Iowa, another early Midwestern Muslim enclave, already enjoyed the distinction of having established the “Mother Mosque of America,” which was completed in 1934. Also vying for recognition as the first Muslim settlement was an Albanian Ahmadiyya community that had been established in Bidderford, Maine by 1915.⁴

Nonetheless, Ross holds other recorded historical distinctions due largely to the Depression Era oral history Federal Works Project initiated by President Franklin D. Roosevelt. According to that work, the first Muslim cemetery was established in Ross in 1918, after the death of one of the community founders, Hassin Juma.⁵ The U. S. initiation of halal meat processing is also said to have begun there before 1920.⁶

By the 1940s there was a significant immigrant Muslim population in Dearborn, Michigan. Today, Dearborn, a city on the outskirts of Detroit, boasts of the largest Muslim population in the U. S. Unsubstantiated reports by Christian prayer warriors estimate there are 32,000 Arab Muslims from Lebanon, Yemen and Iraq living in East Dearborn, making up almost one-third of the population.⁷ Dearborn is also home to the largest mosque in North America, the Islamic Centre of America, a Shi’a mosque and community center.

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⁶ Throughout the recounting of the oral histories of the Ross, North Dakota, experience, names of Islamic individuals, groups, and artifacts are imprecise, appearing in various accounts with different transliterated spellings and definitions.

Indigenous Sunni Muslims

Some black American converts moved directly from Christianity to Sunni Islam in the 1960s and 1970s, without the influence of the Moors and the Nation. These were young American black men and women who approached mainstream Islam after a search for religious meaning in their shared African heritage with global Islam. The earliest and most influential black Muslim group was the Dar-ul-Islam movement comprised of African Americans who broke away from a more heterogeneous Muslim community in 1962 in Brooklyn, New York, in the midst of the political and social upheaval generated by racism.8 Founded by Sheikh Daoud Ahmed Faisal, a Muslim of Caribbean and Moroccan descent, the Dar ul Islam and its State Street Mosque was exclusively African American for many years. The range of affiliates with Dar ul-Islam extended from scholars to gang members. Though more orthodox in their approach to Islam, the Dar-ul-Islam community was no less committed to social change and to the exercise of whatever means necessary to achieve Black equality.

Members of the Dar-ul-Islam movement submitted to scholarly study and fidelity to the word of God revealed to Muhammad in the Koran, and the teachings of the followers of Muhammad recorded in the ahadith, the recollections of Muhammad’s most faithful and fervent followers. This uncompromising dedication to the seventh century teachings of the Prophet and his early followers, is commonly known as Salafism. Salafism ensures close ties to the beliefs and practices of Islam as it was expressed in

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seventh century Saudi Arabia. Some critics claim this Salafiyya commitment was, and remains to this day, a threat to United States national security, because of an ideology wedded to exclusivism and maintaining close ties to militant Wahhabism.

By definition, Salafists are those purists who adhere most rigidly to the beliefs and practices of Islam as it was lived during the lifetime of Muhammad and his closest companions among the first three generations of his followers. Salafi is a term commonly used to describe fundamentalist Islamic thought. “Members of this form of Islam call themselves Muwahhidun ("Unitarians," or "unifiers of Islamic practice"). They use the Salafi Da’wa or Ahlul Sunna wal Jama’a. Wahhabism is a particular orientation within Salafism. Many puritanical groups in the Muslim world are Salafi in orientation, but not necessarily Wahhabi.”

In spite of their tendencies toward religious fundamentalism, or perhaps because of it, adherents of the Dar ul-Islam group have taken their place among Muslims worldwide and opened a door for those who, through a process of gradualism, migrated from the new religious movements, e.g. the Moors and the Nation, to global Islam.

By 1980, the Dar ul-Islam community was fragmented. The fragmentation was the result of evolving leadership and shifting ideologies. Salafists held that adherence to Sufism was incompatible with the Koran and Sunnah. Adherents holding these views gradually migrated away from the State Street Mosque to one of the many new options

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for Muslims, including the World Community of Islam in the West, organized by Warith Deen Mohammed after the death of his father.\textsuperscript{11}

The influence of the charismatic Malcolm X on Black Muslims should not be underestimated. With his founding of the Muslim Mosque, Inc. in 1964, Muslims had a more authentically religious Islamic alternative to the Nation, and to the leadership of Elijah Muhammad. They submitted to God and embraced the Pillars of Islam, in the same manner as adherents of the Islamic tradition have done since the call for submission (\textit{Shahada}) was handed down by God to Muhammad in seventh century Arabia.

Tables 2-4, below point to the differences between the religions with respect to their beliefs, obligatory practices and their customs. An ancillary proclamation of the Nation’s Program entitled “The Muslim Program: What Do Muslims Believe?” and “What Do Muslims Want?” is included in the appendix. These statements were written by Elijah Muhammad in 1965 as summary statements defining the beliefs and contentious claims of the Nation of Islam.\textsuperscript{12} A copy of the proclamation has been featured in every issue of \textit{The Final Call}, and its predecessor, \textit{Muhammad Speaks} since 1966. The newspaper has been, from the outset, the major means of communicating beliefs and values as well as news of the Black community and the movement.


\textsuperscript{12} Elijah Muhammad, \textit{Message to the Blackman in America} (Chicago: Muhammad’s Temple No. 2, 1966), 161-191.
Beliefs

<table>
<thead>
<tr>
<th>BELIEFS</th>
<th>MOORISH SCIENCE TEMPLE</th>
<th>NATION OF ISLAM</th>
<th>GLOBAL ISLAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pillars</td>
<td>Love, Truth, Peace, Freedom and Justice</td>
<td>What the Muslims Believe</td>
<td>Shahada, Prayer, Almsgiving, Fasting and Pilgrimage</td>
</tr>
<tr>
<td>One God</td>
<td>One God, Allah, Father of the Universe</td>
<td>One God in the Person of W. D. Fard; both human and black</td>
<td>One God</td>
</tr>
<tr>
<td>Sacred Texts</td>
<td>The Holy Koran of the Moorish Science Temple of America, and the Questionnaire</td>
<td>The Koran and the Bible</td>
<td>The Koran and Hadith Collections</td>
</tr>
<tr>
<td>Angels</td>
<td>Thoughts of Allah manifested in olive-skinned human flesh</td>
<td>Human beings</td>
<td>Abrahamic Understanding</td>
</tr>
<tr>
<td>Prophets</td>
<td>Abrahamic, “Muhammad, the First,” Confucius, Buddha, etc., Sealed with Noble Drew Ali</td>
<td>Abrahamic, Jesus, sealed with Elijah Muhammad</td>
<td>Abrahamic, Jesus, sealed with Muhammad</td>
</tr>
<tr>
<td>Judgment and Afterlife</td>
<td>Reincarnation</td>
<td>Judgment day at end of time will occur in USA; mental resurrection of the dead</td>
<td>Final judgment; spiritual and physical resurrection; afterlife of rewards or punishment</td>
</tr>
<tr>
<td>Devil</td>
<td>White race engineered by “mad scientist” Yacob</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 2: Comparison of Beliefs: Moorish Science Temple of America, Nation of Islam, and Global Islam

Obligatory Practices

<table>
<thead>
<tr>
<th>RELIGIOUS PRACTICES</th>
<th>MOORISH SCIENCE TEMPLE</th>
<th>NATION OF ISLAM</th>
<th>GLOBAL ISLAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Declaration of Faith</td>
<td>Moorish American Prayer</td>
<td>All praise is due to our Lord and Saviour, Master Fard Muhammad. To him do we submit; to him we fly for refuge from the evils of Yakub’s civilization.</td>
<td>There is no God but God and Muhammad is His Messenger</td>
</tr>
<tr>
<td>Prayer</td>
<td>Three times daily</td>
<td></td>
<td>Five times daily at times prescribed by the lunar calendar</td>
</tr>
<tr>
<td>Fasting</td>
<td>None prescribed</td>
<td>December Fast from sunrise to sunset, Eat only every other day, Day of Atonement, October 15</td>
<td>Fast in the Month of Ramadan from before sunrise until 12-15 minutes after sunset</td>
</tr>
<tr>
<td>Almsgiving</td>
<td>FOI required to donate five dollars per week to the National Headquarters for care of the sick and poor.</td>
<td>Obligatory upon all Muslims to give 2.5% of wealth and assets each year to the poor</td>
<td></td>
</tr>
<tr>
<td>Pilgrimage</td>
<td>None prescribed</td>
<td>None prescribed</td>
<td>Hajj once in a lifetime for all who are able</td>
</tr>
<tr>
<td>Dietary Laws</td>
<td>No alcohol or pork</td>
<td>No alcohol, pork or carrion, no shellfish or scavenger fish</td>
<td>Eat only halal food No pork, no alcohol</td>
</tr>
</tbody>
</table>

Table 3: Comparison of the Obligatory Practices of Moorish Science Temple, Nation of Islam and Global Islam

The Roots of Prison Islam

This study explores and analyzes the impact that three new religious movements in the Black community have had on prison Islam during the past five decades. Racial and ethnic identities for these men and their movements were either “Moors,” “Black
Muslims” and later, “American Sunni Muslims.” Each assignation had an imbedded value testifying to the uniqueness, the prestige and dignity of its adherents. The assurance of prestige and dignity was accomplished in various ways, but each group had a view to disassociating with the negative stereotypes of their mutual history as slaves, sharecroppers, and later, menial workers in Northern industrial centers.

<table>
<thead>
<tr>
<th>Cultural Habits</th>
<th>MOORISH SCIENCE TEMPLE</th>
<th>NATION OF ISLAM</th>
<th>GLOBAL ISLAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attire for Men</td>
<td>Neat appearance, Fez</td>
<td>Neat appearance, Suit Dress shirt, Bow Tie and Jinnah Cap; FOI blue military uniform</td>
<td>Modest loose-fitting clothing that does not call attention to private body parts; no clothes of opposite gender</td>
</tr>
<tr>
<td>Attire for Women</td>
<td>Turban</td>
<td>Hijab and long white dress</td>
<td>Head covering, modest loose-fitting clothing that does not call attention to private body parts; no clothes of opposite gender</td>
</tr>
<tr>
<td>Weekly Observances</td>
<td>Friday Meeting 7:30 PM, Sunday School 2:00-3:30</td>
<td>Sunday afternoon (historically) Jumah Friday Afternoon</td>
<td>Jumah: Friday afternoon prayer and bazaar</td>
</tr>
<tr>
<td>Religious Accoutrements</td>
<td>Moorish Pin, Moorish Flag, Nationality Card</td>
<td>Scented oil, incense, lapel pin</td>
<td>Prayer rug, scented oil, dhikr beads</td>
</tr>
<tr>
<td>Names</td>
<td>Add –El or -Bey to surname to identify Moorish tribal name</td>
<td>Replace surname with ‘X’ renouncing slave name until H.E.M reveals one’s “original name”</td>
<td>Names often contain an attribute of God</td>
</tr>
<tr>
<td>Military Service</td>
<td>Encouraged</td>
<td>Prohibited</td>
<td>Voluntary</td>
</tr>
</tbody>
</table>

Table 4: Comparison of Cultural Habits of Moorish Science Temple, Nation of Islam and Global Islam

The presence and influence of charismatic African American Muslim leaders in United States prisons account for the early spread of the beliefs and practices of these new religious movements among incarcerated men. Ever present and open to new paths to a life free from crime and incarceration were scores of African American men and **only a few women** who were ready to ‘try on’ a new religion after their experience of

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13 Although functioning under the broad title “Sunni Muslim” in the prison system, it is apparent that the vast majority of Sunni Muslims in the federal prisons are associated with the Salafi NRM within Sunni Islam.
abandonment by the well-known Christian God who did not intervene to rescue them from the near-perdition of a prison cell.\textsuperscript{14}

There are identifiable “inside the walls” growth factors for the expansion of the NRM\textsuperscript{s} and later, Sunni Islamic adherence in prisons after 1960. The racial unsettledness of the 1960s and ‘70s, and the close affinity between the rhetoric of the Moors, the Nation and the Black Power movement are demographic and sociological factors that cannot be underestimated. The affinity was by no means accidental, as the crossover of members between the inmates and young urban black men clearly points to shared leadership, a common agenda and repertoire. The crossover was so complete that early prison administrators and chaplains in the 1960s and 1970s were far more likely to designate and track the NRMs as security threat groups rather than religious groups until well into the 1980s.

The earliest accessible documentation of the presence of Muslims in federal prisons is contained in the Chaplain’s Annual Report to the Warden of the United States Penitentiary in Atlanta on July 1, 1922. Chaplain Joseph A. Sewell in reporting the Religious Beliefs of the inmate population identifies three (3) “Mohammedan” among the 2334 inmates. The report contains no reference to race.\textsuperscript{15} Because the reporting period precedes the Black Muslim movement by at least ten years, it seems logical to conclude that the three “Mohammedans” were either immigrants or descendants of African slaves.

\textsuperscript{14} Religious Preference printout, December 31, 2007, Susan Van Baalen Papers, Islam in U.S. Prisons. According to the religious preference census of the Bureau of Prisons, identification with the Islamic religion by women in federal prisons is substantively insignificant. Fewer than 2% of the total female population, and fewer than 2% of the total Muslim population are women. While the women have had some impact on the development of Islam in prisons, this study is limited to the study of male prisoners.

\textsuperscript{15} Annual Report of the Warden, United States Penitentiary, Atlanta, Georgia, 1922, 34.
Though Drew, Fard and Elijah Muhammad, the founders of these new religious movements, had many scrapes with local police in both Detroit and Chicago, it was not until the 1940s that individual Black Muslims began to self-identify as Muslims in state and federal prisons. Federal Bureau of Investigation records indicate, however, that the illusive Fard was incarcerated under the alias Wallie D. Ford, in San Quentin, a California State Prison, from June 1926 until May 1929, one year before he emerged as the founder and Mahdi of the Nation. The prison records reflect his birthplace as Portland, Oregon, where he was identified as a married white man with one male child.\textsuperscript{16}

In 1942 Elijah Muhammad, under the alias Gulam Bogans, was admitted to the Milan Federal Prison for sedition-draft evasion. In an interview with investigators from the Federal Bureau of Investigation, Elijah Muhammad spoke of the World War II war years as the period in which Black Muslims were routinely incarcerated because of their beliefs:

\begin{quote}
In the year 1942-43, according to reports, there were nearly a hundred of my followers sentenced to prison terms of from 1 to 5 years for refusing to take part in the war between America, Japan and Germany because of our peaceful stand and the principle belief and practice in Islam, which is peace.\textsuperscript{17}
\end{quote}

Not until the late-1950s and 1960s, did the charismatic leadership and rhetoric of a young prison convert to the Nation of Islam, Malcolm (Little) X, begin to draw large numbers of imprisoned African-American men under the Black Muslim umbrella in the Midwest and the Northeastern regions of the United States.

\textsuperscript{16} FBI File no. 100-43165, Internal FBI Memo addressed to the Director of the FBI, dated June 27, 1957 and unclassified on October 3, 1979.

\textsuperscript{17} Elijah Muhammad, \textit{Message to the Black Man in America} (Chicago: Muhammad’s Temple No. 2, 1965), 321-322.
By 1964, the rights of Muslim inmates to practice their religion were legally secured. In *Cooper v. Pate*, the Supreme Court established the right of Black Muslim inmates to file Civil Rights cases in support of their right to exercise their religious beliefs and practices.\textsuperscript{18} This was the beginning of strong involvement of the courts in allowing the gradual thirty-year emergence of an indigenous mainstream Islamic *ummah* within prison walls.

The court decisions were buttressed by correctional standards established by the American Correctional Association and federal standards for United States prisons and jails. The standards called for written policies and procedures to ensure access to religious programs for all inmates as well as access to facilities, clergy, spiritual advisors and publications relating to religion. There is a common consensus today that all inmates are entitled to these rights, subject only to security concerns.\textsuperscript{19}

Bureau of Prisons religious policies, procedures and certification standards existed on paper long before they began to be understood and implemented by prison officials and chaplains. The delay can be attributed to the centuries-old attitudes of Christian and/or Judeo-Christian chaplaincy that existed, and still exists, in this country. “The modern correctional chaplaincy had common Christian-only roots dating back to 1730 when Methodist clergymen obtained permission to visit the condemned felons incarcerated at Oxford Castle … and other English prisons.”\textsuperscript{20} Additionally, the chaplain subject-matter-experts responsible for implementing the policies and standards knew

\textsuperscript{18} Cooper v. Pate, 378 U.S. 546 (1964).


\textsuperscript{20} Saltzgiver, 1-2.
little about the religious beliefs and practices of minority religious groups. For most chaplains before the 1990s, subject-matter expertise began and ended with expertise in their own religious tradition.

Consequently, chaplains and administrators were generally suspicious of men who asserted that their religious beliefs and practices required an accommodation different from the general population of inmates. Requests for special diets, five daily prayer times, modesty and purity rituals, prayer accoutrement, Middle Eastern attire, sacred books written in an indistinguishable foreign language: all these were generally met by the authority’s assumption that individuals or groups of men “spinning” these requests were making power plays against the establishment. Even today the concept of religious pluralism is often not one that is warmly embraced and seriously studied by those who are in leadership positions in United States correctional systems.

During the 1990s, following a two decade progression of religious-discrimination civil law suits brought against state and federal prison systems, and an occasional prison disturbance, a more-or-less mainstream Islam emerged from the maturation of the Black Power and the Black Nationalism movements of the 1960s and 1970s. This paper points to the major correctional, legal and religious developments of the period leading up to the maturation of global Islam in the federal prison system, the Bureau of Prisons.

This study of religious experience is grounded in the inmates’ understanding of Islam, their sincerely-held religious beliefs and their struggle for identity and purpose in an unfamiliar prison culture and religion. The religious beliefs and practices of Sunni Islam in prisons do not appear to depart significantly from the practice of the religion established by the Prophet Muhammad as he experienced the mystical revelation of God.
in the seventh century, C.E. Nevertheless the practice of Islam in prisons manifests a distinctly different understanding and expression of Islam, similar to Islam as it is practiced in the Middle East, in Central and Southeast Asia, Africa, or even in mosques, masjeeds, and Islamic Centers in major United States metropolitan areas, but it clearly derives from a distinctly black American worldview. This is perhaps due to the fact that only a small percentage of Muslim federal inmates are immigrants, or first generation Americans. Without leadership and direction from the larger community of Muslims, inmates developed their own rituals and procedures based generally on the strictest expression of Islamic beliefs and practices. In many cases the external expressions of Islam, the visible identifiers, were more important to the incarcerated Black Muslims than was the spiritual grounding the religion offered.
CHAPTER TWO

NEW RELIGIOUS MOVEMENTS AMONG BLACK AMERICANS

Two unique new religious movements (NRM), organizations nominally affiliated with Islam, emerged during the first half of the twentieth century. The groups were comprised of African-Americans whose leaders were pan-African Nationalists. The founders of these organizations shared some common ideals and goals, particularly the goal of overcoming the stereotypical image of black Americans as illiterate and uneducated, animalistic, ne’er-do-wells. In syncretistic religious practices they sought an identity within Islam for their followers, one that would dignify their race and grant them a permanent place and status among respectable citizenry. The syncretism was at least a threefold fusing of beliefs, practices and accoutrements of Islam, Christianity and primitive West African Animism. To a lesser degree, the ideologies of the NRM blocs also conflated numerology, gnostic and oriental religious thought.

As noted above the tenets and practices of the major new religious movements clearly distinguish their beliefs and practices from those of global Islam, and also define the differences between the Moorish Science Temple of America, Inc. (Moors) and the Nation of Islam (Nation). These characteristics range from the proclamation of their leaders as Prophets at one extreme, to times and rubrics for congregate prayer at the other. This study analyzes of some of the characteristics that identify the Moors and the Nation as groups truly distinct from global Islam in both beliefs and practices. Though distinct from global Islam, one cannot minimize the importance of the new religious
movements as stepping stones to mainstream Islam for so many, as evidenced in the testimony of converts al Hajj Malik el-Shabazz, Warith Deen Mohammed, and Muhammad Ali.

Sunni Muslim inmates who themselves began their journey to mainstream Islam by way of the new religious movements subsequently take particular exception, even an antagonistic exception, to Islamic references in the rhetoric of the Moors and the Nation. Interestingly, this seems to derive from their personal journey through, and eventual rejection of, the tenets and practices which were once a part of their lives. Similarly, many inmates who migrate toward a more global Islamic experience fail to see the significance of the journey, but instead rest assured in the destination—mainstream Islam.¹

**Historical Overview:** *The Moorish Science Temple of America, Inc.*

Moors are correctly described as North African Muslims of mixed Arab and Berber descent who cultivated a very urbane civilization in Spain in the mid-700s C.E. However, the term ‘Moor’ as used by Noble Drew Ali is a misnomer born of a desire to separate in every way possible from Black, Negro or African ancestry. This mistaken identity grounded members of the Moorish Science Temple of America (Moors), under the leadership of The Noble Drew Ali, in Asiatic roots. Whether consciously or unconsciously, this created an obscure link to the “Ancient Arabic Order of the Nobles of the Mystic Shrine,” internationally known as the Shriners. The Shriners had been organized as a community service fraternity in New York some fifty years earlier than The Noble Drew Ali’s appearance on the scene as a Moor or “Moslem” in 1913.

From the outset, the Moors distinguished themselves from other black Americans by the usurpation of Moorish attire and symbols, most notably the fez (men) and turban (women), and the star and crescent moon.\(^2\) The suffixes ‘-El’ or ‘-Bey’ added to one’s surname is ordinarily an indication of affiliation with the Moorish Science Temple of America, Inc. Robert Love-El taught new members:

The names of El or Bey are tribal names. They are not titles. There were three tribes of the Moabites, they are the El, Bey and Ali tribes. All Moors are to use their tribal names of El or Bey as soon as they join the Moorish Science Temple of America. The Prophet Noble Drew Ali told the Moors not to use the name Ali, also He said that we were not to name our children Ali.\(^3\)

Recorders of Moorish history believe that Timothy Drew became acquainted with, and perhaps even was a member of the Shriners in the early twentieth century. By the turn of the century the Ancient Egyptian Arabic Order of the Nobles of the Mystic Shrine, a specifically black Shriners group had been established. Many believe Drew Ali affiliated with this group either formally or informally. Though facts are scarce, these assumptions gain some validity from the similarities between the attire, rhetoric and symbols of the two organizations.

Both the Shriners and the Moors adopted externals garnered from Middle Eastern culture, but show no genuine ties to the religious beliefs and practices of the Islamic tradition. C. Eric Lincoln describes the Moorish Science Temple tradition as “a mélange of Black Nationalism and Christian revivalism with an awkward, confused patina of the


teachings of the Prophet Muhammad.”

The *Holy Koran of the Moorish Science Temple of America*, commonly referred to as the Circle Seven Koran, is the Moorish sacred book combining original writings of Drew Ali with writings appropriated from various other esoteric sources. The sixty-four page text bears no similarity to the Holy Koran revealed to Muhammad in seventh century Arabia.

The facts surrounding the birth of Timothy Drew are not consistent. Clifton Marsh cites the birthplace as North Carolina, as does anthropologist, Sylviane Diouf. Diouf records a different story of Drew Ali’s early life. She too relates that the Prophet Noble Drew Ali was born in North Carolina in 1886. Until the age of twenty-three the Prophet was known by his given name, Timothy Drew. In his youth “He is said to have worked in a circus with a ‘Hindu fakir,’ and, given the success of the show, may have decided to start his own order, which was a mixture of beliefs drawn from systems ranging from freemasonry to Buddhism to Islam.”

Apart from Diouf’s reference to Drew Ali’s brief work with the circus, one can only speculate about the early life of Timothy Drew.

Peter Wilson departs from the common lore. In his colorful account Wilson situates the Drew family in Newark by the early 1880s, before the 1886 birth of their son, Timothy: His account also ties the Drew family to global Islam through Jamaal al-Din Afghani.

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[Newark] where they are said to have met and studied with “Master Adept” Jamaal al-Din Afghani, who visited the U. S. in the winter of 1882-83. According to most authors, Drew knew nothing of any deeper mysteries until his visit to the Orient, sometime before 1912. At aged sixteen he shipped out as a merchant seaman...and somehow ended up in Egypt. In Egypt his prophecy manifested as a book, the “Circle Seven Koran,” or it might have been in Mecca, where he was somehow empowered by Sultan Abdul Aziz al-Saud, ruler of the city and later of the whole country.  

In fact very little about Drew Ali is verifiable prior to his arrival in Newark in 1913, but his childhood proximity to the coastal regions of the Gullah communities suggests that some of the customs of the Gullah people, especially those of the descendants of Bilali Muhammad, may have influenced his practices far more than his travel to the Middle East. Bilali was remembered as regularly wearing his fez and an ornate long coat. He prayed five times each day, observed the Ramadan fast and continued his study of the Koran and Arabic.

In like manner, Noble Drew Ali and his successors in the Moorish leadership are always pictured in similar attire. Conversely, it is not surprising that there is no source material to support the self-proclaimed travels of Noble Drew Ali to the Middle East. There is no record of passport application; however, passports were optional for foreign travel before 1952, making his claim unverifiable via U. S. State Department archives and passport records. Nevertheless, the oral tradition of the Moors asserts their religion was grounded in a commission granted to Noble Drew Ali by the Sultan of Morocco during Drew Ali’s tour of the Arab world. The “commission” was to return the

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descendants of slavery in the United States to their original religion, Islam. With this commission came the title “Prophet.”

The year 1913 marks the founding of the Canaan Temple, in Newark, New Jersey, by the now Prophet Noble Drew Ali. Susan D. Johnson-Bey, Divine Minister and historian of the Moorish Science Temple of America, Inc., viewed the naming of the temple as an “indication that the so-called Negroes were of Asiatic origin from the Holy Land of Canaan.” This seems to be a circumspect Moorish apologia, as most researchers and black historians identify the 1913 foundation as the “Moorish Holy Temple of Science” or some derivation of that term. In 1978, on the occasion of the Fiftieth Anniversary of the legal incorporation of the Moorish Science Temple of America, Inc., historian Johnson-Bey, described the mission of the Prophet to instill racial pride:

As prophets of olden days came to people around the world to save Moors from the wrath of Allah, a Prophet of Islam was sent also to the Moors of America, who were called the Negroes. The duty of a prophet is to save Moors from the wrath of Allah. As Noah and Lot were warners [sic] of the people of those days, Prophet Noble Drew Ali came to warn and redeem the Moors of America from their sinful ways. … The object of our organization is to help in the great program of uplifting fallen humanity and teach those things necessary to make our members better citizens. We must promote economic security. No other thing is more needed among us at this time.

Ali departed Newark in 1915 to spread the message of his movement, by then known as the Moorish Holy Temple of Science, to the Asiatics in Philadelphia, New York, Pittsburgh, and Detroit, before establishing his headquarters in Chicago in 1926.

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11 Susan D. Johnson-Bey, Noble Drew Ali and the M. S. T. of A.
Historian Johnson-Bey believed that during Drew Ali’s lifetime, membership in the Moors may have grown to as many as thirty thousand. Drew Ali’s was a message for the poor and marginalized black man. The message? His followers were not really colored people, Negroes, or Ethiopians (racial tags assigned by Caucasian oppressors), but rather they were urged to claim their identity in the proud heritage of Asiatics and in their recognition as law-abiding United States citizens.

The industrious acts of the Moslems of northwest and southwest Africa [sic]. These are the Moabites, Hamathites, Canaanites, who were driven out of the land of Canaan, by Joshua, and received permission from the Pharaohs of Egypt to settle in that portion of Egypt. In later years they formed themselves kingdoms. These kingdoms are called this day Morocco, Algiers, Tunis Tripoli, etc. … The reason these lessons have not been known is because Moslems of India, Egypt and Palestine had these secrets and kept them back from the outside world, and when the time appointed by Allah they loosened the keys and freed these secrets, and for the first time in ages have these secrets been delivered in the hands of the Moslems of America. All authority and rights of publishing of this pamphlet of 1927[sic].

Reception of a Moorish Nationality and Identification Card remains the key component of initiation into the Moorish Science Temple. The Grand Sheik of the Moors taught his followers:

When one joins the Moorish Science Temple of America, membership is free all over the world, but to identify himself as Moorish American he or she must purchase a Nationality and Identification Card. One should purchase and carry this Card at all times, “it is for your salvation.” From the time of the Prophet Noble Drew Ali one is issued a Nationality Card at the time of first joining the M.S.T. of A., and the Grand Sheik of their Temple sits down and explains the Card to them. …a member is not required to learn anything before he or she is entitled to receive their Card. The Prophet did not require this, and it is not the practice of the Moorish Science Temple.

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The Nationality and Identification Card issued to members by Noble Drew Ali is unchanged from its original 1926 content and appearance. The card contains symbols and text that affirm the values of the Moors. The graphics on the card include a star and crescent moon, and the symbol of the Moorish (Circle 7) Holy Koran that was divinely prepared by the Noble Prophet Drew Ali. The card contains a space for the signature of the Moorish member and this statement of nationality:

This is your Nationality and Identification Card for the Moorish Science Temple of America and Birthrights for the Moorish Americans, etc., [sic] we honor all the Divine Prophets, Jesus, Muhammed, Buddah [sic] and Confucius [sic] May the blessings of the God of our Father Allah, be upon you that carry this card [sic] I do hereby declare that you are a Moslem under the divine Laws of the Holy Koran of Mecca, Love, Truth, Peace, Freedom and Justice. ‘I AM A CITIZEN OF THE U.S.A.’ 14

Each card is validated with the name of the Noble Drew Ali, Founder of the Moorish Science Temple of America, Inc. and proclaims the cardinal beliefs of the Moors (Love, Truth, Peace, Freedom and Justice) in order to serve as a reminder to the bearer to uphold these truths and values.

No doubt the proudest day for the Moors was the day of their final incorporation in May, 1928, in Cook County, Illinois. First incorporated as a civic organization in 1926, the Moors were reincorporated as a religious organization in 1928. To commemorate the occasion the first Moorish Convention was held in Chicago that year, an occasion remembered as the day of the Great Meeting. The convention is recalled at every Moorish gathering by the prominent placement of the photo, “The Great Meeting Is On.”

However, within months of their Great Meeting, Drew Ali and his followers were embroiled in struggles for leadership and power. Title to the name of the Moorish

Science Temple of America, Inc. had to be twice defended in court by the Grand Sheik R. Love–El, in cases involving rogue organizations using the Moor’s name, but allegedly under the spurious leadership of scoundrels.

The Prophet’s mission, which spanned sixteen tumultuous years (1913-1929), was riddled with both internal and external suspicion and conflict. The Federal Bureau of Investigation kept secret files on both the individual and the organization, but officials never had sufficient cause to act on any of the information they gleaned from informants within the group. It is true, though, that Noble Drew Ali had as many detractors as he had supporters, even within his own ranks. As membership flourished, prosperity grew into greed for both wealth and power among the leaders of the Moors.

The most serious challenge to Drew Ali’s leadership came from the organization’s business manager, Sheik Claude Green, and other leaders of the movement who had been profiting from the sale of relics, memorabilia and images of the Moorish Science Temple, Inc. Drew Ali prohibited this practice, and removed Green from leadership. Allegations of mishandling of funds, not only by Green but by Drew Ali’s chief assistants, finally led to his downfall in June, 1929. Within days after Drew Ali’s removal, profiteer Claude Green was shot and stabbed to death in Chicago. Drew Ali, among other Moorish loyalists, was arrested and accused of the homicide, even though he was not in Chicago at the time of the murder. The Prophet was released from custody without arraignment but died, allegedly as a result of police brutality, on July 29, 1929 before completion of the criminal investigation.15

A struggle for leadership between John Givens-El, Drew Ali’s chauffer, and Clarence Kirkman-Bey ended with the creation of separate sects, each claiming the sole right to the title, the documents, and the rightful privilege of the Asiatic identity. Givens-El claimed to be the reincarnation of the Prophet. Nevertheless, C. Kirkman-Bey was elected to succeed The Noble Drew Ali with the official title, Supreme Grand Advisor and Moderator of the Moorish Science Temple, Inc., a position that he held until his death in 1959. The Moorish Science Temple of America, Inc. continues to exist at the beginning of the twenty-first century. Membership is very small and comprised mostly of senior Moorish statesmen who personally survived the Civil Rights struggles of the 1960s and ‘70s, as well as inmates and former inmates in Washington D.C., Chicago, Los Angeles, Philadelphia and Detroit. The “1928 Moorish Science Temple,” a separate branch resulting from the breach between Kirkman-Bey and Given-El, also survives and is headquartered in Baltimore. A bitter rivalry continues to divide the two Moorish groups, though their beliefs and practices are practically identical.

Historical Overview: Nation of Islam

The founding of the Nation of Islam is attributed to a brown-skinned, itinerant silk peddler Wallace D. Fard (also known as W. Fard Muhammad, Wali Farad and Wallace Ford), who combined his door-to-door selling of dry goods in the impoverished black Paradise Valley neighborhood of Detroit, Michigan, with a charismatic message of black separatism and self-reliance. His message was far from the Christian beliefs of Black Americans to whom he was preaching.
Prison records in California and Oregon identify Fard as a Caucasian. In Detroit he self-identified as a Middle Easterner. When Elijah Muhammad was asked in an interview about the origins of Fard, he replied:

He taught us that He was born in Mecca, Arabia, and that He had come in and out of this country for about twenty (20) years before ever He made himself known to us. He had studied, He says out here or rather He had enrolled in the California University there and He lived with a white family out there He says, while He was going to the University of California. How long He went to this University I don’t know, but He says to me that He did go to this University and enrolled there, and other Universities He mentioned to me, and finally He told me this, that He had studied every educational system of the civilized world, and that He could speak and, well, speak 16 languages, and write ten of them. He could speak 16 fluently. And He says to me that He had been studying for us, what He meant to teach us and to reform us for forty-two years, He says to me.16

This is a significant part of the Nation’s myth or metanarrative. Neither the editor nor the interviewer is identified, nor is the date of the interview included. Nonetheless, the report of Fard’s origins attributed to Elijah Muhammad, speaks to and gives insight into the dignity, education, purpose and self-determination that Elijah Muhammad envisioned for his followers.

In still another account of Fard’s origins, a Federal Bureau of Investigation internal memorandum reports, that his former wife identifies him as a white man. It is likely that he was bi-racial, having a Caucasian mother and a Polynesian father, or according to conflicting Federal Bureau of Investigation reports, perhaps his parents were both Hawaiian.17

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Fard’s rhetoric included ideas for the creation of a separate political, economic and geographic black American state. He spoke of freedom; he spoke of justice and equality for black people; he spoke of Allah, a human God, an Asiatic God, who had the power to make all things good for black Americans and devils of white Americans. Like Drew Ali, and perhaps due to his influence, the peculiar teachings of W. Fard Muhammad were a syncretistic blend of Christian, Islamic and West African tribal beliefs. This blend of religions was preached in a way that dignified and assigned a new—but ancient—identity to poor and oppressed black laborers and their families, an identity that both accounted for and dignified their brown skin. The message was threefold:

1) Christianity is a tool in the hands of white slave masters to control the minds of black people;
2) White people are devils, the embodiment of evil; and
3) The only hope for the Negro in America was in total geographic and economic independence from white America.\(^{18}\)

Among his followers, Fard attracted the admiration and commitment of Elijah Poole. Born in Georgia in early October, 1897, Poole was an uneducated, impoverished and angry sharecropper from Sandersville, Georgia, who had migrated with his family to the industrial north in search of work in 1923. The exact date of Elijah Poole’s birth is uncertain, but since his rise to religious prominence in the Nation of Islam, his birthday is commemorated annually on October 7\(^{th}\). Like few of his contemporaries, Poole was raised in a stable, two-parent home where Bible study was encouraged and strong Christian values were lived and taught to Elijah and his seventeen siblings. Life in rural Georgia exposed Poole, the son of a Baptist minister sharecropper, to both the best and

the worst that the post-World War I South could offer to “free” black men. By the age of ten, Poole had left school to work in the fields and contribute to the family income.

Poole experienced and was deeply affected by the Jim Crow environment of poverty, discrimination, disenfranchisement and hatred in the rural south. Biographers agree that his most vivid childhood memories were of lynchings by the Ku Klux Klan—memories so vivid that these drove him later in life to alcoholism, depression and deeper into poverty and irresponsibility. It is in these experiences that one might first identify the roots of the social and economic program that became, and remains even to the present, such a formidable part of the Nation’s agenda: “Dedication to my people, the So-called American Negro,\(^{19}\) Freedom, Justice Equality; Happiness, Peace of Mind, Contentment, Money, Good Jobs, Decent Homes—all these can be yours if you accept your God, Allah, now and return to His (and your original) religion, Islam.”\(^{20}\)

The chance meeting of Fard and Poole occurred at a time when Poole was close to hitting bottom. Alcoholism and depression had left him without a means of supporting his family and desperate for roots that would help him to reclaim the hope of a better life in the North. Poole recalled his July 4, 1930 meeting with Fard:

He didn’t have to tell me that he was Allah. When I first met him, I knew him. I recognized him. And right there I told him that he was the one the world had been looking for.... I also bear witness that it (Christianity) has enslaved my people here in America, 100 per cent. He (Fard) chose me to bear the message of life (Islam) to my people here. Islam is our salvation.

\(^{19}\) The term “so-called Negro” was the rhetoric used by Elijah Muhammad to describe the appellation assigned to black Americans by white society. This is related to his assertion of blacks as the “original man” of ancient Asiatic descent. This proved to be a critical tool related to the identity of black Americans and the framing of his claims against white society. The term appears to have faded from use as the emergence of more acceptable terms to describe black Americans came into use in the last quarter century.

It removes fear, grief, and sorrow from any believer, and it brings to us peace of mind and contentment.²¹

The inherent charisma of Elijah Poole had found voice and purpose under the leadership of W. D. Fard, so much so that Poole was the logical ascendant to the leadership “messenger,” role after Fard’s mysterious departure. Within three years, Muhammad had proclaimed Fard to be the Madhi, Allah in human form. Muhammad commissioned himself as the Mahdi’s prophet/messenger, and thereby, the leader of the Nation of Islam. Similar to the occasion of Drew Ali’s elevation to prophethood by the Moroccan sultan, Poole’s elevation was accompanied by a name change, from Elijah Poole to The Honorable Elijah Muhammad.

According to records of the Federal Bureau of Investigation, Fard was roused out of Detroit by the police after a scandal involving “a ‘human sacrifice’, which may or may not have been trumped up. Nevertheless, the leader was arrested May 25, 1933, under the name Fard with eight other listed aliases (Wallace Dodd, W.D. Farrad, Wallace Farad, Wali Farrad, Professor Ford, etc.). The official report says Dodd (his given name) admitted that his teachings were ‘strictly a racket’ and he was ‘getting all the money out of it he could.’ He was ordered out of Detroit.”²² Fard settled in Chicago for a brief time before his disappearance. He was never again seen in the United States. Fard disappeared as mysteriously as he had appeared, but not before establishing the Temple of Islam Headquarters in Chicago and boasting a following of more than eight-thousand black Muslims.


²² FBI Investigative Report 100-43165, 15.
It was then that Poole emerged as the leader and spokesman of the Nation of Islam. Under the name Elijah Muhammad, he led the Nation from a relatively obscure group of black men in Detroit to a national movement of seventy-six temples nationwide, an estimated membership of 75,000 and a newspaper circulation of 500,000 by the time of his death on February 26, 1975.

One of Elijah Muhammad’s most prominent teachings was that the “so-called Negroes” — members of the Nation — should denounce their former lives as slaves and descendants of the white man’s slavery by reverting to names of Muslim origin, their original African tribal names. The Muslim name was conferred after first using an “X” in place of an individual’s slave surname until completing the formal training within the Nation.

Among Muhammad’s followers, three are particularly noteworthy for their contributions to the mission and expansion of the Nation. Those three men are Malcolm (Little) X, Louis (Walcott) Farrakhan, and Warith (Wallace Delaney) Deen Muhammad. Working closely with these leaders in the earlier days of the Nation and in great tension with them in his later days, Muhammad remained the undisputed leader of the Nation until his death in 1975.

Malcolm X

Like so many African Americans of his day the early life of Malcolm Little was spent in a home characterized by violence and poverty until his placement in a foster care group home as he began his teen years. Malcolm’s father was the victim of a trolley “accident” in front of his wife and children—an accident no doubt due to his outspoken
defense of the rights of his people. His mother was placed in a sanitarium as a result of the many pressures she endured after his death.

Such experiences left deep scars of racism and hatred as Malcolm excelled in an all-white foster home environment. He was told that he would have to modify his career aspirations to those accessible to his race. Instead of aspiring to be an attorney, he was counseled to consider carpentry work. Disillusioned, Malcolm left school and moved onto the streets at the age of fifteen. There he found the companionship of other disenchanted young black men. Years of drinking, drugging, gambling, pimping and theft ended with Malcolm’s felony conviction for burglary in 1946. Manning Marable’s 2011 biography of Malcolm X suggests that both the aspirations to practice law and the street life of drugs and crime may have been greatly exaggerated in Malcolm’s autobiography for the purpose of emphasizing his “badness.” Like so many before and after him, Malcolm believed his incarceration saved his life, after he heard of the violent deaths of so many of the young men with whom he had shared the streets of New York and Boston.

At the urging of his siblings, Malcolm, already recognized as a charismatic leader, embraced the Nation while incarcerated in a Massachusetts prison in 1949. From that time until his release he dedicated all of his free time to study of the teachings of Wallace D. Fard and Elijah Muhammad. Not long after his release from prison in 1952, Malcolm rose to prominence as the national spokesman for the Nation and established many

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Nation temples in the Northeast. He received great recognition and stature because of his charisma, his gift for oratory, and his unyielding loyalty to Elijah Muhammad.

Malcolm’s years of privilege in the Nation began to shift toward displeasure by 1963. He was dismayed by word of Muhammad’s marital perfidy; his dismay escalated to renunciation when Elijah Muhammad justified his infidelities as a prerogative of his prophetic role. Malcolm’s sojourn with the Nation was drawing to an end.

“The chickens came home to roost!” when Malcolm chose just that expression to reference the assassination of President John F. Kennedy in a sermon just weeks after his death. Such a remark received widespread media coverage and invoked the fury of Elijah Muhammad, who was deeply concerned about a political fallout with the Democratic Party as a result of the remark. Elijah sanctioned Malcolm’s behavior by suspending his preaching and removing him from prestigious national leadership positions on December 4, 1963.

By March 1964, Malcolm had denounced Elijah Muhammad and founded the Muslim Mosque, Inc. in Harlem, drawing many followers from the former ranks of the Nation. It is estimated that as many as twenty-five percent of Nation members left the Nation and accompanied Malcolm to his Harlem mosque.

In his autobiography, as related to Alex Haley, Malcolm reflected on his shift toward Sunni Islam:

At one or another college or university, usually in the informal gatherings after I had spoken, perhaps a dozen generally white-complexioned people would come up to me, identifying themselves as Arabian, Middle Eastern or North African Muslims who happened to be visiting, studying, or living in the United States. They had said to me that, my white-indicting statements notwithstanding, they felt I was sincere in considering myself a Muslim — and they felt if I was exposed to what they always called "true
Islam," I would "understand it, and embrace it." Automatically, as a
follower of Elijah, I had bridled whenever this was said. But in the privacy
of my own thoughts after several of these experiences, I did question
myself: if one was sincere in professing a religion, why should he balk at
broadening his knowledge of that religion?24

Such encounters with Muslims of different races and ethnicities drew
Malcolm’s interest to a broader experience of Islam. Using borrowed money, he
embarked on his journey to global Islam by making the hajj.

The April 1964 hajj was a life-changing experience for Malcolm. His experience
of global Islam resulted in renunciation of his former hate rhetoric against whites. In his
autobiography he recalled:

There were tens of thousands of pilgrims, from all over the world. They
were of all colors, from blue-eyed blonds to black-skinned Africans. But
we were all participating in the same ritual displaying a spirit of unity and
brotherhood that my experiences in America had led me to believe never
could exist between the white and the non-white....America needs to
understand Islam, because this is the one religion that erases from its
society the race problem. Throughout my travels in the Muslim world, I
have met, talked to, and even eaten with people who in America would
have been considered white — but the "white" attitude was removed from
their minds by the religion of Islam. I have never before seen sincere and
true brotherhood practiced by all colors together, irrespective of their
color. ... In America, "white man" meant specific attitudes and actions
toward the black man, and toward all other non-white men. But in the
Muslim world, I had seen that men with white complexions were more
genuinely brotherly than anyone else had ever been. That morning was the
start of a radical alteration in my whole outlook about "white" men.25

Malcolm’s life as a hajji Sunni Muslim was short; he was murdered in
February 1965, just ten months after his hajj. It is generally accepted among biographers
that his assassination was the result of his repudiation of the teachings of the Nation and
his loss of favor with Elijah Muhammad. Three members of the Nation were charged and

24 Malcolm X., The Autobiography of Malcolm X: As Told to Alex Haley (New York:
Ballantine, 1987), 325.

25 Ibid., 347, 340.
convicted for his death. Though Malcolm was dead, the migration of countless Nation members toward Sunni Islam was on a one way course that could not be redirected.

Wallace D. Mohammed

Tensions grew sharper between Wallace D. and his father, Elijah Muhammad, after the younger man’s travel to the Middle East and exposure to global Islam in 1967. Like Malcolm, he returned to the United States convinced that the “white devil” rhetoric of the Nation was incompatible with Islamic teaching. More than once Wallace D. Mohammed was expelled from the Nation for defying his father. In spite of these tensions, and the younger man’s gradual movement away from his father’s teachings, Wallace D. Muhammad fell heir to the Nation of Islam.

The relationship between Wallace and his father was at best, mercurial, as was the status of Wallace’s Nation membership throughout the quarter century preceding Elijah’s death. Even before his ascendancy to the leadership of the Nation, Wallace D. had already challenged his father’s role as prophet, his claim of divinity of Wallace D. Fard and his promotion of hatred of white people.

Wallace D. Fard is said to have named and commissioned his namesake as Elijah Muhammad’s successor at the time of his birth in 1933. Consequently he was always viewed and trumpeted by the elder Muhammad as the Mahdi’s choice for his successor even though there was tension between the ideologies of father and son. In spite of the tension between father and son, the legend of Fard’s prediction of a male offspring, and the special honors conferred on Wallace D. by Fard in his infancy were enough to carry him into leadership upon his father’s death. Wallace D. Mohammed’s special relationship
to Fard turned out to be a greater asset than his stormy relationship served as a detriment when it came to naming a successor to the elder Muhammad in February 1975.

At the time of his death in 1975 Elijah Muhammad had been the undisputed leader of the Nation for more than forty years. Wallace Delaney Muhammad succeeded him as leader just one day after the elder Muhammad’s death. To distinguish himself from the lineage and teachings of his father, Wallace D. Muhammad changed his name to Warith Deen Mohammed. Within a year of the senior Muhammad’s death, Warith Deen and his followers committed themselves to the pursuit of Islam under a new religious banner, “The World Community of Islam in the West” (WCIW). The WCIW, the first iteration of Warith Deen Mohammed’s organization, underwent a series of name changes between 1977 and 1985, until finally merging with the worldwide Islamic community as the American Muslim Society. Today, the followers of Warith Deen Mohammed are widely, but not universally, recognized as Sunni Muslim adherents under the umbrella of global Islam.

Within months of his ascension to leadership, Warith Deen renounced two very basic teachings of Elijah Muhammad. He declared that his father and Wallace D. Fard were, in fact, neither gods nor prophets, but mere men. In so doing, he rejected Elijah Muhammad’s justification for his sexual improprieties. Secondly, he declared that the World Council of Islam in the West was a religion for all people, regardless of race or ethnicity.

One of the hallmarks of the Nation of Islam begun under the senior Muhammad’s leadership that continued under Warith Deen Mohammed is the continued commitment to prisoner outreach. His own fourteen-month experience in the Sandstone, Minnesota
Federal Correctional Institution heightened his awareness of the social and religious needs of Black Americans in federal prisons. Wallace D. was incarcerated in 1961 for refusing an alternative to induction into the military after claiming conscientious objector status. His time in prison afforded Wallace D. an opportunity for serious study of the Koran. As a result he became convinced that the Nation had to move away from the hate language promulgated by his father. Wallace D. then set out to formulate a new understanding of Islam.

*Louis Farrakhan*

Louis (Wolcott) Farrakhan is the current leader of the Nation of Islam as founded by Wallace D. Fard and Elijah Muhammad. Farrakhan’s gifted oratory placed him in line to succeed Malcolm X as the National Spokesman for the Nation when Malcolm was sanctioned by Elijah Muhammad in 1963. This ultimately placed him in good stead to assume the leadership of one of the fragments of Elijah Muhammad’s legacy after a bitter leadership struggle in 1976.

Concern for the loss of the Nation’s rightful place in black religious history caused Farrakhan to separate from the WCIW in 1977. He resurrected the basic beliefs of the Nation and encouraged his followers to embrace the economic and social program of the elder Muhammad. Farrakhan is probably most widely known for his resurrection of the Lost Found Nation and his successful organization of the October 1995, Million Man March in Washington D.C. The Million Man March was undeniably the largest peaceful gathering of black men in the history of the United States.
CHAPTER THREE

INCARCERATED BLACK MUSLIMS: 1957-1977

“Black Muslim” was a generic term in the prison parlance of the 1960s and 1970s, and to a large extent it remains a generic term even in the twenty-first century. To prison administrators in the Black Power era, the Black Nationalist term was new and unsettling, even threatening, to a system that was founded on the promise of the restorative nature of Christian penitence. To their uninformed way of thinking “Muslim” could best be described by what it was not, coupled with what it was. “Muslim” was not Christian, and those who called themselves Muslim were “Negro”; thus the term Black Muslim.¹ Little distinction was made between the Moors and the Nation during their developmental years within the Bureau, so the rights gained by one group benefited both. In fact, the benefits gained by these groups changed forever the religious landscape in United States prisons

The earliest documented prison groups of “Black Muslims” were in San Quentin (1955), The Washington D.C. Lorton Reformatory (1957), and The New Jersey and District of Columbia Penitentiaries (1960). The first prison mosques, or temples, as they were called by Black Muslims, were the penitentiary recreation yards where black followers of Elijah Muhammad informally congregated to teach one another, to covertly practice their Fruit of Islam paramilitary maneuvers, and to exert their influence on other black inmates. The yard meetings in each of these prisons were characterized by their

¹ There is no data to suggest that there were Muslims from the Islamic world incarcerated in the Bureau during this era. Based on my own observations of the existing relationships between immigrant Muslims and Black American converts, it is safe to assume that, if there were incarcerated immigrant Muslims they would not have engaged in the fray.
composition: all Negro inmates, black power rhetoric, and their perceived threat to the security of the institutions. Reports of the movement from each institution articulate a concern about recruitment and rapid growth.

*Initial Observations*

Walter Craven describes his encounter with the San Quentin Muslim group:

The leader was…referred to the Psychiatric Department by the yard lieutenant who decided he was dealing with a religious fanatic who had conjured up a mystical religion as a status-seeking device. His control over the converts was almost hypnotic in nature. Needless to say, his activities represented a threat to the peace and security of the institution, necessitating his placement in a segregation unit where he remained until released from prison.2

Recruitment among black inmates remained a major concern in the California system where Craven observed that the members were largely men who were of the most “disprivileged” [*sic*] class and therefore the most susceptible to recruitment. They were from low income groups and below average in academic achievement. San Quentin officials identified approximately sixty-eight full-fledged members out of a population of 1500 black inmates. At the same time they recognized that beyond the sixty-eight “hard-core” Muslims there was no way of knowing how many “underground” Muslims were also in the population. Craven expressed the concern that, although not all blacks were members, that, should racial disturbance occur because of the group, there was no way to predict how many would support their “brothers” in any organized action. This lack of awareness of the full strength of the movement and the penchant for conversions was a concern that occurred in each of the early observations of the Black Muslims.

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Craven offered an excellent insight into prison management of the Black Muslim problem, as it had begun to be viewed throughout the country by the early 1960s. He believed that the only way to manage the potential racial threat posed by the collective presence of so many Black Muslims was for all personnel to be trained in human relations, including particular training “related to such movements as the Muslims, thus preparing our employees to better deal with the eventualities of the future.” According to Craven, the Muslims were unrestrained in voicing their racial hatred and forecasting the impending doom of the white man, whether speaking among themselves or even when speaking to the warden. In suggesting a management tool to curb the rhetoric, he believed:

One of the natural actions to take in order to curb the potentially explosive yard meetings is to place the ministers or spiritual leaders in adjustment or segregation units. This necessary action has both its bad effects and its good effects, the latter resulting from the simple physical segregation of disruptive influence from the rest of the population. On the negative side, however, this action has at times elevated the confined person to the position of martyr, thus inciting the followers to increase their activities and bring forth several new leaders to replace the one taken away. Also, it is inevitable that the … segregation units will become clogged with an element which is completely rejecting of any type of rehabilitative process that is offered by the staff of the unit….To my knowledge, no method has been developed which will counteract the most fanatical beliefs of these people once they reach the highly devout stage.

Craven’s remarks are particularly important to the analysis of the twenty-first century strategies used by the Bureau to counter inmate radicalization by the Islamist Muslim inmates. Interestingly, the techniques used a half-century ago to curb recruitment of inmates to the Nation of Islam are quite similar to those used

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3 Ibid., 3.
4 Ibid., 3-4.
to counter radicalization in the post 9/11 era. The latter strategies are analyzed in
Chapter Five.

At the Lorton Reformatory, the new movement was comprised of thirty-eight
“professed Negro Muslims” in the District of Columbia prison in 1957. Donald
Clemmer identified them as members of the” Islamic Center of Moslemism sect.” By
1957, Malcolm X, just five years away from prison himself, often travelled between his
home base in New York and Washington D.C. where he preached, and taught in
Washington D. C. temples, converting hundreds of disenchanted black Americans to the
beliefs and claims of the Nation of Islam.

A New York weekly newspaper, *Mr. Muhammad Speaks*, had become an
effective recruiting tool for young and restless black men in New York City. The weekly
began publication in 1959 in New York, under the editorship of Malcolm X. *Mr.
Muhammad Speaks* was also widely read in the D.C. black community, where it was
peddled door-to-door and on street corners by members of the Fruit of Islam. By 1960,
the Black Muslim newspapers had found their way into the Lorton Reformatory, where
the publications were referred to as “weekly newspapers peppered with inciting racial
hostility”. Other newspapers identified with the new religious movement were among
the historic black newspapers that began publication in the 1880s. *The L. A. Defender* ran
a syndicated column written by Elijah Muhammad. *The Defender* was a black newspaper
originating in Chicago, and published in many other urban industrial centers, including

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5 Donald Clemmer, and John M. Wilson, “The Muslims in Prison,” *Proceedings of the Nineteenth
Annual Congress of Corrections of the American Correctional Association*, Denver, Colorado, August 28-

6 Ibid., 149.
Pittsburgh, Detroit, and Los Angeles. *The Defender*'s wide circulation made it an excellent means of communicating Elijah Muhammad’s message to the black men of America. *Mr. Mohammad Speaks*, was a regional forerunner to *Muhammad Speaks*, the Nation’s official publication that in its time “had the largest circulation of any Negro newspaper being published.”

Donald Clemmer and John Wilson provide one of only a few thorough accounts of the early Black Muslim prison phenomenon in 1960. Clemmer and Wilson studied the behaviors of “Negro” Muslims in two institutions. The Muslims were viewed as part of an organization of over one hundred thousand American Negroes who believed in complete separation from whites. Clemmer asserted, no doubt rightly so, that the Nation was the largest mass movement among Blacks since Garvey’s “Back to Africa” movement of the 1920s.

A study by Ruben Horelick, also in the D.C. prison system, described the Black Muslims as highly organized, self-disciplined and in search of an identity. “The Muslims have discovered that their ‘religion’ is one means of self-expression and it has become valued and accepted because of the prestige and standing accorded it.”

Horelick continues, describing the attraction to Black Muslimism for inmates:

For many deprived Negroes, it has become a way of life, providing them with positive interpersonal ties, satisfying their individual needs for security and affection, and protecting them from the common enemy outside the group. They have a strong need to identify and belong with others in a movement which, to them, provides the security in numbers and sense of prestige through status in a non-conformist society…their religion has become a safe and satisfying outlet for expressing their feelings since other outlets are restricted and controlled by their own

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inhibitions or by those of the external environment….Muslims find joy and security in a life of order, discipline, uniforms and tough mutual support.\(^8\)

Different from Horelick, Clemmer’s study concentrated on observing the behavior of the Black Muslims during their initial stages of development in the institutions. Though approaching the issue from the different perspectives of psychology, correctional management and sociology, the handful of early researchers all noted the same characteristics: particularly those of identity, kinship or brotherhood, self-esteem, dignity and the status afforded them for their personal hygiene, discipline and carriage:

The precise story of the development of Black Muslimism in institutions is not known. In 1957 a small group of well-behaved Negro inmates asked to meet with officials. They professed a belief in Islam and asked for time and space to meet.\(^9\)

Although mistaken, or more likely uninformed, Clemmer went so far as to situate the origins of the Black Muslim movement in the prison: “In the unseen environment of the prison community a subrosa [sic] splinter group developed and worked underground. This was the beginning of the Black Muslim movement.”\(^10\) The inmates contended that the Black Muslim movement was religious in nature, but, Clemmer claimed, there was considerable doubt as to their sincerity, and “to the degree of its involvement with Mohammedanism.”\(^11\) His description included the allowance of their Ramadan fast,

\(^8\) Donald Clemmer, “The Black Muslim in Prison: A Personality Study,” 1963, 4-5, in Susan Van Baalen Papers, Islam in U.S. Prisons, file Manuscripts. It is of some interest to the study that this report was sent to the newly activated Federal Correctional Institution in Sandstone, MN. in 1963, while Wallace D. Muhammad was incarcerated there. W. D. Muhammad was the son and eventual heir to the leadership of the Nation in 1975.


\(^10\) Ibid., 149.

\(^11\) Ibid.
which was during the month of December, and observed that “only a few of the thirty or so men cheated on the fast.” There is no mention of a meal accommodation at the end of each fast day. In the twenty-first century, just five decades later, morning and evening meal accommodations are the standard practice in virtually every prison in the country where religious public fasting is authorized.

Clemmer concluded that the thirty-eight men were fairly representative of the 1800 men in the general population with only a few exceptions. Of lesser consequence than that which follows, the Black Muslims were less likely to have visitors. One third, according to Clemmer, had no visits. He suggests a link between the lack of visitors and the inmates’ departure from the religion of their family of origin. Clemmer reports that many of the families of the thirty-eight men, presumably Christian, wrote to prison officials explaining the Christian roots of their family members and “deploring their new cult.” Eighty-three percent of the inmates had converted to Muslim during incarceration. According to Clemmer’s report, sixteen inmates had been Protestant or Baptist (an interesting distinction), ten Catholic, nine Moslem and three indicated no preference upon admission to the prison system. Although the computation is slightly inaccurate, it demonstrates, nevertheless, the magnitude of the issue of prison conversions to the Nation.

A disproportionately high rate of conversions of black inmates to new Muslim religious movements appears to have continued even into the twenty-first century, but unfortunately there is no longitudinal empirical data to support this assumption. More

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12 Ibid., 147-148.

importantly, there is no empirical data to prove that this pattern of conversions has been in any way deleterious to the converts or to society. To the contrary, there is anecdotal evidence to support the notion that the philosophy of “upliftment” and the discipline of the Nation and the Moors has translated to a positive, even if not a lasting, influence on inmates who convert.

Other characteristics culled from Clemmer’s study of the thirty-eight pointed to both similarities and differences with other inmates. Similar was the statistic that fifty-nine percent of the thirty-eight Muslims were incarcerated for predatory offenses and twenty-nine percent were guilty of drug offenses. Different was the distribution of incident reports. All thirty-eight of the Black Muslims had been involved in incidents that required punitive segregation, compared to the rest of the general population, in which only thirty-three percent had incidents requiring segregation.\(^\text{14}\) In all, the thirty-eight Black Muslims had been charged and segregated for 110 incidents in a one year period. The frequency of incident reports can likely be explained by circumstances related to the Black Muslims asserting their First Amendment rights to religious freedom, freedom from censorship and freedom to assemble. These issues resulted in frequent and open confrontations with staff.

In the spring of 1960, for example, approximately fifty black men were huddled in an “attentive circle” in the outdoor recreation area at the D. C. prison. Various inmates were speaking, and officers overheard their remarks, many of which were not religious in nature. They spoke of Black supremacy, at the same time speaking critically of the United States and using hostile and vulgar attributes to describe prison authorities. The

\(^{14}\) Ibid., 149-150.
inmates’ hostile and disrespectful insults about their keepers were in no way uncharacteristic of the types of remarks that might be overheard by any officers surveilling inmate argot in any prison recreation yard on any day or in any era. What was perhaps out of character, and viewed as a threat, was the large number of black men assembled together to address issues of inequality and black power, particularly in an era when equal rights rhetoric was flaring the tempers of everyday citizens almost to the boiling point, regardless of their personal perspectives on the issue.

As a result of their refusal to conform and continued protestations of persecution by officials because of their religious beliefs, the fifty Muslim inmates were segregated, though not from each other, for three months, because of the fear of recruitment. Moreover, those identified as leaders remained in segregation for as long as two years. This is a generational theme that will be revisited in the early 1980s, when the schism between the Nation and the followers of Warith Deen Mohammed began to be noted in the prisons, and again even more dramatically after September 11, 2001.

Correctional workers observed that the segregated inmates talked and prayed loudly through the night. They rattled their cell doors, beat and bent their metal cups until it was necessary to quell the din with tear gas warnings. Fifty years later, this behavior does not appear to depart from the overall culture of the special housing units (SHU) where inmates are segregated, commonly referred to as “the hole.” Trained observers would have no difficulty describing a day in the hole. The routine behavior of segregation generally follows a four-point continuous cycle marked by sleeping, eating, smoking and yelling. That is, inmates sleep for a few hours, awaken to eat, have a few

15 Ibid.," 149.
smokes (no longer an option in the twenty-first century), then cause a noisy ruckus until
tired enough to sleep again.\textsuperscript{16} The monotony is only broken by the arrival of new
offenders, or the occasional release from their cells for showers or recreation.
Furthermore, the sleep-eat-smoke yell cycle is no respecter of conventional time, often
leading to severe disorientation.

Clemmer noted with respect to their religious practices that the religion had
“some of the trappings of a cult”… different from that to which they were conditioned,
and “they get some satisfaction from it. This is a type of cultural borrowing and is not
uncommon among races and classes throughout history….The cultural borrowing and
other attention-getting machinery is rooted in a groupal desire to be different.”\textsuperscript{17} The
cultural borrowing included the tendency of the Black Muslims to call each other
‘Brother’; some were observed praying together facing the East (congregate prayer for
Muslims was not yet authorized). Some had adopted Arabic names, wore an Islamic
inspired religious medallion or pin, and had learned to write Arabic. In concluding his
remarks, Clemmer defined the group as “primary in a sociological sense and strongly
ethnocentric.” He added, “Extreme doubt exists as to the sincerity of belief and moral
levels in terms of Western standards, but no doubt remains as to their anti-white
attitude.”\textsuperscript{18}

Soon after Clemmer’s study in the Washington D. C. prisons, the results of a
comprehensive study were published by psychologist Henri Yaker, Ph. D. at the New

\textsuperscript{16} It would be most interesting to observe how the time between eating and yelling is
filled in modern smoke-free prisons, but that is beyond the scope of this paper.

\textsuperscript{17} Clemmer, “The Muslims in Prison,” 153-155.

\textsuperscript{18} Ibid.
Jersey State Prison. This study of fifty-five Negro members of the “Muslim Brotherhood” was conducted between July, 1960 and July, 1962. While fifty-five men were identifying themselves as part of the brotherhood, Yaker conjectures there were perhaps twice that many fellow travelers. His conclusions were often contrary to the findings of the Clemmer and Wilson study with respect to inmate comportment. Yaker observed the men over a two-year period during which they created no major problems for prison administrators. Hostility between the Muslims and correctional officers, however, was palpable.

The structure and order of the group was attributed to the leadership of an inmate imam (emphasis added)—a phenomenon not identified in the Clemmer study—who, Yaker suspected, was in communication with Malcolm X and Elijah Muhammad. The presence and influence of inmate imams is a factor that should never be minimized, particularly with respect to the movement’s ability to function within the prison and to recruit new members. The strong influence of the inmate imam in high security prisons is unmatched in other religious and social contexts within the prisons.

Yaker identified many inmate characteristics similar to those observed by Clemmer and other characteristics not addressed in the earlier study. Yaker noted that most of the Muslims shaved their heads and branded their foreheads with the “seal of Islam. This seal, ordinarily the result of constant friction when the head touches the floor during prayer prostrations, he states, was actually “a mark made by cigarette burns or

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with a caustic soap.” He observed, however, that the more sophisticated of the brothers neither shaved their heads nor branded themselves.20

Other characteristics worthy of note included the fact that fifty of the fifty-five members were recidivists with criminal records dating back to adolescence. Three others had served no prison time but had previously been incarcerated in jails or work camps. Yaker took a psychological research approach to his study. He used the Minnesota Multiphasic Personality Inventory (MMPI), the Thematic Apperception, and Rorschach tests to identify many more psychosexual conflicts than those observed among inmates in the rest of the general population. He hypothesized that their aggressive anti-social behavior served to strengthen their weak psycho-sexual defenses. Tests indicated patterns of “considerable loss of masculine identity, extremely poor body-image and a pattern of hostility toward the female figure. This pattern seems to be that of the individual whose crime is related to a need to find masculine status.”21 This finding seems to support the position asserted above regarding the Nation’s ability to supply male role models, kinship and strong identities for young black males. These were men who came to prison from the streets, after rejecting the influences, including religious and social factors in maternally dominated households. Perhaps Yaker’s findings may also reflect a reaction to the constant degradation of black males throughout United States history.

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20 Yaker, “The Black Muslims in the Correctional Institutions,” 163. Although Yaker uses the term imam, the Nation has always used the term Minister. One has to wonder if these were Sunnis, from the Dar ul Islam, though not yet distinguishable as such because of the newness of the movement, and the universally used umbrella term “Black Muslim.”

21 Ibid., 164.
By the late 1950s the civil rights school integration victories, *Brown v Board of Education* (1954), and the 1957 forced integration of Little Rock Central High School, had given rise to a national civil rights movement characterized by the determined, sometimes militant, assertions of equal rights for all Americans and, to that end, frequent displays of Black nationalism. The civil rights victories of the fifties had also given rise to a new and threatening assertion of Black power in urban centers throughout the country. The country was marked by racial strife and violence, in both the rural South and in Northern urban centers where large numbers of black Americans had migrated after World War II. The United States was a nation struggling with rapid urban population change and urban community disintegration due to “white flight,” increased poverty and social isolation. It was into this milieu that Malcolm Little entered on his release from prison in 1952.

The decades of the sixties and seventies were marked by civil rights battles to rid the nation of the separate-but-equal Jim Crow Laws, the abolition of segregated schools, desegregation of restaurants, seating on public transportation, college admissions quotas, discriminatory voter registration and poll tax requirements designed to curb the rights of Black citizens. Martin Luther King’s oratory, particularly his 1963 “I Have a Dream” speech, and President Johnson’s 1964 commitment to a “War on Poverty” energized Black Americans and encouraged them to continue the heightened struggle for their own rights. These were dangerous but exhilarating times for black Americans. This era also saw the gradual shift in nomenclature from Negro or Colored to African American and later to Black American. Jail or prison was a price many, including Dr. King, had to pay.
for these rights. University of Mississippi student Medgar Evers and Martin Luther King, Jr., are only two of the many who ultimately gave their lives for the cause.

In United States jails and prisons the presence of black Americans and a new black identity was making itself felt in powerful ways as well. The behaviors and actions of the Black Muslim inmates reflected the same unsettledness and repressed anger displayed in urban communities and college campuses. Rather than sit-ins, though, inmates were willing to “go lay down” to win their rights.22 The Bureau reported to Congress in its 1968 biennial report, “The wave of unrest across the country during the year spread to prisons in a number of States. Federal institutions were not exempt. Rebellious inmates at the El Reno Reformatory caused damage estimated at $8,600 and injuries to fifteen employees.”23

The Role of the Courts

As a consequence of the intervention of the courts in the 1960s, the minimalist response to Muslim inmates’ requests for religious accommodation began to shift. Looking back a generation, Elijah Muhammad and eighty of his followers had completed prison terms in the 1940s on charges including sedition, conspiracy and violation of the draft. At the time no religious accommodation was made for them as a group. There is no documentation to suggest that Wallace D. Muhammad, Elijah’s son, engaged in any court battles or inmates demonstrations to win his religious rights while serving his two year prison term in the early 1960s at the Federal Correctional Institution in Sandstone

22 “To “go lay down” is an expression in prison argot which means being confined in special housing, or solitary confinement.

Minnesota. The Moors, too, were benign, having been encouraged by their leadership to practice good citizenship and to comply with prison regulations as they were.24

Inmate members of the Nation across the country were litigating their rights to congregate meetings and to benefit from every religious right afforded to Christians. Clair Cripe, Bureau General Counsel at the time, said of the changing landscape of religion and correctional law:

This interest [Black Muslim] mushroomed into broader reviews of all prison activities, into the effectiveness of confinement in the criminal justice scheme of things, and into prison as a component of sentencing. Not all would agree, but I think there is considerable validity to the proposal that Black Muslims litigation was the fuse of this explosion.25

Cripe recalled in a presentation before the American Correctional Congress in 1976 that prison cases before 1961 were sporadic, generating no consistent body of case law in any area of corrections. The religious cases brought by Black Muslim prisoners in the 1960s, on the other hand, were viewed as a “correctional law revolution, and the beginning of an evolving concern of the courts in correctional matters.”26 Before the 1960s, the federal courts were not inclined to interfere in prison management, particularly in the area of religion, recognizing that prison management required the professional judgment of administrators who could effectively balance the weight of penological interest against the weight of legitimate inmate claims of discrimination.

24Brother R. Love El, “Branch Temple Information,” 7, in Susan Van Baalen Papers, Islam in U.S. Prisons, file: Moorish Publications. This is an undated mimeographed booklet provided to prison “Branch Temples” to instruct inmates in the culture of the Moors.


26 Ibid., 25.
A landmark prisoners’ rights case, *Cooper v. Pate*, was decided by the Warren Court in 1964. Cooper alleged that he was denied certain religious rights, such as ownership of a Quran and access to religious literature because he was a Muslim. His complaint was dismissed in the lower courts, but relief was granted in the U. S. Supreme Court. The case was decided *per curiam*, granting Cooper relief and acknowledging the religious nature of the Nation of Islam. The Supreme Court ruled, “We reverse the judgment below. Taking as true the allegations of the complaint, as they must be on a motion to dismiss, the complaint stated a cause of action and it was error to dismiss it.”

The issue that makes this a landmark case is the fact that, guided by the Civil Rights Act of 1871, the Supreme Court ruled that prisoners should be able to bring civil actions against the prison officials for violation of their civil rights.

By 1972, another landmark case, *Cruz v. Beto*, brought by an inmate from Texas, had made it to the Supreme Court as well, thereby setting the stage for other civil rights claims in the Federal Courts. Cruz, a Buddhist inmate in the Texas Department of Criminal Justice (TDCJ) claimed he was denied opportunities to practice his faith in ways comparable to those opportunities afforded inmates of mainstream faiths. The Court ruled *per curiam* that the TDCJ was in fact "denying him a reasonable opportunity to

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27 U.S. Supreme Court, Cooper v. Pate, 378 U.S. 546 (1964) 378 U.S. 546. [*per curiam* is a Latin phrase., By the court.] A phrase used to distinguish an opinion of the whole court from an opinion written by any one judge. Sometimes *per curiam* signifies an opinion written by the chief justice or presiding judge; it can also refer to a brief oral announcement of the disposition of a case by the court that is unaccompanied by a written opinion. [http://supreme.vlex.com/vid/cooper-v-pate-19994399#ixzz1PNQETifU](http://supreme.vlex.com/vid/cooper-v-pate-19994399#ixzz1PNQETifU) accessed June 20, 2011.

pursue his Buddhist faith comparable to that offered other prisoners adhering to conventional religious precepts."\textsuperscript{29} Furthermore, the court declared:

Federal courts sit not to supervise prisons but to enforce the constitutional rights of all "persons," including prisoners. We are not unmindful that prison officials must be accorded latitude in the administration of prison affairs, and that prisoners necessarily are subject to appropriate rules and regulations. But persons in prison, like other individuals, have the right to petition the Government for redress of grievances which, of course, includes "access of prisoners to the courts for the purpose of presenting their complaints."\textsuperscript{30}

The \textit{Cooper v. Pate} and \textit{Cruz v. Beto} decisions reinforced a pillar of the Constitution, i.e., that all persons have constitutional rights. The First Amendment names religion as the first of the protected rights under the amendment, stating “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” In this ruling the Federal Courts made it very clear and definite: the free exercise of religion is a right not surrendered at the prison gate, and concluded that "reasonable opportunities must be afforded to all prisoners to exercise the religious freedom guaranteed by the First and Fourteenth Amendments without fear of penalty."\textsuperscript{31}

This message was brought home to prison administrators very dramatically when the Nation of Islam adherents in prison began to sue for their equal right to the free exercise of their religion, even as \textit{Cruz v. Beto} was wending its way through the courts.

Noteworthy controversies over religious practice had not arisen before the emergence of the Black Muslims, since there were never sufficient numbers and/or unity

\textsuperscript{29} U. S. Supreme Court, Cruz v. Beto, 405 U. S. 319 (1972). Reference to \textit{in forma pauperis} reminds the reader that these cases were largely prepared and brought before the courts by inmates without benefit of counsel.

\textsuperscript{30} Ibid.

\textsuperscript{31} Ibid.
among groups of any one faith other than Protestant, Catholic and Jewish to warrant protests, contentious claims, and finally, litigation by inmates. Inmates of new and unfamiliar religious groups had, until the 1960s, exercised their religious freedoms as individual practitioners, or by surreptitiously meeting with coreligionists to pray and study in areas away from the watchful eye of the correctional officers. *Fulwood v. Clemmer*, a 1962 federal case before the District Court of the District of Columbia changed all that forever—or at least for the next fifty years.

*Fulwood v. Clemmer* contained a judicial finding that the Black Muslim new religious movement was a religion because it was tied to “a belief in the existence of a supreme being controlling the destiny of man.” This judicial finding opened the door for Black Muslims and eventually for other groups to successfully litigate religious claims in Federal Courts. The decision led, over the next fifteen years, to the gradual expansion of opportunities for worship and study, the possession of accoutrements, access to spiritual leaders and religious literature. By 1977, most of the demands had been successfully litigated at least once and rights were carefully doled out by prison administrators in response to, or in fear of, litigation that would not only meet the Black Muslims demands, but surpass their demands, granting them even more than was being doled out so judiciously. Both *Abernathy v. Cunningham* (1968) and *Barnett v. Rodgers* (1969) offer a clear understanding of the complexities of the Muslim dietary requirements.

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33 Abernathy v. Cunningham, 393 F2d 775 (4th Cir. 1968); Barnett v. Rodgers, 410 F.2d 995 (D.C. Cir. 1969).
By 1964 the Christian chapels in all institutions had been replaced by non-denominational chapels, generally called multi-purpose rooms, to ameliorate those who correctly associated the term “chapel” with Christianity. Many inmate religious rights issues were decided during this era. Even when ruling in favor of the inmates’ basic claims, though, it was the tendency of the courts to give wide latitude to correctional administrators in determining whether or not there was a reasonable penological interest in denying inmate requests. Most correctional administrators exercised this latitude to the fullest, resulting in acknowledgement of the inmates’ right to free exercise but the denial of particular practices because of reasonable penological interests.

Two excellent examples of administrative use of the court’s acquiescence to reasonable penological interests are the cases related to halal dietary laws, Walker v. Blackwell, 411 F. 2d 23 (5th Cir. 1969), and the growing of facial hair, in respectful imitation of the Prophet Muhammad as recalled in the hadith of Bukhari, Maguire v. Wilkinson, 405 F. Supp. 637 (D. Conn. 1975). Particularly germane to the concern about prison conversions, in Maguire the district court ruled that those entering prison with facial hair as a religious prescription could maintain the beard, but those entering prison clean shaven and wanting to taut a beard after conversion need not be allowed to do so. When this case went to the Circuit Court of Appeals, however, the Bureau of Prisons requested the case be closed without a ruling, because Bureau grooming policy had been changed to reflect the allowance of the inmate’s claim. These particular cases are cited as examples because these are two issues that after fifty-some years are not yet

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resolved nationally. Without the court’s intervention, these prohibitions remain the norm in some twenty-first century state prisons and local jails.

The grooming issue cites a particular disposition of discrimination because orthodox Jews, though few in number throughout the system, routinely entered the prisons and were authorized to retain their beards. Though electric grooming implements were prohibited, Jewish inmates were also allowed to possess rotary electric shavers on religious grounds.35

Today these issues have long been resolved in the Bureau, but many States and other correctional jurisdictions have yet to follow suit. Kahane v. Carlson (2nd Circuit, 1975) was a significant case requiring the Bureau to provide a kosher food regime for Jewish inmates. Muslims rode into this right on the backs of the Jews, but it was long in coming. Not until 1983 did the Bureau finally settle on a dietary accommodation that could accommodate both Muslims and Jews. At least in part the delay in the granting of religious diets was due to poor and unclear communication of the dietary laws by Elijah Muhammad. In his book of dietary laws, Elijah Muhammad prohibits the consumption of pork and alcohol on religious grounds. These are clear and definite proscriptions suggesting cultural diffusion, or borrowing from global Islam, but these are only two of a very few clear and definite proscriptions. Most are mired in alternatives and options that lack clear definition. For example, Elijah also borrows from the culture of slaves’ when he prohibits the consumption of “slave foods” such as catfish, shellfish and other scavengers, carrion, peanut butter, navy beans, and soft white bread (the kind often identified in common parlance as Wonder Bread). But, to paraphrase Elijah

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35 Technically, a rotary shaver does not cut the beard, thus making its use permissible for orthodox Jews who can remove facial hair, but cannot cut or trim facial hair with scissors.
Muhammad’s instruction, if you do eat beans, eat only the small white navy ones.

Similarly, there is a prescription to eat no more often than every other day, and at the same time a prescription to eat only once a day:

   Eat once a day, or eat once every other day in order to give the body time to digest the previous meal. The digestive juice of the stomach and the intestine will live longer. The walls of the stomach and the intestine will have time to repair itself. … if the meal was twenty four (24), forty-eight (48) or seventy-two hours (72) ago. … How do you think Methusalah and Noah lived to be more than nine hundred years old? They did not eat three meals a day. …  

It would be both true and kind to assert that the dietary laws lack both substance and structure, but they do reflect the sincere belief that diet is an effective means of fostering self-discipline and adherence to religious prescriptions.

The Ramadan fast is another clear illustration of cultural diffusion. The inmate members of the Nation embraced the concept in a broad sense but without an understanding of Islamic tradition. In the prisons, as in the community, members of the Nation (until very recent times) followed Elijah’s teaching regarding the fast:

   I prescribe for you the month of December to fast in—if you are able to take the fast—instead of the regular month that travels through the year, called Ramadan by the Muslims: the month in which they say Muhammad received the Holy Quran. Why did I prescribe for you the month of December? It is because it was in this month that you used to worship a dead prophet by the name of Jesus. And it was the month that you wasted your money and wealth to worship the 25th day of this month, December, as the Christians do.  

After more than sixty years, at the direction of Minister Farrakhan, the December Fast observance was replaced with the prison observance of the Ramadan fast in 1998. The

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37 Ibid.
decision was made during a year when the Gregorian calendar observance of the December Fast would be almost aligned with the lunar month of Ramadan.

*Religious Accommodation for New Religious Movements*

The accommodations won by the Nation during the 1960s and 1970s were more than just private victories. Each victory brought with it a greater awareness, if not appreciation, of religious pluralism and the duty to accommodate religious differences in United States prisons. In many ways, the prisons were microcosms of the national experience. The Nation had won for all prisoners the right to congregate worship and study, as well as access to religious leaders and religious materials, including sacred texts, pamphlets, religious books and newspapers.

The courts upheld their right to correspond with their religious leaders and have access to their counsel through visits. They were allowed prayer oil and particular items of clothing, religious head covering in the form of a kufi or fez, and bow ties. The fezzes and red bow ties were only worn in the chapel, because the former might intimidate others by adding four inches of height to the wearer whereas the latter were viewed as escape paraphernalia because the ties represented mufti attire in a sea of uniforms.

Until the 1990s, religious policy on accommodation generally evolved from established practice. That is, in the early days of non-Christian accommodation, religious practices were often tacitly authorized through lack of any prohibition of the same. This practice reminds one of the landscaper who plans the design of a park or campus without walking paths and then waits to observe where people naturally tread before creating paved pedestrian pathways.
One must also recognize that the full-time chaplains, the managers of all religious programs in the 1960s and 1970s, were as unfamiliar as anyone else with the new religious movements that were emerging on their watch. As religious subject matter experts, it was their responsibility to advise the prison executives of the religious landscape. Chaplains were disturbed by the number of conversions and often intimidated, though not admittedly, by the sheer numbers of Black Muslim converts and the “white devil” rhetoric of the members.

It would be many years before the Federal Regulations on religious beliefs and practices were carefully crafted to reflect in Bureau policy what had been observed as religious customs and practices. The religious policy of the 1960s and 1970s was silent on the approval or disapproval of any issues related to new religious movements because the movements were so new and unanticipated on the religious landscape. Consequently it was left to local institutions to allow or disallow certain practices. As the prison system grew, larger populations and more frequent inmate transfers necessitated greater standardization of authorized religious practices and property.

Not surprisingly, it was in the penitentiaries, the high security units, where wide berth was given as religious practices flourished. This was due to the penitentiary culture, a culture that “does not sweat the small stuff.” In penitentiaries, where the primary concern always focuses on keeping staff and inmates alive and safe, one is not so likely to object to the donning of a kufi, or a special meal commemorating a religious holiday—especially if such accommodations would help to” keep the lid on” in such a volatile place. That being said, certain practices were never authorized because they were perceived as issues that had the potential to blow the lid off! One cannot assume,
however, that these practices never occurred, nor, for that matter, that they were never authorized by a strategy of benign neglect.

An example of such rule adaptations is the approach taken toward the posting of inmate sentries at the entrance to the prayer room. Both the Nation and the Moors viewed the posting of the sentry, or sergeant-at-arms, as a necessary part of their congregate services because it was a practice in the free world religious community. In the free world Temples of the Nation, the practice even extended to a pre-admission pat-down search of both members and visitors. Within the Bureau, the symbolic or ritual posting of a sentry was generally tolerated, but the sentry had to be posted inside the prayer room and had no authority to prohibit entrance of either staff or inmates. Religious programs were voluntary and open to all. Nevertheless, even the interior posting was enough of an intimidation to keep most interlopers away. Correctional workers of any gender or race were always admitted, sometimes only after a modest and guarded show of power or contempt by the sentry. Had staff not been admitted, the consequences would have been cancellation of the program and/or removal of the sentry to the segregation unit.

Another custom that was clearly prohibited because of a reasonable penological interest was the formation and training of the “Fruit of Islam” protection units. The Fruit of Islam, believed to be founded by Fard himself, is the paramilitary arm of the Nation that complies with the duty of all male members of the Nation to learn self-defense maneuvers and strategies and use them as necessary to protect the leadership and members. In his Fruit of Islam (FOI) instruction to the “laborers,” Louis Farrakhan explained that the FOI is the “military training of the men who belong to Islam in North
“America.” It implies, “tactics... maneuvers,...going behind enemy territory and establishing beachheads in enemy territory and then proceeding to take control. Military training implies WAR.” Later in the training document, Farrakhan moderates the meaning of war for members of the FOI, stipulating that their weapons of war were not guns, but knowledge, wisdom and understanding, and The Final Call newspaper (which all members of the FOI were required to sell) was to be their tool for teaching the brothers about the word of God and salvation.

The elevation of inmates to the role of inmate imam (Sunni) or inmate minister (Nation) or Acting Grand Sheik (Moorish) was also prohibited. This prohibition was both strictly adhered to and totally unenforceable. Naturally, because of intelligence, knowledge, charisma, seniority, and/or peer pressure, particular inmates assumed leadership roles among their peers. Officially, these inmate leaders were referred to as “spokespersons,” or those who represented the needs of the inmates and the program to the chaplain. Though the prohibition of inmate religious leaders was well understood by both staff and inmates, the inmate spokesperson was unofficially referred to as the minister or the imam. It was the role of the inmate “minister” or the “imam” to open the congregate prayer meetings, lead the prayers and select the message of Elijah Muhammad to be studied. In the case of the Moors, the acting “Grand Sheik” chose speakers and presided weekly at prayer meetings.

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Until the 1980s, the weekly meetings of the Moors inside the prisons were held on Friday evenings and Sunday afternoons in order to comply with the Moorish regimen in the free world. Because Asiatic nationality and U. S. citizenship were core values for the Moors, the Moorish flag, the American flag and the Charter of Warrant of Authority were displayed at every meeting. The charter was displayed to signify to the prison officials that this was a legitimate Moorish Branch Temple. Though it may seem an insignificant distinction to the reader, the Moors had been plagued by rogue organizations attempting to usurp their name and charter ever since their inception, thus making the charter that much more important to their identity. It was the belief of the Moorish leadership that the Charter of Warranty legitimized the group, but it is unlikely that prison officials viewed it as anything more than a required religious accoutrement. Pictures of the Prophet Noble Drew Ali and a reproduction of *The Great Meeting Is On* were also displayed. The *Great Meeting* picture is a photo reproduction of the first official coming together of the Moors in Chicago in October 1928. In addition to these items, the Moors provided the Bureau with a list of nine other items needed for congregate prayer.

Public meetings, both the Friday Holy Day meeting and Sunday School began with recitation of the Moorish American Prayer in unison. The prayer positions were clearly defined in the “Branch Temple Information” pamphlet. Members of the congregation stood facing the East with their heels together and their feet pointing in a forty-five degree angle. Their hands were raised, palms out with five fingers pointing up on the left hand and two fingers up on the right hand. Seven raised fingers represent the seven principles that all members must proclaim and practice. These are Love, Truth,
Peace, Freedom, and Justice (five on the left hand), preserve the Holy and Divine Laws of the Moorish Science Temple of America. The two on the left hand refer to the obligation to obey the laws of the Moors and the United States government.

With considerable ceremony, distinguished members (inmates) were introduced and invited to speak in order according to rank in the organization. The order of the meeting is said to resemble that of a Shriners Meeting. The original sermons were limited to fifteen minutes each, and they had to be based on the principles of Love, Truth, Peace, Freedom, and Justice. In conclusion, after all speeches had been delivered, the Acting Grand Sheik read the “Warning” from the Prophet, followed by a second recitation of the Moorish American Prayer in unison. The meeting was then dismissed.

Sunday school was opened and closed in the same manner as the congregate worship. The Sunday School teacher taught from a booklet entitled “The Koran Questions for Moorish Americans” but commonly referred to as “The Questionnaire” and the *Holy Koran of the Moorish Science Temple of America*. A business meeting was often imbedded in study sessions, which were patterned as closely as possible after the Moorish services in the free world.39

Conversely, inmate members of the Nation were not as attentive to the directives of Elijah Muhammad with respect to prayer. This departure from ritual described by Elijah Muhammad is a strange phenomenon because the *Message* seemed to be as sacred and definitive for the Nation as the *hadith* will be to the Sunnis in the next generation of Muslim inmates. In his work, *Message to the Blackman in America*, Elijah devotes an

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entire chapter to the prayer service. C. Eric Lincoln accounts for the Nation’s less-than-zealous approach to ritual with these words:

Since practically all members of the Nation of Islam (and its successor organizations) trace their religion to the Black Church, there is little reason to believe that the notion of orthodoxy is of overwhelming significance for most of them.40

In the Message Elijah Muhammad explains and loosely relates the Nation’s prayer to that of prayer in Islam. He describes, though often in confusing or contradictory terms, the obligatory prayer of Muslims worldwide and obligates the members of the Nation to pray likewise. He states:

We must study the words and the different positions taken by the Muslim in his daily prayer … The following short prayer should be said by all darker people in America, as it fits us so well. ‘Our Lord, do not punish us if we forget or make a mistake. Our Lord, do not lay on us a burden as Thou didst lay on those before us. Our Lord, do not impose upon us that which we do not have the strength to bear; and pardon us and grant us protection and have mercy on us. Thou art our protector, so help us against unbelieving people.’41

This is a partial adaptation of Koran, Sura 2 Ayat 233 and 286. This is one of many instances of Koranic adaptation or diffusion that demonstrates a lack of religious understanding while still pointing to the sincerity of the adapter, Elijah Muhammad. However, those with even a basic theological understanding of Islam would quickly note that the Word of God transcribed in the Koran cannot be adapted to suit any particular movement within Islam because the Koran is the revealed word of God dictated to Muhammad through the Angel Jabril.

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40 Lincoln, Race Religion and the Continuing American Dilemma, 165.

41 Elijah Muhammad, Message to the Blackman, 139-140.
When the Nation congregated for prayer in the prisons, the Muslim inmates followed their own ‘jailhouse’ rituals. Elijah Muhammad’s instruction on congregational prayer was either not very clear or was disregarded for reasons outside the realm of religion. Left to their own devices, without the benefit of a chaplain or minister to lead them, members of the Nation developed their own order of prayer for congregate worship. It bore no resemblance to the congregate prayer of the Islamic world, nor to the instructions of Elijah Muhammad outlined in the *Message to the Blackman in America*.

The approved congregate religious items included a translation of the Holy Koran—either the Mualana Muhammad Ali or the Yusef Muhammad versions— and the King James Version of the Bible, red bow ties, the Nation of Islam flag, jinnah caps, prayer oils and incense, and a large prayer rug. Individuals were also permitted to wear a star and crescent medallion and a kufi. They were authorized to possess a personal prayer rug, a personal Koran, and a *jinnah* cap. Similar to the limitations placed on the Moorish fez, wearing the jinnah cap was restricted to the chapel during services.

Until the 1990s, the Bureau policy was silent on the issue of the bow tie, although their use was common yet uneven throughout the system. Gradually though, the threat of its use as escape paraphernalia resulted in a procedural directive requiring that bow ties be purchased and secured with government funds. Because the bow tie was not worn against the skin, it was regarded as a communal prayer item, and the ties were distributed “randomly” as the inmates signed in for the service. It was fairly common knowledge, however, that the bow ties had “owners” or were leased for their exclusive use to particular individuals at the outset of the meetings. When the service concluded the bow
ties were collected, accounted for and secured in the prison chapel. Not all institutions authorized the bow tie because of the threat to security.42

Until at least 1979, the Nation met for congregate prayer on Sunday afternoons, at the time when Elijah Muhammad or his national spokesperson delivered the weekly address at Mosque No. 2 in Chicago, Illinois. Inmate members of the Nation began their prayer standing at attention with their hands facing out and reciting the opening prayer:

Surely I have turned myself to thee, Oh Allah…trying to be upright…to He who originated the heavens and the earth…and I am not one of the polytheists…

Surely my prayer and my sacrifice…my life and my death…are all for Allah…the Lord of the worlds…

No associate has he…and this I am commanded…I am one of those who submit…Oh Allah…thou art the king…there is no God but thee Thou art my lord…and I am thy servant…

I have been greatly unjust to myself…and I confess my faults…so grant me protection against all my faults…for none grant protection against faults but thou…

And guide me into the best of morals…for none guides to the best of morals but thou…

And turn away from me the evil and indecent morals…for none can turn away from me the evil and indecent morals but thou…

Oh Allah, make Muhammad successful…and the followers of Muhammad successful…here in the wilderness of North America…as thou did make Abraham and the followers of Abraham successful…for surely thou art praised and magnified…

42 The authorized items are summarized in a Bureau public document, Religious Beliefs and Practices Technical Reference Manual, Nation of Islam, 4. The Nation of Islam section of the manual was written by a chaplain in collaboration with Minister Abdullah Muhammad, the Director of the Nation of Islam Office of National Prison Reform Ministry, and verbally approved by Louis Farrakhan by way of Minister Abdullah.
Oh Allah…Bless Muhammad…and the followers of Muhammad …here in the wilderness of North America…as thou did bless Abraham…and the followers of Abraham …for surely thou art praised and magnified.\footnote{FOI Training Manual, Internal NOI document, (Chicago: Nation of Islam Muhammad Mosque Number Twenty-Seven), 15.}

After recitation of prayer by the congregation, inmates were seated in chairs to listen to the sermon and perhaps a discussion of its meaning for their lives led by the inmate minister. Whenever possible, the inmates listened to the sermon of the Elijah Muhammad broadcast live over black radio stations, or they listened to audio taped or recited declamations of the messages read by the inmate minister.\footnote{Conversation with retired Bureau chaplain on 06-20-2011 in Susan Van Baalen Papers, file: correspondence.} If there was no access to the weekly sermon, it was the role of the inmate minister to call the meeting to order and to choose the lecture to be presented, ordinarily from their collection of taped sermons of Elijah Muhammad or Malcolm X. The meeting closed with a prayer, recited in unison:

In the name of Allah…The Benificent…The Merciful who came to us in the Person of Master W. F. Muhammad…All praise is due to Allah…

The Benificent…The most Merciful…Master of this Day of Judgement in which we now live…

Thee alone do we serve…and to thee alone do we beseech for aid …guide us along the right path…

The path of those upon whom thou hast bestowed favors, not the path of those upon whom thy wrath is brought down…nor of those who go astray after they have heard thy teaching.

Say he Allah is ONE GOD…Allah is He of whom nothing is independent but upon whom we all depend…He neither begets nor is He begotten…and none is like Him
And I bear witness …that none deserves to be served besides Allah…and I bear witness that the Honorable Elijah Muhammad is His true Servant and LAST APOSTLE.\textsuperscript{45}

It was very true and disturbing to the white Christian establishment managing the prisons that the sermons were filled with anger and hatred of white people, their beliefs, and behaviors. The sermons were clearly polarizing. The white devil rhetoric was perhaps the greatest challenge to the prison system, as the executives perceived this as a threat to the relative peace and order of the institutions. However, the rhetoric, it seems, may have served instead as a safety valve, to let off steam and ameliorate the alienation experienced by the inmates during the rest of the week. The research did not uncover incidents of mass inmate disturbances or race-based riots as a result of these “prayer” meetings. Nonetheless, it would be folly to conclude that the concern was unfounded, even though assaults on staff and inmate fights rarely occurred.

The fact that history does not have a record of such activities is due largely to the diligence of officials and line staff who managed the situations well, in a “Management by Walking Around” (MBWA) manner. Management by walking around was a hallmark of Bureau management long before Peter Drucker’s management model became the corporate paradigm in the 1980s.

"Speak softly and carry a big stick; you will go far." Theodore Roosevelt popularized this proverb, attributing its origin to West Africa. Its origin does not seem to be verifiable, but there is an interesting parallel between Roosevelt’s Big Stick policy and the carriage of the Nation of Islam in prison. The Nation’s “big stick” has always been

\textsuperscript{45} FOI Training Manual, Internal document: Nation of Islam Muhammad Mosque Number Twenty Seven, 16. Prayers are included in the text above to draw attention to the religious diffusion and the disparities between the teachings of global Islam and the Nation.
the threat of racial tension and discord that could be caused by the inflammatory rhetoric and the paramilitary comportment of their members. Nonetheless, the Nation has not proved to be a source of discord—perhaps because of the big stick that Nation members wave around for everyone to see/hear. At the same time, members of the Nation used their time together to claim their dignity, their manhood and their sense of belonging to something greater than themselves. That is, to follow through on the analogy, they walked softly. This is not to suggest that all members or affiliates of the Nation became model prisoners or model citizens, but by and large, they taught one another to carry themselves with dignity, to educate themselves, and to uplift themselves to their responsibilities as men. Horelick summarized the movement in this way:

It is apparent that the Black Muslim is not anymore unusual or any more bizarre than his non-Muslim brother. In being non-conformant and more defiant, he achieves a sense of belongingness, an identity, albeit a negative one, with a cause, and a self-respect for his forthrightness against the “white devils,” i.e., prison administrators… Their “religion” is the common cause which binds them all into one seemingly tight, close-knit social grouping within the prison walls….Many of their goals are desirable and it would seem that a first step would be to understand and appreciate some of their objectives and to assist them through education and recognition of their achievements.46

The Death of Elijah Muhammad and a Time of Transition

Elijah Muhammad died of congestive heart failure in February 25, 1975, the eve of Saviour’s Day, a major Nation of Islam holyday commemorating the birthday of W. D. Fard. The following day at the Saviour’s Day meeting in Chicago, Wallace Deen Muhammad was introduced to the assembly as the birth right successor to Elijah Muhammad.

The death of Elijah Muhammad created doubts and tensions in the prisons, similar to those in the ranks of the Nation of Islam throughout the country. At the outset, the leadership of Warith Deen Mohammed was accepted by acclamation. The transition from the Nation to the World Community of al-Islam in the West (WCIW), and later to the American Muslim Mission, began almost immediately. The first clear indicators of change came within months of W. D.’s leadership ascendancy. At a large public meeting on June 15, 1975, Warith Deen announced his openness to inclusion of whites in the movement: “from now on whites will be considered fully human.”

He clarified that whites were to be encouraged to join the Nation and that the “white devil” rhetoric had to be a thing of the past.

Louis Farrakhan followed W. D. Mohammed in the initial steps toward global Islam, even though it was clear by the summer of 1975, that Farrakhan was disturbed by the willingness of Warith Deen to minimize, even discard, the beliefs of the elder Muhammad. At the same time, the old Lost Found Nation of Islam in the West of W.D. Fard and Elijah Muhammad was faltering under the leadership of Silis Muhammad. Both the name and the legacy of Elijah Muhammad seemed destined for extinction as the shift from Black Muslim to Sunni Muslim became more apparent under the leadership of his son, Warith Deen.

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1 *Time Magazine*, June 30, 1975, 44.
Large numbers of the Black Muslims readily accepted the less rigid teachings of W. D. Mohhammed over those of his father. The “white devil” rhetoric was gone. The Fruit of Islam was disbanded. Hawking the Nation’s newspaper, *Muhammad Speaks*, on urban street corners was no longer obligatory. By the end of 1975, *Muhammad Speaks* had been replaced after fifteen years in circulation by a new newspaper, *The Bilalian News*, which was more oriented to the American expression of global Islam.²

As disciplines such as dress codes and newspaper sales requirements were relaxed, and the white devil rhetoric was sufficiently softened to allow for the inclusion of white people in the movement, the old guard began to question the wisdom of these adaptations. Among those raising concerns was Louis Farrakhan, who had been National Spokesperson for the Nation and Minister of the Temple Number 7 in Harlem since the defection of Malcolm Shabazz. Under the mantle of the elder Muhammad, Farrakhan had been a man of distinction, but he had no prestigious role under the leadership of W.D. Mohammed. In the summer of 1975, W. D. announced before a crowd of more than 40,000, at Madison Square Garden that he was “promoting” Farrakhan to a national position in the Nation’s Chicago headquarters. How does one interpret such a promotion—from the most prestigious Temple in New York, to an undefined headquarters position? Farrakhan recognized this promotion for what it was—a non-descript position

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² Martha F. Lee, *The Nation of Islam: An American Millenarian Movement* (Syracuse: Syracuse University Press, 1996), 63-67. The *Bilalian News* was named after an ancient Ethiopian who was born into slavery on the Arabian Peninsula in the sixth century. In recognition of his faithfulness to the Prophet, and his beautiful voice, he was chosen by Muhammad as the first muezzin. He is also remembered as the first African convert to Islam. The choice of name for the newspaper reflected the depth of Warith Deen Mohammed’s understanding of the need to continue to uplift, and celebrate the faithfulness of the descendants of African slaves, even as they transitioned into global Islam.
which would allow for closer supervision of Farrakhan and careful monitoring of his influence.

In July 1975, he was moved to Chicago, where after a few months, Minister Farrakhan decided that he would no longer use his voice as a minister. Because of his love for Black people, and his desire to always give them clear guidance and lead them in a direction that would be beneficial to themselves and to all Black people, when he thought he was no longer in a position to do this, he decided that he would not speak.

However, in 1977, after traveling throughout the world—the Middle East, Africa, South and Central America, and throughout Europe—Minister Farrakhan decided, after looking at the worsening condition of Black people, that he must use what God had given him—the ability to deliver the clear message, to lift up his voice to help guide Black people in the only way that he could see benefit coming to them, and that was through the Teachings of the Most Honorable Elijah Muhammad.³

Warith Deen Mohammed estimated that as many as 1.5 million followed him from the Nation of Islam into the WCIW within the first year of his move toward Sunni Islam,⁴ though the sparse records of the organization makes any verification of this assertion impossible. A more likely membership estimate, also released to the press by W. D. Mohammed, is 70,000 to 100,000 nationwide. The same news release estimates Farrakhan’s group to have a membership range between 10,000 to 30,000 members.⁵

Some of those who departed the Nation with Warith Deen believe that Louis Farrakhan saw an opportunity to reclaim for himself a position of leadership and prestige by reviving the struggling Lost Found Nation of Islam in the West under his own


leadership. By December, 1977 following his concern for the worsening condition of black Americans, Farrakhan announced the resurrection of the Nation of Islam according to the beliefs and teachings of the Mahdi W. D. Fard Muhammad, and the Honorable Elijah Muhammad.

A New Religious Movement in the Federal Prisons

For both practical and religious reasons the shift toward global Islam was occurring in the prisons as well. Sociologically, the emergence of another strong new black religious movement inside the walls opened the door for the exertion of new inmate leadership and a new influential social grouping with similar, but not exactly the same, goals. From a religious perspective, the addition of an established world religion to the roster of religions was particularly important for those who had come to prison after being a part of the Dar ul Islam community or the Muslim Mosque of Malcolm Shabazz. Similarly, those who found safety and social cohesion among the Black Muslims but sought a more grounded religious orientation now had an avenue for a more authentically grounded Islamic religious expression.

As Horelick had observed in his earlier prison study, the Black Muslim “religion” became a common cause which bound its prison members into a tight, close-knit social grouping within the walls. Malcolm Shabazz’ 1964 conversion to Sunni Islam was already laying the groundwork for disintegration of this close-knit group into two, or perhaps three, similar groups drawing their membership from the same prospective inmate population.

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It is likely that many of the Black Muslims incarcerated in the late 1960s were followers of Malcolm Shabazz, or the Dar ul Islam movement discussed in Chapter One prior to their incarceration. However, the umbrella Black Muslim assignation did not allow for the particularities of the various NRM groups. It was apparent, at least to the inmates and the chaplains that there was no longer one Black Muslim prison movement. Management recognized the need to authorize the accommodation of three distinct groups because the differences in beliefs and practices warranted the provision of separate program times and space. Separate accommodation for the Moors and the Nation had gradually occurred over the past twenty years as the differences between each group’s beliefs became clearer and the practices better coordinated by prison officials. Another reasonable conclusion that might be drawn from official willingness to authorize three movements was a strategy to ensure the numbers and power did not become too concentrated in any one group of people of color.

Fortunately, the cohesion formed by strong racial identity among black inmates proved stronger than religious ties, with the result that the three prison expressions of Islam were able to coexist amicably. There was some membership fluidity, which gives rise to the question of whether or not inmates realized the differences between the earlier social movements and the more recently emerging religious movement. Members of the Moors and the Nation inside the prisons experienced some defections to the WCIW, but otherwise their rituals and practices had become a part of the prison routine, and their scheduled worship and study opportunities continued uninterrupted. Anecdotal information and official population reports indicate that the number of Moors continued to dwindle, while membership in the Nation stabilized, but did not grow.
The prison introduction to Sunni Islam which had begun under the leadership of Malcolm Shabazz, continued with the teachings of W. D. Mohammed. On September 22, 1978, Warith Deen announced the creation of a “Council of Imams’ for the purpose of providing uniform guidelines for the Imams and members of the WCIW.” The memorandum directed that all correspondence from the prison community and prison officials were to be addressed by the Council of Imams. Warith Deen’s sermons and instructions in the faith were regularly published in the *Bilalian News*. His recorded sermons were made available to chaplains and inmates through the mail. For the chaplains charged with coordinating religious programs, the teachings and sermons of Warith Deen were a welcome change from the angry rhetoric provided by the Nation of Islam. As inmates internalized the beliefs and practices of a more spiritually grounded Islam, many, like their free world counterparts, embraced an American version of global Islam.

The followers of Warith Deen brought new demands on the prison system—demands that were reasonable and religiously sound. It was clear from the expanding religious landscape of the country, and from the sympathy of the courts toward new religious movements, that the prisons would have to address the issues of yet another new religious group. In a 1979 interview, the Bureau’s Chaplain Director asserted that the acceptance of black Muslims by staff had improved, but, at the same time, he

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8 Throughout the Nation’s history, syndicated news columns in *Defender* newspapers, and some iteration of *Muhammad Speaks* (having frequent mastheads) were the primary means of communicating the message to the masses of black men of America. *The Bilalian News* and its many iterations offered the same opportunities for teaching as had the newspapers of Elijah Muhammad’s generation.
acknowledged he had been “working to convince prison officials that Muslims deserve the same religious privileges behind bars as inmates who are Jewish or Christian.”

The Reverend Richard Houlahan stated further that there were thirty-eight federal prisons and that thirty-five of them had a Muslim program. He estimated that approximately 1500 Muslim inmates, or about six percent of the total inmate population, identified themselves as Muslim, representing about dozen sects. “The most prominent groups are the World Community of Al-Islam in the West, at 35 institutions, The Moorish Science Temple of America at 21 prisons and the Sunni Muslims in 12 prisons.”

In the same Associated Press report, Norman Carlson, Director of the Bureau of Prisons stated that:

Black Muslims—followers of the late Elijah Muhammad—are no longer considered a threat to prison discipline. They no longer preach hatred of whites…. Like other Muslims groups, the Black Muslims are generally very quiet, well-disciplined followers of the true Muslim religion….Many of the fears and trepidations were unfounded. You have got to differentiate individuals from groups. From time to time you get one or two individuals who use the group to perpetuate their power base.

One can only assume that both Houlahan and Carlson were referring to the fragmented Nation in their reference to the Community of Al-Islam in the West. The research led to no identifiable source identifying the dozen sects mentioned by Houlahan, other than those already explored in this study. However, it is worth noting that inmates, to borrow a phrase from Director Norman Carlson, were never averse to appropriating a

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10 James Rubin, “Catholic Works for Muslim Rights.”
new name for a religion and a set of religious practices in order to “use the group to perpetuate their power base.”

Major religious issues confronting prison authorities by 1980 continued to be related primarily to dietary prescriptions: the provision of a religious diet, and the observance of the Ramadan Fast. The rights afforded to the particular movements were different, particularly with respect to these administrative concerns. The Moorish proscription against the consumption of pork generally resulted in denial of the religious diet accommodation, because there was already a no-pork option provided on the main serving line. The solution? Change religious preference to Nation or Sunni. The same was true of the fasting prescription. Moors in the free world community did not observe a month of fast so the fast was denied to incarcerated Moors. The solution was also the same—change religious preference. Because there was no test for sincerity, the practice of changing religious preference to attain the religious dietary accommodation continued well into the 1990s until a more universal solution was set by the courts through the Religious Freedom Restoration Act of 1993 and the accompanying federal regulations established by the Department of Justice.

The various correctional systems throughout the country took no clear and consistent position as demands were met or unmet locally in each prison. The question of religious diets, first raised in the Bureau in the 1960s, continued to be the major issue for Jews, who were being deprived of kosher foods, and to a lesser degree, an issue for Muslims who sought a halal diet. Additionally, the Muslim followers of Warith Deen

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11 Ibid.
Mohammed, were seeking approval for the orthodox observance of the *prescribed fast during the lunar month of Ramadan*, rather than the previously authorized December Fast prescribed by Elijah Muhammad. Beyond the dietary issues, the Muslims sought approval for *Friday afternoon purification rituals and congregate prayer (Jumah)*, as well as the opportunity to be excused from their work details to participate in the obligatory congregate prayer.

*Religious Diets and Fasts*

The right to a religious diet was decided through litigation in 1975, but full implementation did not occur until 1979. Meir Kahane, an inmate who was an orthodox Jewish rabbi sought a kosher meal accommodation for all kosher-observant Jewish inmates. *Kahane v. Carlson* was a strong and well fought case resulting in the court’s *mandamus*, ordering the provision of certified kosher foods as a religious accommodation.13 The order was to accommodate a kosher religious diet and to meet all the rules of kashrut in the preparation and delivery of the food. The manner of provision was left to the Bureau.

The first order of business was to hire a full-time orthodox rabbi (a first in the history of an all-Christian chaplaincy!) who might assist with the implementation. This was accomplished with the assignment of an orthodox rabbi to the chaplaincy corps in Danbury, Connecticut in 1977. Immediately, under his guidance, some institutions constructed elaborate kosher kitchens, while others sought vendors who might provide pre-packaged kosher meals.

The provision of kosher meals was not a simple process. Two management concerns confronted prison officials. The first related to the issue of the inmates’ propensity for cultural borrowing in the area of religion, particularly when there is a real or perceived edge or advantage to be gained over the rest of the inmate population. As previously noted, inmates tend to seek out ways to protect their best interests and to separate themselves from the hordes with whom they must share life. In prison, food provides an excellent vehicle for self-care of this nature, resulting in many “conversions” to Judaism, and later to Islam.

Almost immediately many inmates who had never been inside a synagogue in their lives presented themselves as observant Jews in need of a kosher diet or as trained kosher cooks.14 The food may not have been of higher quality, but the very nature of kosher made it more expensive, and therefore more appealing to the inmates. Chaplains who did not appreciate their new role as food cops were more likely to grant an inmate the provision of a kosher diet than deny them. Consequently the integrity of the program was compromised. The black market, a hallmark of prison subculture, made a great profit off of “free-world” kosher rations. This provision proved an inadequate response to the demand for religious diets.

Those federal institutions that did not provide kosher kitchens offered sealed pre-packaged meals bearing a kosher certification. Although this accommodation was much less appealing, it was, nevertheless, an opportunity to have something different from the

14 The issue of religious sincerity is a difficult one to manage both legally and pastorally. The courts are almost never willing to challenge religious sincerity, and the chaplains were not generally willing to challenge sincerity because they understood the courts stand on the issue, and the legal consequences (Bivens lawsuit) of such an expression of doubt. In 1971 the Supreme Court handed down a ruling allowing litigants to receive monetary settlement from individual federal employees who willfully violate federal regulations.
general population, and to many inmates delight, provided at great cost to the
government! A third option was available for Jewish inmates who chose not to
participate in the more rigorous kosher regime. Jewish inmates were allowed to request a
protein substitute, usually government cheese or peanut butter, whenever pork was
served. Within a year, the pork-free accommodation was ensured for all inmates
regardless of religion. The pre-packaged meals were a management improvement over
prison kosher kitchens, but major problems continued to arise until a new dietary
program was designed to address the needs of Muslims, and eventually of all inmates
whose religions contained dietary laws. The authorization of kosher pre-packaged foods
opened the door for a renewed demand for halal food.

A New Approach to Accommodation: The Code of Federal Regulations

In June, 1979, the Bureau took a major step toward the standardization of religious
accommodation for Muslims. Officials published regulations (28 CFR 548. subparts 10-
15) entitled “Religious Beliefs and Practices of Committed Offenders,” in the Federal
Register. Some saw this as a pro-active stance on the part of the Director of the Bureau
and the Chaplain Director; others believe the prison administrators and attorneys saw the
legal handwriting on the wall and enacted regulations before more stringent
implementations were imposed by the courts.

The Code of Federal Regulation contains administrative laws drawn up by
components of the Executive Branch of the federal government to clarify and implement
complex public laws that are, in and of themselves, too broad to provide direction to
those entrusted with their implementation. The federal regulations set down by
Department of Justice and Bureau attorneys with respect to religion were related to public
law associated with the free exercise clause of the First Amendment, the Civil Rights Act of 1964, and later, the Religious Freedom Restoration Act of 1993. The significance of the establishment of the regulations lies in the fact that clear implementing guidelines were provided, and staff could now be held legally responsible for withholding accommodations required by federal regulation.

Significantly, the 1979 regulations were the first acknowledging religious pluralism within the federal prison system. Regardless of the reasons behind the regulations, they have withstood the test of time for thirty years. In 1997, five additional subparts were added; and, these continue in effect in the first decade of the twenty-first century.\textsuperscript{15}

The 28 CFR 548.10 describes the purpose and scope of religious programs in federal prisons:

(a) The Bureau of Prisons provides \textit{inmates of all faith groups} with reasonable and \textit{equitable opportunities} to pursue religious beliefs and practices, within the constraints of budgetary limitations and consistent with the security and orderly running of the institution and the Bureau of Prisons.

(b) When considered necessary for the security or good order of the institution, the Warden may limit attendance at or discontinue a religious activity. \textit{Opportunities for religious activities are open to the entire inmate population, without regard to race, color, nationality, or ordinarily, creed} (emphasis added). The Warden, after consulting with the institution chaplain, may limit participation in a particular religious activity or practice to the members of that religious group. Ordinarily, when the nature of the activity or practice (e.g., religious fasts, wearing of headwear, work proscription, ceremonial meals) indicates a need for such a limitation, only those inmates whose files reflect the pertinent religious preference will be included.

\textsuperscript{15} Even though the purpose of the Federal Regulation is to ensure clear and unambiguous implementing language for complex laws, the administrative laws are often somewhat vague themselves, allowing them to withstand time and administrative development.
(c) The Bureau of Prisons does not require an inmate to profess a religious belief. An inmate may designate any or no religious preference at his/her initial team screening. By notifying the chaplain in writing, an inmate may request to change this designation at any time, and the change will be effected in a timely fashion.\textsuperscript{16}

The words “provides inmates of all faiths (emphasis added) with reasonable and equitable opportunities” universalize the applicability. How might one justify the provision of religious diets for one faith group without a similar accommodation for other requestors—namely the Muslims? That was the question posed repeatedly by members of the three nominally Islamic NRM\textsuperscript{s}. Sufficient guidance did not exist until 1983, when the first full time Muslim chaplain was employed at the Lewisburg Penitentiary. The first Muslim chaplain was from the WCIW and a member of the Council of Imams appointed by Warith Deen Mohammed.

During his first year as chaplain, the imam provided practical guidance not only for the religious dietary laws of the Muslims, but for all aspects of the Muslim program. The first order of business was to resolve the dietary issues which were generating a large number of inmate grievances and law suits. The imam collaborated with a committee of Food Services Administrators, the Assistant Chaplain Director and the full-time rabbi, to produce a certified religious diet pilot program that was designed to meet the needs of both Jews and Muslims.

The Common Fare Pilot Program was authorized on November 4, 1983. Inmates in the Bureau of Prisons South Central Region, and over time, a small number of problematic institutions in other regions of the country, were provided certified pre-plated kosher entrees and disposable utensils for all meals. An orthodox kosher certification was

\textsuperscript{16} 28 CFR 548.10.
specifically mandated. Acting out of the ambiguous guidance surrounding the Islamic question of the “food of the people of the Book,” Muslims were also served kosher entrees. Even to this day, Muslims are served kosher certified meals and the issue of halal meat stands unresolved by either regulation or order of the courts. After more than ten years as a pilot, the Common Fare was adopted as the official religious diet for inmates of all faiths.

An additional provision was made for ritual meals for holydays for all faith groups. This accommodation was an expansion of the mandamus handed down in the Kahane case, requiring institutions to accommodate a Seder observance for Jewish inmates. Because of the universality of the Federal Regulation, the provision of a ceremonial meal was extended to each religious group, rather than limiting the prescription to the Jews.

Muslims fared better in this accommodation for at least ten years. During those years it was the custom to provide a roasted halal lamb or goat for the Eid Feast, until policy amendments and budgetary constraints curtailed the practice (at least officially). Every other faith group, whether enjoined by their religion to participate in an annual ceremonial meal or not, continues to enjoy the benefit of this accommodation.

Curtailment of authorized foods for the ceremonial meal was applied universally, not specifically to Muslims.

*Ramadan*

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17 Bureau of Prisons Operations Memorandum 253-83 (5360), November 4, 1983, Attachment A-1. The pilot, approved for one year was renewed annually until 1995, when the Common Fare regime was adopted as the only religious diet program.
In 1984 the Muslim chaplain provided written guidance for fasting during Ramadan:

[Ramadan] is a thirty (30) day period of fasting for the Muslim and is a universal institution observed worldwide by the more than one billion Muslims. It is incumbent on every adult male and female who is not traveling, sane of mind, and physically capable of withstanding the rigors of the fast. The fast starts at dawn and continues to sunset. The noon meal is omitted during the month of Ramadan and the breakfast meal is basically moved up approximately 3 hours and the dinner meal is delayed approximately 3 hours. The average institution will not be in position to arrange for a hot pre-dawn meal and as a consequence the bag meal is probably the best arrangement. A hot dinner/evening meal is strongly recommended….The fast is broken with dried fruit and water, followed by the sunset prayer, then the dinner meal. The meal is not to be delayed. During the month of Ramadan, the Muslims increase their devotional activity and must complete the reading of the Qur’an during this month (the Qur’an is divided into 30 portions).18

The standardization of the Ramadan observance was a difficult prescription for both the inmates and prison officials. By the mid-1980s Minister Louis Farrakhan was already urging members of the Nation to move toward the Ramadan observance of global Islam. The first steps attempting to unify the practices of the Nation with Sunni Islam occurred on May 5, 1986, when Minister Farrakhan, communicating by telephone from the United Arab Emirates, urged members of the Nation to observe their month of fasting during the lunar month of Ramadan, rather than observing a separate fast during the month of December.19

This urging went practically unnoticed in prisons because procedures were well established for the December Fast. Furthermore, the observance of the Nation’s “Id”


Feast on New Year’s Eve (an event to which they were often authorized to invite other inmate guests) had become quite a celebratory ritual, apart from the opportunity for a Nation of Islam-sponsored prison party on New Year’s Eve.

Minister Farrakhan made a far more successful second attempt to bring the thousands of incarcerated Nation members with him on his gradual journey to the edge of Sunni Islam in November 1998. The 1998 move toward gradualism may well have occurred as a result of Farrakhan’s *um’rah* journey to Mecca earlier that year. On his return, he demonstrated an eagerness to gradually unify members of the Nation with Sunni Islam in the United States. He had not, however, planned on the sociological resistance from incarcerated members who value their group autonomy perhaps more than the beliefs and practices that buttress the autonomy.

Nevertheless, in 1998 the time was right to make a change in the Bureau. When Farrakhan again prescribed observance of the Ramadan fast in November of that year, the two observances overlapped for at least twenty-four days. After a last minute notice in *The Final Call*, Minister Abdullah Muhammad, the leader of the Nation’s Prison Ministry, wrote to the Bureau Chaplain Director communicating the change in the Nation’s observance. Immediate change was recommended, but the short notice made it impossible to fully implement in 1998. Nevertheless, within two years, members of the Nation were observing the obligatory fast during the lunar month of Ramadan, rather than the Gregorian month of December.

The shift was not easily accomplished because of the stability that routine and tradition provide for inmates in the prison environment. Many members of the Nation, particularly those in penitentiaries, wanted to observe either the December fast, or both
fasts, but resisted the idea of observing only Ramadan, even though this was prescribed by their leader. Farrakhan explained the notion of gradualism, clarifying that Elijah Muhammad had always intended that members of the Nation would eventually move to the more rigorous fast of Ramadan, after the Nation was mature and disciplined enough to manage a longer and more rigorous fast.\textsuperscript{20}

In his newspaper address to the Nation Farrakhan also urged the prison members to embrace all the facets of Ramadan, rather than just the fast. He stated:

To my brethren that are in prison who are of the Five Percent Nation, the Nation of Islam, Sunni and Orthodox Muslims, let us all fast, pray and study the Holy Qur'an. It is divided into seven manzils, or portions, which allows us to read, or recite, the entire Holy Qur'an in one week. It is also divided into 30 parts, which allows us to read the entire Holy Qur'an in one month. We should try to read one part each day so that by the end of the month of Ramadan, we would have completed the reading of the entire Holy Qur'an. We should perform all the prayers, and, if we can the special Tarawih prayer that is after Salatu 'L Isha.\textsuperscript{21}

The rituals Farrakhan described for the breaking of the fast were complex enough and so new to members of the Nation, that it would be difficult to achieve this all at one time. Members of the Nation broke their fast and enjoyed the iftar meal, but did not embrace the obligation to pray Maghrib beforehand, nor to read or listen to the reading of the Koran during the month. The meal for the Sunnis and the Nation was consumed at the same time and place, but members of the Nation did not join in the prayer or study. Food was the same for both groups. By natural selection inmates seated themselves among their own in the dining room, as is the general custom in every prison in the country on every day and for every meal and occasional celebration.

\textsuperscript{20} Louis Farrakhan, “To All the Followers of the Honorable Elijah Muhammad under My Leadership,” \textit{The Final Call}, (November 24 1998).

\textsuperscript{21} Ibid.
Elijah Muhammad had prescribed the eating of fish during the December fast, which was not necessarily a practice of the Sunnis. A particular food which the Nation had to forego was the provision of “free world” bean pies, a special treat that had become closely associated with the fast and the Eid feast. Consequently, many members of the Nation resented the loss of their own special observance. Nevertheless, their resentment was managed through administrative complaints rather than inappropriate behavior. The success of the shift was no doubt due to very moderate fasting accommodations for those members of the Nation choosing to continue the practice of fasting during December.

The Bureau would no longer accommodate a public fast but the opportunity to observe a private fast continued to exist. Because of proximity to the winter solstice, the beginning and end of the fast always occurred during regular meal times. The shortened hours of daylight, made it possible for members of the Nation to observe the fast privately, and without special accommodation, by calling those participants to breakfast in the dining room before sunrise, and calling them to supper in the dining room after sunset. This was possible because the time to begin and end the fast among members of the Nation is not as precise as that of global Islam’s reliance on the moon-sighting for precision. For members of the Nation there were no prayer rituals in conjunction with the breaking of the fast. Consequently, the private fast became standard practice by 2000.

There remains, however, an occasional authorized Nation of Islam fast in December, even though the fast is no longer prescribed by the leaders of the faith. It is likely, too, that the Nation’s “Id” Feast on New Year’s Eve continues to be a part of many a welcoming of the New Year by black inmates, even though this is unauthorized and unofficial.
Administratively, the daily congregate Maghrib (sunset) prayer and iftar rituals were a burden on both staff and budget. Food Services civilian workers were required to adjust their schedules or work overtime to ensure the bagged breakfasts were prepared and the hot evening meal was provided in an equitable manner and in a safe and sanitary environment. Provision of an iftar meal equal to the recommended daily nutritional and caloric intake (RDA) of the missed meals was required. Additional chaplains or correctional officers were necessary for supervision of the evening-long rituals which often ran two to three hours in length.

The provision of dates became a larger-than-life issue. From their study of the ahadith, the inmates had learned that there was greater nutritional and spiritual value in dates than in other dried fruits. Never mind that dates were not indigenous to North America, and that the cost was prohibitive! With no guidance to the contrary from the Muslim chaplain, the dates became a Ramadan staple in United States federal prisons.

The custom of providing dates began in penitentiaries where the “don’t sweat the small stuff” attitude prevailed. If dates kept the peace, dates were plentiful. Many inmates disliked the dates but consumed them out of a sense of both privilege and obligation. As the number of Muslims increased and budgets shrank, the provision of a generous supply of dates gradually shifted to apportioned morsels for breaking the fast.\(^{22}\) This was accompanied by an authorization for individuals to purchase additional dates with the chaplain’s approval. Dates, too, became a black market item in the prison economy.

\(^{22}\) The Bureau’s provision of date morsels continues into the twenty-first century.
Each religious group is authorized to choose a holiday observance on which they will have a ceremonial meal. For the Sunni Muslims that was customarily one or the other of the Eid Feasts. By choosing a holiday distinct from the Sunnis, members of the Nation were able to preserve some autonomy in the selection of their ceremonial meals—particularly the delicious bean pies!

A Ramadan issue that seems never to be resolved, arises each year as the lunar month of Ramadan approaches. This concern mirrors an unresolved issue within the global Muslim community living in North America. That is, when does the month of Ramadan begin? Does it begin when the crescent moon is visible in North America, or when it becomes visible in Saudi Arabia? Even the handful of Muslim chaplains has not been able to agree on that issue.

_Purification Rituals and Congregate Prayer_

Until the emergence of the Sunni movement, chapel activities were conducted on evenings and weekends without disruption to the prison business week routine. The weekly holyday of global Islam did not fit into this schema. Muslims were asserting their right to congregate worship on Friday afternoons, even as the courts deferred to correctional officials on this issue.23 Nevertheless, the opportunity to worship at the prescribed time each Friday was authorized on the recommendation of the Muslim chaplain, and inmates were excused from their work details to participate. At least initially, the release from work was perceived by inmates as an additional reason to participate in the religious beliefs and practices of global Islam. Inmates, encouraged to

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23 O’Lone v. Estate of Shabazz, 482 U.S. 342 (1987). This ruling in favor of correctional officials determined that inmates assigned to details outside the fenced area of the prison need not be accommodated for Jumah prayer.
seek spiritual grounding, were generally authorized to attend Friday afternoon rituals for several weeks to assist them in their search for religious meaning in their lives. After a certain length of time, they either stated Muslim as their religious preference, or discontinued the Friday Jumah participation.

Inmates earnestly believed in the need to shower immediately before presenting themselves for prayer, i.e., most believed that the lesser wudu ritual could not be substituted for the ghusl, particularly in prison. At the same time, they completely rejected the notion of tayammun, the method of dry purification used when water is not accessible. By the mid-eighties, the practice of noontime showers and Friday congregate Muslim prayer was the norm in Bureau institutions. Prayer oil was provided when the Muslim chaplain clarified that “Muslims should…perfume themselves for the Friday prayer. …Oils/scents for men are highly desirable during the congregational prayer; especially, on Friday and at the Eid.”24

The prayer was generally led by an inmate because of an inability to secure Muslim volunteers or contractors to lead the prayer, and preach the khutbah. In a free world setting, the emergence of the imam from the congregation was quite normal, but this practice was one of great concern to officials in the correctional environment. This naturally heightened the demand for more Muslim chaplains.

Chaplain Recruitment

In 1979, the Chaplain Director identified the Muslim Student Association (MSA), the forerunner of the Islamic Society of North America as a resource to assist the Bureau in the recruitment of chaplains, volunteers and contractors. In spite of their efforts, the

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24 Hamidullah, Islam in a Correctional Setting, 6.
second full-time Muslim chaplain was not employed until 1987. By 1996, there were ten Muslim chaplains. All were citizens of the United States with the exception of one Canadian. Two were naturalized citizens and the others were native born African Americans. The first cadre of Muslim chaplains included former members of the Nation who had followed Warith Deen into the WCIW. Others had their roots in the Dar ul-Islam community or the Muhammad Mosque movement of Malcolm Shabazz. All but one were native-born African-Americans. Eight had benefitted from the opportunity for study abroad in Egypt, Saudi Arabia or Jordan.

The difficulty in recruitment was complicated by the Bureau’s unwillingness to forego the professional ministerial and theological training required of other chaplains. At the outset, this unwillingness seemed misguided, but the quality and tenure of the chaplains who were employed testified to their willingness and ability to minister in a pluralistic setting over a long period of time. A benchmark of Bureau chaplaincy was the ability and commitment to serve in pluralistic environments.

The tolerance for pluralism had its limits, however. Muslim chaplains exhibited little difficulty coordinating, facilitating, and supervising Christian and even Jewish programs. Most were tacitly unwilling to accommodate the legitimate religious requests of members of the Nation and the Moors, who were viewed by the Muslim chaplains as kafir or non-Muslim. Of even greater concern, in hindsight, was the fact that these same chaplains renounced the few Shia and Sufi Muslims as kafir as well. Had the Bureau been more astute, this would have been understood as the first sign of Salafism among the chaplains and the inmates.
The de facto refusal of Muslim chaplains to provide services for the small group of Muslims who believed differently went largely unchallenged until well into the twenty-first century, when external pressures moved the issue to the forefront. The handful of African-American Muslim chaplains developed their own informal council to address Islamic issues. They were encouraged by the Chaplain Administrators and prison officials to make themselves available telephonically to advise non-Muslim chaplains on religious matters. Coupled with the fervor of converts, this became a major factor contributing to the spread of the ideology of religious purity and more importantly, adherence to the exact teachings of the ahadith. The religious purity of Salafism had become the norm in Bureau prisons because of the limited understanding of Islam by those charged with the development of policies and procedures for religious programs. In most instances, adherence to the religious purity was viewed as a positive progression toward spiritual growth. Without the guidance of scholars, the assertions about Sufis and Shias being un-Islamic or kafir went practically unchallenged. There were so very few Sufis, and no Shias to speak of, that this was a generally a non-issue for chaplains and prison officials as well.
CHAPTER FIVE


This chapter provides a clear and documented history of the continued development of Sunni Islam in federal prisons, after the threat of international terrorism became a national reality. This portion of the study sheds light on the often ill-informed assumptions and suspicions that continue to surround general references to Islam in American prisons. Analysis of the contemporary religious beliefs and practices of Islam within the Bureau takes precedence over a political analysis, which is only of secondary importance to this particular study. This study asserts the position that misinformation about the character of Islam in United States prisons has been fueled by sincere and zealous government officials and media moguls anxious to protect our national security. Their study of threats to the homeland is thorough, but their research into the nature and constituency of Muslims in United States prisons is flawed. This is not entirely the fault of researchers. Lack of access to prisons or prisoner information is the norm, since correctional systems by their very nature are closed societies where access to information is carefully guarded at the very least, but most often unattainable without resorting to the protections of the Freedom of Information Act.¹

The last decade has witnessed a marked rise in apprehension about the spread of Islam in federal prisons. Government officials, correctional workers, the media and the

¹ The Freedom of Information Act was enacted in 1966 to give persons access to unclassified federal agency records. In FY 2008, the Bureau received 14,497 FOIA requests.
general public have been disproportionately disquieted by a nebulous link between federal inmates and national security threats perpetrated by Islamic extremists. The number of Muslims in United States prisons (ninety-five percent of whom are poor, under-educated, marginalized and disenfranchised American people of color) elevated the fear because of largely speculative reports by government, print and electronic media sources of a heretofore unsurpassed increase in Muslim prison conversions. This phenomenon intensified concerns because it seemed the government lacked adequate controls to prevent radicalization. John Pistole, then-Deputy Director of the Federal Bureau of Investigation testified before the Senate Judiciary Committee, Subcommittee on Terrorism, Technology, and Homeland Security on October 14, 2003:

Prisons are becoming fertile grounds for terrorism, due to the combination of the spread of Islam and the poor social and economic circumstances facing most inmates once out of prison….The FBI has asked the Muslim chaplains in U.S. prisons to report any prisoner suspected of adopting an extreme or violent ideology. Moreover, the Federal Bureau of Prisons has been accused of operating a weak management system that cannot curtail violence, cruelty, or extremism within prisons….In the last three decades, Islam has become one of the largest protective groups within the prison system. In addition to the issue of national security, the state of U.S. prisons creates a profound problem regarding the proliferation of Islam.²

Empirical studies do not generally support the assertion of the intelligence community that United States prisons have become fertile grounds for terrorism. In a conversation with Craig Trout, Chief Bureau Intelligence Officer (ret.), who was the principle correctional advisor to the National Joint Terrorism Taskforce (NJTTF), the

² Congress, Senate, Judiciary Committee, John Pistole, Before the Senate Judiciary Committee, Subcommittee on Terrorism, Technology, and Homeland Security, 107th Congress.
Intelligence Chief confirmed that out of the seven million adults incarcerated or on probation or parole in the United States in 2004, only one of them was recruited into an actual terrorist plot. That is to say, only one was convicted for involvement in a terrorist plot. Whether recruited or convicted, the magnitude of the problem must be legitimately reassessed in the light of this data—one in seven million! Trout, of course, was touting the accomplishments of the National Joint Terrorist Task Force, but in no way intending to minimize the threat. It is, he believes, the due diligence of the local Joint Terrorist Task Forces and the prison systems, following the lead of the Bureau, that have affected excellent controls to ensure the prevention of prison radicalization.

In a comprehensive report examining the connection between Islam and imprisonment, Peter Neumann draws a welcome distinction between conversion and radicalization:

A number of commentators and even government agencies, for example, confuse ‘conversion’ with ‘radicalisation’, implying that prisoners who take up purist strains of Islam – often described as Salafi – are all at risk of becoming terrorists. In reality, the two are not always connected. While prison conversions to Islam are frequent and significant percentages of converts and ‘born again Muslims’ are attracted by the purity and rigour of the Salafist tradition, no serious researcher claims that this automatically translates into support for terrorism.4

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3 In a telephone conversation with the retired Chief of Intelligence, Bureau of Prisons, on June 4, 2008 the Intelligence Officer confirmed the accuracy of the assertion, but said that it was not a part of his August 2007 formal presentation. It was instead a paraphrase of a comment made to Hamm after the presentation. The remark is paraphrased in Hamm, Mark, “Prison Islam in the Age of Sacred Terror,” The British Journal of Criminology 49, no. 5 (September 2009): 673-74.

Table 4, below comparing the number of Muslims prisoners incarcerated in the Bureau over a thirteen year period confirms that the growth in the percentage of Muslims before and after September 11, 2001, is not substantively significant. There has been no substantive growth in the rate of Muslim adherents since religious preference records began to be analyzed in 1995. Nevertheless, it is true that the practice of Islam in American prisons and Muslim prison conversions are global concerns. Therefore it is incumbent upon correctional administrators to analyze the data on a regular basis and to view the data in the light of world religious, political and social climates, and the opportunities afforded people of color in the United States.

Contrasting U. S. and European Muslim Prisoners

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5 The disproportionate increase in the Moorish population in 2001 is accounted for by the large number of D. C. inmates who were absorbed into the Bureau in 2000. The D.C. area represents the headquarters and strongest foothold of the Moors. The data for this table was extracted from Religious Preference profiles for the years 1995-2008.

6 Data for 2004 and 2005 was not available.
Western European prisoners, particularly those in France and Great Britain, and by contrast a very small number of inmates from state prisons within the United States have been prosecuted for targeting, committing, or attempting to commit acts of jihadi violence against United States national interests since September 11, 2001. A study of French, Danish, and British prisons leaves the researcher with a clear understanding of the radicalization concerns that arise in European prisons, as opposed to those arising in United States correctional facilities.

Britain, France and Denmark are historically homogeneous societies disquieted by the uncharacteristic religious beliefs and cultures, races and ethnicities of immigrants. This unfamiliarity with Middle Eastern or African culture may well account for the high percentage of Muslim inmates in their jails and prisons. A most important distinction, it would seem, is the fact that twenty-first century Western European Muslim inmates are in large part immigrants themselves, or only one or two generations removed from the colonialism and its aftermath that brought their parents from North African and Asian nations to France and the United Kingdom. These two European nations were by far the most effective vanquishers in the “Scramble for Africa.” Western European Muslim prisoners are men and women born into Islam, as well as born into the same identity struggles created by the same poverty and oppression that characterizes United States inmates. The laxity of European immigration laws may also account for the influx of impoverished North Africans who came to Europe to assist with the post-war reconstruction, and to gain economic stability. Regardless of skin color, but with close attention to cultural differences, e.g., language, attire, religious beliefs and practices, the North African, Indian, and Pakistani Muslims living in the inner cities of France, and
Britain make up the underclass of European society in much the same way as Black Americans comprise the most disadvantaged minority groups of the United States. Muslims in Denmark, on the other hand, are mostly first-generation Muslims seeking asylum and prosperity in a peaceful country. The threat of terrorism is not as great; yet, as in France and Great Britain, disproportionate numbers of Muslims are incarcerated. 7

Shoe bomber, Richard Reid, an ex-offender from Great Britain who allegedly converted to Islam in a British prison, is perhaps the most notorious example of an incarcerated Western European Muslim attempting terrorism on U. S. soil. He is presently serving a life sentence in the Administrative Maximum Security federal prison in Florence, Colorado, after attempting to detonate a homemade bomb on a commercial passenger aircraft en route to the United States. 8

By contrast, Jose Padilla, an American citizen and convert to Islam, has been lifted up as another paradigm of the threat of U. S. prison radicalization. Details of Padilla’s prison conversion were announced by Attorney General John Ashcroft at a “news breaking” international press conference broadcast from Russia a full month after Padilla’s May 8, 2002 arrest at Chicago’s O’Hare International airport. General Ashcroft heralded both the arrest, intimating it had just occurred, and Padilla’s prison conversion to Islam, which was never substantiated. 9 However, a fact check indicates Padilla had

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7 International Reports, Susan Van Baalen Papers, Islam in U.S. Prisons, file:International Reports. Reports from prison officials in Great Britain, France and Norway estimate the Muslim prison populations in these countries may be as high as 60 - 70%, while Muslim free-world populations are estimated to be 2-6%. These are informal estimates, because a formal religious census is not part of the national census, nor of the French prison regime.


never been imprisoned in an adult prison before his arrest, though he had served juvenile time for a violent offense and served two short terms in county jails. Eventually the terrorism charges against Padilla were dropped; his actual conviction was for the provision of material support and conspiracy, for which he is serving a seventeen year prison term at the Administrative Maximum Security Federal Prison in Florence, Colorado.\(^\text{10}\)

Concerning Padilla’s conversion to Islam, alternative scenarios were reported by reliable news agencies. In an article entitled “The Case of the Dirty Bomber,” *Time Magazine* on June 16, 2002 asserted that Padilla converted to Islam in 1994 more than a year after his release from the Broward County Jail. Amanda Ripley reported as follows:

Padilla … found jobs with and a mentor in the (Taco Bell) restaurant’s manager, Mohammad Javed, a Pakastani immigrant. Javed, a Muslim, insisted he did not proselytize….When Padilla, who had undoubtedly heard about Islam in prison, began asking him how to convert, Javed says he told Padilla to find a mosque on his own.\(^\text{11}\)

This article appeared just one week after General John Ashcroft’s dramatic announcement of Padilla’s prison conversion. Ripley’s *Time Magazine* account of Padilla’s conversion raises doubt with respect to General Ashcroft’s timeline for the Padilla religious conversion. Most sources report his conversion in 1994. This, coupled with his employment by a Muslim restaurant owner, lends credence to a post-incarceration conversion experience. There should be no doubt that Padilla and every other man in jail would have some exposure to Islam during incarceration because of the general availability of religious materials in U. S. jails and prisons. Nonetheless, Padilla

\(^{10}\) [www.bop.gov/inmatelocator](http://www.bop.gov/inmatelocator), Jose Padilla, Reg. No. 20796-424.

converted formally to Islam at al-Iman mosque in Sunrise, Florida some two years after his last incarceration at the Broward County Jail and eight years prior to his arrest in May, 2002. During the course of his conversion, Padilla changed his given name to Ibrahim.\textsuperscript{12} He has since changed his name again, but he is serving his sentence under the name Jose Padilla, the legal name indicated on his passport at the time of arrest.

\textit{The Threat to the United States}

Harry Danner, a criminologist at the University of Scranton in Pennsylvania who studies religion in prisons, takes the position that there is not clear evidence to support the notion that the Islam taught or spread in U.S. prisons is a form of Islam that leads to violent \textit{jihad}. "I would say that yes, of course, there are extremists around, but they are few and far between," Dammer said, "and they are not supported by imams and chaplains in prisons."\textsuperscript{13}

Particularly germane to this study is the fact that in the near-decade since the tragedy of September 11, 2001, there are no documented cases of \textit{jihadi} terror committed by African-American men who converted to Islam in federal prisons.\textsuperscript{14} A Rand Corporation Occasional Paper reports that between September 11, 2001, and the end of 2009 there were forty-six reported cases of United States radicalization and recruitment

\textsuperscript{12} Ripley, “The Case of the Dirty Bomber,” 1.


\textsuperscript{14} Brian Michael Jenkins, \textit{Would-Be Warriors: Incidents of Jihadist Terrorist Radicalization in the United States since September 11, 2001} (Santa Monica: RAND Corporation, 2010), 3.
to jihadist terrorism that occurred in the United States (an average of six cases per year). Most of the would-be-jihadists were already Muslims or were converts to Islam who recruited themselves into the terrorist role. John Walker Lindh, presently serving a twenty year sentence for his role in the slaying of an American soldier in Afghanistan is perhaps a recognizable name among the forty-six, but it is important to note, that like Reid and Padilla, he was never incarcerated in an American prison before his conversion.

One hundred twenty-five men from the general public were named in the forty-six terrorist cases. National origin and/or ethnicity are unknown for sixteen of those named. Seventy-nine (63%) were immigrants or descended from immigrants from Pakistan, Somalia, Yemen, Jordan, Egypt, Iraq, Lebanon, Palestine, or the Muslim area of the Balkans. Twelve were native-born Caucasians and five of twelve African Americans (4%) were converts to Islam none of whom were ex-offenders. The other seven African Americans were later determined not to be Muslim terrorists. Two were Hispanic Americans. Others were from Guyana, Trinidad, Afghanistan, Bangladesh, Ethiopia, Eritrea, and Turkey.\(^\text{15}\)

The Rand study of the ethnicity and national origin of the perpetrators of recent terrorist acts and the International Centre for the Study of Radicalization (ICSR) report on prison conversions also raise questions about the magnitude and overall level of threat posed by United States prison converts to Islam. Conversely, an undocumented internet article by Mark Silverberg, Executive Director of the Jewish Federation of Northeastern Pennsylvania, states:

\(^{15}\) Ibid., 3-4.
When Muslim inmates are allowed to conduct radical Islamic, virulently anti-American and anti-Western services in loosely monitored prison chapels across our nation...there is something going on in our prison system that relates directly to our current war on Islamic radicalism.  

According to Silverberg, “Some figures suggest that one out of three African-Americans in federal prison is Muslim and most converted during their imprisonment.”

In fact, according to the Bureau’s religious preference profile census for December 31, 2007, 12.5% of male African American inmates (in contradistinction to Silverberg’s undocumented estimate of 33.3%) self-identified their religious preference as Muslim.

*Out of the Shadows*, a special report prepared jointly by George Washington University and the University of Virginia asserts that the danger of prison radicalization requires further study and closer examination before the threat level can be assessed. The report concluded:

> At present there is insufficient information about prisoner radicalization to qualify the threat. There is a significant lack of social science research on this issue. No comprehensive records currently exist, for example, on the religious affiliations of inmates when they enter prison. This can be improved by policies that promote good research while continuing to secure the rights of inmates who are involved in these studies.

The heightened concern over prisoner conversions rests with the assumption that neither the general public nor even prison officials and chaplains charged with

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17 Ibid.


coordinating Muslim programs, were sufficiently educated in the religious beliefs and practices of the Muslim population at the time of the 2001 tragedy. In the last quarter of the past century, it is safe to assume that the general public, including those working in the White House, the legislature, the courts, the prisons and the media, were not sufficiently attuned to Islamic political ideologies, nor to the beliefs and practices of devout Muslims. The fluidity of religion and politics in Islam was further blurred by a lack of clarity in the United States about the legitimate streams within Islam, e.g., Sunni, Shia, Sufism, Salafi, Wahhabi, Amadiyya, and Talagbhi. That is to say, a very diverse community of believers was viewed by the average American as a monolithic religious tradition identified simply as “Islam” or “Muslim.”

This passive attitude toward a global phenomenon changed dramatically as the 1988 Pan-Am Flight 103 bombing over Lockerbie, Scotland, the First World Trade Center bombing in 1993, attacks on Middle Eastern Embassies, and United States military installations and naval vessels brought the United States center-stage in the threat of global terrorism. The urgent demand for United States citizens to learn more about Islam both as a religion and a politic culminated with the tragedies of September 11, 2001. With this in mind, this research provides both a scholarly and an insider view of the historical development of Sunni Islam within the federal prison system over a fifty-year period beginning in 1960.

Even as the practice of Islam in Bureau institutions continued to develop and show signs of policy standardization based on the rituals and traditions of global Islam, the threat of radicalization began to emerge. The first inkling of Muslim terrorist-related issues in the Bureau was brought to the attention of the officials in September 1997, in
the form of a memorandum from a senior Muslim chaplain after consultation with several other Muslim chaplains. The memorandum to the Chaplain Director contained a proposal to gradually integrate convicted religiously-motivated terrorists into the general population, rather than placing them into open populations without a thorough threat assessment.  

Of particular concern was the murder of a Senior Officer Specialist, Scott J. Williams, by a black American Muslim inmate who was allegedly radicalized before being designated to the Lompoc Penitentiary. The alleged radicalization by an Egyptian militant Islamist inmate, Mahmoud Abouhalima, is said to have occurred in a New York prison where the first World Trade Center bombers awaited their trials.

Three specific 1997 occurrences gave rise to an expression of concern to the executive level:

- recent sentencing and designation of the 1993 World Trade Center bombers;
- the murder of a correctional officer by a Muslim inmate in a penitentiary, and;
- an unreported assault of a Muslim chaplain by a Muslim penitentiary inmate.

The memorandum read, in part:

I am aware that the Bureau is in the process of separating Mafia bosses and gang leaders to a yet to be decided location until they renounce all gang affiliations or mafia ties, and then be allowed to enter a facility on main line and program accordingly. I strongly recommend you ask that should this concept be established, the Muslim chaplains endorse this concept that people who have been in one of these international or national organization that use religion as an excuse to commit crimes, renounce their affiliation to that organization or movement before being allowed to integrate into one of our facility’s general population. In many instances Muslim clerics are being murdered by these criminals who claim a

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Muslim cleric who works for the US Government or any government they oppose, is the enemy of God so that justifies the act. …and if not looked at seriously could organize vulnerable inmates in the population to join their cause, disrupting our facilities with suicide style attacks on our staff. Many of these people are highly intelligent and have strong organizational skills. We only ask that a thorough procedure be put in place before automatically placing them in general population.  

In response to the memorandum from those who best understood the operative ideologies, controls began to be put in place to address these concerns; some, however, were only fully addressed after September 11, 2001. The four issues identified as requiring prompt attention were:

- the safety of Muslim staff;
- segregation of inmates affiliating with terrorist organizations;
- limiting the frequency of large daily prayer gatherings in the chapels because some institutions were authorizing congregate prayer three to five times each day, and;
- necessary clarification regarding the practice of cross-gender pat searches.

The immediate steps taken to ensure the safety of Muslim chaplains included assigning a chapel officer to provide additional inmate supervision in the chapels during Muslim study sessions and Jumah prayer in all high security institutions and in medium security institutions where assistance was warranted by the numbers congregating for prayer or study. With measures to enhance staff safety in place, the other requests were gradually implemented. Within ten years (not a really long time in the prison micro-environment) the practice of live audio and video monitoring of all religious programs was implemented in every secure prison in the system. A very high level exception has

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21 Ibid.
been made for Sacramental confessions and professional counseling in the Chaplain’s office.

Procedures for chaplain-facilitated pastoral telephone calls for inmate emergencies, a longstanding pastoral accommodation provided and supervised by chaplains, were changed to ensure all calls were electronically recorded and monitored by foreign language experts if necessary. Before the impending threat to national security, telephone call requests were routinely recorded in a log book, and communication was carried on in the presence of the chaplain, using a speaker phone if available.

Appropriate notification of audio monitoring was posted in the chapels to ensure the privacy rights of the inmates. That is to say, inmates who chose not to be monitored had to forego the opportunity for pastoral calls and/or congregate chapel activities. However, the live monitoring of activities and the recorded phone calls proved overall to present no significant issues for inmates. Aware of the public perception of the threat to national security posed by inmates who were affiliated with terrorist organizations, they took the new procedures in stride with virtually no challenges to the new levels of supervision.

The most threatening Muslim inmates according to criteria set by the intelligence officers were redesignated from open penitentiaries and Federal Correctional Institutions to the Administrative Maximum Security prison in Florence, Colorado, or to other Administrative institutions with the capacity to isolate inmates with special needs (pre-trial and/or medical). Initially, those who met the criteria were all from the Muslim world and identified as part of established national security threat groups. This decision addressed the demand for staff safety and the segregation of the inmates belonging to
religiously-motivated terrorist organizations. This was a wise executive decision — a decision not to wait for the layers of approval necessary to create special management units which would appear to be based solely on ethnicity or religion of the inmates.

To address the congregate prayer issue, an analysis first determined locations where large numbers of Muslim inmates were designated to institutions, particularly those where no full-time Muslim chaplain was on the staff. The analysis confirmed that seven institutions along the east coast each housed more than 125 Muslim inmates; furthermore, twenty-seven institutions housed between fifty and one hundred Muslims. Overall, institutions having the benefit of a Muslim chaplain had much larger numbers than other institutions of the same security level. They also could boast of much more settled Muslim populations. Only five of those thirty-four institutions with large Muslim inmate populations had a full-time civil servant chaplain of the Muslim faith. In addition the analysis indicated that there was a disproportionate distribution of Muslim inmates housed in both the Northeast and Mid-Atlantic Regions of the Bureau, where more than 50% of all Muslim inmates were located. The historical concentration of black Americans in the New York, Philadelphia, and Washington D.C. metropolitan areas as well as the influence of Malcolm Shabazz and the Dar ul-Islam community may well account for larger percentages of Muslim inmates two generations later. The 1997 analysis also revealed that nineteen percent of all Muslims were incarcerated in nine penitentiaries. This suggests that those serving longer sentences, or sentences for crimes of violence, are more likely to practice Islam in prison.

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Wardens were encouraged to disallow the practice of daily prayer in the chapel multiple times each day. However, because they were not ordered to do so, some wardens continued the existing practice of mass movement to the chapel to fulfill daily obligatory prayers. Some wardens believed the threat of radicalization and proselytizing would be greater at any alternative site rather than in the chapel. Nevertheless, recommendations to authorize prayer at the work sites, either individually or in groups no larger than three, were implemented in most institutions, over the objection of very fundamentalist inmates who believed that *congregate* prayer was mandatory without interference from work or other duties.

Such accommodations required staff training and schedule adjustments, but the conviction of wardens was that two or three praying in a designated area at the workplace was a safer and more efficient alternative to mass congregate gatherings of double-digit numbers of inmates in the chapel. The strong resistance to this procedural change could have served as a caution to staff that the traditionalism of the inmates might be more than just the first fervor of new converts or a seized opportunity to escape the ennui of inmate work assignments. Staff, even chaplains and administrators, was not sufficiently versed in the religion to interpret the Prophet’s teaching on congregate prayer as the real source of inmates’ emphatic traditionalism and resistance to change. At this juncture the tension between traditionalist religious beliefs and practices, inmate intransigence and the safety and security of the institution were more apparent.

Before 1997, the cross-gender pat search issue had been handled informally without benefit of policy for both Muslims and Jews for many years. The memorandum
cited above summarized the operative procedure, and it was determined that no change was necessary at the time. It stated:

Also of concern is the fact that male Islamic inmates are asserting that they cannot be pat searched by female staff. This issue arises locally from time to time and chaplains have always been directed by this office to use pastoral sensitivity in instructing staff on this matter. Staff should respect the requests of Islamic inmates only if and when there are staff members of the same gender immediately available to do the pat search. Absent an immediate available male officer, inmates who refuse to be searched should be issued an incident report and be treated as any other inmate refusing a pat search.23

The lengthy memorandum concluded with a request for additional training on Islam for all staff, especially Chaplains and Correctional Officers. As a result, the mandatory training standards for chaplains were changed to include a week-long seminar on Islamic issues and all staff were required to become acquainted with the basic practices of Islam.

Affiliations with North American Islamic Organizations

With the new measures in various stages of implementation, and training for chaplains and correctional officers underway, there were four years of relative calm among the Muslim population, and the Muslim program flourished, though still without benefit of full-time civil servant Chaplains. Strong professional relationships with established Islamic umbrella groups were instrumental in ensuring the success of the Muslim program. These organizations included The Islamic Society of North America (ISNA), The Fiqh Council of North America (FCNA), the Council on American Islamic Relations (CAIR and the American Muslim Council (AMC).

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The ISNA provided excellent annual training for Muslim prison chaplains in accordance with the Bureau’s endorsement policies. The ISNA continued to both recruit and endorse Muslim chaplains. A close association with ISNA enhanced the quality of the Muslim program by providing speakers, literature, and counsel to chaplains all over the country. Christian Bureau officials spoke at ISNA Congresses and conferences, helping to initiate a strong base for Muslim-Christian understanding. ISNA leaders supported the chaplains and joined in the training of Muslim chaplains to ensure they understood the Bureau position included ministry to persons of all faiths.

The Bureau of Prisons chaplaincy officials may be the only non-Muslims who routinely (though, not often) sought guidance from the FCNA. The issues generally rose from direct conflicts between sharia law and Bureau policy. The Bureau sought counsel on the conflict between the Muslim proscription against pork and the mandatory requirement for tuberculosis testing, which involved an injection of a substance within a pork-based gelatin. Without the injection, which many inmates declined on religious grounds, the inmates had to remain in seclusion. With the assistance of FCNA, a non-pork based gelatin injection was identified and is now used throughout the prison system. The same issue with regard to the use of heparin for dialysis patients still remains unresolved.

After the events of September 11, 2001, and the subsequent review by the DOJ Inspector General’s Office, the Bureau sought alternatives to khutbah’s prepared and preached by inmates. In large mosques, it was noted that the overflow listened to the sermon in a separate room via live feed. This was the Bureau’s inspiration for asking for direction from FCNA for a more-or-less similar accommodation in prisons. The Bureau
sought direction hoping to use electronics to have the *khutbah* preached by Muslim chaplains and scholars, and viewed electronically in the prisons. Unfortunately, this outcome was not as satisfactory for the Bureau as was the issue of pork-based gelatin. The directive, delivered verbally rather than in writing, was that the khutbah had to be delivered by a member of the congregation because of the relationship of the message to the particularities of the community.

A third issue for which the Bureau sought counsel was the accurate dating of Ramadan. The council did provide excellent guidance on this, but the issue is broader than a prison concern. The sighting of the moon for the beginning of Ramadan continues to be a divisive issue among North American Muslims.

In 2001 the Chaplain Director cooperated with CAIR in the production and circulation of “A Correctional Institution’s Guide to Islamic Religious Practices,” a publication intended to provide guidance and clarity to those charged with the supervision of Muslim programs. The Guide was published only weeks before the September 11, 2001 attacks on American soil by international terrorists.

The Bureau’s relationship with the AMC was not as strong as that with other Islamic groups, but the AMC did serve as an endorser for Muslim chaplains who sought their endorsement.

*The Need for Muslim Chaplains Continued to Grow*

Muslim chaplains numbered only ten. The lack of civil servant chaplains was due in large part to three factors:

1. Muslim applicants generally did not meet the minimum academic and professional requirements for a chaplain position.
2. Most prisons are located in areas that are a significant distance from Muslim communities: neither ethnic immigrant communities nor African American communities have easy access to the locations.

3. Suspicion of Muslims prevailed within the Bureau as a consequence of global terrorism and injury to staff by Muslim inmates. Conversely, Muslims were somewhat suspicious of the United States government.

The Chaplain Deputy Director participated in a series of meetings with theologians and religionists in Chicago and Virginia in 1995 in an attempt to create an academic program that would preserve the Islamic tradition while addressing the academic requirement for professional full-time chaplains. Chaplains, regardless of faith tradition, were required to have a Master of Divinity degree, or the equivalent, but there was no such academic equivalency within Islam. The first negotiated academic and professional equivalency was completed in partnership with the Lutheran School of Theology in Chicago, and an undergraduate school, the American Islamic College, also located in Chicago.

Representatives of the US military and the Bureau chaplaincies met several times with Harold Vogelaar, Ph. D., of the Lutheran School, Dr. Ghulam Haider Aasi, of the Islamic College, and Manje Malak Abd al-Muta’Ali Noel, an African American Muslim, to work out an acceptable equivalency.\textsuperscript{24} Unfortunately, only Chaplain Noel, the first Muslim to join the Navy Chaplains Corps, was a graduate of the Lutheran School of Theology in Chicago before momentum for the Chicago program waned.

Before additional candidates for the program matriculated, the Graduate School of Islamic and Social Sciences (GSISS) in Leesburg, Virginia (now affiliated with Cordoba

\textsuperscript{24} Recruitment Meeting notes, Susan Van Baalen Papers Islam in U.S. Prisons, file: Memoranda.
University), became the preferred academic center for Muslims wishing to meet academic and professional requirements for United States government civil service chaplain employment. The Chaplain Director worked closely with the GSISS to define the equivalencies and to assist the school with accreditation procedures for the Association of Theological Schools in the United States and Canada. In 1999, GSISS conferred the equivalent professional degree of Master of Religious Practice to seven prospective chaplains. The degree satisfied academic requirements for both the United States military and the Bureau. The Bureau continued a cordial professional relationship with GSISS, even after the school became embroiled in allegations concerning ideological and financial ties to Wahhabism and the Muslim Brotherhood after September 11, 2001. Only two Bureau chaplains, and as many as three times that many military chaplains received their professional degrees from GSISS before suspicion and the resultant lack of enrollment caused the discontinuance of the professional degree program. Suspicions arose from the designation of the founder as an unindicted co-conspirator in the Sami al-Arian case, and the relationship between GSISS and what were perceived by some as a group of militant Islamists living in Northern Virginia.

Currently the most promising academic option for Muslim chaplain applicants is the Duncan Black Macdonald Center for the Study of Islam and Christian-Muslim Relations at Hartford Seminary in Connecticut. The Muslim Chaplaincy Program is directed by Ingrid Mattson, Ph. D., past-president of the Islamic Society of North America (ISNA) and a widely respected scholar of Islamic history and law. Of particular value for the training of chaplains is the fact that Dr. Mattson is a North American, and a convert to Islam — two factors that create an immediate bonding between Mattson and a
majority of the men and women studying in the Chaplaincy Program. Recently, two new academic programs were announced. One, in Northern Virginia, is in collaboration with the Hartford Seminary program. The other is a new collaborative program located in Claremont, California, where students of the Abrahamic religions will be prepared for ministry in an interfaith setting at the Claremont-Lincoln University. Beginning in 2012 ministers will have the opportunity to pursue graduate and professional degrees in Muslim Leadership or Interreligious Studies. Recognition of and response to the need by the Muslim community triples the opportunity for professional preparation in an interfaith setting. At the same time, professional training will be available on both coasts and in the Midwest.

Bureau of Prisons officials presented occasional papers at the Annual Chaplain’s Conference affiliated with ISNA beginning in 1997, addressed assemblies at GSISS and recruited chaplains at ISNA Regional Conferences and the Annual Conventions. In spite of these efforts, the lure of prison ministry could not match the glamor of a military officer’s rank and salary range offered by the United States military that competed with the Bureau for the same few professional chaplains.

“NIMBY,” (not in my backyard) is the almost automatic response to any proposal to build a prison, so it is not unusual to find new prison construction located in depressed areas where the economy has resulted in serious unemployment. The expanse of land needed to develop the infrastructure of the prison is usually vast, resulting in rural locations devoid of services necessary to accommodate inmates and their visitors. In both settings, prison construction brings construction jobs, roads and water to areas that suffer from these lacks. However, these are not areas where one can expect to find
mosques, Islamic Centers, or Muslim settlements, much less a thriving Muslim community. Consequently, most Muslim chaplains, in high demand at almost every prison in the system, tend to decline appointments to rural facilities in favor of urban centers in Pennsylvania, California, Michigan, New York, New Jersey, and Georgia where they are sure to find an established community of faith.

It is only fair to note that the greatest need for Muslim chaplains is in penitentiaries where the threat of violence and racial tension is greater. Nevertheless, it is true that Bureau Muslim chaplains choose to be assigned to medium or low security prisons where their authority and leadership is less likely to be challenged by inmate leaders. While many Muslim chaplains accept an initial appointment to a penitentiary where the need is greatest, there is a pattern of experienced chaplains requesting a change of duty station to a lower security institution as soon as the opportunity presents itself. To require the Muslim chaplains to remain in the penitentiaries would constitute unfair labor practices, and a serious departure from Bureau culture.

The suspicion that exists between Muslims and the government is almost tangible. On both sides the factions have warranted the distrust by the erection of barriers against trust. Surveillance by the government as well as the lengthy detention of Muslims without bringing criminal or civil charges against them can be matched by the reluctance on the part of many Muslims to engage in civil society, but instead, to situate themselves in separatist enclaves. Since 2001 the media has engendered, or at the very least contributed to, America’s xenophobia and the suspicions that accompany it. When the issue of xenophobia is related to convicted felons, the issue is both compounded and exaggerated by the threat of criminality and radicalization by the “other.”
Black Sunni Muslim Inmates: Salafists?

To be clear, this study focuses on black American male prisoners who find religious guidance and community within Islam during their incarceration. Muslim inmates, not unlike recent converts to any faith, were demonstrative in their external expressions of faith, and devout in their attention to detail. They were viewed by staff as simply conservative believers. However, the unguided fervor led to extreme religious views.

The words Salafi and jihadi were not familiar terms, but the slightly-over-the-edge behaviors of new religious converts were familiar to staff and generally not reasons for concern. There was a high degree of cultural diffusion. Muslim chaplains were not available to assist inmates in coming to an understanding of Islam within an American context. Therefore, the desire of the Muslims to distinguish themselves with beards, long shirts, pants worn above the ankles and relentless study of the ahadith and Arabic texts became commonplace. In general these religious practices seemed not to interfere with the orderly running of the prisons. In fact what prison officials were observing was a gradual move toward religious Salafism.

A careful distinction must be made between three different Salafi strands before situating Muslim prisoners in their midst. Within Salafism there are at least three strands of thought and action: Salafism as religious purity; political Salafism and militant jihadi Salafism. There can be little doubt that many incarcerated black American Muslims have embraced religious purity and strive for this purity as a means of achieving paradise. In introducing the term Salafi, Bernard Haykel raises a prisoner’s raison d’etre that, by now, the reader is likely to find familiar.
While acknowledging that the term Salafi is neither well defined nor understood, he states that “the designation of Salafi is prestigious (emphasis added) among Muslims because it denotes the earliest and therefore most authentic version of Islam—the Islam of the ‘pious ancestors’, generally understood to refer to the first three generations of Muslims.” He continues his description of Salafism, identifying other factors that ring true to the general experience of Islam in prison. “A Salafi is immediately recognizable to others through distinctive dress, social and religious habits, prayer postures, and the content and form of his speech. (emphasis added)…The importance of the Arabic language cannot be overstated …because they emphasize the study and constant referencing of revealed texts, the Qur’an and hadith.” As noted in the other NRMs contained in this study, Salafism provides inmates with opportunities for recognition and prestige among their peers, and external identifiers that dignify and set them apart from others.

External modifications to the prison uniform were particularly problematic. Muslims tended to teach one another the precepts as they understood them without a great deal of attention to a hierarchy of beliefs or practices. For example, to many, the command to wear one’s pants above the ankle to demonstrate humility, or to wear the uniform shirt outside the waist band for the sake of modesty was regarded almost as sacrdely as the command to perform wudu before prayer. The use of prayer oil for congregate prayer became almost as important as the prescript to remove one’s shoes for prayer. Kurda shirts and jalabiyya were authorized for congregate prayer in the chapels;

25 Ibid., 33.

26 Ibid., 35.
however, authorization for the jalabiyya was withdrawn after the attacks of September 11, 2001. Limitations of the externals of Islam were among the issues that were most frequently grieved through the Bureau Administrative Remedy process.

Accommodation of Unfamiliar Practices

Burial rituals pose a particular problem for Muslim inmates for several unrelated reasons. The legal issues are probably the most easily resolved. Unless an inmate dies under suspicious circumstances, prison officials can generally make advance arrangements with the coroner to do a non-invasive autopsy, or none at all. In cases of suspicious death, the autopsy must be performed for public health and safety reasons.

More complicated, though, are the human and religious aspects of death and burial. The first is easily described, but most difficult to manage. Inmates who convert to Islam often do so without the knowledge of their next of kin. At the same time, they express the desire to be buried according to the rituals of their new faith. Parents and spouses are often heart-broken to find their son or husband has requested immediate burial without embalming in the Muslim tradition. The task of informing the grieving family always falls to the chaplain, whose role it is to respect the beliefs and practices of the inmates.

The rituals to be performed at the time of death oblige the Muslim community to ensure that the last moments of life are devoted to God through recitation of Koranic verses. To assist the dying Muslim to focus on his journey to God it is important, too, that during the last moments of life s/he is able to hear the words of the shahada: There is no God but God and Muhammad is his messenger. Immediately following the death
the community bathes the person who has died and wraps the deceased in a shroud for burial. In a correctional environment, these rituals can be accomplished, but not without careful planning and staff training. The burial itself has particular rituals and settings, which are usually arranged by the family of the deceased.

Even greater administrative planning goes into the arrangements to be made for immigrant-Muslim prisoners. Their remains cannot be flown to their country of origin, or even to a nearby state, for burial unless they are embalmed. The Muslim *sharia* prescription for burial is that one should be enshrouded and buried in the place of one’s death. The ailing chronically ill prisoner, then, must ordinarily be designated to a prison in a state that is able and willing to accommodate a Muslim burial.

Personal hygiene issues were some of the most difficult for staff to understand and respect. The shaving of pubic hair and the plucking of underarm hairs every forty days is practiced by many male Salafi Muslim inmates, but it is not so common as to be taken for granted. Prior to 2001, these practices went largely unnoticed because they were done in private. The increased surveillance of Muslim inmates after September 11, 2001, drew attention to these customs. Great suspicion arose among staff, who suspected these were Islamist preparations for death or for some other nefarious purpose.

Other hygiene issues concerned the practice of many Muslims to urinate in a seated (crouched) position, and refusal to bathe or shower in common showers. These issues were easily resolved. Knowledge that urinating in a seated position was a religious practice dating back to the Prophet himself, and allowing the inmates to wear shortened sweat pants or swim suits in the shower became training issues for all staff and the issues were resolved once and for all (in the best of all worlds)!
These accepted practices began to be more closely observed after the attacks on the United States and created a high level of suspicion that had to be addressed administratively in order to allow them to continue. One has to repeatedly ask the question, “Why shouldn’t Muslims be allowed to practice these rituals?” instead of asking “Why should they be allowed?” The answer lies in the free exercise of religion espoused by this country in its Constitution, and reinforced in the Public Law 103-141, The Religious Freedom Restoration Act of 1993. The public law, and the federal regulations written to interpret the law for federal prisons, provided an additional level of religious protection to those in medical, mental or penal institutions.27

*Congressional Oversight*

The events of September 11, 2001 brought increased oversight from both the House Appropriations Committee and the Senate Judiciary Committee. The initial issues arose in the Commerce-Justice-Science (CJS) subcommittee of the House Appropriations Committee. The Chairman of the Committee was bombarded with allegations of Bureau inmate Wahhabism from Prison Fellowship, an evangelical Christian prison ministry organization, and Sufi Muslim followers of the Naqshbandi-Haqqani Sufi Order of America under the leadership of Shaykh Hisham Kabbani. The two organizations made strange bedfellows, but they were politically effective.

In meetings with representatives from these groups, the Bureau determined that the allegations, though certainly a source of concern to the Bureau, were in fact

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allegations brought to the Sufi leadership by a handful of state prisoners more than two years before they surfaced in the office of the Committee Chair. Leading the allegations of discrimination against Shias and Sufi, was journalist Stephen Schwartz, a Sufi Muslim convert from Judaism. While Schwartz was alleging the needs of Sufis and Shias were being ignored, journalist Steven Emerson was charging that Muslims in the Bureau population were being radicalized in federal prisons, where Wahhabists practices were going unchecked. Neither Schwartz nor Emerson had observed these practices first hand in federal prisons yet they put the issues on the table nevertheless.

A particularly disturbing allegation, about a retired New York American Muslim chaplain in February 2003, prompted Senator Charles Schumer’s heightened interest in prisons as “potential theaters for radicalization because of the strong Wahhabi influence of Muslim chaplains.” According to a February 5, 2003, Wall Street Journal article, Warith Deen Umar, the New York chaplain in question, had exhibited extremism in his sermons and in his teachings, as well as claiming Shia inmates were non-Muslims. At the time, Warith Deen Umar was also providing contractual services in a Bureau facility where he had been counseled for his inflammatory rhetoric after September 11, 2001.

Within weeks of this media allegation, Senator Schumer, requested an investigation of the Bureau process for the selection of Muslim religious services providers. The investigation was opened in March, 2003 and not officially closed until 2009. The study became far more comprehensive than a review of the selection of

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Muslim religious services providers. In their report of April 4, 2003, the Office of Inspector General recommended sixteen policy or procedural actions designed to protect against the radicalization of inmates. As one issue after another was addressed and closed, new tangential issues arose. The most difficult issue to resolve was the review of all chapel library holdings:

**The BOP should conduct an inventory of chapel books and videos and re-screen them to confirm that they are permissible under BOP security policies. The BOP should consider maintaining a central registry of acceptable material to prevent duplication of effort when reviewing these materials.** Of the institutions we visited, several did not have an inventory of the books currently available to the inmates, and none of the collections had been re-screened since the September 11 terrorist attacks. \(^\text{30}\)

The Bureau’s “Library Project” as it came to be called was fraught with problems from the beginning. There were Federal Regulations and policies to be weighed, and there was a legitimate legal concern about censorship based on ideology. The CFR and Bureau Policy already had in place specific criteria for the exclusion of materials purchased by inmates. As a result incoming publications espousing various religious ideologies could be purchased by individuals if not provided in the chapel library. \(^\text{31}\)

Officials saw no clear way to control the thoughts and ideologies of inmates by limiting their access to library materials. This was particularly true because only the chapel libraries were undergoing such scrutiny. The chapel libraries were undergoing a careful purging process. However, no modification was being made to the general inmate library procedures, the interlibrary loan process, or to the types of religious publications inmates were authorized to purchase for their personal use. In effect,

\(^{30}\) Ibid., 55.

inmates were able to acquire religious materials in accordance with the policy entitled Incoming Publications, or the general inmate library.

As a rule, the chapel libraries were not catalogued according to any standardized system. Religious books from various sources including reference materials purchased by the chaplains (usually at the request of an inmate or inmate religious group), donations from volunteers, inmates and staff were shelved according to religion and allowed to circulate for the use of the inmates. The books were stamped with the name of the institution, and circulated using locally established procedures. Books were reviewed by chaplains at the time of accession and periodically checked for contraband and condition. At best, libraries were informal collections of religious materials provided for the convenience of inmates, but library management was not a top priority for already overworked chaplains—until the Office of Inspector General recommended closer supervision.

A process that would apply to the materials of all faith groups was approved in 2006. Institutions would leave 150 books and 150 multimedia resources for each religious group on the shelves, while reviewing the others. As books were reviewed the pertinent data would be entered into a centralized database and the books replaced on the shelves, or purged if necessary. The process was to continue until all books had been reviewed and catalogued and unsuitable books were purged.

In the smallest libraries this posed no difficulty and the process was initiated without incident. However inmates, mostly Christians, in some institutions filed grievances—even law suits—against the process, because they perceived the review as religious censorship. Christians and Jews, who were the proud users of the largest
percentage of books in most libraries, complained until their cause was taken up by large prison ministry organizations falsely alleging censorship, and mass book-burning of materials by prominent Christian and Jewish authors.

Congress, the American Civil Liberties Union and many special interest groups joined together to stop the “censorship.” The procedure was eventually simplified and the centralized database hastened the return of most books to the shelves. The outcome was that while many books remain under review in 2010, very few were removed because of a threat to national security. Among the few books that would no longer be purchased with appropriated funds or circulated in chapel libraries one in particular stood out. *The Meanings of The Noble Quran In the English Language: A Summarized Version of At-Tabari, Al-Qurtubi and Ibn Kathir with comments from Sahih Al-Bukhari* by Dr. Muhammad Muhsin Khan and Dr. Taqi-ud-Din Al-Hilali, Ph.D., the subject of broad media criticism, was removed from all chapel libraries.\(^{32}\) The text was alleged to contain Wahhabi extremism in the translation, and in an appendix providing instruction on how to wage militant jihad.

Other media removed from the shelves were historical video or audio sermons preached by leaders of the Nation of Islam, containing anti-American rhetoric. These were the very materials chaplains had been assailing as pejorative since the beginning of the New Religious Movements in the early 1960s. At least two previous attempts to pre-disapprove access to certain materials because of their inflammatory nature had been

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\(^{32}\) Dr. Muhammad Muhsin Khan and Dr. Taqi-ud-Din Al-Hilali, Ph.D., translators, *The Meanings of the Noble Quran In the English Language: A Summarized Version of At-Tabari, Al-Qurtubi and Ibn Kathir with comments from Sahih Al-Bukhari* (Lahore, Pakistan: Darussalam Publishers, 1995).
thwarted by concerns about discrimination and censorship.\footnote{Banks v. Havener, 234 F. Supp. 27 (E.D.Va.1964), and in 1990 the Bureau’s General Counsel warned against the generation of a pre-disapproved list of Nation of Islam video tapes containing anti-American and anti-white rhetoric. Even as the review of these tapes was being completed after September 11, it was clear that the propriety of the rhetoric was often determined by the race and ethnicity of the reviewer. A copy of the 1990 recommended disapprovals is contained in Internal Memorandum, Susan Van Baalen Papers, file: Memoranda.} Each publication had to be reviewed and approved/disapproved locally. Factors such as custody and security level had to be considered in making the determination.

Some recommendations of the Office of Inspector General investigators reflected their unfamiliarity with the complex management of religious pluralism inside institutions. The Inspector General’s unwillingness to accept the analysis of prison officials and subject matter experts made the review seem more like a witch hunt.

The investigation resulted in some positive changes for the Bureau’s Religious Services Branch. Most importantly the review brought to the attention of officials the Salafi tendencies toward religious purity that persist within the chaplaincy corps and the inmate population. It forced those charged with the management of religious programs and the monitoring of Muslim inmates to be more diligent in their supervision. Matters like the maintenance of the chapel libraries, which had fallen by the wayside because of a lack of time or resources were reprioritized and eventually accomplished. Weaknesses in the recruitment and employment procedures for chaplains were strengthened. Closer attention was given to the possibly extremist views of all chaplain applicants. The Bureau strengthened its communication with the National Joint Terrorist Taskforce, and their local counterparts throughout the country.

Is the homeland any more secure? Are the beliefs and practices of Muslim inmates less of a threat to the homeland? Has the close scrutiny heaped upon prisons
created a safer and more secure environment for staff and inmates in the aftermath of
September 11, 2001? Only history itself will provide answers to these questions.
CONCLUSION

The major objective of this study was to discover and analyze the historical underpinnings of the current practice of Islam in United States federal prisons with a view to recognizing this practice as a legitimate expression of global Islam. These are my principal findings:

(1) The current practice would never have evolved without the decision of the Federal Courts to uphold the First Amendment, the Civil Rights Act of 1871 and the Religious Freedom Restoration Act of 1993 in prison cases. Black Muslims were the first prison group to exert pressure on the courts to ensure equal protection of NRMs for prisoners.

(2) The current practice has been more influenced by Black American culture and prison cultures than by the culture of Islam. Black Americans have brought their entire selves, including their own culture into the practice of Islam. Absent cultural awareness of global Islam they have borrowed from their own black experience to create an American prison expression of Islam. As with other expressions of Islam, the prison practice shapes a way of life of submission to God. But prison Islam tends to be shallow, focusing more on the external expression of Islam than on an interior disposition toward God.

(3) The current practice of Islam is legitimate but limited in scope because of the lack of religious formation and education by persons trained in global Islam.

(4) The current prison practices of Islam carry with it a potential for radicalization. Salafism is the prevalent ideology being transmitted from generation to generation of prison inmates. Unchecked, the current focus on religious purity could shift toward the social and political streams of Salafism that lead to radical measures of enforcement, and even to violent jihad.

(5) It is incumbent upon the Bureau to identify, employ and train Muslim chaplains who are tolerant and inclusive.

(6) The religious, racial, and ethnic differences among American Muslims create a great divide within the communities to which the black Muslims will return after incarceration.
New religious movements (NRMs) first introduced to the Bureau of Prisons by the Black Muslims have continued to shape the religious landscape of the Bureau and other correctional systems throughout the United States for the last half century. For black inmates in the 1960s the new movements were the Moorish Science Temple of America (Moors) and the Nation of Islam (Nation). In the 1970s and 1980s the American Sunni movement grew strong as incarceration rates increased and the World Community of Islam in the West (WCIW) took hold in the black urban communities. The 1990s saw the onset of many NRMs, including Salafism, because of the passage of Public Law 103-141, The Religious Freedom Restoration Act of 1993. The application of RFRA standards to persons confined in federal institutions had unintended consequences far beyond the assurance of religious freedom.

By 1997 more than ten new religious movements sought and received authorization to conduct congregate services and to have religious accoutrement and access to community leaders. Each of these appeals for authorization had a unique characteristic relevant to this study. Virtually all of the movements were racially or ethnically and culturally grounded. In other words, the importance of identifying with an ancestral culture characterized each of these groups.

The followers of the first generation NRMs of the late 1990s were standing on the shoulders of the Moors and the Nation who decades earlier had appealed to the federal courts and won the right to adhere to the religious beliefs and practices of their faith during incarceration. In the twenty-first century, the black American Salafists are also standing on the shoulders of their black brothers as they seek to define themselves and their religion in a positive light to a skeptical government agency.
In the 1990s inmates from other backgrounds who were searching for identity and meaning in an alien setting also found their comfort zone within the NRMs. Just as black Americans had sought out the Moors and the Nation in the 1960s, so Northern European whites now sought approval for Asatru and Odinism; those from Celtic cultures sought approval for Wicca and New Age expressions of God in nature and the universe; the Caribbean Rastafarians, Santerians and Yorubans sought approvals for the animistic expressions of their African-based religions as well. As the Moors and Nation had helped black Americans, so these other movement provided a safe haven, a culturally-defined comfort zone among the masses of men and women living outside their usual environments. Like early members of the Nation, the Moors and the Sunni Muslims, they came to the culture and discovered their deity within it. By the twenty-first century each movement was well established in the Bureau.

*The Role of the Courts*

The NRMs identified in this study were initially authorized to meet in Bureau facilities because of a 1962 federal court decision, *Fulwood v. Clemmer*, which defined “religion” in terms of “belief in the existence of a supreme being controlling the destiny of man.”¹ Black Muslims had sought relief in the courts after being denied their religious rights by prison officials. Clair Cripe’s remark to the 106th Congress of Corrections in 1976 has been borne out in every generation of NRMs since *Fulwood v. Clemmer*. In part, Cripe acknowledged that the law suits brought by Black Muslims against

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correctional systems in the 1960s resulted in a “correctional law revolution, and the
beginning of an evolving concern of the courts in correctional matters.”

Had the courts not taken such a strong position in support of the Muslims belief in
a supreme being who controlled human destiny the acceptance of more recent movements
might have been delayed for years or even decades. Thus the court rulings facilitated the
coming together and celebration of people who shared cultural roots under the auspices
of religion.

The role of the First Amendment, public law and the courts must be viewed as
significant Had it not been for the intervention of the courts, both through rulings and
threat of rulings, it is more than likely that these NRM would have been denied the same
accommodation for worship, study and assembly as those provided the Christian inmates.

Black American Inmates, Culture and Religion

In the 1960s the prisoners reflected the unsettled mood of a country in the throes
of the Civil Rights Movement. This microcosm of society did not exist only in the
religious arena. It was during the 1960s that conditions of confinement were challenged,
and the treatment of inmates became more humane as a result of prisoners’ demands and
court action. Not only were urban black prisoners demanding their religious rights, but in
other regions of the country, prisoners were pushing back against regimentation and
harsh treatment by inmate trustees, otherwise known as “barn bosses.”

Since the Civil War, generations of black men have had to forge their own
identity and meaning in life in a hostile environment. Not surprisingly, religion has
always been a locus for this journey of discovery. The African-American Religious

\[2\] Cripe, Proceedings of 106th Congress of Corrections, 25.
Issues Workgroup explained the link between racial heritage and religiosity in these words:

We are different. . . . We are individuals. We have a culture. We have our own sense of life and living. . . . We are different from each other and as a race, we are different from other ethnic groups and cultures. But our differences are not deficiencies. . . . We are a religious people. Our sense of faith and God-consciousness is an essential element of our self-identity. We are faith driven and spirit-filled. It is to be African, to acknowledge one’s self in relation to the Creator. We worship God. We love religion. We see humanity as one. We see religion as that institution that brought us through. It is “how we got over.” An African proverb says, “Neber ‘spise a bridge dat carries you safely ober.”

For many black Americans, Islam has been the bridge that carried them safely through the experience of incarceration. The bridge was strengthened by the fusion of religion and other aspects of culture. In his famous essay “Religion as a Cultural System,” anthropologist Clifford Geertz defines culture as “a historically transmitted pattern of meanings embodied in symbols, a system of inherited conceptions expressed in symbolic forms by means of which men communicate, perpetuate and develop their knowledge about and attitudes toward life.” He then defines religion “as (1) a system of symbols which acts to (2) establish powerful, pervasive, and long-lasting moods and motivations in men by (3) formulating conceptions of a general order of existence and (4) clothing these conceptions with such an aura of factuality that (5) the moods and motivations seem uniquely realistic.” These definitions strongly support the notion that religion and culture are inextricably linked, a basic assumption of this study. It is this link which

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5 Ibid., 90.
seems to account for the flourishing of the Muslim New Religious Movements in the prison system.

*Limits of Prison Islam: Salafism*

The gravest concern that arises from this study is the very one-sided understanding of Islam embraced by so many incarcerated black Muslim converts. The vast majority of black men in federal prisons who espouse Sunni Islam are Salafists, in pursuit of a religious identity and brotherhood that inspires them to live disciplined lives. Unfortunately, most Muslim inmates have not been exposed to other religious expressions of Islam, and thus lack knowledge of the full spectrum of Islamic ideologies.

Eighty percent of Muslim chaplains, and perhaps as many of the Muslim volunteers and contractors were themselves trained in Salafi schools in the United States or in the Arab world. Their own carriage and message do not provide inmates with tools to overcome intolerance. There is no one to model the tolerance of a more moderate Sunni ideology. Those who embrace a moderate Muslim ideology are generally not available to teach the inmates about Islam in a Western context. Consequently, with few exceptions the prison converts have faithfully instructed one another with extraordinary zeal and careful attention to detail. The emphasis has been on the externals of religious purity, largely because the kind of instruction they have received has not assisted them in their pursuit of the deeper truths of submission to God.

Religious Salafism offers Muslim inmates a strict measure of their morality and religiosity. As they seek a life different from the one from which they came, they can check their own piety and submission to God in terms of their faithfulness to prayer, the religious diet, fasting, and study of the Koran and the Arabic language. Hygiene and
modesty rituals add another dimension of their new lifestyle of submission to God. They can reinvent for themselves an identity that embraces the strengths of both Islam and Africa. There are practical advantages to the brotherhood as well. Clearly they belong to something larger than themselves. They share faith, they share a common struggle and they support one another in their faith journey.

Salafist inmates tend to invent for themselves an air of superiority and self-righteousness as the keepers of the whole truth. Carried to the extreme, it is true that this dimension of Salafism can develop into another stream of Salafist ideology that prescribes the elimination of those who do not practice Islam in the same extreme fashion as militant Salafists. This extreme aspect of Salafism describes the militant jihadist or an Islamist ideology that can lead to violence.

Like their counterparts in the free world, Salafists in the prisons have an oppressive side that excludes Muslims whose beliefs differ from their own. Shia and Sufi as well as the Nation of Islam are all movements that could be subject to this intolerance. Ideological differences are generally tolerated by inmates except in heated philosophical discourse among themselves, yet the potential for violence inherent in the prison population, coupled with an ideology that supports violent jihad, could lead to radicalization. The threat of radicalization is increased because the inmates are poorly educated and lack the necessary analytical skills to distinguish between Wahhabism and a single strand of Salafism, between greater jihad and lesser jihad, even between Arab and Western cultures.

The exclusion or elimination of non-believers has not arisen in the prison system primarily because prisoners have been formed in a prison culture that reinforces pluralism
and tolerance by severe punishment for outbursts of verbal abuse or violence against the “other.” Black American inmates come from within the Western society and culture that militant Salafists detest. Their families and their associates are Westerners who share a common set of ideals and values different from those of radical Islamists—different, too, from their counterparts in the dominant American culture.

Program Shifts after 9/11 Attack

After the September 11, 2001 attack on the homeland, controls were put in place throughout the Bureau to minimize this particular threat of radicalization. Black Muslim converts are separated by lock and key from those immigrant Islamist inmates and the occasional converts who have ties to terrorist or anti-American groups. Their prayer, their study groups and their celebrations are closely monitored by correctional staff and live audio and video surveillance. Islamic rituals must be prayed in English, except for formulaic recitations in unison from the Koran; thereby minimizing the threat of encoding subversive plots in a language unknown to staff and other inmates. Formulaic prayers may be prayed in Arabic.

The threat of danger is a constitutive element of prisons. All who enter the prison, whether as staff, visitors or inmates, understand the inherent threat. The breadth of the threat includes a threat of radicalization. The current threat of radicalization is not only a post-9/11 phenomenon fueled by the media and special interest groups. The threat of Muslim radicalization is not an entirely new challenge. Recall that in the 1960’s Muslim inmates spent months, even years, in isolation to prevent the spread of the Black Muslim movement.6 Over time, prominent prison officials found that familiarity with the

rituals of the Black Muslims diminished fear of radicalization. Among those who grew in understanding was Norman Carlson, Director of the Bureau of Prisons. He stated in 1979:

Black Muslims are no longer considered a threat to prison discipline. 
…Like other Muslims groups, the Black Muslims are generally…well-disciplined followers of the true Muslim religion….Many of the fears and trepidations were unfounded. You have got to differentiate individuals from groups. From time to time you get one or two individuals who use the group to perpetuate their power base.⁷

Staff familiarity with inmates’ beliefs and confidence in the Chaplain’s oversight diffused the fear. As the religious accommodation of non-Christians became commonplace, the positive side of these movements overtook the fear of radicalization. Carlson’s final remark is worthy of lifting into the current concern over Muslim radicalization in prison. “From time to time…one or two individuals”… with criminal intent will commit crimes that cast a negative perception of the group, but these occurrences are rare and exceptional. Instead these crimes must be seen as individual acts by individual criminals. All incarcerated Muslims should not have to bear the burden of the criminal activities of a rogue in their midst.

Recent studies commissioned by Congress and government agencies, and independent scholarship by specialists in the fields of corrections, law, and national security acknowledge the potential for radicalization, but none have viewed the present religious practice of Islam in prison as threatening. In a report prepared by the International Centre for the Study of Radicalisation and Political Violence, Peter R. Neumann concluded:

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⁷ James Rubin, “Catholic Works for Muslim Rights.”
A number of commentators and even government agencies, for example, confuse ‘conversion’ with ‘radicalisation’, implying that prisoners who take up purist strains of Islam – often described as Salafi – are all at risk of becoming terrorists. In reality, the two are not always connected. While prison conversions to Islam are frequent, and significant percentages of converts and ‘born again Muslims’ are attracted by the purity and rigour of the Salafist tradition, no serious researcher claims that this automatically translates into support for terrorism.8

A special report to Congress by scholars and homeland security specialists at the Homeland Security Policy Institute and the Critical Incident Analysis Group assessed the prison threat of radicalization. Some of their findings complement the assessment of others on the low threat level in United States prisons:

Radicalization is neither unique to Islam nor a recent phenomenon, and remains the exception among prisoners…In Europe, Latin America and elsewhere the threat has progressed farther than it has in the U.S., giving officials the opportunity to learn from foreign prison radicalization cases….At present there is insufficient information about prisoner radicalization to qualify the threat.9

Criminologists Harry Danner and Mark Hamm have also concluded that the threat is exaggerated. According to Danner, “…yes… there are extremists…but they are few and far between…and they are not supported by imams and chaplains in prisons.”10 Hamm approached the study expecting to find a greater threat of radicalization than he was able to demonstrate. Although he found that, consistent with current terrorism literature, the prisons are fertile grounds for terrorist recruitment, “…yet such recruitment


is extremely rare” and generally more prevalent in higher security prisons.\textsuperscript{11} Hamm rightly attributes the greater threat in penitentiaries to the subculture of the prison, which is admittedly more hostile in high security institutions, as discussed above.

The threat of prison radicalization is kept in the forefront of public awareness particularly by those who continue to view Islam per se as a threat to the United States in general. Hamm, for example, generalizes the problem using the case of the Jam’iyyat ul Islam Is Saheeh (JIS) in the California Department of Corrections. Kevin James, a California State prisoner organized a highly structured Islamic security threat group within the California prison system. He recruited members and encouraged their participation in a complicated protocol calling for a defensive jihad against disbelievers. The JIS documents embraced the exclusion and elimination of the Nation, the Shias and supporters of Zionism. The cell was small, with just three members in the outside community, and their leader in prison. Nevertheless, the initial radicalization had occurred in a prison, and the threat was real. In 2007 three JIS members pled guilty of seditious conspiracy. These men are currently serving sentences in the federal prison system, where they are in high security institutions separated from one another and from Muslims in general. The fourth JIS conspirator was found unfit to stand trial. The JIS case has become the paradigm for those analyzing the threat. Recent recommendations presented to the United States House of Representatives Committee on Homeland Security by former Assistant United States Attorney Kevin Smith of California, and Commander Michael Dowling of the Los Angeles Police Department used the JIS case as

an example of the threat. A 2003 New York State case serves as an equally good model for the radicalization threat. That is the case of Warith Deen Umar, former Bureau contractor and retired head of Ministerial Services for the New York Department of Correctional Services. Umar, a former prisoner himself, articulated his anti-American views in the prisons and in the media after 9/11, lauding the action of Al-Qaeda against the United States.

In view of the finding that the threat has progressed more slowly in the United States than in Europe, two differences must be considered. Primary consideration must be given to the ethnicity and the culture of the European prisoners. North African Muslims comprise a large percentage of the prison population in many European states, including France, Great Britain and Denmark. Muslims in European prisons are not citizen converts. Generally they are in Europe as a direct result of European imperialism of North and West Africa during the late nineteenth and early twentieth century. Another immigration factor is this. The laxity of European immigration laws after World War II resulted in many unskilled workers migrating from North Africa to Europe to attain work during the European reconstruction.

Secondly, there was not a gradual evolution of Islam in European prisons, as was the case in the United States. Incarceration of large numbers of Muslims in Europe began less than twenty-five years ago. In the United States on the other hand, officials had the time to evaluate and assess the threat over five decades. Comparing the European prison threat of radicalization with the United States threat seems, then, not to be a balanced comparison. If one region of the world could benefit from a study of the cases in another region, it seems that Europeans might do well to examine the measures employed by the
United States to help minimize the threats in their own prisons. Particular among those measures would be to ensure there is equity in the provision of services for Muslims.

A Divided Community

It seems safe to assume that Islam is here to stay, in both the United States and in its prisons. There is, of course, no conclusion to an evolutionary movement. History will chart the process of the evolution as Western Islam matures in the generations to come. How the next generations of Muslims in federal prisons approach Islam depends largely on the quality of training and support they receive from the free world community.

Sixteen hundred men and women return to the community from state and federal prisons each day. Perhaps one hundred sixty of those released on any tomorrow will be black American Muslim converts. Ordinarily they will not be aware of the racial and ethnic divisions within Islam in America. It is the task of leaders of mosques and Islamic Centers, both immigrant and black American, to prepare their brothers and sisters to receive the converts in a way that reinforces their commitment to submit to God within Islam. Otherwise, the men and women returning from incarceration will face disillusionment and confusion when they approach the community, expecting to be greeted with open arms into a community that is de jure defined by its oneness, but de facto defined by the culture and ethnicity of its members.

At a recent colloquium sponsored by the Prince Alwaleed bin Talal Center for Muslim Christian Understanding, John Esposito remarked: “It is time for a new narrative—a data driven narrative informed by facts, not fiction.”\textsuperscript{12} To be complete, the new

\textsuperscript{12} John L. Esposito, “Welcome and Intro,” Remarks given at the opening of the Colloquium: Religion and the American Muslim Community Post 9/11, Georgetown University, September 8, 2011.
narrative must include facts rather than fiction about Islam in American prisons. It must
speak to the fact that more than ninety-five percent of Muslims in prison are black
Americans who converted to Islam during incarceration. The twenty-first century
incarcerated black Muslims are men or women serious about change and in search of a
new path. They seek a straight path that will give them hope for a new beginning and the
opportunity to grow and change. The new narrative must be clear in articulating the
strength and dignity that comes with religious kinship and brotherhood, and the hope this
offers to those whose previous experiences of kinship have often been grounded in gang
affiliations or dysfunctional family systems.

The new narrative must also clarify for society the breadth of the divide between
the immigrant Muslims and the black Sunnis both in prison and in the community. Only
then will society realize that these are two different entities under the umbrella of Sunni
Islam. Though one in religious beliefs and practices, they are estranged culturally.

Opportunities for incarcerated American black Muslim converts to grow into
mature and committed Muslim rests with the openness of the broader Muslim community
to accept them as equal coreligionists. Incarcerated men and women of any faith
tradition often return to the community with a renewed commitment to center on God as
their source of strength for change. For Muslim returnees hopes for success in their
personal journey to wholeness can be easily shattered by an attitude of benign neglect
from the community of believers. Victoria Lee, studying the effect of the mosque in the
black communities supports this position, stating “The belief in ethnic kinship represents
a major barrier to integration and an important factor in perpetuating social inequality
among ethnic groups." Muslims returning to the community from incarceration approach their newfound brothers with great expectations of moral support and brotherhood, but they are often disappointed by the cultural and experiential divide that suggests they may be “less than” the immigrants with whom they have chosen to share life and faith. Most are too fragile to continue the journey alone.

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APPENDIX

WHAT DO THE MUSLIMS WANT?

This is the question asked most frequently by both the whites and the blacks. The answers to this question I shall state as simply as possible.

1. We want freedom. We want a full and complete freedom.
2. We want justice. Equal justice under the law. We want justice applied equally to all, regardless of creed or class or color.
3. We want equality of opportunity. We want equal membership in society with the best in civilized society.
4. We want our people in America whose parents or grandparents were descendants from slaves, to be allowed to establish a separate state or territory of their own—either on this continent or elsewhere. We believe that our former slave masters are obligated to provide such land and that the area must be fertile and mineral rich. We believe that our former slave masters are obligated to maintain and supply our needs in this separate territory for the next 20 to 25 years—until we are able to produce and supply our own needs. Since we cannot get along with them in peace and equality, after giving them 400 years of our sweat and blood and receiving in return some of the worst treatment human beings have ever experienced, we believe our contributions to this land and the suffering forced upon us by white America, justifies our demand for complete separation in a state or territory of our own.
5. We want freedom for all Believers of Islam now held in federal prisons. We want freedom for all black men and women now under death sentence in innumerable prisons in the North as well as the South. We want every black man and woman to have the freedom to accept or reject being separated from the slave master's children and establish a land of their own. We know that the above plan for the solution of the black and white conflict is the best and only answer to the problem between two people.
6. We want an immediate end to the police brutality and mob attacks against the so-called Negro throughout the United States. We believe that the Federal government should intercede to see that black men and women tried in white courts receive justice in accordance with the laws of the land—or allow us to build a new nation for ourselves, dedicated to justice, freedom and liberty.
7. As long as we are not allowed to establish a state or territory of our own, we demand not only equal justice under the laws of the United States, but equal employment opportunities—NOW! We do not believe that after 400 years of free or nearly free labor, sweat and blood, which has helped America become rich and powerful, so many thousands of black people should have to subsist on relief or charity or live in poor houses.
8. We want the government of the United States to exempt our people
from ALL taxation as long as we are deprived of equal justice under the laws of the land.

9. We want equal education—but separate schools up to 16 for boys and 18 for girls on the condition that the girls be sent to women's colleges and universities. We want all black children educated, taught and trained by their own teachers. Under such schooling system we believe we will make a better nation of people. The United States government should provide, free, all necessary text books and equipment, schools and college buildings. The Muslim teachers shall be left free to teach and train their people in the way of righteousness, decency and self-respect.

10. We believe that intermarriage or race mixing should be prohibited. We want the religion of Islam taught without hindrance or suppression.

These are some of the things that we, the Muslims, want for our people in North America.

1. We believe In the One God whose proper Name is Allah.
2. We believe in the Holy Qur'an and in the Scriptures of all the Prophets of God.
3. We believe in the truth of the Bible, but we believe that it has been tampered with and must be reinterpreted so that mankind will not be snared by the falsehoods that have been added to it.
4. We believe in Allah's Prophets and the Scriptures they brought to the people.
5. We believe in the resurrection of the dead—not in physical resurrection—but in mental resurrection. We believe that the so-called Negroes are most in need of mental resurrection; therefore they will be resurrected first. Furthermore, we believe we are the people of God's choice, as it has been written, that God would choose the rejected and the despised. We can find no other persons fitting this description in these last days more that the so-called Negroes in America. We believe in the resurrection of the righteous.
6. We believe in the judgment; we believe this first judgment will take place as God revealed, in America...
7. We believe this is the time in history for the separation of the so-called Negroes and the so-called white Americans. We believe the black man should be freed in name as well as in fact. By this we mean that he should be freed from the names imposed upon him by his former slave masters. Names which identified him as being the slave master's slave [sic]. We believe that if we are free indeed, we should go in our own people's names—the black people of the Earth.
8. We believe in justice for all, whether in God or not; we believe as others, that we are due equal justice as human beings. We believe in equality—as a nation—of equals. We do not believe that we are equal with our slave masters in the status of "freed slaves."
We recognize and respect American citizens as independent peoples and we respect their laws which govern this nation.

9. We believe that the offer of integration is hypocritical and is made by those who are trying to deceive the black peoples into believing that their 400-year-old open enemies of freedom, justice and equality are, all of a sudden, their "friends." Furthermore, we believe that such deception is intended to prevent black people from realizing that the time in history has arrived for the separation from the whites of this nation. If the white people are truthful about their professed friendship toward the so-called Negro, they can prove it by dividing up America with their slaves. We do not believe that America will ever be able to furnish enough jobs for her own millions of unemployed, in addition to jobs for the 20,000,000 black people as well.

10. We believe that we who declare ourselves to be righteous Muslims, should not participate in wars which take the lives of humans. We do not believe this nation should force us to take part in such wars, for we have nothing to gain from it unless America agrees to give us the necessary territory wherein we may have something to fight for.

11. We believe our women should be respected and protected as the women of other nationalities are respected and protected.

12. We believe that Allah (God) appeared in the Person of Master W. Fard Muhammad, July, 1930; the long-awaited "Messiah" of the Christians and the "Mahdi" of the Muslims.

We believe further and lastly that Allah is God and besides HIM there is no god and He will bring about a universal government of peace wherein we all can live in peace together.¹

¹ Elijah Muhammad. *Message to the Blackman in America* (Chicago: Muhammad’s Temple No. 2, 1965), 161-164. This excerpt from Elijah Muhammad’s most notable work appears in every issue of *The Final Call* newspaper, just as it appeared in the *Muhammad Speaks* and *Mr. Muhammad Speaks* during the 1960s and 1970s.
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