

God Behind Bars: Race, Religion & Revenge

*SpearIt**

Participation in criminal assemblies can be purely spiritual.
Rene Girard, *The Scapegoat*¹

In the execution of the most ordinary penalty, in the most punctilious respect of legal forms, reign the active forces of revenge.
Michel Foucault, *Discipline and Punish*²

The U.S. penitentiary is a locus of extreme violence, repression, and control. Its operations are based on a scopic system that subjects detainees to intense and constant surveillance over every inch of the body. This violence is compounded by fights, rapes, beatings, and bodily deprivations that constitute prison life and the lived experiences of prisoners. This volatile atmosphere is organized and structured by the everyday reality of detention and other forms of “legitimate force,” the sanctioned violence and punishments inflicted by the state or its agents.³ Yet within the heart of such savage confines, something quite remarkable takes place. In these debilitating and dehumanizing conditions, religious conversion thrives, and for some, the prison becomes a sanctuary that houses this dramatic and sometimes traumatic transformation.⁴ This wretched and filthy place be-

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¹ RENE GIRARD, *THE SCAPEGOAT* 17 (Yvonne Freccero trans., Johns Hopkins University Press 1986).

² MICHEL FOUCAULT, *DISCIPLINE AND PUNISH: THE BIRTH OF THE PRISON* 48 (Alan Sheridan trans., Vintage Books 2d ed., 1995).

³ *ENCYCLOPEDIA OF AMERICAN PRISONS* 208 (Marilyn D. McShane & Frank P. Williams III eds., 1996).

⁴ Conversion here refers to the experiences associated with the decisive and definite adoption of a religious tradition, its practices, worldview, culture, holy lands, language, etc. This process is intimately connected to forgetting, as opposed to “reversion,” where the subject relies on collective memory and “remembering.” Both

comes a special, spiritual space—a meta-zone that memorializes and commemorates spiritual rebirth, hierophany, or *mysterium tremendum* for the ecstatic, emotional, and earth-shaking epiphanies of religious experience. This interaction with the Divine is a rite of passage, which is often predicated on intense emotional feelings of terror and fear; elements that help catalyze the prisoner into a self-governing subject—into a new identity.

This essay examines the prison as a sacred space. In conversion to Islam, the prison often serves as a sphere of sacrality that facilitates the merger of prisoner and faith. The penitentiary is the subject-forming backdrop for experiences infused with realities of race and religion, creating new spiritual identities within structures of violence. Accordingly, from the early movements of the Moorish Science Temple, Nation of Islam (NOI), and other American Islamic groups (1913–1930), to more contemporary movements like Five Percent Nation and the so-called Latino/Hispanic populations, these new and ever-evolving identities are laced with racial themes and violent motifs.⁵ Thus, the final portion of this analysis will examine the juncture of race, religion, and violence under the historical lamp of violent attacks on ‘outside’ civilian targets, planned and organized within the prison’s walls. Data presented in this essay suggest that in these confines, tomorrow’s holy warriors are arming themselves with resentment, ideology, and determination. In this state-sponsored enclave, the U.S.-led “War on Terror,” which has no spatial markers or designated enemies, finds a dialectic. Here, the enemy is certain and place is paramount. Behind enemy lines the most militant strains of Islam thrive and survive on the strength of space itself—the sacred space of the penitentiary.

PRISON IS THE PLACE

Historians of religion and other scholars have long noted the role of sacred space in the processes of spiritual formation, deforma-

conceptions find a place in African-American and Latino-American Islam, including American Blacks, Puerto Ricans, Chicanos, Mexicans, and others who self-identify as Muslim. This essay draws upon the author’s dissertation, “God Behind Bars: Race, Religion & Revenge” by Edward Maldonado, University of California, Santa Barbara, which builds from primary data sources including interviews and letters from prisoners and ex-prisoners. This dissertation is available at UMI Publishing, www.umi.com; the dissertation is also available for free download at www.rebelcrew.com.

⁵ The terms “Latino” and “Hispanic” are equally inaccurate for these U.S. groups. Both designations signify linguistic ancestry to Europe and work discursively to omit the indigenous origins of these peoples, including linguistic. In essence, these terms ignore the history that produced the *mestizo*, *mulatto*, and other blends of indigenous, African, and European miscegenation.

tion, and reformation.⁶ This area of study has been especially enhanced by the works of Jonathan Z. Smith, who has theorized sacred space as “a place of clarification (a focusing lens) where men and gods are held to be transparent to one another. It is a place where as in all forms of communication, static and noise (i.e., the accidental) are decreased so that the exchange of information can be increased.”⁷ Recently, the works of Michael Taussig, David Carrasco, and others, have furthered the theoretical instrumentation of space, its transgressions, and regressions.⁸ In Taussig’s work we see how places, even the most holy, can be profaned by mundane gestures and activity. These human acts of defacement and transgression reveal the “labor of the negative,” the awesome social forces unleashed when concealment collides with revelation.⁹ In these apocalyptic moments of spatial and symbolic violence, we see the most sanctified sites desecrated.¹⁰ These powerful unveilings perform important social functions as the dynamic of pure and impure is preserved not simply by rules, but rather, by their violation—by real acts of violence.

Carrasco’s work on sacred space focuses on early Mexican religious traditions and natural geography to argue that “[s]acred space and ceremonial landscape in Aztec ceremonies expand and retract, meander and transform, link and fold into one another in a ‘metamorphic vision of place,’ or, to add to Smith’s spectrum, the motion and movement of Aztec rituals suggest the title ‘To Change Place.’”¹¹ Carrasco has also written on contemporary Chicano traditions, arguing that for some of these traditions, questions of place are related less to ritual practice and performance than to the emotive and ecstatic encounters with the Divine, frightful episodes that invest unseen energies in trees, forests, streams, rivers, and other natural phe-

⁶ See, e.g., YI-FU TUAN, *SPACE AND PLACE: THE PERSPECTIVE OF EXPERIENCE* (1977); ROBERT DAVID SACK, *CONCEPTIONS OF SPACE IN SOCIAL THOUGHT: A GEOGRAPHIC PERSPECTIVE* (1980); *VIOLENT ORIGINS: WALTER BURKERT, RENE GIRARD & JONATHAN Z. SMITH ON RITUAL KILLING AND CULTURAL FORMATION* (Robert G. Hamerton-Kelly ed., 1987); *CRITICAL TERMS FOR RELIGIOUS STUDIES* (Mark C. Taylor ed., 1998).

⁷ JONATHAN Z. SMITH, *IMAGINING RELIGION: FROM BABYLON TO JONESTOWN* 54 (1982).

⁸ For example, take the linguistic associations with place in KEITH H. BASSO, *WISDOM SITS IN PLACES: LANDSCAPE AND LANGUAGE AMONG THE WESTERN APACHE* (1996), or connections to natural landscape in SIMON SCHAMA, *LANDSCAPE AND MEMORY* (1995).

⁹ MICHAEL TAUSSIG, *DEFACEMENT: PUBLIC SECRECY AND THE LABOR OF THE NEGATIVE* 107 (1999).

¹⁰ *Id.* at 51.

¹¹ DAVID CARRASCO, *TO CHANGE PLACE: AZTEC CEREMONIAL LANDSCAPES* 33 (1991).

nomena.¹² According to Carrasco, “[h]uman beings who feel these transformations in their landscape believe that a power from another plane of reality has interrupted their lives. Usually they respond with great attraction and fear.”¹³ In this indigenously influenced religiosity, natural environment becomes part of the spiritual text, and memory is stamped by the landscape and its powerful elements.

The above ideas help to provide some theoretical sketches for analyzing the prison as sacred space. For some behind bars, the prison becomes a site of religious and cultural conversion, and like the prisoner, the prison also converts. As alliances and allegiances are reconfigured in accordance with newfound faith, conceptions of the prison likewise undergo radical revisions. The penal place of “corrections” is reconceived as dar al islam, or a territory guided by Islamic scripture and eschatology. Under the sway of conversion, the world is viewed through the lens of shariah or hadith, and the Islamic community in prison manifests as umma, a holy community of believers, albeit one on lockdown. In this positional paradox, the profane is purified as the filthiest and most forgotten place in America becomes another’s Mecca. In the words of one Muslim convert: “That was a turning point in my life . . . and I don’t regret . . . going and experiencing some of the things I experienced . . . in that confinement, or in that restricted area; because in that area I became a man, . . . and a free man.”¹⁴

Herein, the prison fulfills some of its religious and penal purpose as a house for moral rectitude and reform; a spiritual and moral space for the offender to meditate, reflect, and pay penitence—hence its original eighteenth century Quaker designation, *penitentiary*.¹⁵ Two hundred years later, however, ethnic minorities darken American prison yards and a dramatic shift in religious orientation is taking place as Islam, in its various prison manifestations and evolutions, represents a large and energetic converting force behind bars. Conversion fills prisoners with determination and agency, and in the most extreme cases, works to inspire ultimate commitment.¹⁶ For most converts, this deep drive leads to social and spiritual rejuvenation that

¹² David Carrasco, *A Perspective for a Study of Religious Dimensions in Chicano Experience: Bless Me Ultima as a Religious Text*, 13 AZTLAN 203 (1982).

¹³ *Id.*

¹⁴ Videotape: *Islam in America* (Christian Science Publications, 1991).

¹⁵ See ENCYCLOPEDIA OF AMERICAN PRISONS, *supra* note 3, at 234; MARC MAUER, RACE TO INCARCERATE 1 (The New Press 1999).

¹⁶ VIOLENCE AND THE SACRED IN THE MODERN WORLD 119–22 (Mark Juergensmeyer ed., 1991).

produces a tangible form of rehabilitation.¹⁷ Yet for a small minority, this commitment is channeled in quite the opposite direction: into stark and retributive forms of violence, often fueled by fanatic determination. These individuals become the vengeful by-products of a penal system that has pushed some of its wards to the edge of their physical and psychological limit, giving birth to what Hisham Aidi calls “jihadis in the cellblock.”¹⁸

RACE IN PLACE

Race is a crucial factor of penitentiary life, and racial segregation is a living reality in many American prisons, often used as a mechanism of social control.¹⁹ Thus, the bonds between race and the penitentiary are explicit, and both are implicated in the process of conversion. In California’s oldest penitentiary, San Quentin, prisoners are divided fourfold: White, Mexican, Black, and Other.²⁰ Other prisons throughout the country have similar color codes, yielding institutions that resemble those of the pre-Civil Rights era, a racial anachronism with segregation and stratification of lightened privilege and colored disadvantage. Behind prison walls, White prisoners often get the best food, facilities, and jobs that are bestowed by a largely White administration and security staff. What results is all-out race war among prisoners, who learn quickly that survival usually depends on racial and ethnic solidarity.

Some argue that this reality is simply a reproduction of the systemic racism that persists in society, particularly in law enforcement and criminal justice. For example, Critical Race theorist Neil Gotanda asserts that the Supreme Court of the United States, in its “color blind” interpretations of the Constitution, serves to cripple minority interests and risks “perpetuating racism and undermining its own legitimacy.”²¹ David Cole’s work on race and law has exposed various racial applications of surveillance on minorities. For Cole, “color blind” is nowhere to be found in the techniques of law enforcement; rather, the criminal justice system’s very existence affirmatively depends on social racism and structural inequality.²² Randall Kennedy has argued that police operations function via racial prox-

¹⁷ ROBERT DANNIN, *BLACK PILGRIMAGE TO ISLAM* 7 (2002).

¹⁸ Hisham Aidi, *Jihadis in the Cell Block?*, July 22, 2002 (on file with author).

¹⁹ See CHRISTIAN PARENTI, *LOCKDOWN AMERICA* 182–210 (1999).

²⁰ *MSNBC Investigates: Lock Up San Quentin* (MSNBC television broadcast Jan. 1, 2004).

²¹ *CRITICAL RACE THEORY* 274 (Kimberle Crenshaw et al. eds., 1995).

²² DAVID COLE, *NO EQUAL JUSTICE* 5 (1999).

ies, heuristics, and applications of unequal protection. In Kennedy's "pigmentocracy," racial statistics of crime and the appearance of criminality disproportionately represent minorities due to police discretion and discrimination through racial profiling.²³ Kennedy argues that, *a priori*, racism in society and in the practices of law enforcement racially criminalizes minorities, which, in self-fulfilling prophecy, results in high criminality rates for the same groups.²⁴ For these scholars, criminal racialization is institutionalized and maintained through legal and political structures, which manifest empirically in prison populations that swell with minorities.²⁵

Under such conditions, it is no surprise that transformations catalyzed by religious conversion are infused by notions of color and race. Since the early 1900s, Islam has played an increasingly important role in the U.S. penitentiary, and most influentially among Black prisoners. For the Black American population, the prisoner-turned-Muslim is a well-known story, firmly etched in cultural memory; a legacy that has been documented in the celebrated *Autobiography of Malcolm X* (1965), in which three chapters are devoted to Malcolm X's conversion to Islam behind bars. In this story the penitentiary is portrayed as a salvific space that fosters Malcolm X's rehabilitation from "Satan" to "Saved" to "Savior."²⁶ Describing his initial turn toward Islam, he recounts that "months passed without my even thinking about being imprisoned. In fact, up to then, I never had been so truly free in my life."²⁷ In another passage, Malcolm X describes his intense shame at not being able to kneel for prayer. He writes:

I had to force myself to bend my knees. And waves of shame and embarrassment would force me back up . . . For the next years, I was the nearest thing to a hermit in the Norfolk Prison Colony. I never have been more busy in my life. I still marvel at how swiftly my previous life's thinking pattern slid away from me, like snow off a roof. It is as though someone else I knew of had lived by hustling and crime. I would be startled to catch myself thinking in a remote way of my earlier self as another person.²⁸

²³ RANDALL KENNEDY, RACE, CRIME AND THE LAW 136–167 (1997). For more on police discretion, see generally JEANNINE BELL, POLICING HATRED: LAW ENFORCEMENT, CIVIL RIGHTS, AND HATE CRIME 1–46 (2002).

²⁴ *Id.* at 138–62.

²⁵ See U.S. Department of Justice, *Bureau of Justice Statistics Bull., Prisoners in 2005*, <http://ojp.usdoj.gov/bjs/pub/pdf/p05.pdf> (last visited Dec. 18, 2006).

²⁶ ALEX HALEY & MALCOLM X, THE AUTOBIOGRAPHY OF MALCOLM X 175–242 (1973).

²⁷ *Id.* at 199.

²⁸ *Id.* at 196.

In another instance, Malcolm X encounters what seems to be an answer to his feverish prayers for Allah to reveal himself.²⁹ In this account he witnesses an apparition of Master W. D. Farad, who, according to Nation of Islam doctrine, is Allah in flesh.³⁰ His experience harkens to the *mysterium tremendum*, only this episode takes place in a prison cell:

It was the next night, as I lay on my bed, I suddenly, with a start, became aware of a man sitting beside me in my chair. He had on a dark suit. I remember. I could see him as plainly as I see anyone I look at. He wasn't black, and he wasn't white. He was light-browed skin, an Asiatic cast of countenance . . . I couldn't move, I didn't speak, and he didn't. I couldn't place him racially—other than that I knew he was non-European. I had no idea whatsoever who he was. Then, suddenly as he had come, he was gone.³¹

From these narratives, the transformative power of Islam in prison culminates in Malcolm X's release from prison to launch his career as a leader in the Nation of Islam, which would eventually lead to his assassination. And as will be shown, his voice and image are ever-present in literature, movies, and music as a radical icon and voice of resistance. To be sure, Malcolm X remains a towering figure in African American cultural memory and consciousness.

But even prior to Malcolm X, the prison was connected to Islam since his two spiritual predecessors, W. D. Farad and Elijah Muhammad, both spent time incarcerated.³² These prison-bound legacies have left behind an array of Islamic factions, including The American Muslim Mission, The Moorish Science Temple, The Nation of Islam, and The Five Percent Nation, including their various offshoots and splinters. Such unique blends showcase the variegated and vibrant traditions of Black Islam in the U.S.—evolutions that subvert simple binaries of orthodoxy and heterodoxy, but instead reveal numerous ideologies and ideologues laying claim to Islam.

ISLAM ON ITS KNEES

Whether relayed by government statistics, academic studies, or by the media, stories about the prison system emphasize violence and

²⁹ *Id.* at 215.

³⁰ See Nation of Islam Official Website, *What the Muslims Believe* 12 (2006), http://www.noi.org/muslim_program.htm.

³¹ HALEY & X, *supra* note 26, at 215.

³² See C. ERIC LINCOLN, *BLACK MUSLIMS IN AMERICA* (1961); YVONNE YAZBECK HADDAD, *THE MUSLIMS OF AMERICA* (1991); *MUSLIM COMMUNITIES IN NORTH AMERICA* (Yvonne Yazbeck Haddad & Jane Idleman Smith, eds., 1994).

disorder.³³ From beatings, stabbings, and killings to legalized state executions, the life of a prisoner is portrayed as brutal. Constant surveillance is backed by the full power of modern technology, which results in a new and improved panoptical field. The effects of such penal voyeurism can be so tremendous that in its perfected application, the prisoner becomes his own guard, or as Michel Foucault explains, “he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection.”³⁴ The impact of this tense environment on religious life is no exception, and so Islamic practice must adapt to these conditions, or be abandoned altogether. Such deprived and depriving conditions of prison life have spawned numerous backlashes of violent rebellion and retribution, including the killing of George Jackson by guards at San Quentin in 1971, which sparked a number of prison riots, including the famous Attica uprising in New York. More recently, clashes at prisons in California, Florida, and Texas show just how volatile and deadly prison violence can be. Yet the constitutionality of severe rules and punishments has not gone unchallenged by prisoners, especially those impacting religious freedom. In 1987, the Supreme Court decided in *O’Lone v. Shabazz* that prison policies preventing Muslims from attending Friday Sabbath services were legitimate since they did not deprive followers of “all” forms of religious exercise.³⁵ In essence, the Court did not deem *salat* (prayer), one the “Five Pillars of Islam,” essential enough to guarantee its practice for all Muslim captives. Even though *salat* can be done ‘alone’ in Islamic tradition, the fact is that prisoners are rarely ever alone, that is, except in solitary confinement. Thus, this prohibition of congregational prayer essentially takes away the right to prayer altogether. Subsequently, this decision has been challenged, and questions concerning religious rights again have been raised.³⁶ Such resistance by Muslim prisoners has historical roots as Kathleen M. Moore has noted, and Muslim groups have often been at the center of administrative and legal reform movements within state and federal penitentiaries.³⁷

For many Muslims, legal channels have provided some relief for religious rights behind bars, but for others, there has been less suc-

³³ See *MSNBC Investigates: Lockup* (MSNBC multi-part series television broadcast 2000); *The Big House* (A&E series television broadcast 1996–2006); *CSPAN: Sing Sing Prison Documentary* (CSPAN television broadcast June 1, 1997).

³⁴ Foucault, *supra* note 2, at 202–03.

³⁵ *O’Lone v. Shabazz*, 482 U.S. 342, 351–53 (1987).

³⁶ John Nolan, *Prison Religious Rights Law Ruled Illegal*, ATLANTA J. CONSTITUTION, November 11, 2003.

³⁷ KATHLEEN M. MOORE, *AL-MUGHSTARIBUN* 69–74 (1995).

cess. Perhaps the most notorious of these is an Islamic sect known as the “Five Percent Nation,” which began as a radical splinter from the Nation of Islam in the early 1960s.³⁸ Soon after its birth, this group would become closely linked to the American prison yard, and the term “Five Percenter” would spread far and wide.³⁹ From its humble origins as a religious school in one of Harlem’s crumbling neighborhoods, this movement would spread throughout New York State’s jails and prisons thanks in part to F.B.I. crackdowns aimed at “Black resistant movements,” including the Nation of Islam and its offshoots.⁴⁰ By 1964 law enforcement officials were using the term “Five Percenter” to identify prison “gang affiliation.”⁴¹ Today, forty years later, the Five Percent Nation is still classified as a gang by most prison officials, despite the movement’s clearly religious roots.⁴²

The Five Percent Nation has emerged as a major force in economically depressed, urban areas of the eastern United States and has expanded throughout the country.⁴³ It represents a strain of “syncretic Islam,” or Islam that has absorbed or recombined with other religious/philosophical ideas and practices.⁴⁴ This movement has had success in recruiting Black and, increasingly, Latino youth, in part due to the strong affiliations between the Five Percent and hip-hop music.⁴⁵ Lawrence H. Mamiya has used the notion of “particularism” to denote the practical and theological bent of this organization’s parent group, the Nation of Islam:

The pattern variables of “universalism vs. particularism” are most helpful in interpreting what has happened to the movement in the last five years. “Universalism” tends to move in the direction of a larger, more inclusive sense of human life and society, toward open-endedness, a constant breaking of barriers and boundaries. “Particularism” moves in the opposite direction, towards exclusion, rigidly holding to boundaries, a particular sense of people-

³⁸ FELICIA M. MIYAKAWA, FIVE PERCENTER RAP 15–16 (2005).

³⁹ Yusuf Niruddin, *The Five Perceners: A Teenage Nation of Gods and Earths*, in *MUSLIM COMMUNITIES IN NORTH AMERICA* 109–10 (Yvonne Yazbeck Haddad ed., 1994).

⁴⁰ MATTIAS GARDELL, *IN THE NAME OF ELIJAH MUHAMMAD: LOUIS FARRAKHAN AND THE NATION OF ISLAM* 85 (1996).

⁴¹ See Federal Bureau of Investigation, Freedom of Information—Privacy Act, *Five Perceners*, <http://foia.fbi.gov/foiaindex/5percent.htm>.

⁴² GARDELL, *supra* note 40, at 172.

⁴³ Niruddin, *supra* note 39, at 110.

⁴⁴ Ernest Allen Jr., *Identity and Destiny: The Formative Views of the Moorish Science Temple and the Nation of Islam*, in *MUSLIMS ON THE AMERICANIZATION PATH?* 203 (Yvonne Yazbeck Haddad & John L. Esposito eds., Scholars Press 1998).

⁴⁵ *Id.*

hood. Universalism vs. particularism underlies my use of the interpretive devices of the "Old Malcolm" and the "New Malcolm." The attempt of the Prophet Muhammad to break the boundaries of tribalism in 7th-century Arabian society by introducing Islamic universalism is another example of this phenomenon. Yet, the dialectical tension still exists in all religious groups. In spite of the constant warnings against tribalism in the Qur'an, tribalism still persists in 20th-century Saudi Arabian society. The Black Muslim-Bilalian movement, too, exhibits similar tensions.⁴⁶

Clifton E. Marsh has examined the universal/particular tensions found in the Nation of Islam and offshoot groups, and he has outlined the historic resurrection, transformation, and changes that account for the movement away from the hyper-specific "Black Muslims" to the more mainstream idea of "Muslim," under the guidance of Warith Deen Muhammad.⁴⁷ These developments took place in the post-charismatic phase of Elijah Muhammad, who died in 1975.⁴⁸ In these instances, versions of Islam expand and contract depending on the social context. The Five Percent Nation, whose particular brand of Islam is viewed as heresy by mainstream Islam, represents a highly exclusivist sect, as their name intimates. The Five Percent, in turn, jokingly refer to Sunni Muslims as "Soon to be Muslim," indicating that these believers have not yet reached a ripe understanding of Islam.⁴⁹ In even broader strokes, this group has been described as:

A Western heresy that asserts: the divinity of the black man, as against white images of Jesus; that the black man, not the white man, is the original man, and that white man is the biological descendent of the black; that the white man is, by nature and practice, devilish and primitive and the black, civilized; that white teaching, based on technology, is simply "tricknology," and that Black science based on mathematics, is a superior form of understanding; that Armageddon is coming soon, that the wicked rule of the white man is about to end, and that the global majority non-whites will soon come to power.⁵⁰

The Five Percent Nation was founded by Clarence "Pudding"

⁴⁶ Lawrence H. Mamiya, *Minister Louis Farrakhan and the Final Call: Schism in the Muslim Movement*, in *THE MUSLIM COMMUNITY IN NORTH AMERICA* 239 (Earl H. Waugh et al. eds., 1983).

⁴⁷ See CLIFTON E. MARSH, *FROM BLACK MUSLIMS TO MUSLIMS* (Scarecrow Press 1996).

⁴⁸ *Id.* at 81.

⁴⁹ Niruddin, *supra* note 39, at 129.

⁵⁰ Ted Swedenburg, Paper Presented at the American Anthropological Association Annual Meetings: Islam in the Mix: Lessons of the Five Percent (Nov. 1996) (on file with author), available at <http://comp.uark.edu/~tsweden/5per.html>.

13X, who was originally a lieutenant in the Nation of Islam's security division, the Fruit of Islam. This movement's ideology expanded the narrow theological edicts of the Nation of Islam. In the early 1960s, Clarence 13X began to ponder the NOI creed that Farad was Allah in flesh since the NOI taught that the original Black man was Allah, and Farad himself was of light complexion.⁵¹ The questions surrounding Farad's race have only added mystery to his biography. To be sure, Elijah Muhammad declared him as the Black man who was Allah incarnate, who came to save his people.⁵² Eventually, this difference in opinion would cause NOI leaders to censure Clarence 13X in 1963, the year he broke away from the organization, changed his name to "Allah," and began to preach a new and improved Black-God doctrine to street youth in Harlem.⁵³ The potency of Clarence 13X's message emanated largely from his style of "rappin" the message in street slang that was "swallowed up by the kids"—hence his title, "Pudding."⁵⁴ The Five Percent Nation was originally based out of the "Allah School of Mecca."⁵⁵ In Five Percent parlance and philosophy, Harlem is known as "Mecca."⁵⁶ Brooklyn is "Medina," Queens is "the Desert," the Bronx is "Pelan," and New Jersey is "New Jerusalem."⁵⁷ By renaming these cities according to the holy sites of Islam, the Five Percenters have Islamicized these American cities, and in effect, created new sacred spaces:

The imagined maps of diaspora Muslims, and the definition of centers and peripheries, like the identities they help focus, may also be multiple and may well vary in different times and contexts. Mecca, usually coupled with Medina, is, of course, for all Muslims a transcendent center (not to be confused with contemporary Saudi Arabia, which is to some Muslims anathema and not a center at all).⁵⁸

In the Five Percent worldview, the secrets to the universe are decipherable through "Supreme Mathematics," a numerological theology that is also the basis of their namesake.⁵⁹ In this vision, eighty-

⁵¹ *Id.*

⁵² Niruddin, *supra* note 39, at 114.

⁵³ Swedenburg, *supra* note 50.

⁵⁴ Niruddin, *supra* note 39, at 113.

⁵⁵ MIYAKAWA, *supra* note 38, at 19.

⁵⁶ Hisham Aidi, *Jihadis in the Hood: Race, Urban Islam, and the War on Terror*, MIDDLE EAST REPORT, http://www.merip.org/mer/mer224/224_aidi.html (last visited Dec. 14, 2006).

⁵⁷ *Id.*

⁵⁸ MAKING MUSLIM SPACE IN NORTH AMERICA AND EUROPE 18 (Barbara Daly Metcalf ed., University of California Press 1996).

⁵⁹ MIYAKAWA, *supra* note 38, at 19.

five percent of the population is deluded and enslaved by the cunning of the ten percent, who employ knowledge and technology to keep the masses ignorant and enslaved.⁶⁰ Only five percent of the population knows the entire reality of this situation, and they are the Gods and Earths, the Five Percenters, who self-identify as “Allah” or “God,” and recognize their duty as poor righteous teachers.⁶¹ The Black-God theology borrowed Elijah Muhammad’s model of Blackman-as-God and applied it individually, as the Five Percent acronym for ALLAH suggests—that is, “Arm, Leg, Leg, Arm, Head”—man is God unrealized.⁶² Rejecting the notion that Farad was the Black God returned, the Five Percent “reinterpreted the lessons of the NOI [Nation of Islam] and began to teach that it was not Fard, but the black man collectively, who was God.”⁶³ Conversion to this form of Islam meant incarnating into the master of one’s own universe to become one’s own controller. The Five Percent is a faith for which reconciliation with the God within is the ultimate act of empowerment, an idea that moves away from Elijah Muhammad’s structures of hierarchy and authority, toward a more individualistic and mystical blend of religiosity. The Five Percent philosophy does not preach that there is only one God or that he has only one messenger—views that put them out of sync with mainstream Islam and even the syncretic Nation of Islam. Members of this group, as a part of a larger pan-Islamic sphere, represent an Islam that expresses a faith of resistance and liberation, and a rejection of white, Western domination and enslavement. Members visibly separate themselves not only from the white context but also from the trappings of the ghetto. In this context they try to find freedom in lives of despair and dehumanization, the marginal spaces of life that are shed for a cosmic vision that engulfs ghetto existence.

The penitentiary has played a contradictory role in the evolution of this influential brand of Islam. On one hand, the administrative labeling of Five Percenter as “security group threat” has eliminated the possibility of religious claims to First Amendment rights.⁶⁴ Thus, rather than receive the privileges of a religious group, these prisoners are actually penalized for their faith. On the other hand, the penitentiary has offered a safe and secure haven for this message to be encoded and elaborated, to convolute an already complicated set of

⁶⁰ *Id.* at 28.

⁶¹ *Id.*

⁶² *Id.*

⁶³ Niruddin, *supra* note 39, at 114.

⁶⁴ *See* *Fraise v. Terhune*, 283 F.3d 506 (3d Cir. 2002).

lessons. Moreover, the dramatic expansion of prison industry, fueled by tough-on-crime legislation, ensures an ever-expanding audience for these teachings. Currently, U.S. prisons encage approximately twenty-five percent of the world's entire prison population—the highest incarceration rate and largest imprisoned population in the world.⁶⁵ With such severe restrictions, one might wonder how these deprivations affect a new convert or want-to-be-practitioner. For example, what happens when the right to worship and communal prayer is trumped by administrative rules of discipline, detainment, and security? Or what are we to make of Islam's dramatic expansion behind bars despite the limited, if any, space for practice? What about new adherents who are consistently, and in some ways permanently, impeded in religious ritual by rules, regulations, and other restrictions? To be sure, the prison is a place where religion and violence must somehow coexist, and often do so very comfortably.

The dynamics of these sorts of contradictions have been examined by Rene Girard in *Violence and the Sacred*, which stresses humanity's need for violent sacrifice as a means to stabilize society, maintain order, and “keep violence *outside* the [religious] community.”⁶⁶ Sacrifice is the outlet or release from dangerous mimetic and competitive tendencies; the controlled violence of religious sacrifice works to subdue greater and more ominous forms of violence that always threaten to fragment social unity. Mark Juergensmeyer has noted that for Girard, ritual functionally serves to purify violence and “allows adherents to release feelings of hostility toward members of their own communities, thereby purifying these feelings and allowing for the social cohesion of affinity groups.”⁶⁷ Violence is ontological in Girard's conception of religious ritual, and the religious violence of sacrifice works to minimize the terrible forms that threaten perpetually to destroy the community. When this process is blocked or otherwise impeded, fragmentation follows, producing a state of religious repression Girard calls “sacrificial crisis.”⁶⁸ These harsh and prohibiting conditions on sacred space and practice thwart the collective catharsis of religious ritual. Eventually, these pent-up energies explode and lash out in religious retaliation and retribution, effecting and engaging a cycle of vengeance, for “anything that adversely affects the

⁶⁵ MAUER, *supra* note 15, at 17–29.

⁶⁶ RENE GIRARD, *VIOLENCE AND THE SACRED* 92 (Patrick Gregory trans., Johns Hopkins University Press 1977).

⁶⁷ MARK JUERGENSMEYER, *TERROR IN THE MIND OF GOD* 3 (University of California Press 2001).

⁶⁸ GIRARD, *supra* note 66, at 39, 49.

institution of sacrifice will ultimately pose a threat to the very basis of the community, to the principles on which its social harmony and equilibrium depend.”⁶⁹

Within the Islamic tradition, scholars and jurists have also discussed the use of violence in religious struggle in the concept of jihad, which, at the very least, implies two possibilities. On one hand, Islamic *jihad* is a peaceful battle of conscience that struggles for personal salvation. This conception of struggle is understood metaphorically, as if a war rages within an individual. On the other hand, jihad is understood as literal combat. It is a military battle to vanquish the enemy. The belief that non-violent jihad is the “greater” of the two jihads has its origins in a number of *hadith*, the traditions and teachings of the Prophet. In this regard, Muhammad is reported to have told warriors returning home from victorious combat that they had returned from the lesser jihad of struggle against unbelievers to a greater jihad of struggle against lust. This statement has historically created interpretive divisions in the Islamic world, inspiring adherents to both pacifism and militancy. For the fighting warrior, the Prophet’s model is truth—yet they are still on the battleground in the middle of real war. There is no question of “greater” struggle when the lesser has yet to be won; there can be no inner peace when *dar al harb*, the house of war, persists under the rule or threat of infidels. In most cases, however, the inward, non-violent conception of religious struggle speaks truth to power for the masses who conceive of jihad as a tool for inner reform. For others, however, jihad is waged to reshape the *outside* world, to engage in what Juergensmeyer calls “Cosmic War,” the imaginative interplay of violence and terror that engulfs schemes of time, geography, and humanity under religious visions of the cosmos and the crisis:

I call such images “cosmic” because they are larger than life. They evoke great battles of the legendary past, and they relate to metaphysical conflicts between good and evil. Notions of cosmic war are intimately personal but can also be translated to the social plane. Ultimately, though, they transcend human experience. What makes religious violence particularly savage and relentless is that its perpetrators have placed such religious images of divine struggle—cosmic war—in the service of worldly political battles. For this reason, acts of religious terror serve not only as tactics in a political strategy⁷⁰ but also as evocations of a much larger spiritual confrontation.

⁶⁹ *Id.* at 49.

⁷⁰ Juergensmeyer, *supra* note 67, at 146.

CULTURAL PRODUCTION AND THE WRATH OF GODCORE

Conditions behind bars have yielded a situation where discursive practices are severely constrained, and are dominated by linguistic and representational forms.⁷¹ That verbal and written forms of discourse arise in proportion to physical restrictions is also evident in Malcolm X's autobiography, which reveals a turn toward Islam that was guided and sustained more by the letters of Elijah Muhammad and the encouragement of other prisoners than the practical rigors of mainstream Islam. This move toward interpersonal forms of discourse is best understood as creative strategies reacting against penal policies and other restrictions that make ritual or sacrifice a practical impossibility.

Like the above cultural productions, popular music works to blur the distinctions between life and art.⁷² This is especially true in the style of rap known as Godcore—which burgeons with radical rappers and religious gangstas who can be heard rounding up troops to begin the Armageddon, and often, their message is aimed directly at prisoners. Islamic Godcore, including works like Public Enemy's *Welcome to the Terrordome*, *Sonic Jihad* by Paris, and *No More Prisons Volume I and II*, offers an infantry of rappers and producers who are convinced of a pending apocalyptic storm. In these works of terror and destruction, explicitly religious bonds are formed between prisoners and the upcoming battle. Many of these artists take a zealous stance toward their art form, and honor music as the main vehicle through which to disseminate their revelation of cosmic struggle with lyrics saturated in vengeful fantasy.⁷³ Indeed, for these religious radicals on the fringe of the dissident spectrum, their music is the *drums of war*, and "Allahu Akbar!" is the battle cry.⁷⁴ These works, however, are by no means confined to minority consumption, but have attracted the ears of popular culture. Indeed, "Islamic rap is no marginal cultural phenomenon, but has firmly implanted itself at the *center* of US mass culture."⁷⁵ Five Percenter megastars like Busta Rhymes, Rakim, Wu

⁷¹ See generally REPRESENTATION: CULTURAL REPRESENTATIONS AND SIGNIFYING PRACTICES 6 (Stuart Hall ed., The Open University 1997).

⁷² Sally Engle Merry, *Law, Culture, and Cultural Appropriation*, 10 YALE J.L. & HUMAN. 575, 575–603 (1998). Consider also the re-production of elements of the Wizard of Oz in the prison drama series, *Oz*, including the appropriation of "Emerald City" as the namesake of the prison wing where the drama takes place.

⁷³ Charise Cheney, *Representin' God: Rap, Religion and the Politics of Culture*, in 3 THE NORTH STAR: A JOURNAL OF AFRICAN AMERICAN RELIGIOUS HISTORY (1999).

⁷⁴ AKBAR, BATTLE CRY (Raptivism Records 2001); see also BRAND NUBIAN, ALLAHU AKBAR (Elektra Entertainment 1992).

⁷⁵ Swedenburg, *supra* note 50.

Tang Clan, and Erykah Badu sit at center stage in American culture, flanked by equally influential varieties of Islamic-influenced rappers, including the Roots, Mos Def, and the Fugees.

These cultural manufactures raise questions about the relationship between civilian conditions and those inside the penitentiary. For example, in what ways is the concentration on discursive forms like music aimed at resisting social discrimination? How might this connect to the surveillance of U.S. mosques and their attendees by the F.B.I., a monitoring plan that was announced shortly after September 11, 2001? Is this profiling and discrimination forcing Muslim worship to the less conspicuous level of sound and song? This seems to be the case with the Five Percenters, who have no mosques or other formalized settings, and few gatherings. Instead they seem to congregate mostly through the exchange and propagation of music, a reality that simultaneously confounds any attempt to censure the U.S. Islamic population. These developments may tell us something about life in the “free world” for these followers. The closer one looks, life for Black or other minority Muslims in the U.S. takes on a certain resemblance to life behind bars—a discursive macrocosm of the incarcerated condition that proclaims “you ain’t gotta be locked up to be in prison,”⁷⁶ that “living in the world is no different from a cell,”⁷⁷ or in Malcolm X’s words, “[i]f you go to jail, so what. If you are Black, you were born in jail”⁷⁸

Islamic rap has recently come under heavy media scrutiny for its alleged connections to the “D.C. Snipers,” who terrorized the Washington, D.C. area in 2002.⁷⁹ In the suspects’ possessions were Five Percent music cassettes that caused some to assume that the music helped inspire the attacks.⁸⁰ When law enforcement officials found the music and the handwritten note “I am God” in John Allen Muhammad’s belongings, the connection seemed obvious. A year later, the release of Paris’s *Sonic Jihad* caused a similar swell of media attention. The album cover featured a jumbo-jet plane poised and ready to crash into the White House, seemingly announcing “we’re back to finish the job,” a visual perhaps too frightening or taboo for custom-

⁷⁶ DEAD PREZ, *Behind Enemy Lines*, on LET’S GET FREE (Relativity Records 2000).

⁷⁷ GRANDMASTER CAZ, *Intro*, on NO MORE PRISONS, VOL. 2 (Raptivism Records 2003).

⁷⁸ Malcolm X, Black Nationalism Can Set Us Free, <http://www.marxists.org/reference/archive/malcolm-x/index.htm> [Hereinafter Black Nationalism] (last visited Dec. 14, 2006).

⁷⁹ Ted Swedenburg, *Snipers and the Panic over Five Percent Islamic Hip Hop*, MIDDLE EAST REPORT ONLINE, Oct. 10, 2002, <http://www.merip.org/mero/mero111002.html>.

⁸⁰ *Id.*

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ers still traumatized from the wounds of September 11. The album's lyrical content reveals an equally stark message, as street-anthems like "Freedom" proclaim:

Rebels at it come again
 That's why we conspire so you never win
 Keep it calmer when we ride so you never seein'
 Niggas aim between the eyes so you never mend
 Field niggas in the front be the first to bust
 GuerillaFunk.com who you gon' trust?
 With all this talk about the war they forgettin' us
 Broke schools and abuse made the noose a must
 Holla black-fuck a pig and these killers' wars
 Around the world every border it's the same story
 Anywhere that it's color it ain't never peace
 Africa, South America and Middle East.⁸¹

Paris's reference to "field niggas" harkens back to the type of slave Malcolm X says would "pray for wind" if the slavemaster's house caught on fire.⁸² They were the rebels who, unlike the "house niggas," always kept freedom and escape foremost in mind.⁸³ For Paris, music is the only weapon available for this holy struggle, but it too, is under watchful eyes:

And with the 4th Amendment gone
 Eyes are on the 1st
 That's why I'm spittin' cyanide
 Each and every verse⁸⁴

His testimony bolsters the notion that the days of "free speech" are numbered in the wake of post-9/11 legislation. From Paris's point of view, privacy and physical freedom are things of the past, as "sneak and peek warrants" proclaim the Fourth Amendment's death, sealed by legislation like the PATRIOT Act; accusations that are compounded by pending legislation that leaves less and less room in America to accommodate constitutional rights for minorities.⁸⁵

⁸¹ PARIS, *Freedom [the Last Cell Remix]*, on SONIC JIHAD (Superrappin Records 2003).

⁸² Malcolm X, Black Nationalism *supra* note 78.

⁸³ In 2002 these concepts were revived, as actor and activist Harry Belafonte made headlines for comparing then-Secretary of State Colin Powell to a house slave. Kimberly Jade Norwood, *The Virulence of Blackthink and How Its Threat of Ostracism Shackles Those Deemed Not Black Enough*, 93 Ky. L.J. 143, 148–49 (2004–2005).

⁸⁴ PARIS, *What Would You Do?*, on SONIC JIHAD (Superrappin Records 2003).

⁸⁵ See generally DAVID COLE, *ENEMY ALIENS: DOUBLE STANDARDS AND CONSTITUTIONAL FREEDOMS IN THE WAR ON TERRORISM* (New Press 2003).

RAZA ISLAMICA—TERROR BRED BEHIND BARS?

In 1925, Jose Vasconcelos published *La Raza Cosmica*, a utopian work that prophesized a future world inhabited by mixed breeding across world civilizations. According to Vasconcelos, the hybrid cultures and races arise from the white race's exploits in the slave trade and colonialism. In his view, these historical events have "set the moral and material basis for the union of all men into a fifth universal race," a cosmic race blended together into a mix of multiple shades and cultures.⁸⁶ These ideas allude to an inevitable species of humankind that arises through miscegenation:

The days of the pure whites, the victors of today, are as numbered as were the days of their predecessors. Having fulfilled their destiny of mechanizing the world, they themselves have set, without knowing it, the basis for the new period: The period of the fusion and the mixing of all peoples.

...

Its predestination obeys the design of constituting the cradle of a fifth race into which all nations will fuse with each other to replace the four races that have been forging History apart from each other.⁸⁷

Vasconcelos's vision points to the cultural and genetic consequences of slavery, colonialism, and global capitalism, which all work together to undermine the boundaries of white supremacy and racial purity. By making "whiteness" a near-obsolete category, a paradox is born whereby the products of white supremacy work to ensure its demise.

The influence of Vasconcelos on Latino/Hispanic theorists and theologians is noteworthy. Virgilio Elizondo's *Galilean Journey* (1983), Gloria Anzaldúa's *Borderlands* (1987), Andres Guerrero's *Chicano Theology* (1987), Jose Antonio Rivera's *El Fin de la Raza Cosmica* (2001), Richard Rodriguez's *Brown* (2002), and Benjamin Valentin's edited *Horizons in Hispanic/Latino(a) Theology* (2003) have offered criticism and commentary on the notion of *La Raza Cosmica*. Although each is critical of Vasconcelos on various levels of detail, they unanimously recognize the important and lasting impact his work has had on subsequent generations of Latino thinkers.

Elizondo has developed Vasconcelos's racial vision in the notions of *mestizaje*. He explains, "[m]estizaje is simply the mixture of human groups of different makeup determining the color and shape of the eyes, skin pigmentation, and makeup of the bone structure. It

⁸⁶ JOSE VASCONCELOS, *THE COSMIC RACE: A BILINGUAL EDITION* 9 (Johns Hopkins University Press 1997) (1925).

⁸⁷ *Id.* at 16, 18.

is the most common phenomenon in the evolution of the human species.”⁸⁸ This general framework of racial and ethnic mixing produces breeds of humans that are defined by a complex genetic history, making any biological notion of “race” impossible due to long histories of miscegenation. This interbreeding produces the *mestizo*, a birth that takes place along a border, frontier, or other interface. The *mestizo*, literally “mixed,” is born out of histories “and in them begins a new history.”⁸⁹ “The symbolic and mental structures of both histories . . . intermingle so that out of the new story which begins in the *mestizo*, new meanings, myths, and symbols will equally emerge.”⁹⁰ Thus, for Elizondo, the notion of *La Raza Cosmica* is not a teleological process as Vasconcelos would have it; rather it is a perpetual one that characterizes historical development itself. This thesis is further exemplified in David Carrasco’s *The Future is Mestizo* (2000), which maintains these core elements of Vasconcelos’s racial vision. In the Introduction of this book, Carrasco discusses the notion of Brown Millennium within Elizondo’s theoretical framework:

The Brown Millennium that Latinos represent extends to include all people because with the influx, input and involvement of Asians, Africans, Europeans, and Latin Americans into the complex interactions of the global city and especially the United States, the overall hue and cry will be shades of brown, black, white, red, and yellow.⁹¹

Commenting on the notion of *mestizaje*, Valles and Torres add:

Mestizaje survives as an outlaw discourse, acknowledged by Latino intellectuals and lived by the Latino community, but ignored by the nation’s dominant institutions. Marginalization, however, does not imply the absence of a documented history.

. . .

Mestizaje on this side of the border thus expresses a refusal to prefer one language, one national heritage, or culture at the *expense* of others. Culturally speaking, then, *mestizaje* is radically inclusive.⁹²

In the Harvard Divinity School Bulletin, David Carrasco has fur-

⁸⁸ VIRGILIO ELIZONDO, MESTIZO CHRISTIANITY: THEOLOGY FROM THE LATINO PERSPECTIVE 9–10 (Arturo Banuelas ed., 1995).

⁸⁹ *Id.* at 12.

⁹⁰ *Id.*

⁹¹ David Carrasco, *Introduction* to VIRGILIO ELIZONDO, THE FUTURE IS MESTIZO: LIFE WHERE CULTURES MEET xvii (University Press of Colorado 2000).

⁹² Victor Valle & Rodolfo D. Torres, *The Idea of Mestizaje and the “Race” Problematic: Racialized Media Discourse in a Post-Fordist Landscape*, in CULTURE AND DIFFERENCE: CRITICAL PERSPECTIVES ON THE BICULTURAL EXPERIENCE IN THE UNITED STATES 139, 148 (Antonia Darder ed., 1995) (emphasis omitted).

ther explained the religious implications of Brown Millennium:

By Brown Millennium I'm referring not only to the Latino-ization of American religions, politics, music, and cuisine, but the impact of African, Asian, Latin, and Middle Eastern peoples who together are bringing and celebrating their gods, ancestors, spirits, music, health practices and mixing them with the official cultural and religious realities of the U.S.⁹³

These racial divisions resonate well with Vasconcelos's idea of four races converging into a "fifth" universal race.⁹⁴ At its core, this race is brown, with innumerable "shades" within. The will toward brown has also been posited by Richard Rodriguez, who writes, "[t]he future is brown, is my thesis; is as brown as the tarnished past."⁹⁵ Like his theoretical predecessors, Rodriguez is especially inclined to connect the evolution of "brown" to the racial impulses that birthed slavery, colonialism, and contemporary forms of racism:

After several brown centuries, I sit on a dais, in a hotel ballroom, brown. I do not hesitate to say into a microphone what everyone knows, what no one says. *Most American blacks are not black. . . .* From the inception of America, interracial desire proceeded apace with segregated history. . . . [W]hite slave owners placed their ancestors in the bodies of their slaves.

. . .

A child of black-and-white eroticism remained "black" in the light of day, no matter how light her skin, straight his hair, gothic her nose; she was black as midnight, black as tar, black as the ace of spades, black as your hat. Under the one-drop theorem, it was possible for a white mother to give birth to a black child in America, but no black mother ever gave birth to a white child. A New World paradox.⁹⁶

Guerrero has discussed *La Raza Cosmica* within "The Chicano Cosmic Experience of Oppression."⁹⁷ Citing Vasconcelos, he explains that for Chicanos, "cosmic" is a "symbolic of our identity," that is as sacred as the Virgen de Guadalupe.⁹⁸ In this and the above works, Vasconcelos's ideas are alive and influential some eighty years after his work was first published. In these responses to Vasconcelos's vision of the future, these authors implicitly endorse a vision of *La Raza Cosmica*,

⁹³ David Carrasco, *Visions of a Brown Millennium: Beginnings in the End*, 31 HARV. DIVINITY BULL. 20, 20 (Summer 2003).

⁹⁴ Vasconcelos, *supra* note 86, at 9.

⁹⁵ RICHARD RODRIGUEZ, *BROWN: THE LAST DISCOVERY OF AMERICA* 35 (2002).

⁹⁶ *Id.* at 134–35.

⁹⁷ ANDRES G. GUERRERO, *A CHICANO THEOLOGY* 17 (1987).

⁹⁸ *Id.* at 20.

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while acknowledging that the idea of a “cosmic race” is itself something of a paradox, since it supports the idea of a “non-racial race.”

A number of scholars and experts have offered testimony that elaborates on the *Raza Islamica* profile. These many reports offer evidence on the current dynamics of prison-Islam and terror. Recently, in testimony to the United States Senate Committee on the Judiciary entitled *Terrorist Recruitment and Infiltration in the United States: Prisons and Military as an Operational Base*, Professor Michael Waller stated:

Enemies of our free society are trying to exploit it for their own ends. These hearings ensure that policymakers and the public know and understand how our enemies’ operations work within our borders. . . .

. . .

The recruitment and organization of ideological extremists in prison systems and armed forces is a centuries-old problem, as is the difficulty that civil societies have had in understanding and confronting the matter. . . .

. . .

Islamists [sic] terrorists view conversions of non-Muslims to Islamism as vital to their effort. Europeans and Americans from non-Muslim backgrounds do not fit the terrorist profile. They know their societies far better than immigrant terrorists, and they blend in seamlessly. They also have Western passports. Some analysts view the conversions as a new generation of political and social protest against the West and toward the “Third World.”⁹⁹

In Part 2, entitled *Radical Islamist Domination of Muslim Prison Recruitment Efforts*, Waller continues:

Radical Islamist groups, most tied to Saudi-sponsored Wahhabi organizations suspected by the U.S. government of being closely linked to terror financing activities, dominate Muslim prison recruitment in the U.S. and seek to create a radicalized cadre of felons who will support their anti-American [prison] efforts. Estimates place the number of Muslim prison recruits at between 15–20% of the prison population. They are overwhelmingly black with a small, but growing Hispanic minority. It appears that in many prison systems, including Federal prisons, Islamist imams have demanded, and been granted, the exclusive franchise for Muslim proselytization to the forceful exclusion of moderates.

⁹⁹ *Terrorist Recruitment and Infiltration in the United States: Prisons and Military as an Operational Base: Hearing Before the Subcomm. on Terrorism, Technology and Homeland Sec. of the S. Comm. on the Judiciary*, 108th Cong. (2003) (testimony of Michael J. Waller, Annenberg Professor of International Communication, Institute of World Politics).

. . . By converting to Islam, the prisoner is therefore expressing his enmity toward society in which he lives and by which he believes himself to have been grossly maltreated. . . .

U.S. prisons and jails, where al Qaeda and other organizations have found men who have already been convicted of violent crimes and have little or no loyalty to the United States. . . . “It’s literally a captive audience, and many inmates are anxious to hear how they can attack the institutions of America. . . .”¹⁰⁰

Corroborating Waller’s assessment, the *New York Times* reported the following in a multi-part series called “Prisons to Mosques”:

Racial and religious hate speech is criminal in much of the world, but it flourishes in the United States. Even Saudi Arabia, for instance, has been signaling that it will cut back on the diplomatic visas it issues to militant Wahhabi clerics, who sometimes praise suicide attacks. But militant Wahhabism and other religious doctrines advocating violence are freely preached in the United States. It happens in mosques and churches, in schools, and especially, in prisons.¹⁰¹

In an article entitled “Prisons Weigh Threat of Radical Islamist Gangs,” the *Los Angeles Times* reported:

With more than 2 million Americans behind bars, prisons are seen by some as the hotbed of the disaffected—ideal soldiers for a war against the government. Some terrorism experts worry that these angry young recruits will be motivated by a desire for ‘pay-back’ against a system many believe is unfair and oppressive.¹⁰²

As developed in this essay, *Raza Islamica* thus refers to Vasconcelos’s cultural, biological, and ideological miscegenation under the sway of radical Islam. It is an attempt to locate a movement that sits somewhere between Hisham Aidi’s “Jihadis in the Hood” and “Jihadis in the Cell Block.” In this struggle, the prison sits in radical tension with the ‘hood, and for a battered prisoner and community, Islam provides not simply a coating salve to soothe hardships and pains, but also an ideology of supreme resistance, of subject formation. Earl Ofari Hutchison has considered the notion of “African American” or “Hispanic Jihad” to assert that: “It’s not inconceivable that with the proliferation of prison gangs, some blacks in their warped, and misguided misreading of Islam, may nurse private hatreds toward the

¹⁰⁰ *Id.*

¹⁰¹ Adam Liptak, *The Nation: Prisons to Mosques; Hate Speech and the American Way*, N.Y. TIMES, Jan. 11, 2004, § 4 at 3.

¹⁰² Jenifer Warren & Greg Krikorian, *Prisons Weigh Threat of Radical Islamist Gangs*, L.A. TIMES, Sept. 4, 2005, at B1.

U.S. government and out of that hatred could be tempted to wreak their brand of divine retribution on other Americans.”¹⁰³

Yet regardless of how one designates this phenomenon, what is certain is that this brand of religious warrior will invariably be connected to the U.S. penitentiary system, the place jihadis of all types understand as state-sponsored terrorism at its finest, and many from firsthand experience. According to Dawud Burgess, “[i]t is in prison that groups of people come together simply for the pleasure of Allah, with no concerns of race and creed. To do so, they must battle not only the negative environment around them, but also a prison administration that often wants to destroy them.”¹⁰⁴ The *Wall Street Journal* has commented on the nature of prisoners and terrorism in *Why Terrorists Love Criminals and Vice Versa*:

Conversion to Islam is a fashion in British and American prisons. Some of these convicts do indeed experience a religious revelation and adopt Mohammed’s teaching out of a born-again desire to go straight along Islam’s strict path. Sadly too many others adopt an Islamic name and dress as a way of expressing their rejection of society. No doubt to the horror of many imams, Islam in the minds of criminals equals a denial of the legitimacy of the society that found them guilty and locked them up.¹⁰⁵

In the article *Evangelizing for Evil in our Prisons*, Chuck Colson adds:

Now, there is nothing unusual about confrontation in prison—gang wars regularly occur. What this illustrates, however, is something different—the aggressive nature of Islam behind bars, where one out of six inmates is an adherent. Islam, certainly the radical variety, feeds on resentment and anger all too prevalent in our prisons. . . . Many [nonwhite prisoners] feel oppressed by the white power structure and sentencing disparities, which too often fall most harshly on minorities. Alienated, disenfranchised people are prime targets for radical Islamists who preach a religion of violence, of overcoming oppression by jihad.¹⁰⁶

Connections between terrorism and prisons have persisted steadily in the wake of September 11, 2001. Just months after these dra-

¹⁰³ Earl Ofari Hutchinson, *Hispanic or African-American Jihad?*, ALTERNET, June 17, 2002, <http://www.alternet.org/columnists/story/13401/>.

¹⁰⁴ Dawud Burgess, *Behind Bars: Islam Inside and Outside Prison*, AL-TALIB: THE MUSLIM NEWSMAGAZINE AT UCLA, July 1999, at 21.

¹⁰⁵ Mark Almond, *Why Terrorists Love Criminals and Vice Versa*, THE WALL ST. J., June 17, 2002, at A18.

¹⁰⁶ Chuck Colson, *Evangelizing for Evil in our Prisons*, THE WALL ST. J., June 24, 2002, at A16.

matic attacks, another was planned against American targets by the so-called shoe bomber, Richard Reid.¹⁰⁷ Of British and Jamaican descent, Reid converted to Islam in a British prison before attempting to blow up a commercial passenger plane headed for Miami, Florida.¹⁰⁸ As this plan unfolded, still another was being plotted by Jose Padilla, the “Dirty Bomber,” who was arrested in spring 2002 by Federal agents for allegedly conspiring to build and detonate a “dirty bomb” against U.S. targets.¹⁰⁹ Journalists and scholars have made connections between Padilla’s plan and his encounter with Islam during his various stays in jail and prison.¹¹⁰ His thug life of gangs, drugs, and violence in the Chicago barrios led him in and out of criminal trouble, and shortly after his release from a Florida jail, he officially converted to the faith and adopted the name *Abdullah al Muhajir*, “the Immigrant.”¹¹¹ His deepening spiritual commitment took him to Yemen and eventually Pakistan, where he consulted with militant Muslim clerics about conducting the attack.¹¹² Padilla’s complex and violent history guides religious conversion into a radical militancy with influences that are traceable to incarceration.¹¹³ Padilla also represents an important and growing trend in the American Islamic landscape—conversion by Brown, Spanish speaking populations.¹¹⁴

For these Latin American and Caribbean masses who have historically identified with the Catholic Church, there appears a growing

¹⁰⁷ *Who is Richard Reid*, BBC NEWS WORLD EDITION, Dec. 18, 2001, http://news.bbc.co.uk/2/hi/uk_news/1731568.stm.

¹⁰⁸ *Id.*

¹⁰⁹ Amanda Ripley, *The Case of the Dirty Bomber: How a Chicago Street Gangster Allegedly Became a Soldier for Osama Bin Laden*, TIME, June 16, 2002, available at <http://www.time.com/time/nation/article/0,8599,262917,00.html>.

¹¹⁰ *Id.*

¹¹¹ *Id.*

¹¹² *Id.*

¹¹³ See Scott Hadley, *Waiting for Justice*, SANTA BARBARA NEWS-PRESS, Dec. 6, 2003, (speculating on a prison guard killing by a prisoner and noting that “a small cabal of Islamic terrorists, who lived together and prayed together at the prison, spent weeks and months whispering into the killer’s ear until the day he lashed out”); *Prayer Group May be Factor in Prison Killing*, SANTA BARBARA NEWS-PRESS, Jan. 12, 2004; see also Liptak, *supra* note 101 (“Prisons are rife with fringe and very violent religions. When you get that kind of fanaticism in the prison population without the leavening of rational thought, it’s a breeding ground for terrorism.”).

¹¹⁴ See Hisham Aidi, *Olé to Allah*, ISLAM FOR TODAY, <http://www.islamfortoday.com/ole.htm>. Also, Margaret Ramirez, religion correspondent for the *Los Angeles Times*, has reported, “in recent years, Islamic teaching has begun gaining acceptance among members of the Latino Community. . . . [S]pecifically in New York, New Jersey, Chicago, and Miami—[where Latinos] have fled the church of their birth and embraced Islam as their newfound faith.” Margaret Ramirez, *New Islamic Movement Seeks Latino Converts*, L.A. TIMES, Apr. 12, 1999, at B1.

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doubt that the Church has fulfilled the Christian mission. Such sentiment has been expressed by ex-prisoner Immortal Technique, a self-described “Black Latino” and “Suicide bomber” with an ultra-militant, firebrand style of Godcore.¹¹⁵ His version of Church history reveals the immense struggle to reconcile the words of the Christian Gospel with the deeds of Christian History, as he exclaims:

The new age is upon us, and yet the past refuses to rest in its shallow grave
 For those who hide behind the false image of the Son of Man
 shall stand before God!
 It has begun: The beginning of the end¹¹⁶
 As the song progresses, he hints at the true followers of Jesus:
 The voice of racism preaching the Gospel is devilish
 The fake church called the Prophet Muhammad a terrorist
 Forgetting God is not religion but a spiritual bond,
 And Jesus is the most quoted prophet in the Quran¹¹⁷

This sort of reflexive search for religious origins has led many soul-searchers to rediscover links between Islam and Spanish culture. As Spain was ruled by Moorish Muslims for over half a millennium, her colonial offspring bear many influences of Islamic culture. For the Spanish-speaking world, this is evident in words like *ojalá* and *olé*, which is a cognate of *allah*, or in names like *omar* and *medina*, which are Arabic.

Although the above groups provide a startling glimpse of resistance through rap, perhaps no other group today better represents a rap version of *Raza Islamica* than Mujahideen Team, a group of Puerto Rican Muslims, whose militant lyrics constantly target the prisons:

Mujahideen Team
 Wave the flag of the *deen*
 Bustin A-K's with banana magazines
 The dead has risen
 Guns and ammunition
 Soldiers locked down
 Making jumma in prison . . .
 . . . The technician of Maliki tradition,

¹¹⁵ KRS-ONE, *Hush*, on SNEAK ATTACK (Koch Records 2001) (The term “Godcore” was seemingly coined by KRS-One, who used the term in conjunction with street-conscious militancy, portraying himself to be “that hardcore-godcore, ready to start war.”).

¹¹⁶ IMMORTAL TECHNIQUE, *4th Branch*, on REVOLUTIONARY, VOL. 2 (Nature Sounds 2003).

¹¹⁷ *Id.*

Soldiers locked down
 Making jumma in prison¹¹⁸

In this song the reference to Maliki tradition is especially telling since, as Bernard Lewis has noted, “Malik, the founder of the Maliki School, allows Muslims to visit the lands of the infidels for one purpose only—to ransom captives.”¹¹⁹ Elsewhere, “What is War” asks:

What is war?
 For freedom, fighting for Islam,
 Fighting all of them that be dropping them bombs
 What is war?
 The way to heaven, the way to hell
 The way for freedom and it’s the way to jail¹²⁰

In another song they proclaim:

There is only one way to come home from a war zone
 With your enemy’s head or without your own
 And if I die in war I die as a martyr
 Tell my little sons not to cry for their father
 Tell them my last words I pronounced shahada
 Tell ‘em I squeezed the trigger ‘till I met death with honor¹²¹

On the introduction to another track, a call to war is made for the faithful in a production that seemingly imitates a Palestinian funeral procession, only this procession is taking place on American soil, and the man blaring from the megaphone is not speaking in Arabic, but in English:

Oh you sons and daughters of Adam! Oh you brave and righteous souls! Today is the day of retribution. Today is the day that the devil has raised his head; he has undressed his sword; he has decorated his blade with the sacred blood of your brothers; he has violently violated the sanctity of your sisters. Today is the day of retribution. Today is the day of jihad. Today is the day of victory or martyrdom. So oh you who believe, raise your head and ready your weapon!¹²²

¹¹⁸ MUJAHIDEEN TEAM, *Dead Has Risen*, on CLASH OF CIVILIZATIONS (Remarkable Current 2005).

¹¹⁹ BERNARD LEWIS, *ISLAM AND THE WEST* 49 (1993).

¹²⁰ MUJAHIDEEN TEAM, *What is War?*, on CLASH OF CIVILIZATIONS (Remarkable Current 2005).

¹²¹ MUJAHIDEEN TEAM, *FTG*, on CLASH OF CIVILIZATIONS (Remarkable Current 2005).

¹²² MUJAHIDEEN TEAM, *Day of Retribution*, on CLASH OF CIVILIZATIONS (Remarkable Current 2005).

CONCLUSION

I have argued that the penitentiary plays a central role in the identity, memory, and religiosity of many Muslims and Muslim converts. For both, “place” brands itself onto individual and collective religious memory, and sacred space serves as a metaphysical gateway—a mundane area that becomes a sanctuary. For converts, the prison’s visual, physical, and mental systems of control are relegated to a second order and replaced by a new regime: self-control. The subject-forming space that facilitates this transition becomes forever branded onto the believer’s religious imagination, infused with the everyday violence of the institution. This newly discovered self-empowerment, though defiantly distant from the repenter envisioned by the penitentiary’s original framers, is nonetheless a reality of today’s prisons. Such happenings behind prison walls, in turn, become immortalized through cultural production and reproduction, and for many Black Muslims, the enslavement in Egypt, America, and now in American prisons, all weave together into narratives of persecution and domination imposed on dark-skinned Muslims and their spiritual ancestors.¹²³ As Malcolm X put it: “America is facing judgment just like Egypt was judged for enslaving the Hebrews, and Babylon was judged for enslaving the Hebrews. . . . Today America is faced with the same thing . . . and will be destroyed as surely as Egypt was destroyed and Babylon was destroyed.”¹²⁴ This creative imagery and rhetorical resistance all point to a future where righteousness is unveiled and the captives are set free—*are literally set free*.

This essay has also tried to raise questions about the penitentiary and the production of violence. The institutional intersection of race, religion, and repression offers a sure recipe for reactive violence, and of all sorts, not just religious. Moreover, as the dark, cramped conditions of the prison become more the custody of private corporate enterprise, “correctional facilities” are certain to be guided more by motives of profit through engineered suffering and deprivation than concern for the criminal. These developments seem to signify an economic version of “sacrificial crisis” in the making, where cost-cuts and profit margins only help in the manufacture

¹²³ Although slavery is widely believed to be abolished, the Thirteenth Amendment actually *wrote slavery into* the U.S. Constitution for those people legally classified as criminals. Combined with the industrial privatization of prisons, these developments are understood as the transformation of slavery into a new form—a *neoslavery*. For more on African Muslim slaves, see SYLVIANE A. DIOUF, *SERVANTS OF ALLAH: AFRICAN MUSLIMS ENSLAVED IN THE AMERICAS* (1998) and ALLAN D. AUSTIN, *AFRICAN MUSLIMS IN ANTEBELLUM AMERICA: A SOURCEBOOK* (1984).

¹²⁴ MALCOLM X: *HIS OWN STORY AS IT REALLY HAPPENED* (Warner Brothers 1972).

of disgruntled warriors. Acknowledging the prison as sacred space points to the U.S. penitentiary as a breeding ground for new generations of religious radicals, militants, and terrorists who operate from prison cells.

As David C. Rapoport has noted, “[t]errorists need religion because religion can provide a most compelling legitimacy for killing and dying especially in situations when political appeals are ineffective. Religion, moreover, seems to need terror too, for religion deals with the ultimate issues of order and disorder and of good and evil.”¹²⁵ Indeed, as the spatially boundless “War on Terror” continues against an undefined and amorphous enemy, a counter-war is being launched in the U.S., where the enemy is certain and space is sacred. This prescription for violence is more sobering considering that the U.S. is home to the “steepest and most sustained increase in the rate of imprisonment that has been recorded since the birth of the modern prison.”¹²⁶ It is reasonable to suggest, then, that as prison expansion continues in its unprecedented boom, prison-inspired violence and terrorism are sure to rise—perhaps producing some booms of their own.

Finally, it is also worth considering the above in conjunction with the recent prison abuses in U.S. facilities abroad. These scandalous episodes are best understood as American exports of sorts—systemic techniques and tactics of the U.S. penitentiary employed in Iraq, Afghanistan, and Guantánamo Bay. To anyone familiar with the violent mechanics of U.S. prisons, the accounts, videos, and photos of prisoner abuse and torture, and even suicides, come as no surprise. Rather, these realities serve to illustrate what researchers have claimed for years: namely, that rape, torture, and other abuses against prisoners, far from being an aberration, are the order of day right here on American soil. Thus, the shock and anger expressed by U.S. citizens about Abu Grahیب or other foreign military prisons should not stop with these sensational events. Instead, these great unveilings might impel us to take a more serious look at our own state-sponsored prison operations, for as Lisa Hajjar contends, “[w]hen it comes to torture, there is no room for a mistake.”¹²⁷ This point is critical since the introduction of “Supermax” prison facilities to Iraq

¹²⁵ David C. Rapoport, *Introduction* to INSIDE TERRORIST ORGANIZATIONS 7 (David C. Rapoport, ed., 1988).

¹²⁶ DAVID GARLAND, *THE CULTURE OF CONTROL: CRIME AND SOCIAL ORDER IN CONTEMPORARY SOCIETY* 14 (Oxford University Press 2001).

¹²⁷ Lisa Hajjar, *Torture and the Future*, MIDDLE EAST REPORT ONLINE, May 2004, http://www.merip.org/mero/interventions/hajjar_interv.html.

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is being planned by the U.S.,¹²⁸ a move that is destined to cause more trouble than it resolves—that is, if U.S. prison history is any indicator of success. To be sure, the indignation and outrage voiced over the handling of foreign prisoners challenges us to reflect and ask: are we any less concerned about American prisoners?

¹²⁸ George W. Bush, President, Steps to Help Iraq Achieve Democracy and Freedom, Remarks by the President on Iraq and the War on Terror (May 24, 2004) *available at* <http://www.whitehouse.gov/news/releases/2004/05/20040524-10.html>.