

**TACKLING
EXTREMISM
IN THE UK:**

**AN IDEOLOGICAL
ATTACK ON
MUSLIM
COMMUNITIES**

Introduction

In the wake of the killing of Lee Rigby, a soldier in the British army who served in Afghanistan, the UK government established a task force in order to set out proposals for the way they would tackle 'extremism' within Muslim communities.¹ As a late addition to this process, the government included references to far-right extremism in light of the murder of Birmingham resident, Mohammed Saleem, and due to a series of attacks against mosques in the West Midlands.²

Under the original CONTEST strategy, the UK government sought to set in motion a programme to prevent violent extremism (PVE) under its PREVENT strategy. However, since the tenure of former Prime Minister Tony Blair until this government, the move in policy has been very much geared towards preventing any forms of extremism – this forcing the strategy to take a far more ideological approach to Muslim belief and practice.

The original PREVENT strategy proved to be counterproductive in terms of its strategy and its implementation.³ The failure of the programme resulted in the current government rethinking its policy and in 2011, the coalition government released PREVENT II, an attempt to rethink the former strategy in light of its previous failings.⁴ Unfortunately, PREVENT II only served to continue the ideological mistakes of its predecessor, rather than addressing the specific grievances of communities.⁵

In its latest report *Tackling Extremism in the UK*⁶, the government has sought to follow up on a position that UK Prime Minister David Cameron had set out on 5 February 2011, when he addressed a national security conference in Munich, there he said,

1 *Woolwich killing a betrayal of Islam, says Cameron*, BBC, 3 June 2013

2 *Mohammed Saleem stabbing: Man admits murder and mosque blasts*, BBC, 21 Oct 2013

3 Casciani D, *Preventing violent extremism: A failed policy?*, BBC, 7 Jun 2010

4 *Prevent Strategy*, HM Government, Jun 2011

5 Mohammed J and Siddiqui A, *Good Muslim Bad Muslim*, CagePrisoners, 26 Jul 2011

6 *Tackling extremism in the UK: Report from the Prime Minister's Task Force on Tackling Radicalisation and Extremism*, HM Government, Dec 2013

“We need to be absolutely clear on where the origins of these terrorist attacks lie – and that is the existence of an ideology, ‘Islamist extremism’.

And we should be equally clear what we mean by this term, distinguishing it from Islam. Islam is a religion, observed peacefully and devoutly by over a billion people. Islamist extremism is a political ideology, supported by a minority.

At the furthest end are those who back terrorism to promote their ultimate goal: an entire Islamist realm, governed by an interpretation of sharia.

Move along the spectrum, and you find people who may reject violence, but who accept various parts of the extremist world-view including real hostility towards western democracy and liberal values.

It’s vital we make this distinction between the religion and the political ideology. Time and again, people equate the two. They think whether someone is an extremist is dependent on how much they observe their religion.

So they talk about ‘moderate’ Muslims as if all devout Muslims must be extremist. This is wrong.”⁷

The present findings of the Task Force echo the sentiments laid out in his speech almost verbatim. It is this ideological stance taken by the government, that skews its own perceptions about the way in which it needs to deal with the threat of political violence in the UK.

There are a great many pitfalls that accompany the way in which the Task Force has chosen to lay out its intended strategy. The chief of these issues is the positioning of the UK government in being able to dictate what is to be considered genuinely Islamic belief or behaviour, thus attempting to circumvent the recognised scholarship that exists in the country.⁸

7 Cameron D, *PM’s speech at Munich Security Conference*, HM Government, 5 Feb 2011

8 Supra 5, *Good Muslim Bad Muslim*, CagePrisoners

With domestic policy as well as foreign policy being cited by Muslims as being key factors in the way in which Muslims are becoming disenfranchised from the mainstream of British society, such an attack against those who are considered in positions of real religious authority will only result in suspicion that the UK government seeks to subvert sincere attempts at understanding the religion.

While the report of the Task Force specifically mentions the possibility of bringing in legislation in order to provide more powers to the Charity Commission, the basic model they have chosen is to proceed with sanctions through civil law mechanisms. In light of the government's use of passport removal, citizenship revocation, barring entry into the UK and other sanctions, these measures will again permit the government to make arbitrary decisions, with any appeal of those decisions being hidden behind a wall of secrecy through the use of the Justice and Security Act. Considering the great deal of suspicion that already exists in relation to the government's use of such secret evidence, any sanctions will again be seen as an attempt to politically neuter Muslim communities.

The ideologically driven report by the Government's Task Force must be questioned in terms of this disingenuous attempt to present what it considers to be issues relating to 'extremism' in the UK. The report provides no evidence base for its assumptions, rather it has based its findings on closed door discussions with undisclosed individuals or groups, only lending credibility to the view that only those invited to partake in the review, were those who would acquiesce a predetermined ideological view taken by this government.

The following report is an effort by CAGE to highlight the problems with the analysis and suggestions presented by the Task Force. Communities should understand the difficulties that such a document poses to the legitimate practice of the Islamic faith in the UK, but further should understand the impact that such a strategy can have on wider civil liberties and freedom of expression and religion in the UK.

Tackling extremism in the UK

1.2 “...we must confront the poisonous extremist ideology that can lead people to violence; which divides communities and which extremists use to recruit individuals to their cause; which runs counter to fundamental British values such as freedom of speech, democracy and equal rights; which says that ‘the West’ is at war with Islam and that it is not possible to be a true Muslim and to live an integrated life in the UK.”

Built into the DNA of the Task Force’s guidance are assumptions based around identity culture and society. The report presupposes a homogenous understanding of British values and customs. It suggests that fundamental British values constitute freedom of speech, democracy and equal rights, which certain, “poisonous extremist ideology”, is fundamentally opposed to.

There are two points specifically that must be borne in mind when assessing such statements.

Fundamental British values

The first relates to the qualitative value of ‘fundamental British values’ and whether or not this is something abstract, or something that can be clearly defined. Since the start of the War on Terror, the same question has surfaced in a number of different ways.

In a speech he gave to the Fabian Society, Gordon Brown in 2006 believed that in order to promote a concept of Britishness, there should be some symbol identified so that a national set of values could be solidified.⁹ Somewhat ironically, when the BBC conducted a poll based on Brown’s speech, the largest group of individuals voted

9 Brown G, *The future of Britishness*, Fabian Society, 14 Jan 2006

in Magna Carta as the symbol that should define the British national identity¹⁰, the one symbol which this government and the previous government have systematically betrayed through the incorporation of secret evidence and closed hearings.

Within the study conducted by the BBC, it was considered shocking that a medieval symbol had trumped incidents such as VE Day, which is far closer to living memory. Of particular note though, is that within Islamic literature among communities that are critical of western governments or societies, there is a recognition that habeas corpus and the Magna Carta are principles within the British justice system that are to be respected. Thus the claim that 'extremism' is something that in its essence runs contrary to 'fundamental British values' seems misplaced.¹¹

In the trial of Michael Adebolajo, who stands accused of the killing of UK soldier Lee Rigby, he specifically stated during his testimony that he did not see any shame in referring to himself as a British Muslim, and indeed that he described himself as being one. The shame he felt, was that the British part of his identity was being associated with murder, pillage and rape of innocent people around the world.

A more structural point regarding the government's claim that there is a "*poisonous extremist ideology*", is their failure to provide any empirical evidence to back such a claim. It is relatively easy for them to make such a claim based on wider material or literature that finds its genesis either in external historical or geographical contexts, but they have not provided the public with any specific guidance as to the extent to which they have conducted a valid quantitative and/or qualitative assessment of the extent of the perceived problem. Rather, what is known in relation to the way the government has taken advice, is that they so far have only been willing to engage with those within Muslim communities who acquiesce their pre-conceived notions relating to Muslim communities.

10 *Magna Carta tops British day poll*, BBC, 30 May 2006

11 Whitehead T, *Lee Rigby murder suspect Michael Adebolajo told police, 'Tony Blair wicked and corrupt'*, court hears, Telegraph, 4 Dec 2013

Politics of integration

The second point relates to what can only be referred to as state intrusion into religious beliefs and an attempt at homogenising identities. The report makes reference to the fact that is it concerned with “*poisonous extremist ideology*” that teaches that, “... *it is not possible to be a true Muslim and to live an integrated life in the UK.*” Again, there are a great many assumptions that are engineered into these statements which permit the government’s Task Force to take a predetermined view on how to ‘solve’ the problem. However, there are serious issues that simply cannot be tackled by a disingenuous attempt to homogenise the historical, cultural and religious experiences of the diverse communities in the UK.

One of the seminal works on the concept of integration within the context of the War on Terror is *Integration, Islamophobia and civil rights in Europe* by Liz Fekete. In his preface to the book A. Sivanandan, the Director of the Institute for Race Relations wrote:

“In Britain, the very success of post-war multiculturalism following on from the concept of a commonwealth of nations, in establishing integration as a two-way process, led under Thatcher’s government to a separatist, state-aided culturalism and the creation of ethnic enclaves. Which after 9/11 and 7/7 came to be seen as harbouring ‘the enemy within’. Hence the descent into assimilation, under cover of ‘community cohesion’, with British values as the yardstick of measurement, as those British values were unique and British culture owed nothing to the Islamic civilisations of the past. But British values themselves become distorted when they are mounted on the back of an Islamophobia which counts among its propagandists not just the political parties and the media but the ‘liberati’, i.e. the liberal, literary elite.

And all this at a time when, right across Europe, second – and third – generation Muslims are beginning to engage in society, not in terms of the assimilationist agenda but in trying to resolve their own socio-economic problems. But because their engagement is often political and against the status quo – anti-war, anti-racist, anti-police, and self-

*help oriented – it does not count as part of the integration process.*¹²

It is the last statement of the section by A Sivanandan that is particularly prescient in relation to the wording by the Task Force. There is an assumption that integration for Muslims within a government understood British context means a very specific thing, however it completely betrays the very active way in which a large proportion of Muslims involve themselves in many parts of public and social life, albeit on their own terms, but still making a valid contribution to what they believe is in the best interests of the UK. For those who actively campaign against British foreign policy and the presence of western troops in Muslim lands, integration very much means criticising the presence of British soldiers in Afghanistan and Iraq.

Furthermore, the report fails to recognise the complexity of the layers of cultural integration and differentiation that many Muslims undergo while living in the UK. While they often hail from first or second-generation immigrants and thus have been raised within a certain cultural context, for the most part their schooling, societal interaction media and entertainment influence, is very much within a British context. Thus one will often find young Muslim boys and girls, using popular culture cues from Hollywood or the music industry, before they are able to relate those around them to similar references from the East.

Equally, for those who were born and raised in the UK, everything from their body language, gesticulation, humour and indeed quaint wit, is very much a signifier of their strong integration within the cultural and social aspects of British culture – whether they realise it themselves or not. As for those who choose to be observant in their faith – they can have a third influence on them – which is their religion, and so young Muslims are constantly in a transformative process where they are integrating the rich values and cultures of all their influences into their daily lives.

The government seeks a jingoistic form of integration when it references what it wishes from Muslim communities, however, regardless of how much they seek this, it is not something that can simply be imposed. It is impossible to imagine that the majority of Muslims will begin to nostalgically lionise this history of British colonialism

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Fekete L, *Integration, Islamophobia and civil rights in Europe*, Institute of Race Relations, 2008

in the East, simply because it is a tradition that many British people feel proud over. There are many Muslims who hail from Pakistan and India, who regardless of their religious devotion still bemoan the inappropriate statue of Clive of India directly outside the Foreign and Commonwealth Office. Despite grievances, the overwhelming experience of Muslims in the UK has been to accept the context of the past, but to treat the present as an opportunity to effect change. Liz Fekete’s concluding remarks adequately summarise the actual Muslim experience:

“When Muslim youth are discussed, too often the emphasis is on Islamic fundamentalism and the danger of radicalisation in a population which is presumed to be fundamentalist inclined. But our evidence suggests that, since the anti-Iraq war mobilisation, there has been a significant increase in young Muslims’ involvement in anti-racist and civil rights movements. As Salma Yaqoob has cogently argued, ‘the dominant character of Muslim radicalisation in Britain points not towards terrorism or religious extremism, but in the opposite direction: towards political engagement in new, radical and progressive coalitions that seek to unite Muslim with non-Muslim in parliamentary and extra-parliamentary strategies to effect change.’”¹³

1.3 “Since the 2011 revised ‘Prevent’ strategy, the government has defined extremism as: “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas”.

The definition of ‘extremism’ provided by the Task Force was taken directly from the 2011 PREVENT Strategy. On its release, CAGE responded¹⁴ to the definition highlighting the problematic nature of its use.

13 Ibid, p.94

14 Mohammed J and Siddiqui A, *Good Muslim Bad Muslim*, CagePrisoners, 26 Jul 2011

The definition of 'extremism'

Violence and the advocacy of violence are against the law. Extremism 'and radicalism' are not, nor do they have a legal definition. Prevent seems to be a shifting strategy; it started off a few years ago by talking about dealing with violence, then extremism and now radicalism.

Since almost the entire Muslim community has distanced itself from violence and stated it is unlawful to promote or advocate it; the strategy appears to be about silencing Muslim political opposition to western foreign policy, occupation of Muslim lands and promotion of Islamic political ideas of governance. This becomes clearer when reading the PREVENT strategy and when one looks at the glossary of definitions.

The proposition that western governments have the perfect vision of good governance for a country seems an extreme position. To criminalise dissent against democracy silences any legitimate discussion regarding the role of good governance. Considering the failed project of democracy in Iraq and the manner in which the Arab Spring chose to exercise its right to self-determination, the strategy is going too far by criminalising dissent.

The use of violence interchangeably with terms such as extremism and radicalism is a clear attempt in our view to outlaw Muslim political ideas and beliefs. These definitions are problematic and will give rise to further restrictions on Muslim freedom of speech and right to hear speakers with alternative views. In light of the definition of extremism, we would want clarification on whether Muslim and non-Muslims who view it the legitimate right of the people of Palestine, Afghanistan and Iraq to resist occupation of their lands, fall within this definition? Since the majority of Muslims globally support the right to resist occupation, does that make them all extremists?

Who is responsible for defining or labelling an individual or group as extremist or radical, or vulnerable to extremism? And what rights do those so labelled have to challenge that label, particularly if they are to be denied rights such as to funding, access to jobs, to book publicly funded venues, exclusion from talking or activism on campus, non-attendance by government figures at events, and probably an intelligence file?

Much of this labelling takes place via the media and think tanks, and relies on propaganda, out of context quotes, and appears to be a moving target. Groups once considered moderate, and who have in a real sense cooperated with the PREVENT agenda from the early days, are now considered extremist.

1.4 [The ideology of Islamist extremism] “It is an ideology which is based on a distorted interpretation of Islam, which betrays Islam’s peaceful principles, and draws on the teachings of the likes of Sayyid Qutb. Islamist extremists deem Western intervention in Muslim-majority countries as a ‘war on Islam’, creating a narrative of ‘them’ and ‘us’. They seek to impose a global Islamic state governed by their interpretation of Shari’ah as state law, rejecting liberal values such as democracy, the rule of law and equality. Their ideology also includes the uncompromising belief that people cannot be Muslim and British, and insists that those who do not agree with them are not true Muslims.”

While the definition of ‘extremism’ has been in use for at least the last two years within the context of the PREVENT strategy, the Task Force goes to great pains to extend that definition by attempting to provide what it refers to as an “ideology of Islamist extremism”.

Sayyid Qutb

While the Task Force does not specifically single out any specific group as being ideologically considered to be ‘Islamist extremists’, the reference to the thinker Sayyid Qutb, automatically suggests groups such as the Muslim Brotherhood, some from Salafiyyah, Jamaat-i-Islami, Shia’ and even many from the Sufiyyah will automatically be viewed as being within these terms of reference, due to their sympathy to the teachings of Qutb. Indeed, the specific highlighting of Qutb’s teaching seems bizarre, considering the approach that had been taken by the UK foreign office in relation to the short tenure of Mohammed Morsi as the first genuinely democratically elected

President of Egypt. Further still, the Muslim Brotherhood inspired Ennahda¹⁵ party, having actually gained power in Tunisia as well as a Muslim Brotherhood party being in control of Morocco presents a position that UK government foreign policy is perfectly willing to forge alliances with the very people who have been highlighted as drawing on the teachings of Qutb. In the most extensive monograph written on the life of Qutb, John Calvert highlighted the breadth of impact that Qutb had on the ideological development of groups around the world, and the diversity with which they have taken on his ideas:

“Rachid Ghannouchi of Tunisia’s Islamist al-Nahda (Renaissance) Party recalls how after turning to Islamism in the 1960s he availed himself of the writings of its most important thinkers, especially Sayyid Qutb. Shaykh Salamat Hashim (d.2002), the leader and ideologue of the Moro Islamic Liberation Front (MILF), testified that Qutb inspired him to plant the seeds of Islamic revolution in the Bangsamoro homeland in the Phillipines. Jamal Khalifa, a Saudi, was a student when he first started reading Sayyid Qutb: “In ‘76, ‘77 we used to read [Qutb’s book] Milestones and In the Shade of the Koran [sic]. So Sayyid Qutb was concentrating on the meaning of Islam that it’s the way of life. It influenced every Muslim in that period of time.” In 1984, the Shi’i Islamic Republic of Iran honoured Qutb’s commitment to Islamist revolution by issuing a postage stamp showing him behind bars at the 1966 trial during which he was sentenced to death.”¹⁶

While it is also true that Qutb’s execution also inspired those such as Ayman al-Zawahiri and Gulbeddin Hekmatyar, he also very much influenced great scholars such as Abul Hasan al-Nadwi. So it must be understood that Qutb’s works have been understood in order to justify violence and well as justify political party participation and social reform. To specifically pigeon-hole him as being an ideologue responsible for worldwide Islamic extremism, is to completely misunderstand his message and the impact that it has had in the world.

A misunderstanding of Qutb has already led to miscarriages of justice having taken place in UK courts. In the case of R v Ahmed Faraz, in his summation to the jury, Justice Calvert-Smith said of Sayyid Qutb:

15 Tunisia legalizes Islamist group Ennahda, BBC, 1 Mar 2011

16 Calvert J, *Sayyid Qutb and the Origins of Radical Islam*, Columbia UP, 2010, p.3

“Milestones, described by the expert Matthew [Tariq] Wilkinson is Manichean, separatist and excessively violent. The original author of the book made the case that any regime which does not apply Islam, should be removed by force, ties of family etc were unimportant, this is the view put forward by Qutb.”¹⁷

The view taken by the judge again betrays the lack of understanding of Qutb’s message and the way that it has been internalised by those who follow him. The revolution in Egypt and even after the coup, the subsequent protests, are all very clear examples of the way in which Qutb’s teachings had been internalised in a way that is somewhat disparate from the methodology of al-Qaida.

Perhaps the best assessment of Qutb’s view on corrupt governance is provided by the translator of his tome of Qur’anic reflection, Adil Salahi, who prefaced the fifteenth volume of *In the Shade of the Qur’an*, with reflections on government and judgement:

“Of course, he was opposed to colonial rule in any Muslim country, just as he was opposed to dictatorship anywhere in the world. Yet he did not see much difference between tyrannical foreign rule and a similarly tyrannical national rule. He wrote in Milestones: “Islam is not after replacing foreign despotism with a national one. All tyranny is the same. What Islam is after is the freedom of people so that they can make their choice in complete freedom.

...

The sovereignty he [Qutb] referred to when he used al-hakimiyyah is more conceptual. It relates to vision and belief, rather than to a system, constitution and regulations. God has sent us a message, which He revealed to His messenger, Muhammad (peace be upon him). It lays down principles and a number of legislations. These constitute a framework within which there is ample room for choice and flexibility in almost all aspects of life. To conduct our life affairs within this framework is to exercise al-hakimiyyah, leaving no room for any dichotomy between belief and practice. The role of government is to facilitate this exercise of al-hakimiyyah, ensuring that whatever it does remains within this framework. Thus sovereignty is acknowledged to belong to God alone.”¹⁸

17 R v Ahmed Faraz, Kingston Crown Court, 8 Nov 2011

18 Qutb S, *In the Shade of the Qur’an*, The Islamic Foundation, Volume XV, 2008, tr. Adil Salahi, pp.ix-xii

By specifically targeting Sayyid Qutb within their report, the Task Force has brought under its purview a wide range of Muslim belief and communities. It could be said that the widespread acceptance of Qutb's message is the reason why he is specifically singled out, as it disproportionately presents an alleged problem within UK Muslim communities.

War with Islam

Following on from the previous point, the idea that it is Muslims alone who take issue with some aspects of the governance structures in the UK, or take issue with what they see as continued and systematic aggression against Muslims within the context of domestic and foreign policy is absurd. The wording of the paragraph links those that say, "...that 'the West' is at war with Islam..." with the words immediately after, "...and that it is not possible to be a true Muslim and to live an integrated life in the UK..." The direct implication is that this message is being catered specifically for Muslim communities, despite any lip-service previously paid to the document also seeking to tackle far-right groups.

Such a position then leaves a great deal of confusion in relation to the way in which other groups should be treated. As an example, on 10 June 2013, a video was uploaded by an individual with the handle english-patriot33, of former UKIP representative and now chair of the British Freedom Party, Paul Weston giving a speech tagged with the following words: "*islam, muslims, terrorists, pedophiles, outlaw islam in Europe*". The speech itself is quite inflammatory, but particularly so in light of the Task Force's report:

"...and this view of Armageddon will be smeared at again...by the liberal Left, who continue to bombard us with the lie that Islam is a religion of peace. But of course... Islam is not...and never has been, a religion of peace. Muhammad was a warlord, and a successful warlord at that, and Islam is a political, social, structural order of supremacy and Imperialism. Islam at its most fundamental form, is Nazism, in its desire for global supremacy...In fact, Islam is even more vicious than Nazism..."¹⁹

However, it is not just the far-right who have taken this analysis. Others within the tradition of the Left agree with an assessment that while there may not be a systematic policy of a 'War on Islam', both domestic and foreign policy acts in a way to lend sympathy to that perception. Edward Said's *Orientalism* stands as a constant reminder of the way in which the Orient (and in particular Islam) has been viewed by the Occident. In his 1980 essay for *The Nation*, Said wrote,

*"Whenever in modern times there has been an acutely political tension felt between the Occident and its Orient (or between the West and its Islam), there has been a tendency to resort in the West not to direct violence but first to the cool, relatively detached instruments of scientific, quasi-objective representation. In this way Islam is made more clear, the true nature of its threat appears, an implicit course of action against it is proposed. In such a context both science and direct violence end up by being forms of aggression against Islam."*²⁰

Said is not a lone voice on the left, when juxtaposed in historical and contemporary contexts to those who take a similar view, it could be said that there at the very least is some value to listening to those who say that they feel as if Islam is under attack by the West.

Currently, what the Task Force has suggested is that the assessment that Islam and the Muslim world may be under some kind of concerted attack is only problematic if Muslims believe in it. They completely fail to address the grievances of those who may genuinely believe that the position may have some genuine value. To merely identify that as a feature of 'Islamist extremism' is to single out one specific type of community within a context of a much more diverse range who take similar views, albeit from different angles. As the Israeli journalist, Earl Cox, who served as a senior advisor to four US Presidents wrote within a US context, *"Stop the Lie! America IS at War with Islam."*²¹

Ultimately, policymakers have themselves to blame for their contribution in having poured oil on the fire of any such sentiments that exist within Muslim communities,

20 Said E, *Islam Through Western Eyes*, *The Nation* 26 Apr 1980

21 Cox E, *Stop the Lie! America IS at War with Islam*, *Jerusalem Post*, 4 Aug 2013

with statements such as, *“This crusade, this war on terrorism is going to take a while,”*²² by US President George W Bush in 2001, whose remarks were very much taken in the Muslim world as a reference to the religious conflict between Muslims and Christians during the medieval period. Equally, there have been more overt references, such as that of former Spanish Prime Minister Jose Maria Aznar claiming:

*“The problem Spain has with al-Qaeda and Islamic terrorism did not begin with the Iraq crisis. In fact, it has nothing to do with government decision. You must go back no less than one thousand three hundred years, to the early eighth century, when a Spain recently invaded by the Moors refused to become just another piece in the Islamic world and began a long battle to recover its identity.”*²³

It is the UK’s own Tony Blair, who has been the most fierce advocate of any issues existing within Islam itself. In his autobiographical work, he wrote:

*“This battle is not, I’m afraid, one between a small, unrepresentative groups of extremists and the rest of us. Or, at least, it is not only that. It is also a fundamental struggle for the mind, heart and soul of Islam”*²⁴

Interpretation of the shari’ah

The Task Force takes on the task of attempting to place the shari’ah (Islamic law) within a specific UK context by attempting to negatively undermine what they claim is the view of ‘Islamist extremists’, *“They seek to impose a global Islamic state governed by their interpretation of Shari’ah as state law, rejecting liberal values such as democracy, the rule of law and equality.”*

It should be noted first that the shari’ah is not simply a tool for Islamic governance, but rather a way for Muslims to practice their religion to the greatest possible extent that they can in observance of a Divine will. Thus, Muslims interact with the shari’ah both willingly and unwillingly, knowingly and unknowingly, due to its embedded nature both from a religious and historical-cultural perspective. To ask many Muslims

22 Bush G, *Today We Mourned, Tomorrow We Work*, White House Press Conference, 16 Sep 2001

23 Carr M, *Blood and Faith: the purging of Muslim Spain*, Hurst, 2009, pp.4-5

24 Blair T, *A Journey*, Arrow, 2011, p 348

how they know that they are supposed to eat and drink with their right hand, but clean themselves with their left, they will in all likelihood not be able to provide any evidence from the shari'ah to say how or why that has been legislated, however most will honour the practice as something that has historically always been considered as part of their obligations under the shari'ah or Islamic law.

When the breadth of the shari'ah's role in daily life is so wide, it is difficult to imagine how Muslim communities can simply secularise those aspects of the religion that relate to what they view as governance. There will be times when tensions will exist between Muslim practice and UK policy. For example, on the issue of succession, for those who seek to preserve their obligations according to divisions established by the Qur'an and consolidated through the four major schools of thought, that there will continue to be a constant point of contention – there will never be a resolution in terms of how the traditional jurisprudence views inheritance, as opposed to what western liberalism would consider to be equitable.

The intrusion by the British government into an area that is the preserve of religion has already been dealt with by the European Court of Human Rights:

*“The state’s duty of neutrality and impartiality is incompatible with any power on the state’s part to assess the legitimacy of religious beliefs or the ways in which they are expressed.”*²⁵

The emphasis on interpretation is what is at issue in relation to the definitions set out by the Task Force. Again, the ECHR confirmed the position that the UK government should not interfere in the case of Gunduz v Turkey,

*“The Court considers that the mere fact of defending sharia, without calling for violence to establish it, cannot be regarded as “hate speech”.*²⁶ *It further explained that comments which “demonstrate an intransigent attitude towards and profound dissatisfaction with contemporary institutions (...), such as the principle of secularism and democracy” cannot “be construed as a call to violence or as hate speech based*

25 Manoussakis and others v Greece, judgement of 26 September 1996, Reports of judgements and Decisions 1996-IV, para. 47.

26 51- Gunduz vs Turkey, ECHR, 2004

on religious intolerance” if seen in their context.”

While above we have touched on the utility of speaking of democracy as being a singularity to which all political ideological thought should adhere, in order to understand the view Muslims take towards the shari’ah, it must be borne in mind that they cannot simply secularise parts of the Divine will at the request of their host country. Whatever the system of governance they propose, whether it be a democracy or theocracy, all seek to learn lessons from the first generation of Islam, in order to seek wisdom as to what their obligations are.

Rule of Law

There reference to the Rule of Law within the document is a strange one, as it presupposes that the shari’ah, a 1400 year old normative legal system, does not place the Rule of Law at the centre of its administration. The term ‘Rule of Law’ was first coined by the legal scholar, AV Dicey, who formulated it as follows,

“...no man is punishable or can lawfully be made to suffer in body or goods except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of the land.”²⁷

While Dicey may have been specifically referring to the Rule of Law specifically within an English common law tradition, the reality is that the shari’ah has already implemented it as part of its normative systems. Thus the right to a fair trial, rule against arbitrary detention, rule against torture and right to representation – the hallmarks of the Rule of Law – are already entrenched within the shari’ah. The TaskForce’s limited understanding of the mechanisms by which Islamic law works, betrays a lack of sincere investigation into issues that must be investigated.

27

Dicey quoted by Craig P, *Appendix 5: The Rule of Law*, Select Committee on Constitution, Sixth Report, Jul 2006

Reverse-kharijism

Much of counter-terrorism policy focuses on what experts refer to as takfiri (disassociation) ideology which they claim is rooted in the ideology of an early splinter group of Islam known as the khawarij (seceders). Kharijism's basic tenets affirmed that a Muslim who commits a grave sin (kabirah) is an apostate from Islam and outside the protection of its laws. Also, if the imam sinned or lost his rectitude ('adaalah), he must be deposed. Non-khariji Muslims were deemed to be either polytheists or infidels, but people of the scriptures who sought khariji protection were to be treated generously.

In the post-colonial era Muslim agitators seeking the implementation of the shari'ah in newly independent Muslim states, like the Muslim Brotherhood, have been termed khawarij by the state and its supporters. Many contemporary jihadi groups have been portrayed in a similar vein. In the case of salafi-jihadi this has been a very prominent feature in their repudiation as they are seen to combine the kharijite tendencies of those termed 'Wahhabi' and 'Islamist'; they are alleged to engage in acts of indiscriminate killing and terror; they seek to overthrow rulers through armed insurrection on the basis of what at best is an excessively rigorous conception of adhering to God's law if not downright spurious; and they allegedly anathematise the general body of Muslim society.

Although this may be easily dismissed as a polemical tool by state actors to undermine opponents it also used within intra-Muslim rivalries with those viewing themselves as moderates accusing their extremist counterparts of holding khariji views. Lastly, non-Muslims have taken it up as counter terrorism tool mostly in an indirect fashion by sponsoring and supporting those Muslims who use the khariji label against those deemed to be a terrorist threat, but they have also been known to portray those groups as holding aberrant views away from the normative tradition in Islam.

It is within that context that the report makes the part of their definition of 'Islamist extremism',

"Their ideology also includes the uncompromising belief that people cannot be Muslim and British, and insists that those who do not agree with them are not true Muslims."

Basically, this makes the case that certain views held by UK Muslims are aberrant from the tradition of Islam. Indeed, this in itself is a form of reverse-kharijism, as UK government policy basically seeks to dissociate what it considers to be views of Islam that it deems unacceptable, thereby enforcing a form of political takfir on large parts of Muslim communities and their ideology.

Climate of fear

1.5 “This reticence, and the failure to confront extremists, has led to an environment conducive to radicalisation in some mosques and Islamic centres, universities and prisons. Many institutions do not have the capacity to play their full part in challenging extremists, even when they want to. The government has a role in leading this challenge, ensuring that communities where extremists operate, and the organisations working against extremists, have the capability to confront it themselves.”

The report continually references the failures to challenge and confront extremism, which leads to radicalism in public places and institutions. What the report does not provide, however, are any meaningful statistics in relation to this alleged threat, whether it be in prisons, universities or mosques. The presumption is propagated as fact, but it is not made clear where the government received such information. This leaves communities with the feeling that the conclusions reached by the government Task Force, have very much been reverse engineered in order to give some level of credence to the ideological positions already adopted by the government.

Muslim communities in the UK do not recognise much of what has been written in the introductory sections to this report. Rather, the report positions itself ideologically as an attempt at promoting a British version of Islam, by reducing the space available for Muslims to discuss ideas about their religion, and to engage with the breadth of ideological discussions. Indeed, without those discussions and UK based scholars being free to teach our communities, there would be many more confused young people.

In his book on counter-terrorism policy across the world, Asim Qureshi, said of the space needed for debate and discussion, in his concluding remarks:

“The need for dialogue is not limited to governmental levels though. There currently exists a climate of terror [fear] amongst the Muslim communities in Britain and the US making them think that they cannot speak about certain issues. Jihad has become a taboo word in mosques as elders are concerned such talk could lead to criminalisation. Such policies based on fear only have the result of creating a vacuum around issues which concern many Muslims. The lack of opportunity to discuss these and other issues in Islamic centres force those still interested to attempt their own research without any real guidance.

To genuinely counter terrorism, the mosques must be able to hold seminars and conferences on the subject of jihad without the concern that by doing so they will be automatically criminalised. And these debates must be free from government interference as its involvement would inevitably mean a complete loss of confidence in the whole process. Without scholars with religious authority in their communities taking up such issues, a correct discourse cannot be effectively achieved.”²⁸



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