



## **Preventing and Countering Violent Extremism through Civil, Political, and Human Rights**

*Submission to the Office of the United Nations  
High Commissioner for Human Rights*

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This submission is in response to the Office of the United Nations High Commissioner for Human Rights' (OHCHR) request for input regarding "best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism" in preparation of a report to be submitted to the 33rd session of the U.N. Human Rights Council pursuant to UNHCR Resolution 30/15 ("Human rights and preventing violent extremism").

## **Executive Summary.**

Are programmes and policies dedicated to preventing or ‘countering violent extremism’ (CVE) making the UK and Western nations safer or are they increasing the risk of terrorism? This submission answers this question in reference to the UK’s official countering-violent extremism policy ‘Prevent’. It argues that current approaches to countering radicalisation and extremism are ill-informed, counterproductive and therefore do little by way of generating security. In order to make this argument, the submission firstly explains how the threat of terrorism perpetrated by political Islamic groups, notably al-Qaida and ISIL, is claimed to be ideologically and religiously motivated despite overwhelming evidence to the contrary. Secondly, because the threat from al-Qaida and ISIL is perceived to be ideologically motivated, the submission explains how Prevent constructs legitimate, lawful and democratic ideas and activities as suspicious and criminal. Thirdly, by drawing on case-studies and examples from UK universities, the submission shows how Prevent is generating fear, alienation, and disengagement from politics, political activism and dissent more broadly. Fourthly, the submission draws on research which suggests that protecting and safeguarding civil, political and human rights reduces the risk of terrorism and political violence. Finally, the submission makes five key recommendations on what an effective and appropriate Prevent or CVE policy should incorporate.

## 1. Background: (Mis)Diagnosing Terrorism.

Any counter-terrorism policy should have one overarching goal - to create safety and security for citizens by addressing and tackling the causes of terrorism. If we misunderstand the causes of terrorism, we risk having ill-informed and counterproductive policies that disallow us from achieving this objective. Whilst all will agree with this idea, there is significant disagreement on what causes terrorism committed by political Islamic groups such as al-Qaida and ISIL.

The UK's official counter-terrorism strategy - CONTEST - claims that terrorism committed by al-Qaida and likeminded groups is different from terrorism that has existed in the past.<sup>1</sup> Instead of using violence for the furthering of a political objective, al-Qaida is deemed to be an ideologically motivated, leaderless actor that uses non-warning terrorist attacks for the sake of inflicting mass casualties in the name of a perverted religious ideology.<sup>2</sup> Political Islamic violence, in other words, is claimed by the government to be 'non-political'. Whilst the idea that al-Qaida and likeminded groups are involved in a 'new' form of terrorism has been comprehensively critiqued<sup>3</sup>, viewing political Islamic violence as being non-political and ideologically motivated is highly problematic for at least three reasons.

Firstly, by claiming political Islamic violence is ideologically rather than politically motivated leads to the perpetuation of conflict, insecurity, and war. This is because rather than dealing with terrorists as rational actors who employ violence for the furthering of a political objective, political Islamic violence becomes pathologized and is seen as an end within itself. Such perceptions not only place the opponent beyond the realm of reason, debate and negotiation but make confrontation the only solution since 'evil' can never be negotiated with. Conflict and

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<sup>1</sup> HM Government (2009) 'Pursue, Prevent, Protect, Prepare: The United Kingdom's Strategy for Countering International Terrorism' (CONTEST), CM 7547, London: Stationery Office, p.11

<sup>2</sup> Ibid, p.11

<sup>3</sup> See Mockaitis, R, Thomas (2007) *The "New" Terrorism: Myths and Reality*, Westport, CT: Praeger Security International; Field, Anthony (2009) 'The "New Terrorism": Revolution or Evolution?' *Political Studies Review*, Vol. 7, No.2, 195-207; Zimmermann, Doron (2004) 'Terrorism Transformed: The "New Terrorism." Impact Scalability and the Dynamic of Reciprocal Threat Perception', *Connections*, Vol. 3, No. 1, 19-20; Spencer, Alexander (2006) 'Questioning the Concept of "New Terrorism"', *Peace, Conflict and Development*, Vol. 8, 1-33; Tucker, David (2001) 'What's New About the New Terrorism and How Dangerous Is It?', *Terrorism and Political Violence*, Autumn, Vol. 13, 1-14.; Whyte, David and Poynting, Scott (eds) (2012) *Counter-Terrorism and State Political Violence: The 'War on Terror' as Terror*, London: Routledge

insecurity, in other words, becomes never-ending because of the way political Islamic violence is viewed by Western governments.

Secondly, claiming that political Islamic groups comprise of individuals who are ideological zealots using unprecedented and indiscriminate violence as an end within itself is an exercise in historic revisionism. Firstly, there is an overwhelming consensus that terrorism is a violent tactic used for the furthering of a political objective. Secondly, violent groups and movements historically – for example, the Anarchists in the 1800s – have used violence that was just as indiscriminate as present-day violence used by the likes of al-Qaida and ISIL.<sup>4</sup> Present day terrorism is not as ‘new’ as is claimed by the government and neither is it without historic precedent.

Thirdly, and most importantly, by claiming that political Islamic groups are involved in a ‘new’ form of terrorism de-historicizes and de-politicizes their actions and leads to misinformed policy. Whilst the attacks of September 11 2001 (9/11) and the 2005 London bombings (7/7), amongst others, are an exception to the rule because of the number of people that were killed and injured, the method of attack and so forth, in their objective, they are very much a continuation of pre-9/11 terrorism that was aimed at challenging Western – and ergo US – power as well as the nationalist and dictatorial regimes of the Arab and Islamic world.<sup>5</sup> History, in other words, did not start on 9/11 or 7/7. Political Islamic violence has a historic and, more importantly, political context to it. Current counter-terrorism policy strips it of such context. This is problematic since it whitewashes the role that Western policy has played in contributing to the conditions which have given rise to political Islamic groups such as al-Qaida and ISIL.<sup>6</sup> If Western governments continue to claim that political Islamic violence simply happens because terrorists are irrational,

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<sup>4</sup> Awan, Akil (2015) ‘Europe already defeated radical terrorists-120 years ago’, *The National Interest*, 21 November, [<http://nationalinterest.org/feature/europe-already-defeated-radical-terrorists%E2%80%94120-years-ago-14407>], accessed 19 February 2016

<sup>5</sup> Even if we start from the 1983 US embassy bombing in Beirut, we find a series of attacks that have targeted Western nations and interests, especially the US, for a series of ‘political’ reasons. Attacks such as the 1992 Yemen Hotel bombings in which US troops were residing on route to Somalia is one example. The World Trade Centre bombing of 1992, the 1995 Paris metro bombing, the Khobar Towers bombing in Saudi Arabia in 1996, which were housing US Air Force personnel, the 1998 US embassy bombings in East Africa, and the US warship bombing in the Gulf of Aden, in which 17 US sailors were killed are all examples of violence that is fundamentally political, hence the targeting of military, governmental, and transportation personnel and infrastructure.

<sup>6</sup> Sayyid, Salman (2015) *A Fundamental Fear: Eurocentrism and the Emergence of Islamism*, London: Zed Books, p.xxv

ideological zealots who 'hate our freedoms' and 'our way of life', they will fail to see how Western policies are contributing to terrorism and insecurity and will prevent them from manufacturing policies that generate security.

In the following section, I will now explain how misunderstanding and misdiagnosing the fundamental cause of political Islamic violence has led to the implementation of the Prevent policy, which views and constructs legitimate, lawful and democratic activity as suspicious and criminal and therefore perpetuates conditions conducive to terrorism.

## **2. Countering Ideology through Prevent.**

The UK's Prevent strategy claims that the terrorist threat from political Islam is ideologically motivated. On the first page of the Prevent strategy, it is claimed that 'extremist ideology [is] at the heart of the threat we face'.<sup>7</sup> A number of speeches and statements made by politicians, including the current Prime Minister, have echoed similar sentiments.<sup>8</sup> In some of these statements, universities have been singled out as institutions that have been used by political Islamic groups and ideologues to disseminate 'extremist ideology'.

For one moment, if we ignore the multiple problems with the 'ideology leads to terrorism' claim, which I will critique shortly, and we simply accept that ideology is indeed the primary cause of political Islamic violence, we can understand the reason behind universities becoming a key battle-ground for counter-terrorism and counter-extremism agendas.

Universities in democratic states are meant to be institutions dedicated to a free exchange of speech, ideas and opinions, whether it is through routine seminars and lectures, student society events or outside speakers being invited to give talks and lectures. Due to this historic tolerance for difference and dissent, it is claimed that universities can serve as spaces in which 'extreme'

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<sup>7</sup> *HM Government* (2011) 'Prevent Strategy', CM 8092, June, London: Stationary Office. p.1

<sup>8</sup> Cameron, David (2011) 'PM's speech at Munich Security Conference', *Gov.UK*, [<https://www.gov.uk/government/speeches/pms-speech-at-munich-security-conference>], accessed 19 February 2016; Cameron, David (2015) 'Extremism: PM speech', *Gov.UK*, [<https://www.gov.uk/government/speeches/extremism-pm-speech>], accessed 19 February 2016

and 'radical' ideas are disseminated, Since political Islamic violence is claimed to be driven by ideas and ideology, it goes without saying that universities are perceived to be institutions that are being used for 'radicalisation'.

Whilst organisations such as Hizb ut-Tahrir and (the now defunct and proscribed) Al-Muhajiroun are individually named by the UK government as examples of groups who have exploited the free space within universities to 'radicalise' students and recruit terrorists<sup>9</sup> (even though Hizb ut-Tahrir, it is argued, has done no such thing<sup>10</sup>) Prevent claims that these groups have now been superseded by 'splinter groups' who are presently radicalising students and moving them down the conveyor-belt of terrorism.<sup>11</sup> In order to support this assertion, the Prevent strategy cites statistics published by the neo-conservative think-tank, the Henry Jackson Society. These statistics claim that 'more than 30% of people convicted for al Qa'ida-associated terrorist offences in the UK between 1999 and 2009 are known to have attended university or a higher education institution'.<sup>12</sup> 'These statistics', the Prevent strategy notes, 'roughly correspond to classified data about the educational backgrounds of those who have engaged recently in terrorist-related activity in this country'.<sup>13</sup>

Such statistics and arguments, as persuasive as they may seem, are not without serious problems though. Firstly, the use of these statistics should not be taken too seriously since the link between committing terrorism and being a student at university is 'correlation' and no serious measure of 'causation'. Indeed, a common error in statics is to confuse causation with correlation. These statistics are guilty of conflating correlation with causation. Secondly, there is a general consensus amongst academics and counterterrorism practitioners that terrorism is not caused by religion and/or ideology, but rather by a combination of socio-economic and political factors. 'Whilst religion can justify and intensify terrorist violence', writes the noted terrorism expert Professor Richard English, 'the point is that this does not occur in isolation form other social and

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<sup>9</sup> *HM Government* (2011) 'Prevent Strategy', CM 8092, June, London: Stationary Office, p.72

<sup>10</sup> See Karagiannis, Emmanuel, and Clark McCauley (2006). "Hizb ut-Tahrir al-Islami: Evaluating the Threat Posed by a Radical Islamic Group that Remains Nonviolent." *Terrorism and Political Violence*, Vol. 18, No. 2 pp. 315-334.

<sup>11</sup> *HM Government* (2011) 'Prevent Strategy', CM 8092, June, London: Stationary Office, p.73

<sup>12</sup> *Ibid*, p.72

<sup>13</sup> *Ibid*, p.72

political forces and factors'.<sup>14</sup> In other words, religion and ideology have an ability to justify and legitimise terrorism but they operate in conjunction with socio-economic and political factors. This is similar to what the sociologist Sinisa Malesevic notes in his seminal work on war and political violence: 'ideological power is not the only, and not necessarily the primary, generator of social action but its social significance lies in its legitimizing capacity'.<sup>15</sup> Again, ideology is not the cause of terrorism but a justifier of it. This idea is also noted in a classified document that was prepared for UK ministers in 2010, and was later leaked to the press. In no ambiguous terms, the classified memo notes that the role of religious ideology in the radicalisation process has been overplayed:

We do not believe that it is accurate to regard radicalisation in this country as a linear "conveyor belt" moving from grievance, through radicalisation, to violence. This thesis seems to both misread the radicalisation process and to give undue weight to ideological factors.<sup>16</sup>

Research undertaken by the UK's domestic intelligence agency MI5 similarly notes that 'a large number of those involved in terrorism do not practice their faith regularly ... lack religious literacy and could actually be regarded as religious novices'.<sup>17</sup>

The claim that religious ideology is the primary motivator of political Islamic violence, in other words, fails to stand up to academic or expert scrutiny. Despite this, however, it continues to occupy a central position within Prevent, and, as the next section shows, with serious consequences for individuals engaged in democratic, legitimate and lawful activity such as research and scholarship.

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<sup>14</sup> English, Richard (2009) *Terrorism: How to Respond*, Oxford: Oxford University Press, p.39

<sup>15</sup> Malesevic, Sinisa (2010) *The Sociology of War and Violence*, Cambridge: Cambridge University Press, p.83

<sup>16</sup> Gilligan, Andrew (2010) 'Hizb ut Tahrir is not a gateway to terrorism, claims Whitehall report', *Sunday Telegraph*, 25 July, [<http://www.telegraph.co.uk/journalists/andrew-gilligan/7908262/Hizb-ut-Tahrir-is-not-a-gateway-to-terrorism-claims-Whitehall-report.html>] – accessed 19 February 2016

<sup>17</sup> Travis, Alan (2008) 'MI5 report challenges views on terrorism in Britain', *The Guardian*, 20 August, [<http://www.theguardian.com/uk/2008/aug/20/uksecurity.terrorism1>] – accessed 19 February 2016

### **3. Prevent on Campus: Normalizing and Embedding Surveillance.**

The stated objective of Prevent in its broadest sense is to tackle the ideology that is claimed to cause terrorism by disrupting and challenging those individuals who promote it, those who have internalized it or those who are susceptible to internalizing it. There are, however, multiple problems with such an approach, especially within a university and higher education context.

Universities should serve as intellectually stimulating environments in which students and staff can gather and engage with different ideas, views and opinions for the purpose of generating critical thinking and a detailed understanding of a given subject-area. However, with the introduction of Prevent, legitimate, lawful, and democratic actions, including studying and reading open-source documents and books is being used to determine who suspected and potential terrorists are.

The UK's Independent Reviewer of Terrorism Legislation, David Anderson QC, has articulated strong concerns with the use of lawful, democratic and legitimate actions to spot potential terrorists. Writing prior to the implementation of the Counter-Terrorism and Security Act 2015 (CTSA) – a UK law which legally compels public sector workers such as doctors, professors and health workers to refer potential terrorists to the authorities – Anderson wrote:

If it becomes a function of the state to identify which individuals are engaged in, or exposed to, a broad range of “extremist activity”, it will become legitimate for the state to scrutinize (and the citizen to inform upon) the exercise of core democratic freedoms by large numbers of law-abiding people.<sup>18</sup>

Now that the Counter-Terrorism and Security Act 2015 has officially become law, it is fair to say that civilian staff within universities, amongst other public sector workers, are not only under a legal obligation to inform on their fellow citizens but are compelled to use lawful, legitimate and

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<sup>18</sup> Anderson, David (2015) ‘The Terrorism Acts in 2014: Rport of the Independent Reviewer on the Operation of the Terrorism Act 2000 and part 1 of the Terrorism Act 2006’, September, London: Williams Lea Group, p.65



democratic activities to decide who a potential terrorist is and who should be investigated and/or scrutinized.

I now turn to three well-known examples of university staff using perfectly legitimate and lawful activities to report and refer students to internal and external agencies, such as the police, for arrest, investigation and interrogation.

### **3.1. University of Nottingham**

In May 2008, Rizwaan Sabir (the author of this submission) and Hicham Yezza were falsely arrested and detained in solitary confinement custody for 7 days by Nottinghamshire Police and the West Midlands Counter-Terrorism Unit under Section 41 of the Terrorism Act 2000 for suspected involvement in terrorism. Their alleged offence was to possess a redacted copy of the al-Qaida training manual that had been downloaded from the US Department of Justice website for the author's postgraduate research on al-Qaida and Hamas.<sup>19</sup> A non-redacted and fuller version of the same document is also available from the University of Nottingham's own library or can be purchased from highstreets bookshops such as WH Smiths with 'FREE Saver Delivery' for £31.99.<sup>20</sup> The document, in this instance, was discovered on the computer of Hicham Yezza, a member of staff in the Department of Modern Languages and Editor of the political magazine *Ceasefire* when he was away due to illness. After his line-manager requested his login details, which he provided, she saw a copy of the al-Qaida training manual (as well as two journal articles) on his computer desktop. She immediately referred the find to university management, who immediately referred the matter to the police via the university security department. The police then went onto launch an anti-terror operation codenamed 'Minerva'. When the author arrived on campus and asked why Hicham Yezza's office was being searched by university security personnel, the Deputy Head of University Security would inform the police that the author was a pro-Palestinian activist and known to them for his activism. After arresting Yezza as part of their initial inquiry, the police, based on this university tip-off, would also arrest the author for suspected terrorism offences. Once in custody, the author would inform

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<sup>19</sup> Sabir, Rizwaan (2008) 'This is no way to fight terror', *The Guardian*, 16 September.

<sup>20</sup> WH Smiths (2016) 'Military Studies in the Jihad against the Tyrants: The al-Qaida Training Manual', Jerry M. Post, <<http://www.whsmith.co.uk/products/military-studies-in-the-jihad-against-the-tyrants-the-al-qaeda-training-manual/9780714682747>>, accessed 18 April 2016

the police that he had downloaded the document and sent it to Hicham Yezza because he was advising the author on his postgraduate research on terrorism and political violence, notably his application for an upcoming doctorate on political Islam. After seven days of being detained in solitary confinement, daily interrogation, having their homes raided and their family and friends evicted from their homes as well as being questioned, both Hicham Yezza and the author were released without any charges for terrorism. In 2011 the author would go onto secure an out of court settlement and receive £20,000 in compensation<sup>21</sup>, and in 2012, the Professional Standards Department of West Midlands Police would discover that police officers had manufactured key pieces of evidence to justify the author's detention.<sup>22</sup> Needless to say, it was a lawful and open-source document that was being used in the course of legitimate academic research that had prompted an overzealous reaction by the university and the police, respectively.

### **3.2. University of East Anglia**

An unnamed final year undergraduate student at the University of East Anglia was questioned by Special Branch officers at his home for reading extracts from the ISIL magazine, *Dabiq*.<sup>23</sup> This reading formed a part of his module 'Clash of Fundamentalisms'. He and his cohort had been instructed to consult the extracts by their professor.<sup>24</sup> The website the student accessed the extracts from, according to a university spokesperson, was involved in 'analys[ing] and challeng[ing] the publication of extremist ideologies'<sup>25</sup> What therefore seems like an entirely acceptable and appropriate source for students to consult as part of their studies had prompted questioning and scrutiny by Special Branch under Prevent.<sup>26</sup>

### **3.3. University of Staffordshire.**

Postgraduate student Mohammad Umar Farooq, who was undertaking a Masters degree in Terrorism, Crime and Global Security at the University of Staffordshire was questioned by a

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<sup>21</sup> Sabir, Rizwaan (2011) 'I won terror compensation, but my struggle for justice continues', *The Guardian*, 19 September

<sup>22</sup> Townshend, Mark (2012) 'Police 'made up' evidence against Muslim student', *The Guardian*, 14 July,

<sup>23</sup> Falvey, Dan (2015) UEA student questioned by Special Branch over ISIS course reading, 05 December, [<http://www.concrete-online.co.uk/uea-student-questioned-by-special-branch-over-isis-course-reading/>] – accessed 18 February 2016

<sup>24</sup> Ibid

<sup>25</sup> Ibid

<sup>26</sup> It should be noted that it is currently unknown whether police were alerted of the student's reading by the University or through other sources/avenues.

University Complaints Officer after he was spotted reading a textbook on terrorism written by Professor John Horgan and Dr. Kurt Braddock in his university library.<sup>27</sup> He was asked by the Complaints Officer for his views on British values, foreign fighters, homosexuality, ISIL, and al-Qaida. Not fully satisfied with Farooq's replies - which the media reported 'raised too many red flags' for the Complaints Officer - she reported her conversation to the university security department, who logged the incident and initiated an internal investigation.<sup>28</sup> Farooq only become aware of this internal referral and investigation after a security guard informally mentioned that a staff member had raised some concerns about an exchange in the library and some of the opinions he held. Farooq subsequently raised an internal complaint regarding his treatment and eventually went on to receive an apology from the University for his treatment.<sup>29</sup>

In all three cases, what was entirely appropriate and acceptable activity for university students to be undertaking for the purpose of their studies have driven all three to be scrutinized and interrogated by the university and/or police. Of course, this course of action is not an accident or the result of a mistake but an inevitable consequence of a government policy which relies on members of the public to use legitimate, lawful and democratic activities to spot who a potential or future terrorist is.

Whilst one could make the argument – and Prevent practitioners have indeed made this argument to the author – that due to the implementation of Prevent, individuals are not being arrested or detained for suspected terrorism, such claims, as I shall now explain, ignore the fear-inducing effects of Prevent and how the policy produces similar outcomes as being arrested and detained for suspected terrorism does.

#### **4. Creating Fear and Disengagement.**

Being subjected to arrest, detention, interrogation or even a stop and search for questioning leaves no doubt in the mind of the individual that they are on the receiving end of a direct

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<sup>27</sup> Ramesh, Randeep and Halliday, Josh (2015) 'Student accused of being a terrorist for reading book on terrorism', *The Guardian*, 24 September,

<sup>28</sup> Ibid

<sup>29</sup> Ibid

exercise of coercive power. Even though Prevent is not based on arresting and detaining a person, it is based to some extent on making coercive threats against people who have not broken the law. In order to understand this coercive element more appropriately, it is worth briefly discussing the role of surveillance and intelligence under Prevent.

Since Prevent has placed a legal duty on universities to communicate information (or what the police call ‘community/neighborhood intelligence’) on people deemed to be potential terrorists by using lawful, legitimate and democratic behaviors to indicate future terrorism, there is a recognition amongst individuals, especially members of the Muslim community, that articulating a particular opinion or involving oneself in politics and/or dissent may lead one to be viewed as a suspected terrorist. In such an instance, students begin to self-discipline and self-censor their behavior, thoughts and actions. Whilst Prevent may not therefore entail a direct exercise of force, say arrest and detention, through the threat of some ‘potential action’ being taken, it indirectly threatens individuals and produces outcomes that arrest and detention do – fear, anxiety and disengagement. Academic research supports this point.

In their study on Muslim identity, Katherine Brown and Tania Saeed, found that due to the securitization of university campuses throughout the UK, (female) Muslim students had been driven underground and forced to work ‘outside of formal forums and public spaces to initiate low-key dialogue on an everyday basis’.<sup>30</sup> In other words, securitization through Prevent is causing fear and driving Muslim students away from public spaces and political engagement.

Anisa Mustafa, who conducted 34 in-depth interviews with Muslim students across the East Midlands region in the UK, came to a similar finding in her research.<sup>31</sup> She found that Muslim students changed their behavior and the forms of resistance and activism they participated in because they wanted to reduce the likelihood of being profiled and singled out for monitoring under counter-terrorism policies such as Prevent. ‘Students fear being spied upon and ending up on a national database of risky citizens or being labelled a terrorist for attending demonstrations

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<sup>30</sup> Brown, E. Katherine and Saeed, Tania (2014) ‘Radicalization and counter-radicalization at British universities: Muslim encounters and alternatives’, *Ethnic and Racial Studies*, Vol. 28, No. 11, p.1963

<sup>31</sup> Mustafa, Anisa (2015) ‘Active Citizenship, Dissent, and Power: The Cultural Politics of Young Adult British Muslims, Ph.D. thesis, *University of Nottingham*.

or public meetings’, observes Mustafa. ‘The space in which young people can demonstrate and express political agency is becoming very narrow’.<sup>32</sup>

A similar fear was also noted by the Staffordshire University postgraduate student Mohammed Umar Farooq, who informed the author that whilst he was aware of counter-terrorism overreach, he felt a sense of safety when conducting his academic research which had now been reversed. ‘I was aware of some of the government's counter-terrorism strategies and powers, and whilst I was somewhat afraid that I could potentially fall foul of them ... I used to think nobody would say anything to me if I just kept my head down and studied’.<sup>33</sup> Since the interrogation, notes Farooq, ‘the whole experience has made me fearful that they can come for you whenever they want’.<sup>34</sup>

Rather than involving themselves in overt academic inquiry and political activism, such as demonstrations and protest, in other words, Muslim students are becoming disengaged, reserved, and quieter in how they express themselves and exercise their political agency. Counter-terrorism and counter-extremism policies such as Prevent are dominating their lives, negatively shaping their identities,<sup>35</sup> and constructing them as ‘risky’ and ‘suspect’.<sup>36</sup>

Whether this is by design or default is difficult to tell but the evidence strongly suggests that Prevent is creating and spreading fear within Muslim communities and restricting their ability to engage in legitimate scholarship, democratic dissent and political debate. Even though Prevent may not therefore be premised on arresting and detaining students, because it is creating and spreading fear, which inevitably leads to self-censorship, alienation and political disengagement,

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<sup>32</sup> Ibid, p.162-163

<sup>33</sup> Farooq, U. Mohammad (2016) Email exchange with author - ‘Re: Answer attached’, 18 February 2016 at 11:52

<sup>34</sup> Ibid.

<sup>35</sup> Mustafa, Anisa (2015) ‘Active Citizenship, Dissent, and Power: The Cultural Politics of Young Adult British Muslims’, Ph.D. thesis, *University of Nottingham*; Brown, E. Katherine and Saeed, Tania (2014) ‘Radicalization and counter-radicalization at British universities: Muslim encounters and alternatives’, *Ethnic and Racial Studies*, Vol. 28, No. 11, pp.1952-1968

<sup>36</sup> Mythen, Gabe, Walklate, Sandra and Fatima, Khan (2009) ‘‘I’m a Muslim, but I’m not a terrorist’: Victimization, risky identities and the performance of safety’, *British Journal of Criminology*, Vol. 49, pp. 736-754; Brown, E. Katherine (2010) ‘Contesting the Securitization of British Muslims: Citizenship and Resistance’, *Interventions* Vol. 12, No. 2, pp.171-182; Kundnani, Arun (2009) ‘Spooked: How Not to Prevent Violent Extremism’, *Institute of Race Relations*, <<http://www.irr.org.uk/pdf2/spooked.pdf>>, accessed, 13 October 2015; Kundnani, Arun (2014) *The Muslims are Coming: Islamophobia, Extremism, and the Domestic War on Terror*, New York: Verso; Hickman, Mary, Silvestri, Sara and Nickels, Henri (2011) ‘Suspect Communities? Counterterrorism policy, the press, and the impact on Irish and Muslim communities in Britain’, July 2011, London: *London Metropolitan University*.

it is producing effects – fear, exclusion and disengagement - that are produced when one is arrested and detained for suspected terrorism. Such effects, as I shall now explain, are shown to create the conditions that ‘radicalise’ people, that is to say, drive people towards terrorism.

## **5. Prevent: Creating Conditions Conducive to Terrorism.**

Terrorism is generally understood and agreed upon to be a tactic used by non-state actors to bring about a particular political change or goal. When people are engaged in a political process or are able to bring about a desired goal through an existing system of power, the likelihood of them engaging in terrorism significantly reduces.<sup>37</sup> It therefore goes without saying that when individuals or groups lack the tools or are denied the chance of bringing about a particular change through an existing system of power, they are more likely to support or employ terrorism.<sup>38</sup> Research cited in the preceding section shows how Muslims are increasingly facing disempowerment, alienation and exclusion from mainstream and democratic political engagement. At the same time, they are being denied basic human rights such as free speech, free expression and free assembly at the behest of counter-terrorism policies such as Prevent. Such restrictions not only reveal the authoritarian nature of counter-terrorism policies within the UK but more importantly reveal how current policy is creating an environment that is conducive to terrorism.

Whilst history in the case of the North of Ireland, for example, strongly shows how the abuse of a civilian population through programs such as internment can lead to a significant rise in the use, and support for, terrorism,<sup>39</sup> academic research more broadly supports the idea that repression and authoritarianism increase the support and desire to use terrorism. One such study was conducted by Alan Krueger and Jitka Maleckova and found that terrorists were less likely to emerge from countries that safeguarded civil and political rights.<sup>40</sup> In a later study, Alan Krueger

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<sup>37</sup> Crenshaw, Martha (1981) ‘The Causes of Terrorism’, *Comparative Politics*, Vol. 13, No. 4, pp. 383-4; Boyns, David and Ballard, J. David (2004) ‘Developing a Sociological Theory for the Empirical Understanding of Terrorism’, *The American Sociologist*, Vol. 35, No. 2, Summer, 5-25, pp.12-14

<sup>38</sup> Ibid; Ibid

<sup>39</sup> Gormally, Brian, McEvoy, Keiran and Wall, David (1993) ‘Criminal Justice in a Divided Society: Northern Ireland Prisons’, *Crime and Justice*, Volume 17, pp. 71-2

<sup>40</sup> Krueger, B. Alan and Maleckova, Jitka (2003) ‘Education, Poverty and Terrorism: Is There a Causal Connection?’, *Journal of Economic Perspectives*, Vol. 17, No. 4, p.139 and p.142

similarly found that ‘the suppression of civil liberties and political rights, including ... the freedom to assemble, and democratic rights’ all contribute to ‘rais[ing] the likelihood that people ... will be ensnared in terrorism’.<sup>41</sup> In other words, the suppression of dissent, restriction of democratic freedoms, and using authoritarian policies such as Prevent increase the likelihood that terrorism will be supported and employed. Prevent, as it currently stands, is therefore doing very little to generate security and doing very much to undermine civil, political and human rights.

## **6. Conclusion and Recommendations.**

Prevent is repressing and undermining legitimate, lawful and democratic ideas and actions and therefore contributing to feelings of exclusion, alienation and political disengagement, all of which contribute to increasing the risk of terrorism. The following five recommendations may help develop a more effective and appropriate Prevent/CVE policy that is in sync with human rights principles and processes and therefore likely to reduce the risk of terrorism.

- Counter-terrorism and CVE policies should ensure they correctly diagnose the drivers of terrorism committed by political Islamic groups such as al-Qaida and ISIL. By continuing to claim that political Islamic violence is motivated by religious ideology as opposed to politics not only goes against the evidence but whitewashes the role that Western and European governments have played in contributing to the conditions which have led to the rise of violent political Islamic groups. Recognising the role of Western governments will not only ensure appropriate policies are drafted but will ensure history does not repeat itself.

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<sup>41</sup> Kureger, B. Alan (2007) What makes a terrorist: Economics and the Roots of Terrorism, Princeton: Princeton University Press.

- Correctly diagnosing the drivers of political Islamic violence will enable appropriate steps to be taken towards finding solutions to political problems and will thereby contribute to reducing insecurity, conflict and terrorism, both at home and abroad. If Western and European governments maintain that an ‘evil’ religious ideology as opposed to political factors are driving terrorism, authoritarian policies, conflict, and violence will continue to be seen as the only logical course of action to deal with the issue of terrorism and political violence.
- Any counter-terrorism and counter-extremism policy should safeguard and protect civil, political and human rights. A strong commitment to human rights not only serves as check on state power and authoritarianism but, more importantly, ensures alienation, exclusion and political disengagement is kept to an absolute minimum. Communities and individuals who are socially and politically engaged and feel they are able to bring about positive changes through legitimate, lawful and democratic means are highly unlikely to support or use terrorism.
- Any counter-terrorism and counter-extremism policy should ensure that Muslim communities and individuals who wish to frame or articulate their identity through an Islamic or Muslim ‘gaze’ are not denied the right to do so and are not criminalised or profiled for doing so. As the evidence cited in this submission suggests, there is nothing to prove that those who project an outwardly Islamic identity or are religiously devout have a connection to political violence and terrorism. Indeed, on the contrary, religion serves as a bulwark against terrorism and political violence.
- Civilians who work in public sector bodies and organisations should in no way be expected (or legally obliged) to provide intelligence to the authorities because of somebody’s religious appearance or ethnicity or for articulating a political opinion. If evidence of criminality exists, ordinary avenues for reporting criminality should be employed. Distasteful views and opinions in the meantime should be organically challenged through civil society measures and independently of government.