



Community Policy
Forum



BRIEFING

A NEW DEFINITION OF 'EXTREMISM': AN ATTACK ON HUMAN RIGHTS AND CIVIL LIBERTIES

MARCH 2024

ABBREVIATIONS

- The European Convention on Human Rights (ECHR)
- The Human Rights Act 1998 (HRA)
- The International Covenant on Civil and Political Rights (ICCPR)



The Community Policy Forum is an independent think-tank seeking to promote evidence-based and community-centred approaches to issues concerning Islamophobia and structural inequalities facing British Muslim communities. We attempt this through connecting policymakers with academic research and experts and through providing platforms for engagement with diverse Muslim voices on areas of contemporary importance.

www.communitypolicyforum.com

@POLICYCOMMUNITY

Michael Gove is **reportedly** due to unveil a new Government definition of 'extremism' this week which will seek to redefine and broaden the definition of extremism. This has major implications for civil liberties and the freedom of speech and the right to equal participation in public and political life - rights that are enshrined within the Human Rights Act 1998 (HRA) as well as the UK's international obligations under the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR).

The following briefing seeks to outline issues surrounding this redefining of the term 'extremism' and the accompanying plans.

Outlining The Proposals

The current UK definition of terrorism includes not only actions, but threats of action. As such, the risks of violence has become central in a shift towards increasingly proactive policing, the creation of pre-criminal spaces, and ultimately a heavy focus upon the supposed links between 'radicalisation', 'non-violent extremism', and 'violent extremism'.

At present, the definition of extremism includes "vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty, and mutual respect [for] and tolerance of different faiths and beliefs". However, reports indicate that Gove's plans include **expanding** the definition to include the "promotion or advancement of ideology based on hatred, intolerance or violence or undermining or overturning the rights or freedoms of others, or of undermining democracy itself". This definition is reported to also **outline** "core behaviours" that include attempts to "overturn, exploit or undermine the UK's system of liberal democracy to confer advantages or disadvantages on specific groups" or threatening individual rights or enabling the spread of extremism.

Alongside this new definition, there are also reports of **plans** to exclude individuals and groups that fall under this definition from public and political engagement by forcing councils to withdraw all support and prohibiting any meetings with ministers, senior civil servants, and government advisory boards, as well as disqualifying them from accessing public funding.

Understanding the Political Context of the Proposals

These proposals follow a pattern over the last several years of Government backed legislation and policies designed to undermine protests and curtail the free speech of those that oppose its policy agendas. As but a handful of examples, the Police, Crime, Sentencing and Courts Act 2022 and the Public Order Act 2023 restrict the right to peaceful protest and exacerbate discrimination against minoritised communities through the expansion of police powers such as Stop and Search. Meanwhile, the Economic Activity of Public Bodies (Overseas Matters) Bill is designed to hinder public advocacy for international human rights causes, with a heavy focus on restricting pro-Palestinian activism.

Indeed, in recent months, the use of these powers and their damage has been particularly felt in relation to pro-Palestinian advocacy, with activists being caught up in the counter-terror apparatus, arrested, and demonised by Government officials as ‘extremists’ and ‘Islamists’ participating in “**hate marches**”. Gove himself has **warned** people that by participating in pro-Palestine marches they could be “lending credence” to ‘extremists’ in an attempt to discourage support for the cause.

Consequently, there has been legitimate **concern** across the political spectrum that these proposals will be used to silence lawful non-majority opinions and activists that do not support the Government agenda. Recent years have already witnessed instances of non-violent groups being erroneously subsumed within counter-terror concerns, for example in 2020 Extinction Rebellion were **included** in a counter-terror policing guide entitled ‘Safeguarding young people and adults from ideological extremism’.

There have also been questions of a political motivation underpinning these proposals due to their coinciding with the run up to a general election. A joint **letter** signed by senior politicians and counter-terrorism experts, including three former Conservative Home Secretaries, has warned against the politicisation of the concept of extremism. It states, “in the run up to a general election it’s particularly important that that consensus is maintained and that no political party uses the issue to seek short term tactical advantage.”

Moreover, there has not been adequate public consultation and no parliamentary debate on these proposals. Counter-terror is a vastly complicated and nuanced issue and the correct calibration of definitions is vital as it underpinned and shapes the approach of the entire UK counter-terror apparatus. Therefore, without proper engagement with civil society, faith groups, and academic experts, any policy is in danger of striking an uneven balance between security and protecting the rights and freedoms of the public. As a result of the lack of consultation, the Government has **reportedly** already internally acknowledged the likelihood of legal challenges when it is announced.

Ultimately, by expanding the already subjective understanding of ‘extremism’, there are legitimate concerns that these proposals follow a pattern of Government attempts to undermine political opposition through curtailing the free speech and political participation of those who oppose their political agenda.

The Impact on Muslim Communities

The proposals are of particular concern for Muslim communities, especially in light of the Government’s existing commitment to the recommendations of the Shawcross Report that has been widely **criticised** for its conclusions that Muslim-led civil society organisations should be viewed as ‘extremist’ and ‘Islamist’ for political activism in opposition to Government policy and

its subsequent recommendations a similar approach to dissolving organisations as has been seen in [France](#).

Furthermore, existing counter-terror apparatus, such as the PREVENT Strategy have been [criticised](#) across civil society, academia, and the international community for their discriminatory application against Muslim communities. By securitising Muslim faith and practice, PREVENT has mobilised structural Islamophobia and created a hostile environment wherein normative Islamic practice is often seen as suspect and Muslims are forced to adjust, negotiate, or withdraw from political participation for fear of being caught in its net.

Moreover, the involvement of Michael Gove in the production of the proposals cannot be met with anything other than alarm amongst Muslim communities. Certainly, Gove has been criticised for a reputation of supporting anti-Muslim policies and associations. He is a founding member of the Henry Jackson Society, which has been [described](#) as a “threat to British democracy” and is renowned for its political attempts to exclude Muslims from public life. Moreover, he was the Government driving force behind the ‘Trojan Horse’ affair, that has been since [understood](#) to be an “anti-Muslim ideological concoction” and “a figment of neo-Conservative imagination.” Concerningly, evidence of Gove’s attitude towards and understanding of Muslim communities can be found in his book entitled *Celsius 7/7*, wherein he highlights the threat of “Islamism” in Britain. In a review of his book the renowned historian William Dalrymple [wrote](#), “Gove’s book is a confused epic of simplistic incomprehension, riddled with more factual errors and misconceptions than any other text I have come across in some two decades of reviewing books on this subject. Many are mistakes of the most basic sort that even a little experience on the ground could have disabused him of.”

Consequently, there is a danger that anti-Muslim attitudes and agendas may have infiltrated the process of developing the proposals, and in light of the securitised scrutiny that is already placed upon Muslims, the expansion of the definition of extremism will exacerbate structural and institutional Islamophobia across society.

The Impact on Human Rights and Civil Liberties

There has been concern raised by voices across the political spectrum about the impact of this proposed new definition to freedom of expression, largely because of how broad and subjective the proposed definition appears. Labour Peer Lord Hain, LGBTQ activist Peter Tatchell have been joined by the largely conservative Countryside Alliance in raising concerns about the “[woolly](#)” definition being used to censure minority views. Many civil rights organisations including Amnesty International, Liberty, and the Runnymede Trust have signed an [open letter](#) to “abandon the expansion of the definition of extremism.” Meanwhile, The National Secular Society have also voiced [fears](#) that this definition could have “far reaching consequences for free speech”, and could result in secularist or republican views being brought

within the confines of 'extremism' due to their opposition to institutions such as the Church of England and the monarchy.

The UK is obliged under the [HRA](#) and numerous international treaties, such as the [ICCPR](#), to protect and respect human rights. As these proposals have been reported, there are a variety of ways that these plans could breach the UK's domestic and international human rights obligations:

- **Freedom of expression:** The freedom of expression is protected by Article 10 of the HRA and Article 19 of the ICCPR. As previously noted, non-violent minority views will be particularly vulnerable to restriction under the reported proposals.
- **Freedom of association:** Article 11 of the HRA and Article 21 of the ICCPR protect the right to peacefully protest, hold meetings, and to form or be part of a trade union, a political party, or any other association or voluntary group. If the expanded definition is indeed combined with the aforementioned plans to force groups out of public life, this puts these rights at risk.
- **Freedom of thought, conscience and religion:** The right to practise one's religion is protected by Article 18 of the ICCPR and Article 9 of the HRA. As previously mentioned, normative Islamic practices are already frequently considered suspect under the application of current counter-terror policies – a situation that these proposals will likely exacerbate. However, there is also potential for other minority religious views to also be at risk of censorship.
- **Protection from discrimination:** Both the HRA and the ICCPR contain explicit protections against discrimination on "any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." As discussed above, counter-terror strategies such as PREVENT have already been noted as promoting and embedding structural Islamophobia across society. With these proposals, Muslim individuals and organisations are therefore at particular risk of losing their ability to participate in public and political life.

Conclusion

As has been discussed, the proposals to redefine 'extremism' and block those captured within its remit from public life and political participation has the potential to undermine human rights in the UK and will likely breach the UK's domestic and international human rights obligations. While Muslims' rights are particularly under threat due to the existing structural inequalities embedded within the UK's counter-terror apparatus, these plans will likely make all those who hold minority views and criticise Government policies vulnerable. This is not conducive to a healthy and functioning democracy.

Consequently, we urge the Government to:

- Abandon plans to redefine 'extremism'.
- Strengthen its consultation processes and ensure that policy development meaningfully engages with civil society.
- Reverse its trajectory of the erosion of human rights through legislative and policy changes.
- Support and strengthen active citizenship and democratic engagement through open debate and participation.
- Commit to avoiding divisive and demonising rhetoric, especially in the context of the general election.



Community Policy
Forum

www.communitypolicyforum.com

@POLICYCOMMUNITY