

This is the version of the book chapter accepted for publication in *The Universities We Need Theological Perspectives* published by Taylor and Francis:
<https://www.taylorfrancis.com/books/e/9781134759941/chapters/10.4324%2F9781315547480-15>
Accepted version downloaded from SOAS Research Online: <http://eprints.soas.ac.uk/26195>

Chapter 8: An Islamic perspective: what does Islam offer to the contemporary debate?

Alison Scott-Baumann and Sariya Cheruvallil-Contractor

Islam has a long and rich intellectual tradition that is embedded in its religious texts and in its history as a world religion, and which together with confessional approaches to the study of religion encompassed a diverse range of what we today understand as modern academic disciplines including poetry and literature studies, sociology and lived religion, philosophy and liberal critiques of dogmatic theology and indeed the physical sciences. As we shall discuss later in this chapter, Islam has made undeniable contributions in the shaping of Western academic thought, the preservation and transmission of Greek and Roman philosophy and played a foundational role in the development of university campuses as we know them today. Yet, and despite the enduring significance of its *historical* intellectual tradition, contemporary debates about the role of Islam in academia are mired in two antagonistic but also interconnected debates. Firstly, a gradual de-valuing of ‘secular’ traditions from within Islamic education and an over-emphasis on confessional approaches that has emanated from within diverse Muslim communities which started around the 18th century. Second, the much more recent agenda of ‘preventing violent extremism’, an anti-terror ‘lens’ through which much policy discourse seeks to examine Islam in the West. In Britain, this entire discussion is further problematized by rapidly changing understandings of what the function of universities should be – are they institutions of learning that produce scholars, thinkers, conscientious citizens and loyal dissenters *or* are these institutions that produce efficient but unquestioning employees to staff global conglomerates that satisfy our collective capitalist materialist demands?

The debate about the role of universities is an important one that this book seeks to advance with particular emphasis on the ethical and moral contributions that religion can bring to the table. With this in the foreground, in this chapter we seek to uncover Islamic intellectual

tradition for our readers and the ways in which Islam and Muslims contribute to and participate in modern academia. In doing so, we aim to facilitate a discussion about the contemporary relevance of this tradition in British universities, which in the reflection of contemporary Britain, are diverse and plural, and within which understanding and knowledge of the different other is

essential. Denying such differences would represent an example of the human tendency towards negation that the French philosopher Paul Ricoeur identified (Scott-Baumann, 2013a, pp.141-2). We ask and answer the question - how does the study of Islam and the presence of Islam (through students, staff and information) on campus influence how these campuses function? We critically examine whether the campus is enriched by the presence of Islam or if freedoms that are usually associated with Western academia are impeded by this presence. We also examine the modern othering of Islam and Muslims through the violent use of language in the discourse on ‘preventing violent extremism’.

In order to illustrate our proposition that, following Rowan Williams, the faithful voice must be allowed a place at the negotiating table to discuss ethical, moral and practical issues about how to lead a better life, we will address five interlocking phenomena: (1) the history of Islamic intellectual contribution in the wider world and in the UK ; (2) the current relationship of Islamic institutions of higher education in the UK with the university sector; (3) the position of Muslim women and all women on campus as an indicator of the state of modern society as reflected in the British university; (4) recent legislation that directly affects campus activity (such as the 2015 Security and Counter Terrorism Act); and (5) finally the impact these factors may have on the future of university curricula and academic freedoms. We will propose that the presence of Islam can help when there is a need to address such issues – issues that may often otherwise go unchallenged. We go even further to suggest that it is instructive to argue that Islam can help to *identify* difficult issues, in order that they *can* be addressed, for there is much to be challenged on the modern campus that goes unidentified.¹ We will demonstrate that it is a modern imperative to make such a strong addition to the debate about higher education and the language used. Moreover such an addition will facilitate productive collaboration between non-Muslims and Muslims in order to evaluate and protect what it is that they all hold dear about Western society in university education.

In response to the agenda of ‘preventing violent extremism’ we will argue that the university must be protected in a democracy as a unique public and safe space for discussion of

¹Christianity, Judaism and other world religions and belief systems, including humanism must have a voice too: in this chapter we focus on Islam.

difficult subject matter and complex issues. We can see a form of democracy in the work of German philosopher Jürgen Habermas. He prizes ways of knowing that develop through critical reflection and engagement or *praxis* (practical action for change) (Habermas in Borradori, 1987). Constitutional patriotism is an idea that Habermas has worked on extensively and public space is crucial to his thinking: people should form a political attachment to the norms and values of a pluralistic liberal democratic constitution, attempting to re-conceptualise group identity, interpreting citizenship as a loyalty that goes beyond individuals' ethnocultural identification and religion in the public sphere. Yet we will question the current capacity of the British university to provide this, given the pressure upon universities of a hegemonic securitisation narrative in Britain that pathologizes Islam. In this context there is a pressing need to challenge such violent use of language – and we propose that the university is one special place to make this challenge. We will also demonstrate that new security measures, imposed explicitly on schools and universities, and misunderstood by the sector, make this ever more difficult for universities to achieve, not easier. First we will set the scene with a historical approach to Islam and then contextualise that within Britain.

Islamic Intellectual Traditions

We began this chapter with reference to a rich and long Islamic intellectual tradition. This tradition can perhaps be traced back to the oft-repeated Quranic description of humankind as ‘men and women of understanding’ or ‘rational thinkers’ who learn and understand through the ‘signs’ that God / Allah has provided on earth, who do not become dogmatic and who reflect on their social and environmental contexts and who seek their own ontological standpoint:

Indeed, in the creation of the heavens and earth, and the alternation of the night and the day, and the [great] ships which sail through the sea with that which benefits people, and what Allah has sent down from the heavens of rain, giving life thereby to the earth after its lifelessness and dispersing therein every [kind of] moving creature, and [His] directing of the winds and the clouds controlled between the heaven and the earth are signs for a people who use reason.

Holy Quran, Chapter 2, Verse 164.

Such emphasis within the Holy Quran on ‘reason’ and ‘understanding’ meant that for the earliest Muslim communities – in Mecca and Medina in the prophetic era – learning and study was a significant aspect of religious life. Memorizing verses of the Quran was a large proportion of this early learning. However an exploration of the hadith or narratives from the Prophet’s (pbuh) life illustrates that there was more to this early version of Islamic Studies.² As the early Muslims sought to understand and *live* their new faith, and then subsequently consolidate a nascent Muslim community, they became involved in study that was more nuanced and that reflected their social, historical and political contexts. They began to study what we now recognize as theology, ethics, morality and the social sciences including lived religion, law, citizenship and nation building. According to Sahin, Islamic intellectual traditions include ‘a rich heritage of critical education’ that it ‘shares with Abrahamic faiths’ and which comprises ‘continuous self-examination, so that the faithful remain balanced in their religious observance.’³

After the Prophet’s (pbuh) death in 632 CE in Medina, the expansion and diversification of Islamic intellectual traditions continued. These intellectual traditions had their beginnings in the early Muslim communities that formed in and around the Arab cities of Mecca and Medina. As Islam spread beyond these cities and beyond the Arabian peninsula, there was a need for systems of learning that could cater to the great demand for knowledge about Islam from newly converted peoples and nations: not all of whom knew Arabic but who nevertheless wanted to learn, understand and recite the Quran; who wanted to know the histories of early Muslim communities and who wanted to intimately and, as far as is possible, know the life history of Prophet Muhammad (pbuh). Thus, in the first four centuries of Islam, began the systematization of Islamic knowledge – which drew strongly on the pre-Islamic, quintessential, Arab love of poetry (that is reflected in the melodious recitation of the Quran), grammar (to learn a new language), translations and hermeneutics, history (with particular emphasis on prophetic example and collating the Sunnah) and genealogy (Kennedy, 2001). After this early systematization, the diversification continued as new *madhabs* (schools of thought), denominations, traditions were

² (pbuh): Peace be upon him.

³ http://www.theguardian.com/education/2016/jan/12/islam-education-extremism-schools-muslim-prevent?CMP=share_btn_tw [accessed 27th January, 2016].

formed. It is beyond the scope of this paper to delve any further into this history,⁴ but to summarize in the words of Daftary:

As Islam spread outside the Arabian peninsula, its birthplace, it became enriched by the intellectual contributions of a multitude of individuals, communities and cultures in regions that eventually comprised the Muslim world. Indeed by the 10th century, the Islamic civilization was already characterized by a diversity of literary and intellectual traditions in various fields of learning such as theology, laws, philosophy, literature, mysticism, arts and natural sciences, while Islam as a religion had been elaborated in a plurality of expressions and interpretations (Daftary, 2000, p.xi).

The spaces – *madrassas* or schools (*madrassa* is simply the Arabic word for school) - where learning was undertaken were as diverse as the tradition - memorizing the Quran from the Prophet (pbuh) in his mosque in the 7th century to discussions of philosophy in the medieval era and Islamic learning in the modern era, in universities, and also in Muslim institutions, *madrassas*, *hawzas*, *jamias* and *darul ulooms*. These diverse Muslim institutions that were spread across different parts of the Muslim world reflected the intellectual traditions that had led to their creation. They functioned in a manner that unlike their modern counter-parts was akin to that of modern universities. They were multi-disciplinary and, while they taught Islam, they also imparted what may be described as education in the skills of life. Medicine, astronomy, mathematics, science and philosophy were among the subjects taught together with poetry and the arts. A case in point could be the Al-Qarawiyyin mosque and madrassa, founded in 859 C.E in Fez, Morocco to provide, in addition to a space for worship, a learning centre for the migrant Qayrawaniyyin community that settled there. It gradually developed into a place for religious instruction and political discussion. Alongside the study of Islam, it provided courses on grammar, rhetoric, logic, Medicine, mathematics, astronomy, chemistry, history, geography and music. It was also one of the first institutions of learning to provide a ‘diploma in learning’. Like modern universities it offered courses from a variety of disciplines, attracted students from all over the world and had rigorous selection criteria.⁵

⁴ A good first reading on this subject is Daftary’s *Intellectual Traditions in Islam* (Daftary, 2000).

⁵ <http://www.muslimheritage.com/article/al-qarawiyyin-mosque-and-university> [accessed 27th January, 2016].

It is now well-known that when Europe was in what many consider as the ‘Dark Ages’, Muslim cultures globally, under the Ottomans in the West and the Mughals in the East, were at the peak of intellectual discourse in the arts, humanities and sciences. For example, Winter and others write about how Arab and Muslim thinkers in Spanish Andalusia learnt, preserved and subsequently developed the thinking and writing of Greek and Roman philosophers (Winter, 2008; Gutas 1998). At the end of the European dark ages this knowledge of Greek and European philosophy as preserved and developed by Muslim thinkers was transmitted to European thinkers and philosophers, leading Gutas to conclude that:

One can justly claim the study of post-classical Greek secular writings can hardly ever proceed without the evidence in Arabic which in this context becomes the second classical language even before Latin (Gutas, 1998, p.2).

While evidence is scant about the roles and contributions of women, it is nevertheless clear that across its history, women were involved in various ways in the development of Islamic intellectual tradition. During the lifetime of the Prophet (pbuh), the hadith indicate that men and women shared the same space, usually in the mosque, to learn the Quran. However, the first indication of what may be understood as a school exclusively for females can be traced back to a hadith stating, ‘Some women requested the Prophet to fix a day for them as the men were taking all his time. On that he promised them one day for religious lessons and commandments’.⁶ Women acted as patrons founding new schools – indeed the Al-Qarawiyyin mosque and madrassa were funded by a woman Fatimah bint Muhammad al-Fihri (d. 880CE). Islamic education for women continued to develop, often under the patronage of female scholars and or female members of various royal families.⁷

Yet today the intellectual contributions of Islam to European and ‘Western’ thought are almost invisible, and are subverted firstly by a gradual focus within Muslim religious institutions on religious learning alone – in many Muslim institutions religious learning became the sole

⁶ Ṣaḥīḥ Bukhārī, Vol. 1, Book 3, No. 101 <http://sunnah.com/bukhari/3/43> [accessed 27th January, 2016].

⁷ A number of examples of such courses may be accessed in Cheruvallil-Contractor, S., 2013. *Qur’anic Schools for Girls in Oxford Encyclopaedia of Islam and Women*. ed. Delong-Bas N. J., New York: Oxford University Press.

focus - and secondly by the more recent and widespread entrenched positioning of Islam and Muslims as the different other. Geaves (2008) for example notes how the Darse-Nizami curriculum (a form of study that is used in Sunni South Asian institutions) developed partly as a response to colonialism in the Indian sub-continent and a resulting defensive desire to protect Islamic traditions and values. Such attitudes caused communities and traditions that were open to become more inward looking. On one level this led to educational syllabi in Muslim institutions that only examined classical Islam theology. On another level a desire to protect women led to reduced social roles for them. Criticisms of modern religious education provision for Muslim women is that these further patriarchal agendas indoctrinate women to lead sheltered lives and that they offer education to females that is less prestigious than that provided to males. Pickthall (1926, pp.41-42) bemoans this loss of criticality, openness and multi-disciplinarity from Islamic education. Islamic universities, he says, no longer taught the diverse sciences that they were once at the forefront of. Instead they taught ‘the hair-splitting niceties of *fiqh* – religious jurisprudence – a science of great use to every Muslim, but taught in such a way as to imprison the intelligence’.

The modern Western university campus

The modern Western university campus has changed too and reflects the wider society in which it finds itself. In his 1907 collection ‘The Idea of a University’, Newman describes the university as ‘the office of intellectual education’ that is steadied by the Church ‘in the performance of that office.’ Today most British universities are ‘secular’ institutions with only limited connections with religious offices, perhaps extending only as far as providing religious chaplaincy and other ‘reasonable accommodation’ to students and staff who are religious. This is an expression of two worrying and significant societal features that are being reflected in universities - neoliberalism and a form of non-religiosity that is assertive in its devaluing of religion. Neoliberal tendencies show themselves in the need that universities now have to function as profit making businesses, and assertive secularism shows itself as an increase in attitudes that seem anti-religious, such as campus promiscuity cultures as testified in Phipps’ work (2012). Secularism can debate well with religious thematics, yet each may seem crowded out of the other’s conversation. These tendencies go against the understanding of British

universities that obtained until recently; a higher education that protected academic freedoms so that staff and students could safely discuss controversial issues in a rich curriculum without fear of censure. In the *new* campus environments, social relations become less important than economic success and this subordinates moral and intellectual obligations to conformity.

The modern university now provides for the educational needs of diverse students – different ethnicities, cultures, class and religions. With regard to this discussion about faith on campus, this diversity is reflected within Islam for example in chaplaincy and pastoral provisions on campuses and to a lesser extent in provision of prayer spaces and other ‘reasonable accommodations’ such as the availability of halal food on some UK campuses. Yet Islam and Muslims are also marginalized and viewed with suspicion, and Ricoeur demonstrates how dangerous the hermeneutics of suspicion can be (Scott-Baumann, 2009). This suspicion is partly because of terrorism and the discourse on ‘preventing violent extremism’ and partly because of the enduring influence of historic orientalist constructions of Muslims and Islam as the ‘barbaric’ aliens who do not have a place in ‘civilized’ Western culture. There is also the growth of non-religious voices that seek to challenge the privileging of the Christian religious influence in British public affairs, and which in their criticisms of religion also devalue religious knowledge of all forms, including knowledge that is seen to have developed in Islamic contexts.

An introduction to the history of Islamic Education in Britain

The history of Islamic intellectual history in Britain can be traced back to Abdullah Quilliam who converted to Islam and established the first mosque in Britain in 1889. This mosque became a place both for religious worship and for religious learning. The first British purpose-built mosque built in Woking in 1889 also had provision for Islamic education. Mohammed Marmaduke Pickthall’s and Yusuf Ali’s translation of the Quran into English (completed in 1930 and 1938 respectively) and their various writing add to the beginnings of a British Muslim intellectual history. Finally we must consider the contributions of the British-Yemeni communities who have lived in Britain since the middle of the eighteenth century (Seddon, 2014). The *zawiyas* established by the Yemenis and the first two British mosques were the earliest places where Islamic education took place in Britain.

The wider development of Islamic educational institutions took place much later when Muslim communities who arrived in Britain in the 1960s and '70s began to establish themselves. These communities came from the Indian sub-continent, but also from the East coast of Africa and other erstwhile British colonies bringing with them their own cultural traditions and 'versions' of Islam. They set up institutions for the study of Islam – initially developing *madrassas and maktabas* that were attached to mosques and which provided basic Islamic teachings to children, and then more gradually *hawzas, darul ulooms and jamias*, where more detailed study could take place leading to the formation of faith leaders. For more details on the discussions in this section please see chapters one and two of our book on *Islamic Education in Britain: New Pluralist Paradigms* (Scott-Baumann & Cheruvallil-Contractor, 2015).

Relationships between Muslim colleges and British universities

The subject discipline of Islamic Studies is taught in two different ways in Britain: in the Muslim seminaries (*madrassas, darul ulooms, jamias and hawzas*) it is taught confessionally.⁸ In the universities it is taught as a combination of humanities (usually history, geography, sociology and politics). Siddiqui critiqued this model in 2007 yet it is still largely unmodified (Siddiqui, 2007). For some time there has been a movement to bring together the strengths and limitations of both sectors (Scott-Baumann, 2003; Scott-Baumann and Cheruvallil-Contractor, 2015, chapter 6). Seminary students themselves have often suggested that they could benefit from adding secular and (other) religious components to their study (Mukadam et al, 2010). This is possible because all UK universities have structures in place that permit collaborations with non-university institutions, set out in the Quality Code for Higher Education.⁹ However, Muslim institutions find it difficult to find a partner university. Recent legislation under the Prevent agenda will probably accentuate this difficulty. There are two existing successful partnerships: between Markfield College of Higher Education (MIHE) and Newman University, and between Islamic College and Middlesex University. Thus the majority of these seminaries (over 50 in

⁸ Literally, a house of knowledge but by extension this refers to a school that provides an in-depth course on Islamic sciences, popularly known as the *alimiyyah* syllabus. *Deobandis* usually use the term *darul uloom* and *Barelvis jami'ah* for this type of institution. *Shias* use the term *Hawza*.

⁹ www.qaa.ac.uk [accessed 27th January, 2016].

Britain) do not have validation for the higher levels of their courses (although their students are successful in GCSEs and A levels). Without ‘mainstream’ recognition for such courses, seminary students do not have the employment and further education opportunities that university students have.

Partnerships between universities and Muslim colleges make possible the important debate between secular and religious epistemic approaches. This will create opportunities to shape the future of young British Muslim citizens as they study at university, live, work and contribute to pluralist Britain, and have as much influence upon young non-Muslim Britons who wish to explore alternative approaches. We also demonstrate next the urgency for considering the needs of all students on campus, to which end broader-based discussions of identity and spiritual need are required.

Muslim students (women and men) on campus

The position of all women on campus is a test of the state of modern society as reflected in the British university; Muslim women who wear headscarves are often seen as out of step with modern society and with so-called ‘fundamental British values’ and may even be accused of ‘non-violent extremism’, this term used by the British government. They may be thought to be even harbouring terrorist sympathies: in any event they would not be seen as able to contribute to the debate we are framing in this discussion about women on campus. Phipps shows two ways in which this can work: the neoconservative view of the Muslim woman is as a victim and the neoliberal politics of recognition has a homogenising effect so that Muslim women are seen as fundamentally different from any one else. Therefore their views are seen as irrelevant to other students on campus (Phipps, 2014, p.133).

Yet Muslim students form the most numerically significant religious minority on campus and in British life and we suggest that it is necessary to think about the university specifically from the point of view of the student, and especially the woman student, although our concern also affects men as does everything that affects women. British Muslim women are caught between the patriarchy of their home culture and the secularism of their adopted home

(Cheruvallil-Contractor, 2012). They are viewed by their communities as being in need of restraint and by their adopted country as being in need of liberation into Western democracy. Like ‘Western/secular’ students, many Muslim women students dislike the aggressive ‘laddism’ of the campus and can avoid university by having access to Islamic theology through different avenues, including attendance at Muslim institutions such as *darul ul looms*, *jamias*, and *hawzas*, study circles and less traditional routes such as internet-based resources (Barazangi, 2004). Research consistently demonstrates these women’s desires for peaceful conflict resolution, dialogue and cohesion, when they are invited to have their own voice. Spiritual needs are also expressed more clearly in the Muslim communities than among the general non-religious population, and this can raise issues for those who may seek some sort of spiritual, moral guidance and nourishment from their university. Yet Muslim concerns about the secular world are dismissed as puritanical and even bordering on an attack on western values, as we saw in the Trojan Horse episode, signalled by the demand by then Secretary of State for Education, Michael Gove, that schools must promote British values.¹⁰

What are British values? The findings of Phipps’ and Young’s 2012 *That’s what she said* research show that, when asked by researchers, female university students, who happened not to be Muslim, express considerable worries about their lives on campus and the implied value systems. Interviewees defined ‘lad culture’ as a group or ‘pack’ mentality framed in activities such as sport and heavy alcohol consumption, accompanied by ‘banter’ that was often perceived as sexist, misogynist and homophobic. Most reported that they saw sexual harassment and violence as closely related to ‘lad culture’, which included verbal harassment, physical harassment and sexual molestation. They felt pressured to engage in frequently changing sexual relationships. When asked about university teaching they described university education as ‘gendered’ and they cited issues such as the descriptions and status of particular subjects and classroom interactions. They also identified negative attitudes towards feminism and gender-related topics in the university curriculum.

¹⁰ <http://www.telegraph.co.uk/education/educationnews/10887976/Trojan-Horse-schools-must-promote-British-values-says-Gove.html> [accessed 27th January, 2016].

With these findings Phipps' and Young's research suggests that important issues are not being understood, not being dealt with in university life and not being covered in the curriculum: how to behave on campus, how to deal with what Le Doeuff (2003) calls gendered knowledge (the 'sex of knowing'), how to identify and challenge implicit bias, how to recognise stereotype threat and how to manage one's body and desires. These sexualities are true for men and women of all faiths and of none: such issues belong together, male and female, yet they need to be differentiated as well as accepted as similar. The Islamic approach to being a woman can make a valuable contribution towards creating discussions that are simply not taking place on campus. There are several reasons why the religious voice can make a unique contribution. There is also the opportunity to see a situation differently, to break away from the perceived hegemony of the majority, as demonstrated by Phipps and Young. Specifically with regard to Muslims, we can also consider Kundnani's point in his book *The Muslims Are Coming*, that 'a transformative politics is more likely to emerge from racialized sections of society' (Kundnani, 2014, p.284). We propose that this is relevant to a group that is singled out, as Muslims are, and of course there are historical precedents, such as the emancipatory actions of those in the civil rights movement in the USA in the 1950s and '60s. Moreover, in general terms, established religious traditions provide the language and concepts for discussing ethical and moral issues. We can see this exemplified in the religiously inspired writings of Prudence Allen.

Sister Prudence Allen, a philosopher nun, incorporates the 'woman question' into an existential debate about human beings, male and female, and an epistemological debate about the university curriculum. Also at an ontological level she argues that the human is comprised of four major and different factors: rationality, materiality, individuality and spirituality and that Aristotelian thought separated these areas and thereby dispersed modern Western thought and being, whereas Allen believes that they must be combined in order that each individual can be a complete person. This division is also reflected at the institutional level. She describes how the Faculty of Arts (rationality), the Faculties of Medicine and Law (materiality of body and of society respectively) and the Faculty of Theology (spirituality) created an institutional fragmentation of thought about the nature of humanity (Allen, 1985, vol. 1, chapter 4). We can see starkly the need for Christian, Jewish, Muslim and others of faith as well as those of no faiths to have a curriculum that combines, unites and also differentiates the four characteristics of a

fully developed human: the individual, the rational, the material and the spiritual. Yet this is not easy because Western philosophy has taken two steps that are only now being reversed: the first step is that since Aristotle the Western philosophical tradition has excluded woman from education because her body is different from that of men. The second step is that this exclusion, based upon physical differences, is seen as irrelevant because metaphysical traditions avoid the physical (Scott-Baumann, 2016). Thus the exclusion of woman cannot easily be discussed in mainstream philosophy.

It is thought-provoking to consider that the Muslim woman on campus is considered by many to have nothing relevant to say about how to live a good life on campus, because she is assumed to be completely different from the majority of female students. Yet all women face similar issues to each other. Even worse, the Muslim woman on campus, if she dresses conservatively, may even be considered to be potentially dangerous, partly due to the new criterion of ‘non-violent extremism’, which we consider next.

Recent legislation that affects campus activity

The UK university sector is currently in a state of unprecedented flux, uncertainty and economic insecurity that, arguably, makes it vulnerable to outside pressures. There are accusations from the government about allowing radical preachers onsite and failing to stem on-campus recruitment to extremist Muslim causes. There is very little evidence of such activities, and there is no real resistance from the sector over these accusations, although individual universities are responding to specific accusations in order to refute them with fact (*The Independent* 18th September 2015). Since 2007 the government has been developing a counter terrorism strategy called CONTEST. Part of this is a programme called PREVENT and within PREVENT lies an initiative called CHANNEL, which is designed to intervene when an individual is thought to be at risk of radicalization. Children and young people can be referred to CHANNEL for treatment if their views and/or behavior are thought to be extremist. All these terms can be contested. In 2015 major legislation was passed, in the form of the 2015 Counter Terror and Security Act (CTSA) with attached Guidance. Legal guidance demonstrates that there is a difference between an Act, which is mandatory and Guidance, which is - guidance. Currently

there is a discrepancy between the requirements of the CTSA and the Prevent Duty Guidance. Section 26.1 of the CTSA describes a duty ‘to have due regard to the need to prevent people from being drawn into terrorism’. Section 31 (2) of the CTSA on universities also emphasises freedom of academic expression:

When carrying out the duty imposed by section 26(1), a specified authority to which this section applies—

- (a) must have particular regard to the duty to ensure freedom of speech, if it is subject to that duty;
- (b) must have particular regard to the importance of academic freedom, if it is the proprietor or governing body of a qualifying institution

(Counter Terror and Security Act 2015, p.20).

Yet a particular sort of very assertive language has grown in use around the legislation: such language is extreme and suggests a different understanding of those requirements in the university sector. In many public and media discussions this ‘having due regard to’ is understood to mean monitoring. It is mandatory upon universities to have policies in place which can be scored against the new Higher Education Funding Council for England (HEFCE) Monitoring framework to demonstrate having due regard and strengthening existing policies where necessary. The Prevent Duty Guidance instructs the sector of the legally binding need for monitoring staff and students even though this is not explicitly required by the Act. This sense of urgency has caught on. As an example, the HEFCE Monitoring framework writes of the ‘Prevent duty obligation’ (HEFCE, 2015, p.6) which sounds legally binding when the guidance is not, and seems more onerous than it is. The HEFCE Monitoring framework also normalises the abnormal e.g. it describes ‘business as usual (for example straightforward Channel referrals.)’ (HEFCE, 2015, p.12). On the contrary we hope it is reasonable to believe that Channel referrals are never either ‘business as usual’ or straightforward. This violent use of language enacts Agamben’s (2005) ‘state of exception’, in which the law is transgressed by lawmakers because we are supposed to be in great danger. Huysmans calls this the jargon of exception (Huysmans, 2008). In Section 1(7) of the Channel duty guidance, Channel is described as ‘a multi-agency approach to identify and provide support to individuals who are at risk of being drawn into terrorism.’

Such accusations demonstrate the violence in language, the unfounded assumption that the risk of terrorism in the school and university population is high. The British university sector has a superb track record for facilitating conversations about complex and controversial issues. Yet concern about the new legislation effectively renders the sector fearful of encouraging, fostering and hosting critical debate – even to challenge the violent language used in the new legislation. What do we mean by violent language? In his essay *Violence and Language*, Paul Ricoeur demonstrates how violently language can be used: ‘A violence that speaks is already a violence trying to be right; it is a violence that places itself in the orbit of reason and that is already beginning to negate itself as violence’ (Ricoeur, 1976, pp.88-101).

Ricoeur analyses the way in which language can be used to express violence that is as far away from language as it could possibly be. This distance between violence and words is real, of course, because words themselves do no physical injury – and yet through Ricoeur we see how each human has subjugated their own private violence to the rule of law. Thereby the rule of law can become a great force of willpower that may do damage and is ‘an enormous violence which elbows its way through our private violences and speaks the language of value and honour’ (Ricoeur, 1976, p.94 and Scott-Baumann, 2013b, p.81-4). Compliance with the duty will also require the institution to demonstrate that it is willing to undertake Prevent awareness training and other training that could help the relevant staff prevent people from being drawn into terrorism and challenge extremist ideas which risk drawing people into terrorism (Revised Prevent Duty Guidance, 2015, p.22).

Every university already clearly asserts a duty of care to take action if evidence emerges of possible danger to any member of the university. This duty of care is now believed by some sections of government to be inadequate, inserting through legislation a need for compliance in policing another unclear aspect of the new legislation, namely the identification of ‘non-violent extremism’ which may be seen in an increase in conservative dress or a growth of beard and is, in effect, a form of religious and often racial profiling. We propose that the legal constraints now placed upon universities may in fact increase the likelihood of non-violent ‘pretenders’ or ‘drifters’ becoming violent extremists: there is a risk that this will be a self-fulfilling prophecy, because it is based upon the assumption that non-violent opinions influence non-violent

extremists who are likely to transform into violent extremists. Under the 2015 CTSA legislation there will be even less opportunity to discuss difficult issues that are a burden for Muslim communities. These are considered to be ‘dangerous’ topics and may involve British foreign policy or the condition of Palestine, for example. Ideas, when driven underground, can appear to become more desperately important, more potent and less susceptible to moderation because less visible. As Lakhani argued in 2013 ‘It may be that the government needs to soften their stance to find an agreeable way to work with these groups who fall under the non-violent extremism category’ (Lakhani, 2013, p.244). Even more seriously, we see here a direct assault being made upon the capacity of the university to address such violent use of language by means of discussion, expert input and the teaching and exercising of debating skills. Thus we can extend Lakhani’s assertion beyond a plea for a softening of stance towards non-violent extremists, to plead for the softening of the government’s stance towards universities, instead of them being treated by government as a source of extremist ideas.

Britain has more anti-terror legislation than most countries in the developed world and lawmakers are concerned that citizens’ rights are breached in the pursuit of terror suspects. The 2000 Terrorism Act permits police to seize property if they believe it will lead to terrorist arrests. We are told that the security services have foiled several terror attacks and for this we must be grateful, so that we can preserve the way of life that is based upon democracy, human rights and freedom of speech. Indeed recent legislation pays tribute to the importance that these ideas play in modern British culture and especially as they are practiced/exercised in the British university sector. Yet increasingly, over the last 20 years, Islam and secular university campuses are being linked together in governmental narratives as sources of risk, even danger. More and more the expression of Islam on university campuses is associated with a subversive form of religion and a dangerous ‘radicalisation’ among students. Our work endeavours to ‘analyse the polarization that appears to have been effected between secularism and Islamism’ (Scott-Baumann and Cheruvallil-Contractor, 2015, p.82). Clearly, current security perspectives on university life sit uncomfortably alongside long-standing ideals of intellectual freedom and the western image of the university as a safe context for experimentation, free thinking and social protest. What is at stake here is the status of universities within western democracies, and whether limiting academic freedom and freedom of speech can ever be justified.

What impact will these factors have on university curricula and academic freedoms?

At the time of writing there is debate about whether universities can allow freedom of speech, and if so, how this should be best achieved. Islam is seen in some circles as one of the issues being used to constrain the university sector, to accuse it of permitting too much free speech, and thereby permitting dangerous thoughts to develop. In 2011, anticipating publication of the government's anti-terrorism strategy, UK Home Secretary Theresa May accused universities of 'complacency', suggesting they had not been 'sufficiently willing to recognise what can be happening on their campuses and the radicalisation that can take place.'¹¹ In 2013, as a result of the murder of Fusilier Lee Rigby by Muslim radicals who had connections with the University of Greenwich, Theresa May made a commitment to investigate Muslim activities on university campuses and this process led to the 2015 Counter Terror and Security Act. This is not to deny that there are issues on campus that need to be addressed, and yet we can also argue that such issues can be addressed by education. We can see this in the doctoral research undertaken by Suraj Lakhani and entitled *Radicalisation, a moral career. A qualitative study of how people become radicalized in the UK*. One of Lakhani's interviewees was exposed to 'extremism' at university:

'At university he attended a study circle which he found to hold distinct extreme views. His depth of Islamic knowledge, he felt, ensured he did not internalise the extreme ideologies they were espousing. However, it is important to note that as a result of these social bonds he continued to attend these groups for some time; something akin to Lofland and Stark's (1965) account of cults. He explained how these individuals were: '...people who have grievances but not a great deal of knowledge about Islam. So I sit there and it was like these guys don't have a great deal of knowledge. In fact I felt like I knew more than them... (Lakhani, 2013, pp.159-160).

¹¹ See Daily Telegraph: <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/8558499/Universities-complacent-over-Islamic-radicals-Theresa-May-warns.html> [accessed 27.1.16].

Here we see how a well-educated young Muslim can critique arguments because of his superior knowledge of Islam. Kashyap and Lewis (2013, p.2135) compared British Muslim youth with Christians and the non-religious of the same generation, finding ‘higher levels of education and employment are related to lower religiosity and more liberal social attitudes’, suggesting the need to revisit generalising claims connecting ‘radical’ Islam with the university experience. However, now that this issue has become a security matter, we worry that it will no longer be possible for staff and students to discuss such matters in an open, democratic way. We can see a form of democracy in the work of Jürgen Habermas. He prizes ways of knowing that develop through critical reflection and engagement or *praxis* (practical action for change) and asserts that eruptions of violence can provide understanding of what has been damaged in human relations and what needs to be repaired by painstaking process (Habermas in Borradori, 2003, p.35).

We believe these processes can and should have their roots in knowledge developed in educational establishments; schools and universities. Yet we have to ask whether the school and the university form part of the public space that Habermas sees as central to the development of constitutional patriotism; society engaged in critical public debate, or whether universities have been taken over by a form of free market fundamentalism that inhibits the exploration of ideas unless they are commodities. Information that appears to be about counter-terrorism may be more marketable than peace. Lyotard in the *Postmodern Condition* tells us that:

Knowledge is and will be produced in order to be sold; it is and will be consumed in order to be valorised in a new production: in both cases, the goal is exchange.

Knowledge ceases to be an end in itself, it loses its ‘use value’ (Lyotard, 1984, pp.4-5).

We suggest that a neoliberal approach (in which the state is shrunk, government becomes a business not a service and knowledge is commodified) creates the conditions in which it becomes increasingly difficult to be clear about the accuracy of what we are told by the media and even by certain groups within government. In such a setting, it is of paramount importance to challenge constructs like ‘radicalisation’ through working with and including Islamic discourses within the wider tapestry of British campus life. It is also imperative to avoid radicalisation

becoming the starting point of discussions about Islam on campus – we have demonstrated that there are other matters to talk about, to address and to challenge. We propose that Islam is an integral part of British life, as we have shown with the history of Islam in Britain and the shared traditions that bind us together. We also suggest that Islam is a moderating force and we have shown this with our discussion of the lives of modern British Muslim women, who can make a precious contribution to British university life, if they are accepted as sharing the same goals, hopes and fears as their fellow students. There is therefore a pressing need to appreciate that we can even understand ourselves better through attempting to understand those whom we may perceive as very different from us. Paul Ricoeur goes even further by arguing that it is only through trying to understand other people that we can come to a better, although still imperfect, self-understanding. The university is indeed one of the few safe places left where, in trying to thinking of oneself as another, we may learn together about how to improve the world we share.

Conclusions

Islam has for too long been studied from ‘outside in’ while there is a need for and much to gain from looking ‘inside out’ (Siddiqui, 2007).¹²

At the time of writing there is debate about whether universities are protecting academic freedom and freedom of speech, and how this should be best achieved (Furedi, 2015). In this context Islam is seen in some circles as an issue that is being used to constrain the university sector, to accuse student societies of permitting too much or too little free speech, and of thereby permitting controversial thoughts to develop or to be suppressed. We propose that if this issue is perceived as a security matter, it will no longer be possible for staff and students to discuss such matters in an open, democratic way (Habermas, 1962). Like Sahin, we believe these processes can and should have their roots in knowledge developed in educational establishments; schools and universities.

¹² http://www.mihe.org.uk/sites/default/files/upload/Documents/siddiqui_report2007.pdf [accessed 27.1.16].

Islamic extremism can be defeated by robust and competent internal Islamic intervention. The struggle against extremism needs to include a measured, long-term educational response where Muslim communities, without being stigmatised, can join wider civil and educational efforts to counter it (Sahin, 2016).

The provision of Islamic Studies in a balanced and well-informed curriculum could support those who wish to understand Islam in the modern world. Yet we have to ask whether the school and the university form part of the public space that Habermas sees as central to the development of constitutional patriotism... or whether they have been taken over by a form of free market fundamentalism that inhibits the exploration of ideas unless they are commodities.

We also need to question the vested interests and politics that have positioned Islam as the different other. Both orientalist and post-colonialist thinkers have demonstrated how Western academia gave preference to Western ontologies and political interests – Islam was studied as the different other that was exotic and distant. Yet Siddiqui insists that Islam must be studied as an inherent part of British social fabric. This approach will allow us to recognise the historical inter-linkages between Islamic and Western intellectual traditions and the potential for these to work together now and in the future:

Those who promote enmity and convey information based on the knowledge that we inhabit a world of rivalry only reveal severe ignorance when it comes to the divergences and continuities between Islamic and Western civilizations. We need to interrogate the terms of the differences promoted by those ideologies so that a more productive dialogue may take place (Salama, 2011, p.212).

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