**Radicalisation and Universities: A Critical Analysis of the Effectiveness
and Consequences of Prevent Duty**

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Abstract

The UK is currently facing a severe threat from home-grown terrorism, and one of the vital elements required for the survival of terrorism and terrorist groups is radicalisation. In response to the changing and increasing terrorist threat, in 2006 the UK Government introduced its counter-terrorism strategy - CONTEST; this strategy possesses four constituent strands, including Prevent, which has the specific role of countering radicalisation. In light of evidence indicating that universities may be 'hotbeds' of radicalisation, in 2015 the Counter-Terrorism and Security Act included universities under the remit of S26(1); a legal duty imposed on public sector institutions, to "have due regard to the need to prevent people from being drawn into terrorism" (Counter-Terrorism and Security Act, 2015:18). The debate around the introduction of the Prevent duty in universities will be critically analysed here, focussing on the likely effectiveness of the duty alongside the consequences that S26(1) may hold for the university. It will be concluded that due to uncertainty surrounding the university-radicalisation association and resultant doubts over the likely effectiveness of S26(1), accompanied by the negative consequences produced by the duty and the potential for its consequences in universities to be counterproductive, universities should be made exempt from S26(1). It is advocated that rather than involving universities in counter-terrorism, the academic value of freedom of speech presents the best method by which universities can tackle and prevent radicalisation.

Introduction

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Recent attacks such as that committed by Khalid Masood on Westminster Bridge, London, on 22 March 2017 have demonstrated the reality of the current threat to the UK from home-grown Islamic terrorism. In 2006, in response to the growth of this threat, the UK Government introduced CONTEST, its counter-terrorism strategy. CONTEST consists of four strands, which are commonly referred to as the "four "P's"" (Ranstorp, 2010:1); Pursue, Protect, Prepare and Prevent. Prevent, the final strand, is specifically aimed at preventing radicalisation, a complex yet critical process which permits terrorist groups to "grow and survive" (HM Government, 2011a:4). While public sector institutions, including universities, have supposedly engaged with the Prevent agenda since 2006, the Government reviewed Prevent in 2011 and subsequently chose to intensify its role, notably by introducing - in S26(1) of the Counter-Terrorism and Security Act 2015 – a binding duty to have "due regard to the need to prevent people from being drawn into terrorism" (Counter-Terrorism and Security Act, 2015:18). Following evidence suggesting that British universities are "breeding grounds" (The Centre for Social Cohesion, 2010:v) for radicalisation, universities (alongside other public institutions) were included in the remit of S26(1), an action which has been the subject of much criticism in public, political, media and academic arenas. As S26(1), particularly its introduction in educational establishments, is a contemporary topic, being the subject of extensive recent political and academic debate, and literary publication; the debate around the introduction of the Prevent duty in universities will be critically analysed here, focussing on the likely effectiveness of the duty alongside the consequences that S26(1) may hold for the university.

Chapter one will define terrorism, outline the current terrorism threat to the UK, explore "the multifarious character of the radicalisation process" (Huband, 2010:125) amongst British Muslims, and finally explore and describe the Government response; Chapter

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two will analyse evidence for an association between universities and radicalisation, outline the introduction of the Prevent duty in universities, and critique the university-radicalisation association; Chapter three will examine the negative consequences of the Prevent duty for freedom of speech, Muslim students, and the role of the university institution. The conclusion reached is that in view of uncertainty over the association between radicalisation and universities and consequent doubts over the effectiveness of S26(1), along with the negative consequences produced by the duty and the potential for its consequences to be counterproductive, universities should be exempted from the provisions of the Prevent duty. Indeed, an alternative will be suggested. It shall be put forward that rather than making universities part of stringent counter-terrorism legislation leading to an undermining of academic values, such as S26(1), the best method by which universities can tackle and prevent radicalisation is to encourage and utilize an academic value already held by the university - freedom of speech; a value allowing ideas, however controversial, to be expressed, identified, debated and challenged.

Chapter One
Terrorism, Radicalisation and the UK Response

This chapter will be largely contextual, offering a definition of terrorism, outlining the current threat the UK faces from this phenomenon, exploring the numerous and complex causes of radicalisation – a vital process required for terrorist groups and terrorism to exist – and finally, exploring and describing the UK Governments response.

<u>Defining Terrorism and the Current Terrorist Threat</u>

Although terrorism is an overused term, there is no single "broadly acceptable, reasonably comprehensive explication of the word" (Hoffman, 2006:33). Some argue that the term terrorism is simply a subjective and political label, applied in response to whether an individual sympathizes with or opposes the perpetrators (Ramsay, 2015, Hoffman, 2006 and Schinkel, 2009). Therefore, depending on its support by some and opposition by others, the same perpetrator(s) could be labelled positively as freedom fighters *and* negatively as terrorists by different groups; in other words "'one man's terrorist is another man's freedom fighter'" (Innes and Levi, 2012:661). This largely explains the great deal of controversy and confusion surrounding the definition of terrorism and terrorist. Hoffman (2006) believes however that it is possible to use certain characteristics to distinguish terrorism from other forms of violence, thereby enabling a generic definition to be devised. Unlike other violent crimes such as robbery, for example, the violence committed by terrorists is not entirely self-serving, but is done in "pursuit of some political objective" (Innes and Levi, 2012:662), with a wish to spread a threatening message further than the direct victims, usually occurring when "a relatively powerless group identifies a need to mobilize a response to a more powerful adversary" (Innes and Levi, 2012:662). Thus, as Hoffman (2006) writes, a general definition of terrorism can be extracted; "the deliberate creation and

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exploitation of fear through violence or the threat of violence in the pursuit of political change" (2006:40).

While the definition of terrorism remains controversial, it seems that the terrorism threat in the UK is "real, substantial and continuing" (Clutterbuck, 2010:146). On 29 August 2014, the UK terrorist threat level was placed at SEVERE (Walker, 2015) and currently remains so; this suggests an attack is "highly likely" (HM Government, 2011a:5 and HM Government, 2016). In 2015 alone, six terror plots targeted against the UK were foiled (Government, 2016) and in 2014-15, 299 people were arrested for terror-related offences in the UK (Politowski, 2016). Attacks such as the London bombings of July 2005 (commonly referred to as "7/7"), showed how the terror threat facing the UK had evolved; committed by British nationals, the bombings demonstrated that terrorism was no longer a predominantly imported issue, but a domestic one (Ranstorp, 2010). Also, as shown by the case of Muhaddin Mire – who claimed "revenge for Syria" (Dodd and Addley, 2016: no pagination) when he cut the throat of a stranger in London in December 2015 - a "big part of the threat we face today" (Panorama: The Changing Face of Terror, 2016: no pagination) is not necessarily from large cells, but from lone actors who are influenced and inspired by extremist ideologies (Panorama: The Changing Face of Terror, 2016). Although there are multiple terrorist groups in operation, since September 2014, the violent Islamist group Islamic State (ISIS), with their "vaulting ambitions, strident ideology and disregard for civilian casualties" (Walker, 2015:545), have been regarded as posing the greatest threat to the UK (HM Government, 2016).

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Radicalisation and the Alleged Causes of this Process Amongst British Muslims

ISIS and other terrorist groups require four vital elements to survive; "conflict and instability; aspects of modern technology; a pervasive ideology; and radicalisation" (HM Government, 2011a:4). In relation to radicalisation - defined by the UK Government as "the process by which a person comes to support terrorism and forms of extremism leading to terrorism" (HM Government, 2011b:108) - the scale upon which terrorist groups radicalise others can differ greatly. While some groups are exclusive and do not wish to radicalise those outside a certain group, violent Islamist groups such as ISIS have an "international agenda", aiming to establish "genuine Islamic states and ultimately a single Islamic caliphate" (HM Government, 2011b:15). To achieve this, they require an "international network" (HM Government, 2011b:15), and thus pose a greater threat as they aim to radicalise and recruit in large numbers internationally.

Ranstorp (2010) states that despite radicalisation recently becoming an overarching priority in counter-terrorism agendas, there has been little understanding of its processes and causes. It seems that there are "no single causes or mechanisms" (Ranstorp, 2010:3), rather there is a "multiplicity and complexity of pathways to terrorism" (McCauley and Moskalenko, 2008:429). Whilst not exhaustive in their conclusions, academics have attempted to make sense of this complicated "kaleidoscope of factors" (Ranstorp, 2010:4), particularly with regards to the radicalisation of British Muslims. While pathways to radicalisation are categorised here, it should be noted that – as stated by Ranstorp (2010) and McCauley and Moskalenko (2008) - factors causing radicalisation rarely exist in isolation and there is often interaction between the levels identified below.

At the broadest level, radicalisation of British Muslims is perceived by many academics to be caused by structural elements such as globalization (Dalgaard-Nielsen, 2010). Best (2010) supports the ideas of Zygmunt Bauman, that citizens are living in an era of liquid modernity, characterized by constant change. In addition to features of modernity, such as transport and technology, assisting the processes of radicalisation (Francis, 2012), some British Muslims feel that modernity has led to a loss of community and an "identity crisis" (Ranstorp, 2010:5). Seeming to provide solace in the way of "a fixed value system" (Daalgard-Nielsen, 2010:800) amidst "the accelerating amoral liquefaction that characterizes modernity" (Best, 2010:693), and a "potential "answer"" (Dalgaard-Nielsen, 2010:800) to the search for identity and community, radical Islamist groups and their ideologies may become attractive. The UK Government also agree that radicalisation may be driven by its offer of "a 'value system', [and] a community" (HM Government 2011b:17) for British Muslims who have lost their identities and communities. Overall, this demonstrates that for the UK Government to successfully counter radicalisation and reduce the attractiveness of radical ideologies, it needs to develop "a sense of belonging to this country" (HM Government, 2011b:18). The UK Government also state that for people to be attracted to an ideology - which, in relation to violent Islamism, is defined by the Government as a collection of beliefs that "sets Muslims against non-Muslims, highlights the alleged oppression of the Global Muslim Community and which both obliges and legitimises violence in its defence" (HM Government, 2011b:18) - and become radicalised, the ideology needs to be persuasive and propagated (HM Government, 2011b). Due to widespread use of the internet to communicate, promote causes and look for "friendship, acceptance, or a sense of purpose" (Thompson, 2011:168), websites and social media are increasingly exploited and utilised for propagation purposes by ISIS.

Another broad cause of radicalisation, as it is a source of much resentment among British Muslims, is Western foreign policy. Peter Nesser argues that different members of radical groups experience different pathways towards radicalisation, and believes it is often the entrepreneurs and protégés of radical groups with their "strong sense of justice" (Nesser, 2010:92) who become radicalised through such external political grievances. General resentment generated by foreign policy may also assist the spread of radical ideologies, which, as discussed above, may become attractive to some British Muslims; such ideologies are often easily accessible, refer to a global Muslim community, and thereby assist in strengthening solidarity between European Muslims and those in conflict zones (Dalgaard-Nielsen, 2010). O'Duffy (2008) furthermore argues domestic and internal factors - also discussed in this chapter - may interact with and reinforce foreign policy; as a result, in order to gain a "more satisfying account of British Muslim radicalization", "links between perceptions of foreign policy towards the wider Muslim Ummah [community] and sources of domestic discontent" (O'Duffy, 2008:37) need to be examined. Foreign policy which exposes apparent "Western double-standards" (Ranstorp, 2010:4), is seen to represent a brutal, unjustified assault on Muslim ""brothers and sisters"" (Korteweg et al, 2010:32), possibly triggering violent radicalisation, as it incites a "religious duty to defend others" (Nesser, 2010:92). The role played by group solidarity and foreign policy resentment in radicalisation can be seen in a statement made by Mohammad Siddique Khan, leader of the 7/7 attack; "'Your democratically elected governments continuously perpetuate atrocities against my people all over the world'" (Best, 2010:685). It can also be seen in 'martyr' videos, with one stating "'as you kill us, you will be killed and as you bomb us, you will be bombed'" (Best, 2010:688). McCauley and Moskalenko (2008) concur, stating that "radicalization occurs in a context of group identification

and reaction to perceived threat to the ingroup" (2008:415). Slootman and Tillie not only agree that radicalisation is "a result of a search for meaning, stability, and respect" and "a search for community", they also support the idea that it is "a reaction to perceived injustices committed against Muslims in conflict areas" (Dalgaard-Nielsen, 2010:807). It is telling that the UK Government only briefly refer to foreign policy as a driver of radicalisation (HM Government, 2011b).

On a narrower level, radicalisation may be a social process driven by "who you know" (Dalgaard-Nielsen, 2010:810 and HM Government, 2011b). Thus, familial or friendship ties with radically minded others may initiate contact with radical ideologies and thereby lead to radicalisation (Daalgard-Nielsen, 2010). Much academic literature supports this idea; for example, Slootman and Tillie found that radicalisation occurred through contact with a radical significant other such as a parent (Dalgaard-Nielsen, 2010). Edwin Bakker found that most radical groups had a similar age and neighbourhood demographic, thus highlighting "the importance of networks and social bonds when it comes to recruitment and radicalization" (Dalgaard-Nielsen, 2010:805). Rather than political or personal grievances, Peter Nesser argues it is often the 'drifters' in radical groups who become radicalised in this way (Nesser, 2010).

On the narrowest level, radicalisation may be caused by an individuals' negative experiences and internal grievances. As argued by Dr Matthew Francis from Lancaster University, these act as "catalysts towards radicalisation" (Francis, 2012: no pagination) and Peter Nesser argues that it is the 'misfits' who become radicalised in this way. (Nesser, 2010). Academic support for the idea that negative individual experiences result in a vulnerability to radicalisation include Robins and Post (1997), who found instances of exclusion and isolation in the life experiences of terrorists (Best, 2010). Moreover, Farhad Khosovar found that while grievances such as poverty

and exclusion may put poorer sections of society at risk of radicalisation, it is often racial and religious discrimination, along with social segregation, that leads to the radicalisation of the middle-classes (Francis, 2012). The UK Government also agree that various internal grievances, such as those arising from discrimination or religious persecution (HM Government, 2011b), may make individuals more vulnerable to radicalisation. Such grievances may cause radicalisation as the resulting sense of disenfranchisement could lead to "Extremist Islamism offer[ing] these people new meaning" (Korteweg et al, 2010:32). Extremist ideologies may become more attractive in the wake of such grievances, as internal grievances often act as ""handles" on which the extremist can base his rhetoric" (Korteweg et al, 2010:33). Furthermore, the UK Government have speculated that certain characteristics - such as being male, being under 30, being from a low socio-economic group, being resident in a large city (50% of people convicted of terrorist offences in the past ten years were from London) and spending time abroad, particularly in Muslim conflict areas - may lead to a greater susceptibility to radicalisation (HM Government, 2011b).

CONTEST: The UK's Counter-Terrorism Strategy

As stated above, the terrorist threat is evolving; UK counter-terrorism policy, practice and law have also evolved in response to this. For example, the Terrorism Act 2000 had a stricter focus on international terrorism due to rising concern in this period about "late modern internationalist networks" (Walker, 2015:546). Whilst 7/7 did not act as a *major* turning point, the apparently new threat of "'neighbour terrorism'" (Walker, 2015:545) that it represented, did initiate responsive changes in counter-terrorism measures, with Tony Blair stating on August 5, 2005, that "'the rules of the game are changing'" (Walker, 2015:547). Walker (2015) summarises that the 2005 attacks led to a number of changes, including an evolution in counter-terrorism practice (for

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example, staff numbers at MI5 were increased to 4000, three times the 2001 level), changes in law (for example, the Terrorism Act 2006 led to a further increase in "precursor crimes" (Walker, 2015:551)), and changes in policy. The main policy change was the Government's 2006 introduction of the counter-terrorism strategy CONTEST (Ranstorp, 2010). The aim of CONTEST is to "reduce the risk to the UK and its interests overseas from terrorism, so that people can go about their lives freely and with confidence" (HM Government, 2011a:3).

The UK Government created CONTEST with a desire to not only protect its own citizens and its interests abroad, but to "do so in a way that is consistent with and indeed advances our commitment to human rights and the rule of law" (HM Government, 2011a:6). Under CONTEST, there are four constituent strands otherwise known as the "four "P's"" (Ranstorp, 2010:1). Firstly, there is Pursue, the purpose of which is "to stop terrorist attacks" (HM Government, 2011a:6), involving "detecting and investigating threats at the earliest possible stage, disrupting terrorist activity before it can endanger the public and, where possible, prosecuting those responsible" (HM Government, 2011a:7). The second is Protect, "to strengthen our protection against a terrorist attack" (HM Government, 2011a:6). Although more needs to be done, much progress has been achieved in this area, such as making sure that life-threatening materials are secure (HM Government, 2011a). The third strand is Prepare, the aim of which is "to mitigate the impact of a terrorist attack" (HM Government, 2011a:6). This involves "work to bring a terrorist attack to an end and to increase our resilience so we can recover" (HM Government, 2011a:13).

Countering Radicalisation: The Prevent Strand of CONTEST

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In CONTEST, the Government recognised the importance of not only focussing on "the immediate threat of attacks but the longer term factors" (HM Government, 2011a:6) - such as radicalisation -that allow terrorist groups to survive. Therefore, to explicitly counter radicalisation, Prevent - "to stop people becoming terrorists or supporting terrorism" (HM Government, 2011a:6) –was introduced as the final strand. It is a "key part of CONTEST" (HM Government, 2011a:9) and, as Walker (2015) states, unlike the other three 'traditional' strands. Prevent represents a pioneering approach to countering terrorism, being specifically introduced as a response to "the increasingly intimate, local and indigenous nature of terrorism" (Walker, 2015:549). Due to a number of issues with the original agenda and framework, Prevent was reviewed by the Home Secretary in 2011 (HM Government, 2011b). Whilst it now has more scope, aiming to "address radicalisation to all forms of terrorism" (HM Government, 2011a:9), to date there has been scarce indication within Prevent of concentration on non-Islamic radicalisation (Thomas, 2016). This is because, in order for Prevent to remain focussed, the majority of time, money and effort is concentrated upon the largest threat which, at the time of its reviewed publication in 2011, was from Al Qa'ida, its associates and other terrorist groups motivated by radical Islamism (HM Government, 2011b). As part of the endless effort to respond to the changing threats, the Government are currently amending their strategy to chiefly focus on ISIS, who currently represent the predominant threat (HM Government, 2016). There is a desire for the 'new' Prevent to be effective and proportionate to the risks, focussed and precise, "us[ing] powers selectively, carefully and in a way that is as sparing as possible" (HM Government, 2011a:18). The UK Government also repeatedly emphasise their commitment to protecting the right to freedom of speech which "many…extremists set [out] to undermine" (HM Government, 2011a:9). Despite the

review and improvements, Prevent continues to face increasing opposition from the Muslim community, who condemn it as toxic and counterproductive (Panorama: The Changing Face of Terror, 2016). A common criticism is that Prevent programmes have been employed as spying mechanisms (HM Government, 2011b, Panorama: The Changing Face of Terror, 2016 and Durodie, 2015), thus leading to suspicion and anxiety arising amongst the Muslim community in the UK (Batty, 2016 and Durodie, 2015). While some see Prevent as a necessary part of "wider safeguarding duties" (Panorama: The Changing Face of Terror, 2016: no pagination), it is vital that "[t]rust in *Prevent…*be improved" (HM Government, 2011b:6). As a result, it has been recommended that an independent review of Prevent take place (Batty, 2016). As of March 2017, a Government review of CONTEST has been completed and is awaiting publication (Travis, 2017).

Prevent has three main objectives aimed at countering radicalisation and, in 2016, an annual report was published on current efforts and progress made with regards to each of these objectives. The first is to "respond to the ideological challenge of terrorism and the threat we face from those who promote it" (HM Government, 2011b:40). As discussed above, it is clear that terrorist groups such as ISIS are increasingly using the internet to propagate their ideology, distribute propaganda and ultimately encourage people to become supporting members (Thompson, 2011). Therefore, to assist this objective, social media companies in 2015 removed in excess of 55,000 elements of proscribed material that was being used to propagate extremist beliefs (HM Government, 2016). The second objective is to "prevent people from being drawn into terrorism and ensure that they are given advice and support" (HM Government, 2011b:40). As part of this objective, it was believed that Prevent should support organisations that may harbour people who are vulnerable to being drawn into

terrorism (HM Government, 2011b). In furtherance of this, the Counter-Terrorism and Security Act 2015 imposed a legal duty on public sector institutions (Qureshi, 2016); educational institutions such as universities were a priority area (HM Government, 2011b). This leads to the third objective of Prevent, to "work with a wide range of sectors and institutions…where there are risks of radicalisation which we need to address" (HM Government, 2011b:40), as there "should be no 'ungoverned space' in which extremism is allowed to flourish" (HM Government, 2011b:9). In 2015, 400,000 frontline staff in relevant public sector institutions had received training and every sector had "robust inspection frameworks…to monitor implementation of *Prevent*" (HM Government, 2016:16). HM Government (2011a) define success in Prevent as a decline in support for terrorism, a "more effective challenge" (2011a:11) to radical ideas and ideologies, and the side-lining of extremists on the internet.

It is clear that today the UK is greatly at risk from terrorism and that the causes of radicalisation, one of the vital components of terrorism, are various and complex. In response to the terrorism threat, the UK Government have introduced the counter-terrorism strategy, CONTEST, and under this strategy, in specific relation to countering radicalisation, Prevent was devised.

Chapter Two

Radicalisation in Universities?: Is the Prevent Duty Going to be Effective?

"Universities have long occupied a controversial position within debates around radicalisation" (School of Advanced Study, 2015: no pagination). This chapter will

firstly discuss evidence to support the existence of an association between radicalisation and universities. In light of this association, the UK Government included universities under the Section 26, subsection 1 (S26(1)) Prevent duty introduced by the Counter-Terrorism and Security Act 2015, in the hope that this will be effective in preventing radicalisation amongst the student population. The chapter will then discuss evidence that challenges the strength of the association that exists between universities and radicalisation. It will conclude that as there is much uncertainty about the relationship between universities and radicalisation, there must, therefore, be a question over whether the Prevent duty within universities can be effective in reducing the risk of radicalisation, thereby improving national security.

An Association between the University and Radicalisation: Evidence For

It is evident that the characteristics of universities and students makes them both attractive to terrorist organisations and vulnerable to radical influences. Professor Anthony Glees states that a "fundamental problem of liberal democratic political values" is that they "hand to their enemies the weapons with which their enemies can destroy them" (School of Advanced Study, 2015: no pagination), and the same can be said for the values of the university. Universities are establishments that crucially require free speech and academic freedom in order to operate (Universities UK, 2011). However, these values and freedoms as offered by the university may well be attractive to extremists, and may furthermore be easily exploited, undermined and utilised for the purpose of radicalising students (Glees and Pope, 2005). Similarly, as "Training young minds to be receptive to ideas is what universities do" (Glees and Pope, 2005: no pagination) and "Recruiting and exploiting young minds who have been opened to ideas is what extremists do" (Glees and Pope, 2005: no pagination), the university represents a potentially fruitful recruitment ground for extremists.

Moreover, students may share some of the causes of radicalisation cited in Chapter one, further making them attractive to extremists and particularly vulnerable to radical influences. As stated by political writer Necati Alkan, these characteristics make "'[...]university youth[...]the most fertile hunting ground for the terrorist organisations'" (Glees and Pope, 2005: no pagination). For example, upon commencing their studies, Muslim students - like others - may experience a sense of loss of their old identity and community, and a strong desire to obtain new ones - a factor leading to radicalisation outlined by Best (2010) and Dalgaard-Nielsen (2008). Radical groups will inevitably find such characteristics attractive and through offering a "social forum and[...]develop[ing] personal relationships" (Glees and Pope, 2005: no pagination) with students, may attempt to use this as a means to radicalise them. Additionally, students represent "large assemblies of intelligent young adults" (Universities UK, 2011:2), and students will often come into contact with others possessing strongly-held, intellectual opinions; as discussed in Chapter one, radicalisation often depends on "who you know" (Dalgaard-Nielsen, 2010:810), and the impressionability of students makes them a particularly vulnerable group of people (Glees and Pope, 2005). As a result of these characteristics and vulnerabilities, Glees and Pope (2005) argue, "British higher education[...][is] now deeply, if unwittingly and unwillingly, ensnared in the extremist-terrorist nexus" (2005:no pagination).

Although researching terrorists as individuals is fraught with obvious difficulties, completed studies have discovered high levels of education in a significant number of terrorists. Not only is this a "far cry from the uneducated, uncivilised image" (Glees and Pope, 2005: no pagination) that seems to surround the terrorist stereotype, but it is also indicative of an association between universities and radicalisation. According to a study conducted by The Centre for Social Cohesion (2010), over 30% of people

who have taken part in Islamist terrorism in the ten years to 2010 were students or graduates. However, according to the 2011 census, 27% of the general population, had received a degree or an equivalent qualification (Office for National Statistics, 2012). In view of this, the figure of 30% does not suggest anything exceptional about the educational level of terrorists; it may indeed, in the words of Lord Philips, be an "utterly useless statistic" (Lord Philips, cited in Blackbourn and Walker, 2016:864). Nevertheless, other studies support the notion that many terrorists are university-educated. Russell and Miller (1977) compiled statistics on 350 terrorists from 18 global terrorist groups and found that two-thirds had attended or were attending university. They also found that group leaders possessed the highest levels of education and that this was apparent in their occupation, for example Horst Mahler, the leader of the Baader-Meinhof group, was a lawyer (Russell and Miller, 1977). Despite this study being 40 years old and being criticised as having methodological flaws (Yilmaz, 2009), recent studies continue to cite and support its findings, for example Krueger and Maleckova (2003), and Yilmaz (2009). Specifically regarding Islamic terrorists, Lee (2011) cites the argument that - contrary to the assertions of the UK Government as discussed in Chapter one - "Islamic terrorists seem socially privileged" (2011:205), and Marc Sageman (2004), in his investigation of the Global Salafi Jihad, provides some support for this, finding that over 60% of the 132 terrorists studied received some form of college education. Sageman (2004) also supports Russell and Miller's argument that group leaders are the most educated, with 88% of the Central staff from this movement receiving a university education. Case studies of individual terrorists also reveal high levels of education; for example, Mohammed Siddique Khan, the leader of the London bombings, studied at Leeds Metropolitan University (Nesser, 2010). Ross et al (2017) cite the cases of Ahmad Sami Kehder from South London and Hisham

Fadlallah from Nottinghamshire, who, along with nine other students, abandoned their medical degrees in the Sudan to leave for Syria in 2015. Although from a press report, this very recent evidence demonstrates a continued prevalence of higher education amongst terrorists.

Whilst the above findings provide evidence for a relationship between universities and radicalisation, they fail, according to Blackbourn and Walker (2016), "to distinguish correlation and causation" (2016:864). For some terrorists however, there is evidence for a causal university-radicalisation association. For example, Kheder and Fadlallah, discussed above, were allegedly radicalised at the Islamic Cultural Association, a group developed by their university in 2006 to support students from the West in becoming more accustomed to their faith (Ross et al, 2017). Additionally, Omar Sheikh, who murdered reporter Daniel Pearl, stated how whilst at the London School of Economics, he was shown films by the university Islamic society which assisted his radicalisation (Glees and Pope, 2005). Finally, one of the perpetrators of the 2003 Tel Aviv attacks, Omar Sharif, apparently attended extremist meetings of the group Hizb ut-Tahir at King's College London, becoming increasingly radicalised in the process (The Centre for Social Cohesion, 2010). Further to the case of Omar Sharif, the presence of extremists on campus does seem to be an issue. In 2012, the group Student Rights found that 214 campus events featured 'extremists' (Whitehead, 2013), with Rupert Sutton, the organisation's Head Researcher, saying that "the presence of extremist preachers on campus is not a figment of people's imaginations" (Whitehead, 2013: no pagination). The Centre for Social Cohesion (2010) also found that at University College London (UCL), Abu Usama adh Dhahabee, who preaches hate towards non-Muslims, was reportedly invited to speak to students by the university's

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Islamic society on two separate occasions. The presence of extremists on campus provides further evidence for an association between universities and radicalisation.

The Centre for Social Cohesion's 2008 Islam on Campus study provided more evidence of an association between universities and radicalisation. It found that out of 600 Muslim students polled, 32% said that killing for religion was acceptable (The Centre for Social Cohesion, 2010). It also found that students belonging to university Islamic societies were twice as likely to possess extremist beliefs (The Centre for Social Cohesion, 2010). Findings such as this have contributed to the stigma surrounding university Islamic societies, resulting in fewer members and less people wanting to admit membership (Brown and Saeed, 2014 and Saeed and Johnson, 2016). However, Wes Streeting, then President of the National Union of Students, criticised these findings; "' The CSC[…]set out to…tarnish all Islamic societies as being breeding grounds of terror…the last thing we need is a right wing think tank coming along and actually undermining the fantastic work that goes on in Islamic societies"' (The Centre for Social Cohesion, 2010:36).

While it potentially makes universities vulnerable to radicalisation, the academic value of freedom of speech - enshrined in S43(1) of the Education (No.2) Act 1986 (Counter-Terrorism and Security Act, 2015) - can also act as a safeguard against extremism (Universities UK, 2011), providing universities with a valuable "opportunity to identify, contain or re-educate" (Glees and Pope, 2005: no pagination) those possessing radical views. As long as universities are places where freedom of speech allows students to freely express ideas and behaviours, "debate is positively encouraged" (Universities UK, 2011:11) and "rationality underpins the pursuit of knowledge" (Universities UK, 2011:7), they can provide an environment where extremist ideas can be identified, "brought forward, listened to and challenged" (Universities UK, 2011:11).

Indeed, whilst universities may on one hand provide "one of the points of entry into terrorist thought and culture", they also possess the ability to "marginalise and dissipate terrorist thinking" (Glees and Pope, 2005: no pagination). However, despite having such potential, it has been argued that in an environment "too driven by profit, [and] too ready to take short cuts" (Glees and Pope, 2005: no pagination), universities have largely ignored the warnings and evidence. This has resulted in "lamentable" (Glees and Pope, 2005: no pagination) efforts to prevent radicalisation and extremism, with the result that "Islamic extremism on campuses not only continues unabated, it continues[…]to flourish" (The Centre for Social Cohesion, 2010:vi). Although universities are supposed to have 'engaged' with Prevent since 2006, the Institute of Community Cohesion in 2010 found that only 40% of universities engaged regularly with local authorities in relation to Prevent (HM Government, 2011b). Interestingly, Anthony Glees of the University of Buckingham has criticised universities, declaring that the higher education system has done "nothing to take on board that [it] is generating people who want to use the skills and talent that they have in order to destroy the free society" (School of Advanced Study, 2015: no pagination). Such claims of complacency on the part of universities further support the arguments for an association between the university and radicalisation.

The Prevent Duty: The Government Response

In response to such evidence, the UK Government has intensified the role of Prevent in universities. Section 26(1) of the Counter-Terrorism and Security Act 2015 imposes a duty on specific public institutions, including "Relevant Higher Education Bodies" (HM Government, 2015:3) ("an institution which more than 250 students are undertaking courses of a description mentioned in Schedule 6 to the Education Reform Act 1988 (higher education courses)" (Counter-Terrorism and Security Act, 2015:21))

to "have due regard to the need to prevent people from being drawn into terrorism" (Counter-Terrorism and Security Act, 2015:18). The purpose of this duty is to encourage "self-policing by educational establishments" (Walker, 2015:549), including universities, and "transform risk management from a loose organising principle[…]into a set of laws that impact on everyone" (Durodie, 2015:24).

As a result of this legal duty, universities must refer to and comply with specific government guidance, and are required to regularly submit information to the Higher Education Funding Council for England (HEFCE) to ensure compliance (HEFCE, 2017). Failure to comply, by universities or management, may result in financial penalties and even prison sentences (Durodie, 2015). Whilst not providing specific instructions, the guidance places an obligation on universities to independently create policies and procedures relating to various areas, including external speakers and events. The university must "put in place a system for assessing and rating risks associated with planned events" (HM Government, 2015:4). They must decide, based on the nature of what is going to be said - i.e. if the views are extremist, threatening to radicalise individuals, or are those held by terrorist groups - whether the event should go ahead with mitigation or be cancelled. The HEFCE (2017) found that 93% of institutions currently have robust practices in this area. In relation to this, universities must also communicate with student unions and societies and create policies to regulate them; 96% were complying with this requirement (HEFCE, 2017). A further area involves training university staff to ensure that they understand radicalisation, are able to identify factors that cause people to support radical ideologies or engage in terrorism, can identify when an individual may be vulnerable to radical and terrorist influences, know when and how to take appropriate action and are able to give advice and support to 'vulnerable' individuals (HM Government, 2015). This, in effect, "obliges

academics to monitor students for signs of radicalisation" (Furedi, 2017:91). According to the HEFCE (2017), 90% of institutions demonstrated compliance in this area. Additionally, universities must have an action plan in place for those identified as 'at risk', and are required to conduct a risk assessment to "assess where and how their students might be at risk of being drawn into terrorism" (HM Government, 2015:5). In response to the widespread use of the internet by extremists, as discussed in Chapter one, the guidance states that IT policies must become more stringent. King's College London, for example, have responded by placing a warning on their email login page, stating that by using this facility members of the university consent to the monitoring and recording of emails (Weale, 2017). Overall, the HEFCE (2017) found that in 2015-16, 84% of higher education providers had "responded appropriately to the statutory guidance" (2017:3); this is certainly an improvement in engagement with Prevent compared with the findings of the Institute of Community Cohesion in 2010.

A Strong Association?

As discussed above, there is evidence for the existence of an association between universities and radicalisation; such evidence provides support for arguments that the imposition of the Prevent duty on universities is likely to be effective in preventing radicalisation, and will thereby improve national security. However, it is worth noting that some of above evidence originates from sources that have been described as 'right-leaning' and thus have the potential to be biased; chiefly the Social Affairs Unit, who Glees and Pope write for, and the Centre for Social Cohesion (Tasker and Packham, 1990 and BBC News, 2007). Furthermore, evidence also exists that calls into question the strength of the association between universities and radicalisation, and suggests that the association has been exaggerated (Cornell, 2016). If the strength of the university-radicalisation association has indeed been exaggerated, this

raises the concern that the Prevent duty within universities may not be as effective in improving national security as previously thought.

Firstly, whilst there is significantly less academic evidence to suggest that terrorists are uneducated, some case studies of terrorists have provided evidence for this. For example Hasib Hussain, a July 2005 attacker, "did not succeed academically" (Nesser, 2010:106). Furthermore, despite the findings of Russell and Miller (1977), not all group leaders have been well educated; Djamel Beghal, leader of the Beghal network, apparently did not receive a university education (Nesser, 2010). As not all terrorists are well-educated, and something other than experiences at university clearly caused the radicalisation of these individuals, the strength of the university-radicalisation association may be seen to be reduced, leading to questions of how effective the Prevent duty in universities can be in improving wider national security.

Although many terrorists are educated and despite cases such as Omar Sheikh, the case of Umar Farouk Abdulmutallab supports a rather more tentative and correlational university-radicalisation association, as opposed to a direct and causal relationship. Umar was an undergraduate student at UCL from 2005-08 and was the President of their Islamic society (Independent Inquiry Panel, 2010); on Christmas day 2009, Umar attempted to detonate an explosive device on an aircraft. In January 2010, an independent inquiry was established to explore whether the university had caused his radicalisation (Independent Inquiry Panel, 2010). It should be noted that some of the members of the inquiry panel were UCL staff members, presenting potential challenge to its independency and reliability. It concluded there was no evidence for Abdulmutallab's "propensity to radicalisation while at UCL" (Independent Inquiry Panel, 2010:11), or indeed that his radicalisation took place while at UCL; there was similarly no evidence "that conditions at UCL during that time or subsequently are

conducive to the radicalisation of students" (Independent Inquiry Panel, 2010:3). This illustrates a lack of direct causation in such cases between universities and radicalisation; it thereby further weakens the association between universities and radicalisation, and produces questions as to how effective the Prevent duty within universities can be in reducing the risk of radicalisation and improving national security.

Additionally, in contrast to the radical views apparently espoused by Islamic societies, the inquiry found that in the UCL Islamic Society- under Umar's presidency- there was no verifiable evidence that it was a radical group (Independent Inquiry Panel, 2010). And although Muslim students and the Federation of Student Islamic Societies (FOSIS) supported the extremist group Hizb ut-Tahrir's right of free speech, FOSIS stated that this in no way meant that FOSIS or Muslim students "are 'influenced by[…]extremists' or that this 'represents a new and dangerous flirtation with radicalism'" (Khan, 2006: no pagination, cited in Brown and Saeed, 2014:1960). Therefore, the targeting of Islamic societies by S26(1), who in view of the above evidence are not especially radical or vulnerable to radicalisation, may be unjustified, and unlikely to be effective at preventing radicalisation. Additionally, while the 2008 Islam on Campus study found a high proportion of extremist views amongst Muslim students, in March 2006, a survey conducted amongst the general Muslim population found that 26% thought it was acceptable to use forcefulness against non-Muslims (Huband, 2010). As a similar proportion of extremist views are held by the general Muslim population, the strength of the apparent association between universities and radicalisation may be weakened.

Sources eluding to complacency on the part of universities- chiefly Glees and Pope (2005) and the Centre for Social Cohesion (2010) - are countered by evidence

suggesting recognition and efforts to prevent radicalisation on campus by universities. In fact, prior to 2015 many universities were engaging with the Prevent agenda; a 2010 Universities UK survey found that two-thirds of universities had engaged with Prevent (Universities UK, 2011). Universities UK (2011) further elaborates on some of the work done by universities in this area, with the development of "specific policies and protocols to manage speaker requests, which may include risk evaluations, notice periods and facility bookings as well as liaison with the police" (2011:24). It should be noted however that as the representative body of UK universities, Universities UK may be a biased source. UCL were also apparently "alert to the issue" (Independent Inquiry Panel, 2010:19) and efforts were made in the area of radicalisation prevention prior to 2015. For example, there was the development of a new approach to personal tutoring, introduced to "strengthen[…]student support services" (Independent Inquiry Panel, 2010:22) and to improve the university's ability to identify and deal with students at risk from radicalisation, and in January 2010 there was improvement of the procedure relating to external speakers. In light of this, Blackbourn and Walker (2016) state that there has been more of an overreaction than tolerance towards extremism by university Vice Chancellors. This suggests that accusations of complacency may be unjustified, and demonstrates just "how seriously universities take their responsibilities in relation to the safety and security of their staff and students" (Universities UK, 2011:7). Evidence of such efforts thus reduces the possibility of a strong association between attendance at university and becoming radicalised and, on top of the efforts already made, leads to the question of whether the Prevent duty will be any different or more effective than its predecessors.

In summary, it is important that when examining the link between radicalisation and universities, readers do not "confuse causation with association" (Durodie, 2015:27).

Remaining aware of possible biased sources on both sides, while some evidence demonstrates the existence of an association, the extent to which this association is strong and direct is brought into question by other evidence. As Brown and Saeed (2014) state, "a simple assumption has been made: that university is a significant meeting point, trigger or birthplace of radicalization" (2014:1954) whereas in truth, "the pathways to radicalisation have yet to be identified, much less the correct points in which to interrupt the process" (2014:1953). As there is uncertainty over the extent of the university-radicalisation association, there is a definite lack of certainty about how effective the Prevent duty can be in preventing radicalisation and improving national security. Overall, S26(1) may well be "unlikely to work" (Durodie, 2015:26).

Chapter Three

Consequences of the Prevent duty for Freedom of Speech, Muslim Students, and the Role of the University

Whilst the implementation of the Prevent duty within universities is in its infancy, there has been much concern in the media and academia about the duty's unintended negative consequences for freedom of speech, the lifestyles and welfare of Muslim students, and the wider role of the university as an institution. This chapter will conclude that the Prevent duty appears, through these unignorably damaging consequences, to be a "policy that epitomises the dangers of translating political rhetoric into legally binding obligations" (Cornell, 2016: no pagination), and that the

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negative consequences elaborated upon below, may cause S26(1) to be counter-productive, thus having further implications on the effectiveness of the duty.

The Consequences of the Prevent Duty for Freedom of Speech

When it introduced Prevent, the UK Government stated that it was committed to protecting freedom of speech (HM Government, 2011a). In order to preserve this valued right, alongside academic freedom within higher education, the Prevent duty was given "special attention" (Walker, 2015:550). Under S31 (2), (3) and (4) of the Counter-Terrorism and Security Act 2015, it is recognised that when carrying out actions or issuing guidance or directions to higher education bodies under S26(1), there must be "particular regard to the duty to ensure freedom of speech" and "[…]to the importance of academic freedom" (Counter-Terrorism and Security Act 2015:20). In September 2015, David Cameron naturally argued that the Prevent duty "'is not about oppressing free speech or stifling academic freedom, it is about making sure that radical views are not given the oxygen to flourish'" (Furedi, 2017:167). Furthermore, the UK Government were invariably confident that universities could ensure security while simultaneously also protecting academic values, stating that universities can "play a key role in *Prevent* while still upholding their commitment to academic freedom and learning" (HM Government, 2011b:73).

Furedi (2017) argues that over time universities appear to have been transformed from places where "Freedom of speech and academic freedom[…]were fiercely defended and affirmed" (2017:vi), to places where such values appear to lost their "vitality and relevance" (2017:vi). Blackbourn and Walker (2016) concur that "free speech in higher[…]education is on the wane" (2016:864). Despite efforts to protect free speech and confident reassurance that S26(1) would not infringe on such rights, there remains

much concern that the opposite result is being produced. It is feared that the Prevent duty, by demonstrating an increasingly paternalistic culture and securitisation of universities, will reinforce and further the erosion of endangered "fundamental rights" (Saeed and Johnson, 2016:48), transforming academic values such as free speech into "*a negotiable commodity that is subordinate to other concerns*" (Furedi, 2017:179). S26(1) may be an impediment to freedom of speech – which, under S43 of the Education (No.2) Act 1986, should be secured for all members of the university, including students, staff and external speakers (Universities UK, 2011) – in two ways. Firstly, in order to comply with the duty, universities are required to have robust policies and procedures in relation to external speakers and events (HM Government, 2015). As a result of this, events may be cancelled because of their content, and increasing numbers of people may be denied a platform to express their views; freedom of speech on campus may thereby be increasingly limited. Secondly, there may be an indirect challenge to freedom of speech from the requirement that university staff be trained in identifying 'at risk' individuals (HM Government, 2015); this obliges staff to be vigilant to suspicious behaviour and monitor student views (School of Advanced Study, 2015 and Brown and Saeed, 2014). This "'Big Brother'" (Saeed and Johnson, 2016:43) atmosphere may lead students to experience a "'double-consciousness'" (O'Donnell, 2015:61) – wherein students, in awareness of monitoring, review how their ideas may be interpreted and "'watch their words'" (Furedi, 2017:vi), rather than freely expressing dissenting opinions. Students may even change their opinions so as to not arouse suspicion and responses under S26(1). In other words, the Prevent duty may limit freedom of speech as, in response to anxiety around being labelled a radical - a prospect that Muslim students see as a genuine danger (Saeed and Johnson, 2016) - students may increasingly self-censor their thoughts and ideas. Frank Furedi (2017)

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also observes how universities have increasingly become "a target for linguistic policing" (2017:89), and that students have already adopted censorious attitudes - something that the Prevent duty will continue to reinforce. University should not be a place where there is fear and paranoia about freely expressing ideas and opinions. However, it is clear from the above that the Prevent duty is doing just that, and is functioning to restrict one of the main "civil liberties of students" (FOSIS, 2015:no pagination).

As discussed in Chapter two, "unless views can be expressed they cannot also be challenged" (Universities UK, 2011:7); therefore, freedom of speech is "the most important tool of countering radicalisation in Britain" (Saeed and Johnson, 2016:48). Even the Prevent duty guidance stated that the university's "commitment to freedom of speech[…]means that they represent one of our most important arenas for challenging extremist views" (HM Government, 2015:3). Ultimately, education should provide "'A safe environment where young people can openly share their views, however abhorrent, and have their views subjected to rigorous and informed challenge and debate'" (Gus John, 2014:2, cited in Thomas, 2016:182). However, if the duty causes fear and paranoia around freedom of expression, thus silencing extreme views and dissent, it may cause those possessing such views to leave university or go underground (O'Donnell, 2015), meaning in turn that there is less chance of detecting and challenging the radical ideas that could exist on campus. Thomas (2016) states that this is a risk inherent in the Prevent duty, as shown by previous "ethnically targeted" (2016:176) programmes to tackle racism amongst white youth, which concluded that it caused racism to go underground, instead of allowing it to be challenged in the educational arena. Ultimately, by restricting freedom of speech, the

Prevent duty may be counterproductive and ineffective in challenging and preventing radicalisation.

In defence of the Prevent duty, an argument presented is that "all freedoms have limits imposed by law" (Universities UK, 2011:2). For example, the Public Order Act 1986 contains various offences "which can be committed by speech and conduct and therefore limit the exercise of the rights to freedom of speech and expression and academic freedom" (Universities UK, 2011:47). In other words, freedom of speech has never been limitless; only "freedom of speech within the law" (Universities UK, 2011:36) has ever been assured. Thus, the Prevent duty may have a lesser impact on freedom of speech on campus as was suggested previously. Similarly, there were already restrictions in place concerning external speakers and events, for example S43 of the Education (No.2) Act 1986 stated that universities must issue and update a code of practice, and "These codes will typically cover rights to refuse permission to attend or close an event in lawful circumstances" (Universities UK, 2011:10).

Despite such defences, it cannot be denied that the paternalistic tendency of S26(1) represents an additional restriction on an already limited and critical freedom within the university. Furthermore, unlike the Public Order Act 1986, the Prevent duty focusses on one group in particular- as discussed below – and is therefore likely to limit freedom of speech disproportionately for this certain group, and produce fear of being labelled a terrorist, an accusation that may have the most severe consequences. Moreover, the restrictions on free speech produced by the Prevent duty may be counterproductive in the fight against radicalisation.

The Consequences of the Prevent Duty for Muslim Students

As Prevent prioritises resources and effort according to threat, and the largest threat is currently from Islamic terrorism (HM Government, 2011b), Prevent has since its introduction, focussed predominantly on Muslims (Thomas, 2016). There have thus been concerns that the impacts of the Prevent duty in universities will be felt disproportionately on the lifestyle and welfare of Muslim students.

There appear to be various issues in Prevent, and the resulting Prevent duty in universities, which could negatively impact on Muslim students and, under the risk-based approach of Prevent, the view of Muslims and how they should be dealt with has been clouded, leading to any actions of a Muslim student possibly earning them the 'terrorist' label (Qureshi, 2015). One issue is that Prevent poorly defines central concepts; extremism for example, is defined as "'vocal or active opposition to fundamental British values'" (HM Government, 2011b:107). This is both vague and open to wide interpretations, possibly creating "a false presentation of narratives [that] can lead to a person becoming an "extremist" or "terrorist"" (Qureshi, 2015:181), simply by their behaviour not fitting with the 'British way of life' - which the lifestyle of Muslim students may not. For example, behaviours such as expressing excessive religiosity characterised by praying frequently, growing a beard, or wearing certain clothing such as the niqab (which was banned by Imperial College London in 2005), could be interpreted under this definition as "'trying to rebel against what is going on in the country'" (Brown and Saeed, 2014:1959). Expressing this behaviour in a university subject to the Prevent duty, could, under this definition, put a Muslim student immediately "in the danger zone" (Brown and Saeed, 2014:1956) of extremism, and may consequently initiate unnecessary procedures under Prevent. In relation to religion, there is concern that vague and unclear definitions in Prevent, such as 'opposition to British values', will create a paranoia amongst Muslim students who no

longer feel as though they can fully exercise their right to be religious in a traditional manner for fear of being perceived as 'radical' (Brown and Saeed, 2014). In order to avoid this, Prevent effectively compels Muslims to be members of a type of Islam acceptable to the West (Qureshi, 2015). It thus appears that Prevent is targeting Islam as a religion; it has been recently stated that the UK Government has lost sight of what it is trying to do - "'It is no longer about dangerous Muslims, but the ideology of Islam itself'" (Qureshi, 2015:190).

In addition, although "radicalisation is not inherently a disreputable process" (Blackbourn and Walker, 2016:857), and there is a lack of evidence to suggest that possessing radical ideas leads to violence and terrorism, Prevent, and thus the Prevent duty, assumes that radicalisation is negative, and indeed assumes such a causal relationship (O'Donnell, 2015). This is problematic as, although Muslim students may possess strong views along with other intelligent non-Muslim students, this assumption and its focus on Muslims, may result in the passionately-held views, and resultant activism, of Muslim students, being disproportionately and unfairly targeted and even perceived as violently extremist (Brown and Saeed, 2014). Therefore, to avoid being labelled a terrorist, Muslim students have been and will continue to, censor passionately-held views and activism (Weale, 2017). Rather than participate in expressive, direct campaigns – which non-Muslim students can generally participate in without fear - Muslim students are forced to restrict themselves to "quiet activism" (Brown and Saeed, 2014:1963). The consequence of the Prevent duty, that means Muslim students cannot express passionately-held views and participate in activism without being assumed to be a terrorist, thus translates into restrictions on both "their right to be Muslim, without prejudice" (Brown and Saeed, 2014:1961), and also on their right to be a student. It demonstrates that the restrictions on free speech

are disproportionately experienced by Muslim students – and, ultimately, that Muslims "are free to enter universities but they may not become students in the fullest sense: they may not be 'radical' students" (Brown and Saeed, 2014:1962)

As can be seen above, issues with Prevent, and thus S26(1), may lead to "[a]ny 'radical' behaviour or verbal expression [being] seen as evidence of exploited vulnerability, rather than of either political agency [...]or performative response to authoritarian discourse" (Thomas, 2016:179). This not only leads to unintended restrictions on the behaviour of Muslim students, but also leads to the possibility of being unnecessarily labelled an extremist. In addition, issues in relation to the training of university staff could further increase the chances of Muslim students being wrongly identified as extremists under the Prevent duty. The duty's guidance implies that university staff should be able, without difficulty, to understand radicalisation, extremism and identify vulnerable students (O'Donnell, 2015). However, as demonstrated in Chapter one, radicalisation is so "'complex and controversial'" (Coolsaet, 2008:240, cited on O'Donnell, 2015:56), that even experts in the field cannot entirely understand the phenomenon. It is therefore a lot to expect of university staff to understand this key requirement, leading to concerns that they will not be able to apply this legal duty justly and effectively. Moreover, despite the supposed existence of predisposing personal factors as cited in Chapter one (for example, exclusion, isolation, poverty and discrimination), academics repeatedly state that identifying those at risk of radicalisation is extremely difficult (O'Donnell, 2015 and Ranstorp, 2010). This is not only because looking "sullen or withdrawn" (School of Advanced Study, 2015: no pagination) - features that John Hayes, security minister in 2015, believed indicated a predisposition to radicalisation – may be features exhibited by many students, but also because amongst those at risk, such stereotypical "'tell-

tale signs'" (Blackbourn and Walker, 2016:857) are not always in evidence. This is shown by cases such as Leeds Metropolitan University graduate Shehzad Tanweer – a 7/7 member – who was from a well-to-do background, was socially proficient and never appeared to experience social problems or racism (Nesser, 2010). Similarly, the inquiry into the radicalisation of Umar Farouk Abdulmutallab, discussed in Chapter two, concluded that he was "well integrated into the student body with supportive friendships and social structures" (Independent Inquiry Panel, 2010:11). Despite the assumption of the duty, these cases demonstrate that attempts under the Prevent duty to use socioeconomic profiling to identify possible extremists are "unlikely to be effective" (Dalgaard-Nielsen, 2010:810) and the near impossibility for university staff of effectively and correctly identifying those who are vulnerable to radicalisation and terrorism. Some students may therefore be labelled unnecessarily as radical and others missed, leading to further questions regarding the effectiveness of the Prevent duty (O'Donnell, 2015). In addition to this, the study by Christopher Dean and Monica Lloyd, which produced 22 radicalisation risk factors which university staff have been trained to identify, has been heavily criticised in a CAGE (a UK advocacy group) report (Qureshi, 2016). Not only does this report agree that these factors are being implemented by people other than the professionals they were meant for, it is argued that they were produced secretively with "no transparency" (Panorama: The Changing Face of Terror, 2016: no pagination) and are scientifically flawed, with some declaring that Dean and Lloyd's study "should never have become the basis of a statutory predictive tool" (Qureshi, 2016:49). If this is the case, the effectiveness of the Prevent duty in identifying and thus preventing radicalisation will be further reduced.

The case of postgraduate student Mohammed Umar Farooq illustrates how, as a result of these various issues, universities and educators are facing great difficulty in

implementing the Prevent duty justly and correctly, creating negative consequences for Muslim students and demonstrating the current ineffectiveness of the Prevent duty (Ramesh and Halliday, 2015). Farooq was accused of being a terrorist under S26(1) after reading a Terrorism Studies textbook in Staffordshire University library; as a result, he has not returned to his studies and has been ""looking over his shoulder" ever since" (Ramesh and Halliday, 2015: no pagination). Staffordshire University have since apologised and has blamed Prevents ""very broad duty"" and "insufficient detail"" (Ramesh and Halliday, 2015: no pagination) for the accusation. They also made the valuable point that "making a distinction between the "intellectual pursuit of radical ideas and radicalisation itself" was a significant challenge" (Ramesh and Halliday, 2015: no pagination). Worryingly, CAGE, has seen 100 similar cases since October 2014 (Ramesh and Halliday, 2015), demonstrating that the duty is frequently wrongly and unnecessarily applied, has negative consequences for Muslim students and is currently proving to be ineffective.

An argument presented is that particularly since 9/11 and 7/7, there has been an "insecure narrative about Muslims [which] interferes with everyday experiences of young Muslims" (Brown and Saeed, 2014:1955), and therefore it is inevitable that, in the current climate, Muslims may be disproportionately targeted, negatively affected and fall victim to racism and Islamophobia (Saeed and Johnson, 2016). It cannot be ignored that the Prevent duty, and Prevent's specific focus on Muslims, makes them the new "'suspect community'" (Thomas, 2016:174) in the UK. This presents very real threats of reinforcing "distrust and suspicion" (Saeed and Johnson, 2016:48) towards the Muslim community, "further reinforce[ing][…]paranoia" (Saeed and Johnson, 2016:43) with regards to the threat posed by Muslims and, as a consequence,"reproduc[ing] and perpetuat[ing] institutional racism and

Islamophobia'" (Coppock and McGovern, 2014:243, cited in Thomas, 2016:181). Moreover, although Saeed and Johnson (2016) state that the most effective way "to achieve long-term security within a democracy is to 'estrange' the enemy, not the wider academic community" (2016:36), the Prevent duty may do just that. Thomas (2016) argues that "The dangers of such a policy approach to Muslim youth, with the inherent suggestion of an entire, essentialized community having problematic features" (2016:176), should have been realised through the faults of white youth anti-racism education, which caused a sense of unfairness and reinforced "racialized resentment" (2016:177). Certainly the negative consequences of the Prevent duty may produce an increased sense of resentment, exclusion, isolation and alienation among Muslim students – which in turn, as seen in Chapter one, are supposedly significant causes of radicalisation. As a result, the duty will be "perhaps doing little to prevent the appeal of extremist narratives" (FOSIS, 2015: no pagination) and "terrorism may be winning after all" (Thomas, 2016:184), leading to a further questioning of the duty's effectiveness in preventing radicalisation and improving national security.

Overall, as has been observed through the negative consequences discussed above, the Government "'have completely overestimated the threat that is posed, and their response is completely disproportional'" (Qureshi, 2015:190), with all Muslim behaviours potentially viewed as threatening under the Prevent duty. Through these consequences on Muslim students, it seems that S26(1) by no means represents the ideals of the Prevent strategy as a whole as it is clearly not "us[ing] powers selectively, carefully and in a way that is as sparing as possible" (HM Government, 2011a:18). While Muslim students are clearly aware of their community's link to radicalisation, they should not feel culpable or forced to experience the ramifications of the deeds of a small minority (Saeed and Johnson, 2016). Nevertheless, the Prevent duty seems

to be doing just this. As a King's College London student has recently remarked, under the Prevent duty ""[s]tudents who have not committed any crimes are being treated as suspects" (Weale, 2017: no pagination). Furthermore, the Prevent duty undermines the efforts already being made by the university (Saeed and Johnson, 2016). The irony of S26(1) is that while it is meant to protect the collective student body, it is clearly failing to protect the liberties and welfare of Muslim students (Saeed and Johnson, 2016).

The Consequences of the Prevent Duty for the Role of the University Institution

It is indicated in the Prevent duty guidance that higher education establishments have a requirement "to balance[…]legal duties in terms of both ensuring freedom of speech and academic freedom, and also protecting student and staff welfare" (HM Government, 2015:4). However, as is made clear by the above concerns, "the university (as the archetypical site of free debate and communication) can no longer provide discursive and physical mobility for all[…]under the constraints of radicalization and counter-radicalization discourses" (Brown and Saeed, 2014:1963); rather than facilitating the balancing of universities' legal duties, S26(1) is in fact undermining them, and is as a consequence hindering not only the balancing, but the overall achievement of these legal duties by the university.

Frank Furedi (2017) argues that an increased "paternalistic style of governance in higher education" (2017:13) - of which the Prevent duty is clearly an example- and increasing limits on free speech within the university that this style of governance is creating, are having the consequence of transforming and reducing the once unique

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role of the university institution to be that of secondary education institutions, thus placing the university "in danger of losing sight of its vocation" (Furedi, 2017:vii). The university was once "a hospitable environment for intellectual experimentation. They were places that were far more open to new ideas and tolerant of diverse views and opinions than the rest of society" (Furedi, 2017:vi), where freely expressing controversial ideas was "celebrated as a vital element of a dynamic intellectual environment" (Furedi, 2017:89). Today, however, paternalistic policies such as the Prevent duty create paranoia and a "'double-consciousness'" (O'Donnell, 2015:61), silencing the views and ideas that once defined the role of university. In addition, the unique role of the university in transforming students into "independent-minded risk-takers" (Furedi, 2017:186), educated "for a life of freedom and independence" (Furedi, 2017:16) is now under threat. As increased securitisation and protection, epitomised by the Prevent duty, are internalised by students, the university instead produces individuals who are risk-averse "infantilised supplicants demanding protection" (Furedi, 2017:16). Ultimately, as Furedi (2017) argues, there is a "significant price to pay for the alleged benefits of paternalistic practices" (2017:15) such as the Prevent duty. As has already been eluded to, this is because it silences "Argument, debate and the clash of ideas [which] are vital for the flourishing of university life" (Furedi, 2017:169), and undermines the "spirit of freedom, the exercise of moral autonomy and of tolerance" (Furedi, 2017:15) - all factors that should define the university experience. Durodie (2015) agrees, saying there has been "an unstated and largely unnoticed cultural drift that is affecting mainstream society" (2015:29), leading to a "so-called therapeutic culture" (2015:22) within education. This culture has for some time transformed security, producing various pieces of legislation, such as the Prevent duty. He agrees that this over-protective and paranoid "culture of not causing hurt or

offence" (Durodie, 2015:29) has led to an abandonment of the "true spirit of education, which necessarily confronts individuals with occasionally discomfiting aspects of reality" (Durodie, 2015:30). Durodie (2015) concurs that this culture, of which the Prevent duty is a part, has undermined "the very role of the university, which ought to be where robust engagement with unpalatable ideas is most expected" (2015:27-28). However, he also notes that, due to a long history of 'therapeutic' education influencing security, many such measures to "protect students from supposedly bad ideas[…]already exist" (Durodie, 2015:26). For example, an Oxford college banned an abortion talk in 2014 for fear of causing offence (Durodie, 2015). As the Prevent duty appears to "feed off and into a culture that has already assumed and implemented many of the measures proposed" (Durodie, 2015:25), Durodie (2015) implies that it is unlikely on its own to produce significant consequences for the role and function of the university.

A further consequence of the Prevent duty for the role of the university relates to it being "corrosive for education" (O'Donnell, 2015:61), a vital role of the university, by damaging the pedagogical relationship. The Prevent duty imposes a new role on lecturers; while their role should be to educate and create a safe learning environment for students in which they can freely express views without a fear of being spied on, Dr Nadya Ali from the University of Reading states that the Prevent duty has forced her to become one of many counter-terrorism "'informants'" (O'Donnell, 2015:67), a job that she does not desire (School of Advanced Study, 2015). As a result of staff monitoring and informing, it is inevitable that a "mutual suspicion" (Cornell, 2016: no pagination) will be created, a "culture of mistrust" (Weale, 2017: no pagination) will be fostered, and the level of academic interaction between staff and students will be damaged (O'Donnell, 2015). Regarding the monitoring of emails by King's College

London, the NUS have condemned this move on the grounds that it reinforces this culture of 'universities versus students', damaging the level of staff-student trust (Weale, 2017). This is problematic as a major role of the university is to teach and educate; they are places of learning. However if "[t]o learn involves trust" (O'Donnell, 2015:71), a lack of trust between staff and student could have detrimental consequences. Additionally, universities should be attended by people with a strong desire to learn, whose minds are "opened rather than formed" (O'Donnell, 2015:71). However, the Prevent duty, by its inadvertent attempts to impose and exclude certain views, may lead to "disaffection and disengagement" (O'Donnell, 2015:54) by students, and the university will become a place where this desire to learn is lost.

In summary, it can be seen that while the Prevent duty was introduced with good intentions by the UK Government, and while there is some evidence to defend the duty, the huge amount of criticism and concerns about the possible consequences of S26(1) present in the media and in academic writing clearly outweigh the former. The seemingly "disproportionate reaction of repression, restrictions on civil liberties and scape-goating of specific communities", that the Prevent duty seems to have enacted produces such negative consequences as discussed above. Moreover, some of these consequences make the duty counter-productive, casting further doubt on a duty that is already of uncertain benefit because of the dubious link between universities and radicalisation. Ultimately, because of its consequences, S26(1) produces "effective victory for the terrorists" (Thomas, 2016:172) – i.e. it places restrictions on and undermines democratic values, community cohesion, and so on.

Conclusion

Whilst the threat to the UK from home-grown Islamic terrorism is severe, and preventing radicalisation - a top priority of the UK Government - is crucial if this threat is to be reduced, the Prevent duty imposed by S26(1) of the Counter-Terrorism and Security Act 2015 is not furthering this objective. As discussed in Chapter two, there is much uncertainty over association between radicalisation and universities; this in turn has created doubts as to whether S26(1) can be effective in preventing radicalisation in universities. As discussed in Chapter three, criticism and concerns regarding S26(1) are rife in media and academic publications, particularly regarding the negative consequences of the duty for freedom of speech, Muslim students, and the role of the university institution. Most worryingly, some of these consequences have the potential to produce counter-productive results, leading to further implications for the effectiveness of the duty. The aim of S26(1) is to "prevent people from being drawn into terrorism" (Counter-Terrorism and Security Act, 2015:18); yet through restricting freedom of speech, the duty may hinder the expression, identification and challenge of radical views, resulting in a move underground for those who propagate them, further impacting the effectiveness of the Prevent duty. Furthermore, the resentment, alienation and exclusion - all cited as causes of radicalisation in academic literature - experienced by Muslim students as a consequence of the duty may in itself

lead to radicalisation. S26(1) is creating suspicion, pushing people further apart and increasing the space between 'us and them', while doing little to prevent the causes of radicalisation.

In view of this, universities should be exempted from the provision of S26(1). Universities may not have a "major problem" (Universities UK, 2011:18) with radicalisation, but by their nature are likely to remain fertile grounds for the causes of radicalisation, as cited in Chapter two; they therefore need to remain vigilant, and it is clear that much remains to be done to prevent extremism occurring on campus (Universities UK, 2011 and Glees and Pope, 2005). It is clear, however, that making universities "part of a state security apparatus" (Saeed and Johnson, 2016:48), and restricting academic values is not an appropriate way to do this. Universities should make use of freedom of speech to prevent radicalisation by aiming to create "an atmosphere of security" (Saeed and Johnson, 2016:48) where people are free to express all views, however controversial. As has been discussed, encouraging freedom of speech allows radical views to be openly articulated, instead of harboured in resentment, where they could spiral out of control, it allows such views to be included rather than excluded, and debated rather than remain unchallenged. While some views may upset or create controversy, this is an essential part of the role of the university institution and should not be undermined. In this way, radicalisation may be prevented without detrimental consequences for the "fundamental educational mission and character" (Independent Inquiry Panel, 2010:23) of the university. O'Donnell (2015) concurs that "society is best served when educational institutions remain[…]autonomous sites of enquiry, criticality, dissent, exploration[…], fearless speech, spaces in which students and educators can trust one another" (2015:63). On the other hand, while using academic values to tackle extremism may show some