

***Preventing our collective rights
to dissent, to campaign, and to
protest for Palestinian rights:***

**Countering a full-spectrum attack on civil liberties,
from the Extremism Bill and Prevent guidance, to
restrictions on the right to campaign and protest**



Palestine Solidarity Campaign briefing

August 2015

www.palestinecampaign.org

What is this about? Who are the Government targeting? Is it anybody who speaks out and challenges Government policy?

- *We know it's coming, because they keep telling us. They just won't give us any details. The counter-extremism bill will clamp down on non-violent freedom of speech. But exactly what speech and by whom? That is unclear.'* [Ian Dunt](#), 20 July 2015ⁱ
- *'City of London police put Occupy London on counter-terrorism presentation with al-Qaida'* Guardian, 19 July 2015ⁱⁱ
- *'The new powers represent a level of embedded security surveillance in public life unprecedented in peacetime. We already know from the government's Prevent programme the chilling impact of such mass spying on schools, where Muslim pupils have been reported for speaking out in favour of Palestinian rights or against the role of British troops in Afghanistan. But the "counter-extremism" bill announced in the Queen's Speech is about to take the anti-Muslim clampdown a whole stage further. The plans include banning orders for non-violent individuals and organisations whose politics are considered unacceptable; physical restriction orders for non-violent individuals deemed "harmful"; powers to close mosques; and vetting controls on broadcasters accused of airing extremist material. It's censorship under any other name.'* [Seumas Milne](#), Guardian 24 June 2015ⁱⁱⁱ
- *'An opinion can most certainly be labelled as extreme, and a person can be defined as an extremist, if they defy the rule of law, promote illegality, advocate the oppression of innocent victims, or use the power of the state cruelly to persecute and abuse others. But **this is exactly what is happening with Israel's settlement activity**... over the years we have made a firm stand against racism, sexism, homophobia and anti-Semitism. It is time now that we added 'settlement endorsement' to that list of extreme undemocratic attitudes which we are not prepared to tolerate'^{iv}.' [Sir Alan Duncan MP](#), 14 October 2014*

Why is the Government ignoring its own advisers, claiming we shouldn't look at factors like war, injustice and poverty

- *'We need to understand why it's [Islamic extremism] become so attractive. Some argue it's because of historic injustices and recent wars, or because of poverty and hardship. This argument, what I call **the grievance justification, must be challenged**...if you say... "violence in London isn't justified, but suicide bombs in Israel are a different matter" – then you too are part of the problem. Unwittingly or not, and in a lot of cases it's not unwittingly, you are providing succour to those who want to commit, or get others to commit to, violence.'* David Cameron, Birmingham, 20 July 2015
- *'[Prof Andrew Silke](#) – a counter-terrorism specialist who advises the Cabinet Office and the UN... said the government's Prevent strategy for tackling terrorism was too focused on extremism with no research to back up such an approach... "Everything is pitched in terms of counter ideology, even though ideology is not the prime mover in terms of bringing people into terrorism. That is a mistake. It is not going to be effective in terms of preventing people becoming radicalised. And it diverts attention from other causes which play a role in why people become involved in terrorism... Counter-ideology just doesn't feature at all in counter-terrorism in Northern Ireland – because there is a general belief that it isn't relevant and it doesn't work," he said. "Whereas with Islamic terrorism it is seen as being effective. Part of the reason is that most of the politicians making the decisions are not Muslim.'^v Guardian 20 July 2015*

Government ministers are even up falling foul of their own definition of 'extremist' views

- *'The issue of defining the nature of extremism has been a longstanding government struggle. Most recently, a working definition was set out, the brilliant irony of which was typified by a now classic interview with Education Secretary Nicky Morgan, who, when asked to provide an example of the kind of behaviour from a pupil that should trigger an anti-extremism intervention, wriggled nervously before responding – homophobia. Her intervention might of course have proven more compelling had she not voted against gay marriage twice herself, at least on one occasion in reference to her own religious views as a Christian.'* Myriam Francois-Cerrah, [State sanctioned prejudice is at the heart of Cameron's approach to countering extremism](#), New Statesman 21 July 2015^{vii}

And who knows where the boundaries lie?

- *'Schoolchildren in the UK who express support for Palestine face being questioned by police and referred to a counter-radicalisation programme for youngsters deemed at risk of being drawn into terrorism under new laws requiring teachers to monitor students for extremism. One schoolboy told Al Jazeera he was accused of holding "terrorist-like" views by a police officer who questioned him for taking leaflets into school promoting a boycott of Israel.'* [Simon Hooper](#), Al Jazeera 22 July 2015^{viii}
- *"We've heard of the police going into schools to talk about Prevent to teachers and saying things like, 'If a kid thinks the West is at war with Islam it might be a cause for concern.' Or if a child goes on a demonstration against the bombing of Gaza, 'Keep an eye on him.' Teachers are nervous because they don't know where the boundaries lie," [Alex Kenny](#), NUT Exec member, in Al Jazeera 13 April 2015^{ix}.*

Introduction

We are experiencing a full-frontal attack on civil liberties, and restrictions on the right to protest, to organise, and to speak out and question foreign policy. Although this is particularly impacting upon Palestine solidarity campaigners, this attack is pernicious and far-reaching, and will affect everyone's ability to speak out, to question and to challenge Government policy.

This attack is being carried out in the name of defending 'British values' and countering terrorism. The Government's definition of 'British values', and the ideology that its counter-terrorism strategy is based upon, is deeply flawed, counterproductive, and runs directly counter to the values of tolerance, mutual respect and individual liberty that the Government is purporting to defend.

In June 2015, the Palestine Solidarity Campaign (PSC) organised a meeting to collectively discuss how to defend those basic rights which are under attack. We brought together journalists, lawyers, academics, teachers, students, and campaigners from a range of organisations to begin a process of coalition-building in order to defend our basic rights.^x

The aim of this briefing is threefold:

Firstly, to weave together a number of disparate, but connected, threads – including Prevent and the new Extremism Bill, attacks on the right to protest, intensification of attempts to make criticism of Israel illegitimate by pushing to redefine antisemitism to include criticism of Israel's violations of Palestinian human rights, and the disturbing power being exercised by the Charities Commission. These threads are being systematically woven together in a chilling attempt to muzzle, constrain and silence widening sections of British society.

Secondly to gather together evidence of the wide and growing opposition to these attacks on our collective rights and freedoms:

- Inside parliament – The CTS Bill faced significant opposition in the House of Lords.
- From leading legal figures – including Ken MacDonald, ex-Director of Public Prosecutions
- From experts in counter-terrorism and policing – including ex-MI5 head Eliza Manningham-Buller
- From academics, teachers, and the unions representing them
- From faith organisations
- From campaigns seeking to challenge government policy on issues as diverse as animal welfare, fracking, austerity, and Palestine.
- There are even cracks developing amongst those who have played key roles in promoting the government's agenda on counter-terrorism, such as the Quilliam Foundation – and even the Telegraph^{xi} has written a critical editorial.

Finally, to help facilitate a response to the next wave of legislation by the Government, which includes the Extremism Bill, and the implementation of the Counter Terrorism and Security Bill, particularly on the impact of Prevent becoming a statutory duty.

'There is a disturbing tendency to introduce laws for one purpose and apply them for another. Nowhere is this more apparent than in the field of counter-terrorism.'

Powers given to the police after the 9/11 attacks on America to stop and search people without reasonable suspicion had to be scaled back after widespread misuse. The Regulation of Investigatory Powers Act, while not confined to anti-terrorism, has been used by the police to investigate the sources for newspaper "whistle-blower" stories. Now the Government is planning a new legal crackdown on "extremist" ideology and there are calls for its remit to be extended far beyond what was thought to be its purpose.'

[Telegraph editorial](#), headlined 'New laws on extremism are a crackdown too far', 4 August 2015

Executive Summary

1. One of the first legislative changes introduced by the incoming government in May 2015 was a **new Extremism Bill**, expected to be brought to parliament this autumn. This bill will attack our collective freedoms – our freedom to organise, to speak out and challenge government policy where we think it is wrong or damaging, and our freedom to expose, challenge and counter views which we do not agree with.
2. Extremism has been defined by the Government as ‘vocal or active opposition to British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs’.
3. These values are dangerously undefined, and applied very selectively. Under this definition, people advocating settlement expansion, or enabling war crimes suspects to evade justice, or refusing to respect democratic decisions made by entire populations, should be defined as extremists. Instead, such individuals are being protected by the UK government.
4. The approach is that non-violent extremism ‘can create an atmosphere conducive to terrorism and can popularise views which terrorists then exploit’ – that there is a conveyor belt leading from non-violent extremism to terrorism. This is a view prominently promoted by ‘think-tanks’ such as the Quilliam Foundation, and Michael Gove. However, even the Government own advisors and MI5 analysis challenges this theory.
5. The Government is facing **increasing opposition** to this strategy, from counter-terrorism experts who understand that the policy is counterproductive, to increasing sections of society who recognise that this is an attack on all of us.
6. The Extremism Bill follows hot on the heels of the Counter Terrorism and Security Act (CTS), which was rushed through parliament before the 2015 General Election. Under this act, specified authorities including schools and universities have a duty to ‘have due regard to the need to prevent people from being drawn into terrorism’ – known as the ‘Prevent Duty’.
7. The previous Coalition Government did not manage to push through all measures initially proposed in the CTS Bill, due to opposition. Following successful lobbying, the proposals were amended so that Higher Education institutions are expected to balance their Prevent duty against the duty to ‘ensure freedom of speech’ and ‘to the importance of academic freedom’.
8. Another issue of dissent was around proposals on **vetting and excluding external speakers**. New draft guidelines were released on 17 July 2015, and will be debated in Parliament.
9. These measures are already having a chilling effect, with students reporting that they are afraid to talk about Palestine, for fear of this being misinterpreted and students finding that they have wrongly been identified as at risk of ‘being drawn into terrorism’.
10. The scale of support for Palestinian rights in Summer 2014, during Israel’s onslaught on Gaza, has shaken those who seek to defend Israel’s actions. As Melanie Phillips admitted back in 2011, Israel has lost the battle of public opinion^{xii} – with support surging further over last summer. Palestine Solidarity Campaign, and supporters of Palestinian rights, are being targeted because we are having an impact, challenging government policy, and building solidarity^{xiii}.
11. Israel’s supporters are struggling to defend the indefensible. Attempting to silence criticism of Israel has become an increasingly vital tactic: including by closing down debate (as seen in Southampton University); by ‘lawfare’ (including challenges to pro-Palestine policy); and by attempting to delegitimise criticism of Israel by redefining antisemitism.
12. Support for Palestinian rights is particularly strong amongst students and young people. **Charity Commission regulations** are having a profound impact on students’ ability to campaign – not only on Palestine but on a wide range of other issues.
13. The **right to protest** is also under threat in London, with the Metropolitan police changing the way that demonstrations are policed, and attempting to introduce ‘pay to protest’.

“It is essential that legitimate political opinions expressed by staff or students are not in any way regarded as ‘extreme’ or legitimising ‘extremism’. In the context of ‘Prevent’, it is perfectly legitimate for example, to criticise government foreign policy; to criticise the wars in the Middle East and Afghanistan; to express support for Palestinian rights or to express either support for or opposition to Israel. Neither is it extreme or illegitimate to hold that the rise of terrorism or hostility to western governments is a direct result of these policies. One may agree or disagree with such views, however they form part of legitimate discussion and debate; they are widespread in the political and academic sphere and in society at large. They are neither ‘extreme’, nor should they be presented as ‘excusing’ or providing cover for ‘extremism’ or acts of violence or terror.”

Model statement, from [UCU’s briefing on the Prevent duty](#), July 2015^{xiv}

This May, a new Extremism Bill was announced in the Queen's Speech. Prior to the Speech, addressing the National Security Council, UK Prime Minister David Cameron said the aim was to crack down on people holding minority "extremist" views that differed from Britain's consensus.

"For too long, we have been a passively tolerant society, saying to our citizens 'as long as you obey the law, we will leave you alone'".

Just weeks after Cameron made this speech, his Government provided Tzipi Livni with 'special mission' status on her latest visit to the UK, effectively granting her immunity from prosecution for war crimes committed in Gaza during Operation Cast Lead. A few days later, Shaul Mofaz, Israel's military chief of staff during the Second Intifada, was in London. Despite a file regarding his actions being presented to the Director of Public Prosecutions and the Metropolitan Police, he was able to leave Britain and evade justice; whilst Rwanda's intelligence chief Karenzi Karake, wanted in Spain for war crimes, was arrested in London just hours after Mofaz left.

The Extremism Bill is an attack on our collective freedoms

The Extremism Bill, and its predecessors such as the Counter Terrorism and Security Act (CTS), will not protect people from terrorist attacks. It is an attack on our collective freedoms – our freedom to organise, to challenge government policy where we think it is wrong or damaging, and our freedom to expose, challenge and counter views which we do not agree with.

Although the Muslim communities in Britain have been particularly targeted by the unsuccessful Prevent strategy, the CTS Act and the Extremism Bill will collectively threaten us all. It is not just an attack on those who oppose Britain's foreign policy. It is an attack on dissent in general – on the right to mobilise and campaign for principles and policies that run counter to the government's agenda. If the Government is able to unilaterally define what 'extremism' or 'British values' are, this legislation would have previously targeted the suffragette's struggle for votes for women, miners opposing pit closures (Thatcher's battle against the 'enemy within'), anyone engaged in same-sex relationships (with the criminalising of sex between consenting gay men, and Section 28 which outlawed the 'promotion of homosexuality'), and the Irish and Jewish communities living in Britain. Anti-apartheid campaigners would have been swept up under this legislation, given Margaret Thatcher's designation of the ANC as '[a terrorist organisation](#)'. This attack will impact on the ability of any of us to collectively speak out and organise on issues including (but not limited to) climate change and fracking; animal rights; anti-austerity; anti-racism and opposition to Islamophobia; and opposition to war.

The Government's strategy is wrong and counterproductive

Increasing opposition to the Government's policy – from counter-terrorism experts and the police as well as those expected to implement it, such as teachers and lecturers, is based on the fact that it is not only unworkable, but also counter-productive.

During the passage of the Bill, ex-Director General of MI5, [Eliza Manningham-Buller](#), spoke out in the Lords, saying that the plans to make the Prevent counter-terrorism strategy a statutory obligation risked banning "non-violent extremists" from speaking at universities. She said such opinions need to be "exposed, challenged and countered":

"It is a profound irony in seeking to protect our values against this pernicious ideology we are trying to bar views too vaguely described as non-violent extremism, which falls short of incitement to violence or to racial or ethnic hatred or the other legislative constraints on universities."

The Joint Committee on Human Rights is a parliamentary select committee of both the House of Commons and House of Lords. Its Chair, [Hywel Francis MP, pointed out](#) that 'open and rigorous debate about ideas is itself one of the most powerful tools in the struggle against terrorism', and attempts to restrict or silence that debate is counter-productive^{xv}.

Anti-terrorism strategy needs to be based on examining, and tackling, the root causes of terrorist attacks. Moreover, [as Jeremy Corbyn MP points out](#), in order to reduce the risks of attacks such as the killing of tourists on a Tunisian beach in late June, 'we

need to cut off the supply of money and arms that is flowing to ISIL, some from our supposed allies in the region. That requires a much braver stance, much more engagement with nations in the region, with the finance sector on illicit financial flows, and in promoting peace, democracy and prosperity rather than arming human rights abusing dictatorships^{xvi}.

As [Liberty puts it](#): ‘We believe that terrorism can, and must, be fought within the rule of law and the human rights framework. Repression and injustice, and the criminalisation of non-violent speech and protest, make us less safe; not more. These measures act as a recruiting sergeant to the extremist fringe, and marginalise those whose support is vital effectively to fight the terrorist threat.’^{xvii}

[Sir Ken McDonald](#), former Director of Public Prosecutions and now a life peer, described the new statutory duty as an attempt to ‘limit free speech which is not otherwise criminal and would not lead to an act of violence...It is not illegal to say you are against democracy – Plato was against democracy – but the government wants to stop people saying that’.

At the Committee Stage during the passage of the Bill, he pointed out that ‘As far as I can tell, no concern at all appears to be expressed in the legislation or in the guidance that what is being proposed is a form of institutionalised censorship with academics at its heart.’^{xviii}

According to the Telegraph, [Charles Farr](#), Director General of the Office of Security and Counter-Terrorism, and Theresa May’s most senior counter terrorism adviser, also ‘warned against portraying Muslim communities as “intrinsically extremist” just days after David Cameron said some were “quietly condoning” radicalisation.’^{xix}

[MI5’s own analysis](#) challenged the ‘conveyor-belt theory’ of terrorism: ‘Far from being religious zealots, a large number of those involved in terrorism do not practise their faith regularly. Many lack religious literacy and could actually be regarded as religious novices. Very few have been brought up in strongly religious households, and there is a higher than average proportion of converts. Some are involved in drug-taking, drinking alcohol and visiting prostitutes. MI5 says there is evidence that a well-established religious identity actually protects against violent radicalisation.’^{xx}

‘Imagine a Prime Minister, during the height of The Troubles in Northern Ireland, announcing in a speech that he intended to tackle terrorism head on. To do this, he would crack down on the churches which “quietly condone” the IRA, and criminalise opposition to “British values” and the “rule of law” amongst dissidents. Forget about pursuing a political resolution to the conflict over Northern Ireland, says the PM – this is about ideology and a misplaced sense of “grievance” ... Well in 2015, we have a leader who just delivered a speech outlining how it was bad religion, and not politics, that is the cause of political violence.’
Abdul-Azim Ahmed, Independent 21 July 2015^{xxi}

The links between foreign policy and terrorist attacks were explored in an article by [David Morrison and Peter Osborne](#): ‘When London was bombed on 7 July 2005, the rest of the political establishment joined Tony Blair in asserting that it was wrong to think that the bombers had been motivated by the invasion of Iraq. Remarkably, at the same time, a page on the MI5 website, headed “Threat to the UK from International Terrorism,” stated straightforwardly: “Iraq is a dominant issue for a range of extremist groups and individuals in the UK and Europe.” This simple message remained in plain sight on the MI5 website for the next couple of years. It would be interesting to know who removed it, and why.’

Any serious counter-terrorist strategy should tackle the root causes of terrorism, looking critically at the impact of government policies. It would actively challenge those supporting state terror, settler extremism, racism and apartheid. And it would take action against individuals who are committing war crimes, torture and human rights abuses abroad, irrespective of nationality.

It is profoundly disturbing that the ability to organise and campaign for equality, human rights, and the rule of law – precisely the values that Theresa May claims are ‘British values’ – is being threatened with respect to Palestinian rights.

1. Context for Palestine solidarity, and the PSC

Following every atrocity committed by the Israeli regime, there has been a growing wave of solidarity, followed by a desperate counter-offensive by pro-Israeli organisations. This counter-offensive generally takes the form of trying to silence and isolate

pro-Palestine views, in an attempt to present support for Palestinian rights as a marginal, rather than a mainstream issue; combined with attacks on those organising against Israel's war crimes; and 'lawfare' measures, such as trying to define criticism of Israel as anti-Semitism, or attacking those advocating boycotts. The Reut Institute's [report on London](#) in 2010, calling the Palestine Solidarity Campaign (PSC) a 'catalyst' at the 'hub' of 'delegitimisation' of Israel, and recommending measures including sabotage to deal with the growing wave of solidarity with Palestine, is useful to re-read in this context^{xxii}.

PSC is targeted because we are having an impact. The scale of support for Palestinian rights in Summer 2014, during Israel's onslaught on Gaza, has shaken those who seek to defend Israel's actions. Opinion polls repeatedly demonstrate that British public opinion is very supportive of Palestinian rights – with support surging further over last summer^{xxiii}. PSC has made significant progress in ensuring that these supporters exert a positive pressure on MPs and parliament – whether through mass demonstrations, lobbying parliament, BDS and other campaigning work, and enabling supporters of Palestinian rights to engage with their elected representatives^{xxiv}.

Britain-Israel Communications and Research Centre (BICOM)'s Chairman Edward Misrahi [wrote](#) :

*'The pro-Israel community in the UK is at a pivotal crossroads. We can either be complacent about the challenges to Israel's fundamental right to exist, or put our efforts into fighting back against the tide of delegitimisation we face from groups such as the Palestine Solidarity Campaign (PSC) or Boycott Divestment and Sanctions (BDS) movement. Last summer, the PSC sent more than 58,000 letters to MPs about Israel's actions in Gaza... By contrast, pro-Israel voices managed to send only about a tenth as many letters to their MPs... While the BDS movement hasn't got mass support, it has made inroads into our universities, trade unions, shops, occasionally into our cultural events, and has encouraged protests outside stores and institutions with Israeli affiliations across the country. Pro-Israel voices often fail to prevent these spaces from bowing to the pressure BDS movement activists place on them. **It would be wrong to underestimate the campaigning ability of the people in these groups.**[our emphasis] They know how to campaign, how to use new media, how to mobilise large groups of people who would not buy in to their kind of core ideology, but who do accept a very simplistic world view of the Palestinians as the perpetual victim and Israel as the perpetual oppressor.'*

2. What is the Extremism Bill?

The Queen's Speech on 27 May outlined the main elements of the [Extremism Bill](#):

- Banning Orders: a new power for the Home Secretary to ban extremist groups
- Extremism Disruption Orders: a new power for law enforcement to stop individuals engaging in extremist behaviour
- Closure Orders: a new power for law enforcement and local authorities to close down premises used to support extremism
- Broadcasting: strengthening Ofcom's roles so that tough measures can be taken against channels that broadcast extremist content
- Employment checks: enabling employers to check whether an individual is an extremist and bar them from working with children^{xxv}

The government claims the bill will 'stop extremists promoting views and behaviour that undermine British values' and 'address the gap in government and law enforcement's powers to deal with extremism that falls below the thresholds in counter-terrorism legislation'.

[Arun Kundnani wrote](#):

The new proposals represent a significant shift in strategy from legislating against terrorism to 'extremism' – the ideology the government believes causes terrorism. 'Terrorism' is itself a contested term but one that at least retains a link to acts of political violence. 'Extremism' is an even more nebulous word that gives 'an appearance of solidity to pure wind' – as George Orwell [noted](#) of political language designed to deceive. Disrupting extremism is, in plainer language, censorship of religious and political opinions the government finds unacceptable. Ironically, this is being done in the name of defending 'British' values of individual freedom.^{xxvi}

Opposition to the Extremism Bill

[Seamus Milne](#) outlined the concerns raised by Sayeeda Warsi and others to the bill, which he summarised as... 'about to take the anti-Muslim clampdown a whole stage further. The plans include banning orders for non-violent individuals and organisations

whose politics are considered unacceptable; physical restriction orders for non-violent individuals deemed “harmful”; powers to close mosques; and vetting controls on broadcasters accused of airing extremist material. It’s censorship under any other name... But Cameron shows every sign of pressing ahead with what amounts to a full-blown assault on basic liberties. Most ludicrously, the new powers are defended in the name of “British values”, including “individual liberty” and “mutual respect and tolerance”.^{xxvii}

Even figures closely identified with the Government’s ideology on counter-terrorism are expressing concern at this wave of reaction. Andrew Gilligan wrote a surprisingly critical [article in the Telegraph](#), with quotes from people associated with the Quilliam Foundation, Deen Institute, and Rashad Ali, a leading figure in the Home Office’s Channel deradicalisation programme, which carries out ‘intensive one-to-one sessions with young people deemed at extreme risk of radicalisation’. Rashad Ali said: “You can’t protect democracy by undermining democracy. The Government is obsessed with legislation but this is not something you can defeat by legislation. It is a battle of ideas and we have to defeat these ideas by argument, not by banning even having the debate.” According to Gilligan, ‘The Government’s own counter-extremism advisers and other leading figures in the fight against Islamism have condemned Theresa May’s plans to ban non-violent extremists as “wrong,” “totalitarian” and certain to backfire. Ministers want the power to make “banning orders” and “disruption orders” against groups and people whose extremism “falls below the thresholds in counter-terrorism legislation” but which “undermines British values”. The unprecedented backlash against the proposed Extremism Bill comes amid new evidence that the Government is failing to use the anti-extremism powers it already has.’^{xxviii}

Attacking broadcasting freedom

In his leaked letter to Theresa May, [Sajid Javid \(Secretary of State for Business, Innovation and Skills\) warned](#) that the bill would turn Ofcom into a ‘state censor’:

I am concerned about the risk that the powers would be used otherwise than intended, not least given the difficulty of defining extremism, and the consequent likelihood of the Government being seen to be interfering with freedom of speech without sufficient justification.^{xxix}

John Battle, head of compliance at ITN, [wrote in the Guardian](#):

Giving Ofcom a pre-broadcast vetting role would strike at the heart of editorial freedom in news and programme-making. Why? Because the key to credible news reporting is being at arm’s length from politicians and public bodies: journalists must be free to report the news without prior intervention by the state. That independence is seriously undermined if the regulator has a statutory role to intervene in editorial judgments pre-broadcast.

3. Behind the Counter-Terrorism and Security Act is ‘extremism in the name of security’

The new Counter-Terrorism and Security Act (CTS) was rushed through as one of the last acts of the previous parliament – with reports of incredible pressure put on MPs and Lords not to oppose it.

As Karma Nabulsi [aptly described it](#), the Counter-Terrorism and Security Bill is ‘extremism in the name of security’:

This is, however, about a great deal more than freedom of speech. Its attack on the very foundations of democracy disenfranchises each of us, no matter what work sector, class, or “community” we come from, and whether we are on the left or on the right or somewhere in the centre. It affects more than our universities, as only one of the sites of free speech in our public sphere, but not the only one – and certainly not more precious than our boroughs, schools, or other national civic institutions as protected democratic space. The bill’s claim of what potentially constitutes extremism is so removed from reality that it will do nothing to actually “prevent people being drawn into terrorism”.

The CTS Act, which gained Royal Assent on 12 February 2015, places a legal duty on publicly-funded organisations including schools, universities, nurseries and NHS trusts to actively work to implement the Prevent strategy. The statutory guidance under the new Counter-Terrorism and Security Act requires frontline staff, including in universities and schools, to undergo counter-terrorism awareness training and to engage with the Prevent programme. They will be under a legal duty to tackle not only potentially violent extremism but also non-violent extremist groups who may be perfectly legal. “Being drawn into terrorism includes not just violent extremism but also non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists exploit”.

Prevent isn't working

Some of the most powerful speeches against the government's strategy have been from people who have been responsible for combating terrorism. Despite intense pressure on MPs and Lords to pass the Bill unamended, there was significant opposition in the Lords, particularly by ex-security chiefs such as [Baroness Manningham-Buller](#), who questioned the wisdom of extending the reach of an existing strategy that wasn't fit for purpose:

'it seems to me that Prevent is clearly not working... We are told that 600 dangerous extremists who are British citizens have fought in Syria. That is a large number. If Prevent had been working for the past 10 years, we might not have seen so many going.. I have real difficulty in understanding the practicality of requiring an enormous range of authorities to respond to what is described as the "local threat", which may after all be covert. How will they judge who is vulnerable? How will they judge who is a non-violent extremist?'^{xxx}

Dal Babu, formerly chief superintendent with the Met, who described Prevent as a 'toxic brand'^{xxxii}.

Following the passage of the CTS Act, the UN Human Rights Committee, in its recent state report on UK, called for counter-terrorism legislation in the UK to be reviewed because of concerns about several aspects of measures introduced to combat the threat of violent extremism.^{xxxii}

Preventing our right to speak out

One of the key issues of opposition was the introduction of Prevent as a Statutory Duty for public institutions. Concerns, expressed particularly strongly in the House of Lords, that the CTS Act would violate basic principles of academic freedom forced the government to concede to the strength of feeling. Section 31 of the CTS Act requires universities to balance their duties under Prevent with a 'particular regard to the duty to ensure freedom of speech' and 'to the importance of academic freedom'.

As Eliza Manningham-Buller pointed out in the debate on amending the CTS in the Lords: "It is a profound irony in seeking to protect our values against this pernicious ideology we are trying to bar views too vaguely described as non-violent extremism, which falls short of incitement to violence or to racial or ethnic hatred or the other legislative constraints on universities."^{xxxiii}

Vetting and excluding speakers – new government guidance will be debated in parliament

The draft guidance, which PSC [responded to](#) during the consultation process, included a stipulation that universities must introduce stringent checks on all visiting speakers who are invited to address students on campus, and require student unions to give university authorities at least 14 days' notice to allow for background checks and cancellation of the event, if necessary.' Significant concern was expressed at this measure, in the Lords, by organisations and educational think-tanks, and with a letter signed by hundreds of [academics](#) defending academic freedom.

The scale of opposition to this both internally in government and externally, resulted in this measure being [put on the backshelf](#) until after the election. [Government draft guidelines](#) were released on 17 July 2015, and will be debated in Parliament.

[Geoffrey Alderman](#), who is a guest professor at Ariel University, and a vocal opponent of the academic boycott, wrote in the Spectator:

No one – certainly not among my academic acquaintances – quarrels with the argument that those who incite violence should be banned from speaking on university premises. Inciting violence is in any case already a criminal offence, as is glorifying or condoning acts of terrorism. The law of the land does not stop at the gates of the academy. But having got its legislation onto the statute book [the government clearly wants to go further](#), and agree with the vice-chancellors a list of speakers whom they would be obliged to ban from university premises. And if agreement cannot be reached, it appears that such a list would still be drawn up and imposed.

The criterion for inclusion in the list would be the holding and promoting of non-violent extremist views (violent extremism being already banned). So, quite naturally, my fellow dons and I have been asking ourselves what constitutes an 'extremist' view. After all, one man's extremist is another man's purveyor of common sense. And, in any case, 'freedom of speech within the law' means nothing if it does not encompass the freedom to articulate very unpopular views and if it does not uphold, unequivocally, the right to give offence.^{xxxiv}

This guidance conflicts with the duty on universities to protect free speech

Universities have a duty to protect free speech under the 1986 Education Act. Ironically, this duty was originally introduced to ensure Tory ministers were allowed to speak at universities after having been "no platformed" by some student unions.

How does it impact on student unions?

The NUS have issued guidance on this matter, saying the CTS Act 'does not directly apply to students' unions. Rather, it places duties on HE institutions that influence SU activities by (in practical terms) using partnership relationships and the control and use of grant funding, rooms and student behavioural codes.' It goes on to say 'NUS' policy position on Prevent is to publicly oppose the Counter Terrorism and Security Act and lobby the government for its repeal, as resolved by the National Executive Council in June. It also resolves to support students' unions in non-compliance of Prevent, should they wish to do so'.^{xxxv}

What is the Government's definition of 'extremism'?

According to the government's [summary of responses to the consultation](#), one of the concerning issues was the definition of "extremism" and "British values". The Prevent Strategy published in June 2011 defines extremism as "vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. British values include universal human rights, equality before the law, democracy and full participation in our society."

The Prevent guidelines were [published](#) on 12 March 2015 with two interesting developments:

A different version for Scotland to the Wales/England version (Northern Ireland is not included)

- Scottish universities are not set to be subject to the same government rules on preventing "non-violent extremism" as their English and Welsh counterparts, with the reference to universities tackling "non-violent extremism" and to "young people" travelling to Syria to join terrorist organisations, only in the document for England and Wales.

Guidelines for external speakers were delayed

- On external speakers, the Prevent guidance says: "Radicalisation on campus can be facilitated through events held for extremist speakers. There will be further guidance issued on the management of external speakers and events, including on the interaction of the Prevent duty with universities' existing duties to secure freedom of speech and have regard to the importance of academic freedom." These [draft guidelines](#) have now been published.

According to press reports including [the Telegraph](#), these draft guidelines were delayed because 'the plans were blocked by Vince Cable, the Liberal Democrat Business Secretary, who is responsible for universities policy, after academics said the measures would interfere with their duty to promote free speech and debate. The row became public earlier this month and, after failed negotiations between Mr Cable and Mrs May, had to be "escalated" for Mr Cameron and Mr Clegg to resolve. The Deputy Prime Minister told Mr Cameron the Lib Dems would not support the new rules and, as a result, the entire section of Home Office guidance on how universities should handle visiting speakers has been axed.'

The draft guidelines for HE institutions stipulate (guidelines for FE institutions are similar) ask HE institutions to ensure that: *'where any event is being allowed to proceed, speakers with extremist views that could draw people into terrorism are challenged with opposing views as part of that same event, rather than in a separate forum. Where RHEBs are in any doubt that the risk cannot be fully mitigated they should exercise caution and not allow the event to proceed. We would expect RHEBs to put in place a system for assessing and rating risks associated with any planned events, which provides evidence to suggest whether an event should proceed, be cancelled or whether action is required to mitigate any risk. There should also be a mechanism in place for assessing the risks associated with any events which are RHEB affiliated, funded or branded but which take place off-campus and for taking swift and appropriate action as outlined in paragraph 11.'*^{xxxvi}

A new 'extremism analysis unit' will draw up a blacklist

Theresa May announced that there would be a [new Home Office 'extremism analysis unit'](#) to draw up a blacklist of extremist individuals and organisations with whom the government and public sector should not engage – a list of 'legal but unacceptable' organisations, and will also develop 'a counter-entryism strategy to tackle Islamist radicalisation and ensure there is no repeat of the Trojan horse affair in Birmingham schools across the public sector'.

4. Charity Commission challenges to Student Unions

Universities and Student Unions have been facing legal challenges aimed at Palestine activism. Although to some extent this has been the case for some years, it has changed in two main ways over the course of 2014 and 2015:

- There has been an intensification in how many universities and student unions are facing these issues; and
- The Charity Commission has become the main vehicle used to make these challenges.

Although these newer challenges are certainly linked to the Prevent guidance, Universities and Student Unions have been self-censoring prior to the passing of the Counter-terrorism and Security Bill. To give one recent example, in February 2015 Palestine activists at one University were told that the events they had organised with PSC speakers would have to be cancelled because the speakers did not get prior permission. As this had not previously been the procedure, the students had not requested prior permission from the university.

Following the Charities Act 2006, students' unions have been required to register with the Charity Commission and have had legal restrictions placed on what they can do. Over the years, this framework has been internalised by many students' unions and by the National Union of Students, which has promoted a raft of corporate and trustee governance structures.

As [Michael Chessum wrote](#) when he was president of the University of London Union:

Regulation by the Charity Commission is having a profound impact on students' ability to campaign on issues in the wider world. When King's College London Students' Union passed policy condemning Israeli military actions and committing itself to becoming part of a campaign of boycott, divestment and sanctions against Israel, the union's trustee board overturned the motion and stated that KCLSU resources would not be used to implement it or to promote the BDS movement. Students seeking to campaign on this and other international issues can expect to face further obstruction in years to come.

The Charity Commission's guidance for Student Unions, updated in 2001, takes a very narrow definition of the "purpose" of a Student Union. In the section which deals with "political activities and campaigning", the guidance states:

A charitable students' union may comment publicly on social, economic, environmental and political issues if these relate to its purposes or the way in which it is able to carry out its work. For example:

- *street lighting near the campus;*
- *more public transport at night; or*
- *nursery places for the children of students.*

These issues are an extremely narrowly defined version of what concerns students and their welfare. The guidance then explicitly states:

It should not comment publicly on issues which do not affect the welfare of students as students. For example:

- *planning proposals for new roads or motorways which have no direct affect on the university campus or the students;*
- *campaigns to outlaw the killing of whales; or*
- *the treatment of political prisoners in a foreign country.*

This narrowing of what is included in student welfare gives the Charity Commission a great deal of power when dealing with Student Unions. However, despite this guidance being in place in its current form since 2001 it is only recently being used to crack down on student activism. This seems to reflect the changing climate on university campuses, with student unions deliberately being presented as non-political bodies, and the stepping up of pro-Israel attacks on Palestinian human rights work on campuses.

The Charity Commission's powers and directives are being widely criticised

[William Shawcross](#), Chair of the Charity Commission, is a controversial figure, having been a former trustee for the Henry Jackson Society and the Anglo-Israel Association. Appointed in 2012, he was due to finish in October 2015, but this January, his term was extended for another three years, despite the report from the National Audit Office revealing a [blurring of the executive and oversight functions](#), with an increased level of board involvement in the regulator's operations [risking](#) jeopardising the board's independence. Margaret Hodge MP, chair of the Public Accounts Committee, said she feared Shawcross "spends too much time thinking he's an executive rather than a non-executive".

[Peter Osborne commented](#): 'under its new chairman William Shawcross, the commission seems to have abandoned its caution. Shawcross is a celebrated author and historian, once identified with the left, now with the right, who has never shied from controversy. It was during his previous job as a director of the Henry Jackson Society that he reportedly said: "Europe and Islam is one of the greatest, most terrifying problems of our future. I think all European countries have vastly, very quickly growing Islamic populations." It is understandable that some Muslim charities feel aggrieved at his appointment. More importantly, though, under his leadership the commission shows signs of turning itself into a political regulator as well as a charitable one.'

According to [the Guardian](#), criticism of Shawcross is shared by many charity leaders: 'Pamela Ball, chief executive of Knowsley Community and Voluntary Services, said: "I'm very concerned as are many, many, many of my peers across the country right now that the Charity Commission is simply becoming punitive... It doesn't seem like the Charity Commission supports the sector."

The Guardian continued:

'Just what has gone wrong between the sector and its regulator? A series of own goals last year didn't help. Murmurings of religious bias (see [Preston Down Trust](#)) became an outcry with reports that one in four of the commission's recent statutory investigations had targeted Muslim charities. Its chairman, William Shawcross, was seen by critics to have booted the ball firmly in his own net by [telling the Sunday Times that Islamic extremism was potentially the most deadly problem](#) the sector faced.'

In December 2014, the Charity Commission [dressed down Oxfam](#) over an image it tweeted entitled *The Perfect Storm* focusing on austerity measures. The investigation followed a complaint from Conor Burns, the Conservative MP for Bournemouth West, who said a tweet sent by the charity was "overtly political and aimed at the policies of the current government".

The Commission recently instructed the Joseph Rowntree Charitable Trust and the Roddick Foundation [never again to fund CAGE](#). In response, a letter in support of the JRCT, signed by 190 people including the actor Joanna Lumley and a large number of charity chief executives, was published in *The Times*, supporting "the rights of charities and foundations to freely pursue their objectives within the law". And on 23 July 2015, the High Court ruled that the [Charity Commission will face a judicial review](#) of this instruction^{xxxvii}.

5. Other attacks on the right to speak out on Palestine on campus

- In December 2014, [the Guardian reported](#) on how free speech is already being stifled on campus, and on the serious concerns at how this legislation could be used to prevent students from exercising their democratic rights. This article highlighted the case of a students' union president, who said she received a warning that the police had claimed she was 'potentially committing a public order offence' by displaying two posters in her office window. One poster said 'Not for Shale', and the other: 'End Israel's attacks on Gaza'.
- Police asked Canterbury Christ Church University to [hand over a list of names](#) of people attending a debate on fracking in November 2014.
- The [FOSIS conference](#) on 7 March 2015 were forced to move from Imperial College due to last minute restrictions imposed on the event by college administration.
- Southampton University authorities came under heavy pressure to cancel the conference on The State of Israel and International Law, scheduled for 17-18 April 2015. Despite over 800 academics signing the petition for the conference to go

ahead, University authorities cancelled the conference on health and safety grounds, citing the issue of potential protests outside the conference.

6. Policing of protest:

- Police are attempting to change standard procedure on policing central London demonstrations. Organisers of two protests on 7 March 2015, the Campaign Against Climate Change, and Million Women Rise, were both informed by the police that they would not police the protests – the organisers would be responsible for road closures, negotiating a closure plan with the local authorities and they would have to pay for professional stewards (an estimated cost of £10,000). This effectively introduces a ‘pay to protest’ principle. As Simon Natas, partner at ITN solicitors, pointed out, this is [unsustainable legally](#)^{xxxviii}: “the European court of human rights has said that authorities have a legal duty to facilitate the rights of free expression and the rights of free assembly, and they can’t directly or indirectly inhibit it... “To say you can’t march unless you pay several thousand pounds for a traffic plan is an indirect prohibition.”
- These proposals sparked significant controversy amongst not just those organising protests, but also London Mayor Boris Johnson, who jumped on the bandwagon when questioned on this issue at the London Assembly. Removing police facilitation of national demonstrations creates problems not only for the organisers, but also for Transport for London and London Buses, who are expected to divert their services appropriately to cope. Although there was a [partial back-down](#) by the police, the way demonstrations are policed in future will not be the same as before in many cases. Reports from demonstrations indicate that police are not necessarily facilitating road closures as before, for example.

7. Smear campaigns and silencing

Attempts to redefine antisemitism to include criticism of Israel

PSC nationally, and locally via its branches, is based on very clear anti-racist principles, opposing all forms of racism including antisemitism and Islamophobia. PSC is as vigilant as possible in ensuring that our anti-racist policy is put into practice at all times.

Antisemitism is a very real problem in the UK and even more so across Europe. It is essential that any instances of antisemitism are treated seriously and action is taken swiftly, just as instances of Islamophobia must be seen as dangerous and as part of a wider social and political trend.

This makes the cynical attempt to redefine antisemitism to include legitimate criticism of Israel even more dangerous. The more “antisemitism” is used as a political tool to silence those standing up for Palestinian human rights and criticising Israel’s human rights abuses, the harder it becomes to effectively deal with the very real antisemitism existing in society and very occasionally within the movement itself.

In Europe, and particularly in the US, attempting to redefine antisemitism to include criticism of Israel has been a key strategy for pro-Israel supporters for many years. This strategy is well developed in the US and UK and has two main tenets: public intimidation of those involved in Palestine activism in an attempt to silence them, and using the legislative route to broaden the definition of “antisemitism” to include criticism of Israel.

The legislative route

Antisemitism is hatred of, intolerance towards or discrimination against, Jews as a religious or ethnic group. This is consistent with other definitions of racism. For example, Islamophobia is hatred of, intolerance towards, or discrimination against, Muslims.

The law already protects people against antisemitism through what the Crown Prosecution Service terms “legislation aimed at outlawing crime where the offender is motivated by hostility or hatred towards the victim’s race or religious beliefs (actual or perceived).” This includes legislation on racially or religiously aggravated offences under the Crime and Disorder Act 1998; and incitement to racial hatred and incitement to religious hatred as part of the Public Order Act 1986. As the CPS notes, past legal

rulings are a persuasive authority for Jews being included in the definition of a racial group as well as a religious group, and therefore protected by these laws.

Despite existing protections, groups such as the recently formed Campaign against Antisemitism are attempting to redefine the legal and public understanding of antisemitism to shut down discussion around Israel. The Campaign Against Antisemitism gained a great deal of recent media coverage because of its survey on antisemitism in the UK and, as the Institute for Jewish Policy Research notes, it was able to gain access to the highest echelons of political power through its work.

However, the organisation's survey about antisemitism was met with serious criticism from Jewish and non-Jewish organisations over its lack of accuracy. The [Institute of Jewish Policy Research explained](#):

“the organisation’s survey is littered with flaws, and in the context of a clear need for accurate data on this topic, its work may even be rather irresponsible. Its report is based on two surveys – one of Jews living in the UK, exploring their perceptions and experiences of antisemitism, and one of the general population of the UK, exploring its attitudes towards Jews. In the first one, the data about Jewish attitudes are based on an open web survey that had very limited capacity to assess whether respondents were in any way representative of the British Jewish population. So the percentages quoted are of survey respondents, not of Jews in the UK.”

The Institute for Jewish Policy Research also questions the survey's methodology:

“the claim in the report, for example, that “more than half of all British Jews feel that antisemitism now echoes the 1930s” verges into irresponsible territory – it is an incendiary finding, and there is simply no way to ascertain whether or not it is accurate. Moreover, the very inclusion of such a question in the survey, which most credible scholars of the Holocaust utterly refute, was a dubious decision in and of itself, and raises issues about the organisers’ pre-existing hypotheses and assumptions. Professional social researchers build credible surveys and analyse the data with an open mind; the CAA survey falls short both in terms of its methodology and its analysis.”^{xxxix}

Indeed, three out of 13 questions in the survey were on the topic of Israel rather than anti-Jewish hatred. This skews the data collected since it is politically driven, and asks questions unrelated to anti-Jewish prejudice.

This is indicative of a wider trend of attempting to expand what is seen as antisemitic to include valid criticism of Israel as a state and the policies it implements. [One example of this trend is](#) highlighted by Jewish Voice for Peace, with respect to the University of California (UC)'s adoption of the US 'State Department definition of anti-Semitism':

The State Department’s [definition](#) of anti-Semitism, drawn from a [discredited](#) European Union Monitoring Centre definition, includes vague clauses that define “demonizing, delegitimizing, and applying a double-standard” to the country Israel as anti-Semitic. Critics argue that this is an unenforceable definition that, if applied, would have the effect of limiting academic freedom, undermining free speech rights, and diluting the charge of anti-Semitism to name anti-Jewish bigotry...

UC students also voiced their concerns: “It is important for the University to take a stand against anti-Semitism and all forms of racism and discrimination, but caving to pressure from right-wing Israel advocacy organizations is not the right way to do that,” stated UC Berkeley student David McCleary, “Supporting the rights of Palestinians to freedom and equality is not anti-Semitic, but I worry that the adoption of this definition will require me to censor my political beliefs and will impede efforts to demand justice for Palestinians.”

*Tallie Ben Daniel, the Jewish Voice for Peace Academic Advisory Council organizer stated: “The UC system is one of the top public university systems in the country, and as such, holds great importance in setting a precedent for other universities in defining the boundaries of free speech and academic freedom. **Implementing this misguided definition of anti-Semitism would open the door for other institutions to make false equations between Jews and the State of Israel, and would cheapen the charge of anti-Semitism for identifying anti-Jewish bigotry when it occurs.**” (our emphasis)*

Following intense lobbying, in July 2015 the [UC resolution was dropped](#) in favour of a discussion on 'tolerance' in Autumn 2015

In the UK context, a number of reports have been released on the topic of antisemitism but which in reality deal with issues relating to Israel. This blurring seems to run naturally through the documents with no problematizing of the conflation between antisemitism and legitimate criticism of Israel. Government Action on Anti-Semitism, a report released in December 2014 by the Department for Communities and Local Government in response to previous recommendations in reports of the All Party Parliamentary Group on Anti-Semitism, states:

- *'This year we also saw councils misjudging their remits, with Leicester City Council, banning Israeli-manufactured products, and Tower Hamlets flying the Palestinian flag.'*
- *'The Government fully supports academic freedom and is firmly against any academic boycotts of Israel or Israeli academics. This principle is shared by the majority of academics and Higher Education sector'*

Neither of these examples have anything to do with hatred or bigotry towards Jewish people. Instead they are concerned with political conduct regarding the Israeli state. For a government document to so seamlessly conflate the two is irresponsible and inaccurate.

Similarly, the **Report of the All-Party Parliamentary Inquiry into Anti-Semitism**, February 2015, discusses allegations of antisemitic behaviour and violence on Gaza demonstrations during summer 2014. It does address some instances of possible anti-Jewish behaviour such as the desecration of a Jewish cemetery, which should be taken seriously. However it also admits that it is difficult to get an accurate view of whether arrests made at protests were related to antisemitism (despite organisations like the Campaign Against Antisemitism being very clear that these were antisemitic demonstrations):

"It is, to be fair to the police and others, difficult to get a full picture of arrests made in relation to antisemitism. However, we were informed that the National Public Order Unit confirmed 26 arrests at Gaza related demonstrations (based on police force submissions) from more than 300 demonstrations across the UK, which in the majority of cases were peaceful. The arrests took place when there was no counter-demonstration and so were presumed in most cases to relate to criminal damage or public order offences. There was no suggestion that the arrests related to antisemitism"

Even more problematically, the report's first recommendation is that: *'there is a requirement for further reputable quantitative and qualitative research about the concerns of British Jewry, UK antisemitism and the interplay with the Middle East conflict. We recommend that the government direct funds to appropriate organisations to undertake such research.'*

And further to this: *'We have set out that cultural boycotts, implemented in the way they were during the summer, were unacceptable. The boycott movement faces a challenge of how to put their tactics into effect while not slipping into antisemitism, unlawful discrimination or assaulting valued freedoms.'*

The "Middle East conflict" features heavily and is assumed to be a key driver of antisemitism which needs to be looked into further. Yet the organisations who could provide information on this and provide the "research" recommended by the report are already using a flawed definition of antisemitism driven by political goals. Additionally, boycotts of Israel are deemed unacceptable in a way that simply does not apply to other political boycotts. Boycotts of South Africa under apartheid are certainly deemed to have been an acceptable form of protest, just as boycotts of Saudi Arabia or Burma are now. Boycotts of Israel, simply another state, should not hold special privilege.

To date, these attempts to define criticism of Israel as anti-Semitism, have not been formally adopted by the UK Government.

What is sometimes referred to as the 'EUMC working definition' was [never adopted as a working definition by the EUMC](#). A 2005 "discussion paper" definition of antisemitism was drafted on the initiative of the European Union's Monitoring Centre on Racism and Xenophobia (which has subsequently been renamed the Fundamental Rights Agency — FRA). The actual EUMC definition is [here](#), and Richard Kuper outlines the issues surrounding its gestation [here](#), as well as detailing the campaign to get bodies such as the UCU to adopt it as an official definition. But this agenda is being aggressively pursued by the Campaign Against Antisemitism. Useful articles deconstructing the so-called EUMC working definition have been written by [Richard Kuper](#) and others.

Despite the definition never being officially adopted, there have been successful attempts to persuade bodies to adopt it. The All-Party Parliamentary Group on Antisemitism referenced the [Hate Crime Operational Guidance](#) (2014) issued by the College of Policing, which is still pending its inclusion into authorised professional practice. The report states that the Guidance ‘includes the European Monitoring Centre on Racism and Xenophobia definition in full and states that the ‘European Monitoring Centre on Racism and Xenophobia definition helps to explain some of the characteristics that may be present in anti-Semitic hate crime.’ NUS controversially [adopted the definition in 2007](#), just one day before the UK government chose not to adopt it.

As Jews for Justice for Palestinians (JfJfP) [pointed out](#) in its submission to the All-Party Parliamentary Group on Antisemitism in November 2014:

‘criticism of Israel must be taken at face value and assessed on its merits, and not dismissed in advance as essentially antisemitic in its origins. There are a large number of legitimate reasons for questioning Israel’s actions, including its seemingly unending – and expanding – occupation of the West Bank, its violations of international law, the large-scale killing of civilians including children and the impunity of its armed forces and settlers.’ Jews for Justice for Palestinians believes it represents ‘just the tip of the iceberg of widespread Jewish discontent at the virtually uncritical support given by community leaders to Israel.’

JfJfP’s assertion is borne out by an increasing number of British Jews speaking out, including senior figures such as Lawrence Brass. Brass said he had [stepped down as Treasurer](#) of the Board of Deputies of British Jews because he had ‘been bursting to criticise the Israeli administration’ for six years, and ‘could not contemplate another three years of not being able to speak freely’.

Public intimidation

Pro-Israel groups are aware of the weight and seriousness of being labelled an anti-Semite and have used this as a political strategy to publicly intimidate activists. Canary Mission uses a website to post profiles, including photos, of student activists, claiming to “expose individuals and groups that are anti-Freedom, anti-American and anti-Semitic”. The project explicitly states that it is attempting to show potential employers who these students are so that they find it difficult to find jobs after they graduate. It conflates “anti-Semitic hate crimes on campuses and the dangerous Boycott, Divestment and Sanctions movement, which seeks to demonize and destroy Israel via economic, academic and social boycotts”. This blurring between anti-Jewish hatred and valid criticism of Israel is a well-known tactic amongst students on campuses across the US and UK.

Tellingly, the website profiles a number of Jewish activists who are connected to Jewish Voice for Peace in the US, including its Director Rebecca Vilkomerson. A closer look at the profiles of other activists also reveals the political nature of the claim of “antisemitism”. Falsely claiming that Jewish activists and other student activists are antisemitic is nothing more than an attempt to intimidate students and scare them away from political organising and legitimate debate on global human rights.

The strategy of public smearing is being used with increasing frequency, especially as Jewish pro-Palestine movements grow. Jewish activists are often labelled “self-hating”, “traitors” and even “antisemitic” and are bullied and intimidated by pro-Israel groups. This threat of being labelled an anti-Semite for legitimate political discussion is carried onto social media where activists are targeted by pro-Israel groups and organisations and in some cases are bullied on Twitter and Facebook.

From experience of working closely with the student movement both in the US and UK, the vast majority of Palestine activists are particularly sensitive to anti-Jewish and anti-Muslim hatred, and are concerned that the threat of being labelled antisemitic stifles much-needed debate on antisemitism and other forms of racism. Silencing debate and shutting down legitimate dissent in this way runs counter to core values of the right to protest, the right to dissent and debate, and the right to campaign and educate on critical human rights and humanitarian issues.

Refuting smears

PSC has repeatedly made clear that supporting Palestine means supporting an anti-racist struggle, and that there is no place for racism inside that struggle^x. We have, as far as we have the resources to, challenged smears and false reporting – for example, our [challenging of the Jewish Chronicle’s article](#) in June 2014 which falsely and outrageously claimed that ‘The Palestine Solidarity Campaign has acknowledged that its supporters made antisemitic comments during protests against the Gaza conflict’. Our supporters did no such thing, and the Jewish Chronicle was forced to issue a correction^{xii}.

As a movement it is vital that we are able to challenge genuine instances of antisemitism openly and effectively. The more the very definition of antisemitism is politicised and used cynically to silence political opponents and shut down legitimate and fair debate on Israel and Palestine, the more difficult it will become to have conversations about antisemitism which afford it the seriousness it deserves as a subject.

Conclusion

The measures within the Extremism Bill, and the Counter-Terrorism and Security Act, are already having a chilling effect on our basic rights. They are rightly perceived as targeting and stigmatising people and communities. The fact that far-right terrorism is barely referred to in the CTS Act further exposes the Government's intention to use these measures in a highly politicised and biased way. Terrorism thrives under regimes where democratic rights are repressed.

In response, there is growing opposition to the government's measures, and growing awareness of the double-standards being applied.

When [Education Secretary Nicky Morgan](#) was questioned on the Today programme on what kind of behaviour from a pupil would trigger an anti-extremism intervention, she struggled – until she found an example: homophobia.

As Ian Hunt points out: 'This was an interesting example, because Morgan herself voted against gay marriage twice. Is opposition to gay marriage always homophobic? No, not really, although you could make the case. But this isn't about what's really the case. It's about what's perceived to be the case'.

Hunt continues: 'School children are often fond of accusing each other of being 'gay'. Is this going to be enough to call in the anti-extremism unit? Will Catholic or Jewish faith schools face daily visits from the inspectors? Will a socially conservative teacher find themselves under investigation?

'Probably not. But we know the truth: when a Muslim kid calls his friend 'gay' it will be treated differently to when a white kid does it. The vague language and imprecise measures of the counter-extremism strategy will allow people's prejudice free rein...

'Excessive powers for authorities and vague descriptions of what they're looking for only ever ends one way: with discrimination, prejudice and intolerable intrusion into the private life of minorities. Will Morgan have the anti-terror inspectors called on her for an impassioned speech opposing gay marriage? Nope. Will the Muslim kid? Quite probably.'^{xiii}

This clampdown on basic human rights will impact us all. It won't tackle terrorism, and certainly won't make us safer. The opposition to this clampdown is steadily increasing – and we need to develop this momentum to end this counterproductive and dangerous ideology being pursued by the Government.

ⁱ <http://www.politics.co.uk/blogs/2015/07/20/when-will-the-government-tell-us-which-bits-of-free-speech-i>

ⁱⁱ <http://www.theguardian.com/uk-news/2015/jul/19/occupy-london-counter-terrorism-presentation-al-qaida>

ⁱⁱⁱ <http://www.theguardian.com/commentisfree/2015/jun/24/scapegoating-muslims-cameron-radicalisation-terror-wars-liberties-british-values>

^{iv} <http://www.alanduncan.org.uk/articles/alan-delivers-speech-on-israeli-settlements>

^v <http://www.independent.co.uk/news/uk/politics/david-cameron-extremism-speech-read-the-transcript-in-full-10401948.html>

^{vi} <http://www.theguardian.com/uk-news/2015/jul/20/david-cameron-anti-terror-strategy-wrong-expert-says>

^{vii} <http://www.newstatesman.com/politics/2015/07/state-sanctioned-prejudice-heart-david-camersons-approach-counter-extremism>

^{viii} <http://www.aljazeera.com/indepth/features/2015/07/stifling-freedom-expression-uk-schools-150721080612049.html>

^{ix} <http://www.aljazeera.com/indepth/features/2015/04/uk-teachers-thin-line-spy-protector-150412075115174.html>

^x <http://newint.org/features/web-exclusive/2015/07/14/prevent-terrorism-programme/>

^{xi} <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/11783104/New-laws-on-extremism-are-a-crackdown-too-far.html>

^{xii} <http://www.melaniephillips.com/the-challenge-of-public-diplomacy-vis-a-vis-the-delegitimation-of-israel>

^{xiii} <http://www.palestinecampaign.org/wp-content/uploads/2014/12/PSC-annual-report-2014-pp1-7.pdf>

^{xiv} http://www.ucu.org.uk/media/pdf/8/i/Prevent_duty_guidance_Jul15.pdf

^{xv} <http://www.parliament.uk/business/committees/committees-a-z/joint-select/human-rights-committee/news/report-counter-terrorism-and-security-bill/>

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- ^{xvi} <http://www.labour.org.uk/blog/entry/weekly-update-from-jeremy-corbyns-campaign>
- ^{xvii} <https://www.liberty-human-rights.org.uk/human-rights/countering-terrorism>
- ^{xviii} <http://www.publications.parliament.uk/pa/ld201415/ldhansrd/text/150128-0001.htm>
- ^{xix} <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/11692385/Top-security-chief-warns-against-portraying-Muslims-as-intrinsically-extremist.html>
- ^{xx} <http://www.theguardian.com/uk/2008/aug/20/uksecurity.terrorism1>
- ^{xxi} <http://www.independent.co.uk/voices/comment/its-scary-just-how-much-david-ferguson-doesnt-seem-to-understand-extremism-10402276.html>
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- ^{xxiii} <https://yougov.co.uk/news/2014/08/05/sympathy-palestinians-more-common-britain-france-a/>
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