Freedom of speech: extremism & terrorism

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admin

Freedom of speech is a civil liberty at the core of democracy but when it comes down to exercising this right, the reality of upholding this principle can often be fraught with difficult compromises.

There can be no better a contemporary example of this then the recent picking by Islamic extremists throughout Britain who believe the UK would be a better place if we were to replace our current rule of law with Sharia law. Most Muslims believe Sharia law to be either/or derived from the precepts outlined in the Qur'an and the example set by the Prophet Muhammad. The problem is that within Islam there is disagreement over what exactly Sharia law entails in practice.

25 March 2011 - Protesters advocating Shariah law march from the Regents Park London mosque to the American embassy.

At the more moderate end of the spectrum, Islamic scholars such as L. Ali Khan believe that Sharia law is "fully compatible with democracy, provided that religious minorities are protected and the incumbent Islamic leadership remains committed to the right to recall."

Professor H. Patrick Glenn, has argued that in contrast to the entrenched European notions of human rights, constructed from hierarchy and class privilege, Islam rejects these and puts forth the important concept of mutual obligation. The idea of a *rights* culture based on 'mutual obligation' has gained significant traction in recent times, with numerous commentators referring to our 'rights and responsibilities' within society.

But these arguments paint only part of the picture. It is the interpretations of Sharia law by the more fundamentalist elements of Islam that bring us to the issue of freedom of speech. Should these extremist views be allow in society with the risk they could incite some to violence?

There is a small but vocal number of British citizens who interpret Sharia law in a particularly narrow way. Limiting women's rights, outlawing homosexuality and re-instituting particularly barbaric forms of punishment for those unlucky enough to be caught breaking their strict interpretation of 'God's will', are some of their suggestions for British society. While abhorrent these ideas are, it is perhaps the method of delivery, rather then the substance that

leads to question of restricting speech. Hate preaching and inciting violence, can lead to an individual committing a violent terrorist attack or inciting others to commit acts of violence. Using many of the tools available in modern society (Internet & media technologies) the impact of a single person's viewpoint can be shared and accessed much more readily. But even old-fashioned ways of communication in public can be controversial.

In the recent case of *Munim Abdul and Others v DPP* the limitations of freedom of speech in civil society, in this context, was tested. In this case, a group of Islamic extremist picketed a parade in Luton town centre to celebrate the homecoming of troops from Afghanistan. They shouted slogans such as "British soldiers murderers", "Baby killers", rapists all of you." While not charged on the day, later reviewing of their protest on CCTV resulted in five individuals being charged under the Public Order Act. They took this case to the High Court as (amongst other things) a breach of their Human rights under Article 10 – freedom of expression. The Court, however, upheld their conviction stating that although a freedom of expression does exist, it is qualified. Furthermore, freedom of expression carries with it 'duties and responsibilities' and that those enjoying the parade that day also enjoyed rights, namely freedom of peaceful assembly under Article 11. In this case, the Courts have got the balance right between freedom of speech and the rights of others.

This, however, has not stopped Islamic extremist from protesting or reactionary protests by the equally abhorrent English Defence League, who have further inflamed the situation and evoked their own form of terror on the streets.

The Met have recently announced combating the potential for violence (and terror) by banning some groups from protesting during the Royal wedding at the end of the month. Both the EDL and the group known as the 'Muslims against Crusades' will be banned. This is one way to curtail extremist opinion in society but is it the best way and in context of the 'War on Terror' could it be effective in limiting potential new recruits?

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