

In the name of Allah, the Most Beneficent the Most Merciful.

**RESPONSE TO PLACES OF WORSHIP CONSULTATION
'PREVENTING EXTREMISM TOGETHER'**

INTRODUCTION

1. The Muslim Council of Britain (MCB) welcomes the opportunity to respond to the Government's consultation paper on "Preventing Extremism Together - Places of Worship", hereinafter referred to as the "Consultation Paper".
2. The MCB is grateful for having been allowed to lodge its response by the 18th of November, 2005.
3. The comments in the response herein are based upon extensive consultation nationwide across all sections of the community culminating at a special convened conference held at the London Muslim Centre, Whitechapel, on 12 November 2005.
4. The Conference was attended by more than a hundred and fifty leading Ulema and community leaders representing mosques and Islamic institutions from different parts of the country and belonging to various schools of thought within the Muslim community.

PRELIMINARY COMMENTS

5. At the outset the MCB seeks to clarify the notion of 'worship' and 'place of worship' in the Muslim tradition. Islam is a way of life for its adherents and a Muslim's most mundane acts, including earning a livelihood through legitimate means, or acting as a responsible family member, are acts of worship for him or her. The mosque too is multi-faceted, serving as a sacred and clean space for acts of prayer, but also providing counseling, education and other services associated with the life of a community.
6. Muslims deeply respect the sanctity of mosques – it is not a place for lewd behaviour, profanity and aggression. It is a place for meditation and reflection. Muslims take their cue of a mosque from the sacred mosque in Makkah – where visitors are not even allowed to kill a fly.
7. Mosques are open to the public – and non-Muslims are increasingly welcome on open days and events such as 'Islam Awareness Week'. There are several features that perhaps distinguish it from places of worship of other faiths: there are no reserved pews – any member of the congregation can pray standing in any row, irrespective of his or her socio-economic standing. There are no roll-calls or membership cards. Perhaps most uniquely, during the month of Ramadan, there is the practice of persons living in mosques, spending their time in seclusion and prayer vigil for up to 10 days.
8. Britain has about 1100 mosques that are indispensable service providers to a community battling with problems of poverty and inner city deprivation. They often double up as community cultural centres, hosting weddings, cultural events and even offering a forum for local communities to meet their local politicians – Councillors, MPs and MEPs.

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9. Mosques are normally managed by a local, independent mosque committee that takes responsibility for appointment of a prayer leader (often referred to as the imam), and other paid and volunteer staff. Mosque committees themselves are volunteers giving their time out of a sense of civic responsibility. Almost all Mosques are registered with the Charity Commission and are regulated accordingly under both charity and other national laws.
10. Not all mosques are registered charities. Mosques may belong to a council of mosques or can be affiliated to an association of Islamic scholars (ulama). More recently the MCB has been involved in a consultation to standardize terms of employment of imams.

PRELIMINARY COMMENTS ON THIS CONSULTATION

11. The vast majority of respondents have asked the MCB to convey their serious concern with the timing of the launch of the Consultation Paper as well as the short time span allowed for the response.
12. The vast majority of respondents seek to reject the impression - given or a perception created by the Consultation Paper - that the proposed new powers are being put forward in response to demands or requests that have been communicated to you by the Muslim community itself.

The respondents state that there has never been any such demand or request from the Muslim community. The example of raiding the Finsbury Park Mosque went to show two things

- that given a really extreme situation, the police do already have powers to go into any place of worship, and
- we now know that these powers were not exercised judiciously on objective intelligence. There is therefore all the more concern in the community if the Finsbury Park Mosque episode is to be replicated all over.

13. The Consultation Paper was launched on 6 October – a date that fell in the holy month of Ramadan. This is a time when imams and mosque committees are particularly occupied organizing the breaking of the fast, collection of alms and night prayers. This, and a closing date of 11th November, has made the timing less than ideal. To some of our respondents, it has given the impression that the consultation is being undertaken as a matter of formality, and policy is a fait-accompli. Perhaps greater confidence and trust could have been built through consultation on the method of the consultation.
14. The MCB whilst articulating these preliminary concerns expressed by the respondents connected with our consultation process remains confident that the government will give due and proper weight to the responses received and that it will not take action that will not have the support of the Muslim community.

GENERAL COMMENTS

15. The MCB reiterates its oft repeated view that terrorism is incompatible with Islam and that as an organisation that represents the Muslim community in Britain, the MCB as an umbrella body representing 400 mosques, Islamic centres and Muslim associations, condemns in the strongest terms all acts of violence that harm innocent lives or take innocent life.
16. Committed to seeking the common good of the society as a whole, the MCB supports the government in its endeavor to make our citizens safe and secure from terrorist acts and threats.

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17. At the same time the MCB remains as firmly of the view that in order to address terrorism it is absolutely essential to address the causes of terrorism and to desist from adopting knee jerk and hasty policies and solutions.
18. The MCB would wish the government to note that the Muslim community is deeply disturbed that it is associating the evil of violence with their places of worship. This association, we believe, is not only wholly lacking in evidentiary foundation but is also completely contradictory to the fundamentals of all faiths – belief in peace, rejection of violence and good neighbourliness.
19. The MCB would like the government to note that the Muslim community is becoming increasingly concerned with the government's strategy as well as solutions for addressing terrorism, particularly since terrorism is now being equated to "Extremism" and "Radicalisation".
20. The terms "extremism" and "radicalisation" lack objective and accepted definitions and their indiscriminate use in the framing of laws to address terrorism are a matter of huge disquiet. The use of these terms even in the context of preventing terrorism suggests that we are being pushed towards a society where articulation of new, challenging, critical or innovative ideas will be inhibited.
21. The MCB urges the government to reconsider its strategy and solutions because we believe that both are ill-judged and show scant regard for the real and underlying causes of terrorism. Our belief is shared not only by the vast majority of Muslims in the United Kingdom but also large numbers of persons from other faiths and no faith.
22. The MCB has had the advantage of reading the observations made by the Right Reverend Tom Butler, the Bishop of Southwark as reported in Christianity Today – 14 October 2005 with regard to the measures proposed in the Consultation Paper. We share and support his views. The Right Reverend Bishop of Southwark says, "There seems to be only one case in the public domain, Finsbury Park mosque, where any potential link between a place of worship and terrorist activity has been suggested. Even in that case, the problem was resolved by the management committee within the present law." He quite properly points out that "Other places of gathering are far more likely than places of worship to be used for the purposes the government has in mind and one must question why places of worship have been singled out."
23. We therefore feel that mosques are being mis-identified and stereotyped as incubators of violent extremism, while the social reality is that they serve as centres of moderation; the bombers were indoctrinated by a sub-culture outside the mosque; the notion of influential 'back-door' mosques is a figment of the imagination.
24. The MCB has also had the benefit of seeing the response of the Sikh community expressed through British Sikh Consultative Forum to the Consultation Paper and we are pleased to endorse and support the principled stand they have taken.
25. Our belief is that a major factor in the rise and spread of the current tide of terrorism is rooted in our foreign policy and in the double standards of our government in its dealings in the Middle East in partnership with the government of the US. This view has received support from the Task Groups convened by the Home Office. We urge you to accept this fact. We ask you to take urgent remedial action so that our citizens, here as well as in the rest of the world, do not become targets of criminals and murderers who parade as political activists but who surely are nothing other than terrorists.

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26. In this context we remind you of the MCB's request to establish a judicial enquiry - with the authority and remit of what Lord Scarman undertook after the 1981 Brixton riots - to throw light on how and why the events of 7th & 21 July took place, and what should be done to address the root causes.

SUBSTANTIVE RESPONSE

27. We note with interest as well as grave concern that the Consultation Paper appears to make little distinction between terrorism, extremism and radicalisation. For reasons set out herein above we strongly challenge the proposition that "extremism" and "radicalisation" can legitimately be criminalised without severely curtailing the right to free speech and association. We also most strongly believe that "extremism" and "radicalisation" cannot be equated with terrorism as is commonly understood.
28. We do not in the circumstances accept the logic or basis of the suggestion that places of worship are sources of extremism because to do so we would need to accept that worship or faith in itself is a form of extremism. Surely that is not the message or a proposition that the government would support.
29. Terrorism and terrorist activity are phrases that have been subjected to extremely speedy expansion in terms of legal concepts under the relevant legislation in the UK passed since 2000. We have therefore borne these overarching concepts in mind, as we must, (including those in the current Terrorism Bill) in formulating the response to the powers that you propose in the Consultation Paper.
30. We further note that in paragraph 17 you state that you are considering creating a "legal process whereby those controlling a place of worship can be required by an order of the court to take steps to stop certain extremist behaviour occurring in a place of worship (a requirement order)" (emphasis added). It would therefore seem that certain extremist behaviour will become subject to a prohibition but how and what will amount to "certain extremist behaviour" is neither explicitly nor implicitly spelt out in the Consultation Paper or anywhere else. If the intention is to prevent an act of criminality then one can understand but the intention goes manifestly beyond any recognised act of criminality. It is linked to 'extremism' and as we have already stated, there are serious difficulties with this concept.
31. In so far as the substantive aspects of the proposed powers are concerned, we should like you to note that in our full and thorough consultation process we did not receive a single comment in support of your proposal to create this "legal process" of "requirement orders" and "restriction orders." Every one we consulted was unequivocally opposed to your proposals.
32. With regard to the proposed requirement and control orders, the government appears not to have understood that governance of Mosques is a voluntary activity. If there is a serious or real prospect of volunteers getting prosecuted for perceived failures to "control", the impact on availability of volunteers to run mosques will be hugely impaired.
33. All of our respondents believed that the proposals were wholly unnecessary and many seriously questioned the motivation behind these proposals whilst a large number feared that these proposals would lead to instability and anger in the Muslim community.

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34. For Muslims the Mosques are not just places of worship but are also community centres with the whole of the premises being regarded as places to be revered and respected.
35. We should like the government to take serious note of the fact that not a single respondent in our consultation process agreed with the proposition that we had put stating "Mosques in the United Kingdom are being used by extremists to foment extremism."
36. Whilst many agreed with one of the propositions we had put namely "Whether Mosques are used by some users to express opposition to the government policy in Iraq, Afghanistan and Palestine", we see no reason or justification for banning or preventing the expression of such views in places of worship.
37. It was the unanimous view of all those we consulted that the existing powers were adequate to facilitate good governance of Mosques and that those governing the Mosques have sufficient legal and moral authority to exclude "trouble makers". However the need is for a greater responsiveness from the authorities when contacted by a mosque's management.
38. It was also the unanimous view of all that no Mosque would ever become involved in encouraging or commissioning an act of terrorism.
39. All the respondents asked the MCB to make it clear that any state interference with Mosques would be totally unacceptable and would prove completely counterproductive to our united front against terrorism.
40. All the respondents asked the MCB to convey to the government their willingness to improve good governance of Mosques by working with the MCB. The MCB, through its imams focus groups and the expertise of affiliates that run imam training courses (e.g. The Islamic Foundation, Leicester) is in the process of identifying good practice and making this better known through formal and informal means.
41. We also note that the government itself does not appear to understand the meaning and remit of a place of worship. This is evident from one of the Consultation Questions (D). Each faith and sect or group within a faith will have its own understanding and interpretation of "Place of Worship" and besides the principled objections to the proposals in the Consultation Paper, we see huge logistical difficulties in the implementation of any proposals along the lines set out in paragraphs 17 to 22 of the Consultation Paper.
42. We also have reason to believe that the Police do not support these proposals for a number of reasons including the fear that these powers are likely to compromise their serious efforts in creating a relationship of trust and confidence with the Muslim community.

ANSWERS TO THE QUESTIONS ASKED IN THE CONSULTATION PAPER

With reference to the Paragraph 26 of the Consultation Paper, the views communicated to the MCB are summarized below:

- A There is no such problem and the purpose of the question is suspect.
- B The underlying assumption that Mosques are used to "foment extremism" – whatever the term extremism means is false and is rejected.
- C We totally reject the need for the legislative proposals. In our view the proposals are not only unnecessary but are counterproductive and have the serious potential to cause division, fragmentation and disruption in the community.
- D It varies from Mosque to Mosque depending on space as well as school of thought and the background culture.
- E The question is irrelevant in the light of our response to C.

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ANNEXURES

1. As part of this response we append a copy of the 12 Questions that were discussed by the respondents on phone and at our Conference in Focus Groups on 12 November 2005.

Each Focus Group consisting of 20 or more was led by an Alim or Imam (Islamic Leader or Mosque Leader) and assisted by a lawyer from the MCB Legal Affairs Committee. (One page)

2. Results of Survey/Poll of Imams and Members of different Mosque Committees. (One page)
3. A community view of what happened at Finsbury Park Mosque – A specific episode that cannot be the basis for law making (a submission received by the MCB) (One page)

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ANNEXE 1

MCB BRIEFING FOR FOCUS GROUPS ON PLACES OF WORSHIP CONSULTATION

1. Do you believe that Mosques in the United Kingdom are being used by extremists to foment violent extremism?
 2. Has your Mosque had any problem of this kind?
 3. Do you know if Mosques are used by some users to express opposition to government policy on Iraq, Afghanistan and Palestine?
 4. Should Mosques be used for any purpose other than worship and religious education? If yes, please specify those other purposes.
 5. If you believe that Mosques are being misused to incite violence or hatred, how do you think this can be stopped?
 6. If you are involved in managing a Mosque, do you think you have sufficient powers to ensure that your Mosque is not misused?
 7. If you are involved in managing a Mosque, is your Mosque Committee a registered charity?
 8. If you believe that your Committee is not effective in managing the Mosque, what do you think are the reasons?
 9. Would you or your Committee wish to have legal powers to exclude any person who is believed to be a "trouble maker" or one engaged in "inciting violence or hatred" from the Mosque?
 10. If you had such powers, do you think their use would deter "trouble makers" and other such persons from attending the Mosque?
 11. Do you think that by excluding such persons from Mosques, any undesirable actions that they might be planning will be prevented?
 12. Would legal powers to close Mosques that are regarded by the authorities to foment violent extremism be acceptable to you?
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ANNEXE 2

RESULTS OF SURVEY/POLL CONDUCTED AT THE 12 NOVEMBER MCB CONFERENCE

The MCB asked for a show of hands to attendees and obtained an unequivocal 'Yes' to the following propositions put to the floor:

1. Do you believe the MCB should be representing you in this Places of Worship response?
2. Do you believe the Places of Worship proposals could have the effect of alienating the community?
3. Jihad has a variety of meanings. Does your congregation expect you to give guidance and discuss such issues in the Mosque?
4. Does your Mosque have sufficient existing powers to ensure that you are able to control how your mosque is being used?
5. Can the police and the local authorities do more to work with your community locally?

The attendees similarly indicated an unequivocal 'No' to the following propositions:

6. Do you believe that mosques in the UK are being used by extremists to foment violent extremism?
7. Has your mosque ever been used to foment violent extremism?
8. Do you believe the Government should be able to control what you say about Jihad?

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ANNEXE 3

A COMMUNITY VIEW OF WHAT HAPPENED AT FINSBURY PARK MOSQUE

- a specific episode that cannot not be the basis for law-making (submission received by the MCB)

The Finsbury Park Mosque on St. Thomas's Road, Finsbury Park was among London's first purpose built mosques when it was opened in 1993. It was managed by a registered charity but due to disagreements amongst the trustees, the institution became poorly managed. In the resulting vacuum, one Abu Hamza - through intimidation and strong-arm tactics was able to take over the building in 1996, creating no-go zones for the trustees and physically ejecting them from the building. Abu Hamza collected around him supporters, including those dabbling in petty crimes and forgeries. The trustees pressed the Charity Commissioners to intervene but action became protracted over the years.

According to one trustee, Mufti Barkatulla, "we tried to get him arrested but he is never apprehended. I asked Scotland Yard what they were doing. There was suspicion the police had another agenda". Images of Abu Hamza were widely used by the media to shape public opinion and tar Muslims as a whole. The mosque was subject to a dramatic 2 am raid in January 2003. The Police did not take action when Abu Hamza and supporters commenced conducting prayers on the street outside. The mosque reverted to legitimate management in April 2004.

Why was the Finsbury Park Mosque allowed to fester from 1996 to 2004?

Muslim doubts and apprehensions are shared by leading Security experts

1. The Financial Times, 20th January 2005

"Officials see the prevention of attacks and the use of robust means to make it known to radicals they are being watched as more important than the preservation of harmonious relations with the Muslim community".

This is a chilling revelation - the 'robust means' presumably refers to a host of stratagems from arrests under the anti-terrorism laws to use of the media for scare-mongering. Muslims in Britain have had to bear the cost of such a policing policy - its demonisation in the media and life in a climate of suspicion. The robust means were well-exemplified in the raid on the Finsbury Park mosque on 19th January 2003, a few days following the similarly well-publicised Ricin scare: "about 150 Metropolitan police officers, many in body armour and supported by a helicopter and specialist firearms teams in surrounding streets, used a battering ram as they stormed the building at around 2 am" (from media coverage of the event). As was noted by a correspondent in The Guardian, "it [the raid] would appear to have been designed to send a particular signal to the Muslim communities in the UK, and to assure the host community that 'something was being done' domestically in the war on terrorism".

2. The Guardian, 26th August 2005

"The 'covenant of security' between the British authorities and leaders of Muslim communities was a well-understood compromise. There would be high levels of toleration in exchange for self-policing... Not least, the "covenant of security" is favoured by most of the security services - it encourages local communities to join the intelligence effort and allows interesting individuals to be monitored more easily. US authorities were exasperated at the way that Abu Hamza was allowed to preach to a large crowd of radical followers every Friday outside the Finsbury Park mosque. But for a British spook, this kind of weekly photo opportunity is worth its weight in gold, and probably far harder to find with Abu Hamza now in custody, pending extradition to the US