



LEEDS
BECKETT
UNIVERSITY

Citation:

Lowe, D (2024) New UK Definition of Extremism: Is It Fit For Purpose? Expert Witness Journal (56). pp. 79-82. ISSN 2397-2769

Link to Leeds Beckett Repository record:

<https://eprints.leedsbeckett.ac.uk/id/eprint/11180/>

Document Version:

Article (Accepted Version)

The aim of the Leeds Beckett Repository is to provide open access to our research, as required by funder policies and permitted by publishers and copyright law.

The Leeds Beckett repository holds a wide range of publications, each of which has been checked for copyright and the relevant embargo period has been applied by the Research Services team.

We operate on a standard take-down policy. If you are the author or publisher of an output and you would like it removed from the repository, please [contact us](#) and we will investigate on a case-by-case basis.

Each thesis in the repository has been cleared where necessary by the author for third party copyright. If you would like a thesis to be removed from the repository or believe there is an issue with copyright, please contact us on openaccess@leedsbeckett.ac.uk and we will investigate on a case-by-case basis.

New UK Definition of Extremism: Is It Fit For Purpose?

David Lowe Leeds Beckett University Law School

Introduction

This article examines the UK's current definition of extremism that was introduced to Parliament in March 2024, assessing if it is fit for purpose. Beginning with, a comparison with the 2013 definition, terms within the new definition are examined. In the UK no legislation has been introduced relating to extremism and as a result there is no law-based definition. The definitions discussed are from government policies, but they are still important as the current definition guides practitioners working in this area such as those involved in the Prevent strategy or even the courts where it is being determined if a defendant in a terrorism criminal case has been imbued with an extremist ideology. After examining terms used in the current definition that appears to widen the definition thereby bringing in groups and ideology that one would not normally associate with extremism, the article examines four extremist ideologies that pose a direct threat and recommends the definition be revisited using these four groups as the foundation in defining extremism.

New Definition

In March 2024, the former Minister for the Department for Levelling Up, Housing and Communities, Michael Gove introduced to Parliament a new definition of extremism that states:

‘Extremism is the promotion or advancement of an ideology based on violence, hatred or intolerance, that aims to:

1. negate or destroy the fundamental rights and freedoms of others; or
2. undermine, overturn or replace the UK's system of liberal parliamentary democracy and democratic rights; or
3. intentionally create a permissive environment for others to achieve the results in (1) or (2).’

This replaced the 2013 definition of extremism in the UK that was:

‘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.’

When it was proposed there was to be a change in the 2013 definition there was a cautious welcome as one phrase in the 2013 definition that courted controversy was the term 'fundamental British values'. In essence this term raised the question as to what is meant by British values as it is quite a subjective term. Also, some UK communities felt alienated by this term, in particular the Muslim community especially as up 2011 the Prevent strategy was solely aimed at preventing people becoming imbued with extremist ideology being drawn towards terrorist activity only focused on the Islamist ideology. Regarding Prevent referrals, in 2011 this was changed to include all forms of extremism.

While it is welcome the term fundamental British values has been dropped, the current definition has raised concern that it is wider than its predecessor. In the opening sentence, alongside promoting or advancing an ideology based on violence or hatred is the term intolerance. In defining extremism, the inclusion that promoting violence or hatred is clearly appropriate, but it is questionable if it should include intolerance where the dictionary definition states that intolerance is an 'unwillingness to accept views, beliefs, or behaviour that differ from one's own'. In the UK case of *Redmond-Bate v DPP* [1999] EWHC Admin 733 where the court examined types of speech that is protected under the right to freedom of expression under article 10 European Convention on Human Rights, Lord Justice Sedley held:

'Freedom of speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative, provided it does not tend to provoke violence. *Freedom only to speak inoffensively is not worth having.*' [My emphasis]

It is worth a moment to consider some of these terms in the judgement. Heretical, unwelcome and provocative are views that could be deemed to be intolerant of mainstream thinking and practice. An example of this is those with ardent pro-life views who protest at abortion clinics whose views negate the freedoms of those who wish to have an abortion or those working at the clinics. Among the examples Micheal Gove gave when presenting the new definition, he included the group Muslim Engagement and Development (MEND).

MEND's aims includes:

1. An encouragement of voter registration and political engagement by British Muslims so that through civic involvement Muslims can responsibly exercise their duty in working for the common good.
2. To enable active citizenship and participation by British Muslims in furtherance of its aims to create a more inclusive and tolerant Britain.

3. The development of a Britain in which all members of society are valued and respected whatever their religious, racial or ethnic background, gender or sexual orientation.

As MEND look to bring about change through democratic processes, it seems to be a paradox that this group was included in Gove's examples. In relation to the right, he also mentioned the British nationalist group, Patriotic Alternative (PA) as another example of extremists. When looking at PA's policies that includes:

1. The right to protect and control UK borders.
2. Protect freedom of expression.
3. Protect public space from nudity, sexual activity and indecency.
4. Provide a welfare system that is a safety net for those who have fallen on hard times, not to be a way of life.
5. The right to religious freedom that includes the right to worship freely and wear religious symbols and clothing in public spaces.
6. The protection and well-being of animals living within captivity,

prima facie most of the above could be said to be the Conservative Party's views, for example as seen with the Rwanda scheme for illegal immigrants aimed at controlling UK borders. Not being naïve, when you look deeper into the policies there is a far-right agenda driving this group. However, on PA's website the group have made it clear that any of their members who use violence or incite hatred to further their cause will be expelled from the group. Again, while you, as I do, disagree with the ideology of PA where some of their views may seem contentious, unwelcome, and provocative, as they do not condone violence or incitement to hatred, in a liberal democracy they have their right to express it.

It does appear the terms 'intolerance', 'negate' and 'undermine' widen the parameters of extremism to include views and beliefs that are outside mainstream thinking but whose views and ideology is within the protection of the right to freedom of expression. In relation to the term 'undermine', from the dictionary definition it means to lessen the effectiveness, power, or ability of, especially gradually or insidiously. Again, this term is contentious in relation to determining what amounts to extremism. For example, a government in the process of legislating on an issue that in itself is controversial is likely to result in protests where the protesters lawfully assemble (article 11 ECHR) and express the opposition to that legislation within the parameters of freedom of expression will want to lessen the effectiveness and ability of the government to pass that legislation. To counter this view

some will argue that the desire is to undermine insidiously, but being insidious is not the only approach taken in undermining.

An example of how widely the new definition of extremism is wider was when in May 2024 the former Prime Minister, Rishi Sunak stated that Scottish Nationalists were extremists because they want to break up the UK. After expressing this view, at the next Prime Minister's questions the leader of the Scottish National Party in Westminster raised this with Sunak. Applying Sunak's reasoning the same can be said of political parties like Plaid Cymru who want independence for Wales or even the SDLP in Northern Ireland who have it in their constitution the unification of the Irish 32 counties, all of whom want to break up the UK, even though they are a UK political party whose MP's take their seats at Westminster. Not only was Sunak's interpretation of extremism misinformed, but it was ludicrous to suggest this as these political parties want to bring about change through lawful democratic processes. In relation to extremism, it is preferable to focus mainly on groups and ideologies that do promote hate and violence to overturn or replace the UK's or any other system of liberal parliamentary democracy.

Identifying Extremism That Promotes Hate and Violence

In assessing and identifying extremism the first step is in identifying ideologies that pose a potential threat to state security. This can be commenced in examining where extremists expertly exploit various forms of electronic communications by distorting issues related to current events and affairs to misinform as fact, drawing in and exploiting innocent citizens, including the vulnerable, children and young people. It is submitted the main threat to the state emanate with these four ideologies:

1. Islamist ideology. Predominantly linked to groups such as Al Qaeda and Islamic State (aka Daesh);
2. Extreme Far-Left;
3. Involuntary Celibate (aka in-cel)
4. Extreme Far-Right.

Islamist Ideology

It is important to differentiate between the terms Islamism and Islamic. The term Islamic is related to the religion of Islam that poses no threat, whereas Islamist is the ideology that can be perceived as extremist. Examples of Islamist groups are Al Qaeda and Islamic State.

Islamist groups are predominantly Sunni Muslims that follow the Salafist approach to Islam. Salafis are a strictly orthodox Sunni Muslim sect advocating a return to the early Islam of the Qur'an and Sunna. They believe themselves to be the only correct interpreters of the Qur'an and see moderate Muslims as infidels. They also seek to convert all Muslims (including Shia and Kurdish Muslims) to ensure that its one fundamental version of Islam will dominate the world. As we have seen with groups like Islamic State, if they refuse to do this, they will run a pogrom against the likes of Shia and Kurdish Muslims. Islamists also want to introduce Sharia Law, which they say is God's immutable divine law that cannot be criticised but can be contrasted with Fiqh (human scholarly interpretation). In Sharia Law there is no freedom of religion, freedom of speech and no equality rights. Under Sharia Law, criticising or leaving Islam or criticising the Prophet Mohammad is punishable by death, allows for beating disobedient wives, public hanging of homosexuals and persecution of those who do not believe in Islam. This ideology is not compatible with the principles of a liberal democracy, who they want to overthrow and is a threat to state security as well as influencing hate speech and crime. Currently all European states are under a security threat posed by extremists, and it is the Islamist threat that is the main threat, underpinning the current terrorist threat level in European states.

Extreme Far-Left

Extreme far-left ideology seeks to do away with the existing state and social order, and therefore with the free democratic basic order. They want to replace it with a communist system or an anarchist society without rulers. All left-wing extremists agree that capitalism is the root of all evil that must be fought and eliminated. In relation to capitalism the extreme far-left see as inseparable the union of the market-based system of ownership and the democratic state governed by the rule of law. The sole purpose of this union, they say, is to consolidate relations of exploitation and oppression. This is why they consider capitalism to be incompatible with the idea of a society that is based on freedom and equality for all people. The extreme far-left believe that overcoming capitalism is not possible through political reforms or the democratic process but can only be achieved by violently overthrowing the existing state and social order.

There are two categories within the extreme far-left movement. One is the autonomists, who reject all forms of external control. They regard all types of state and rule as equally authoritarian and think that they should be replaced with an order free of domination. Within their free spaces, autonomists desire to adopt alternative ways of life that are aligned with their own ideals. This includes rejecting and keeping away those in charge of law and order that includes the presence of the police. The second are anarchists who totally reject the subjugation of human beings by other human beings. This includes all forms of state rule, including those within liberal democracies. Anarchists believe the values of freedom and equality should exist without restriction in a state and social order that is entirely free of any domination. In achieving free spaces within a given state system, anarchists seek to overcome nation states and the forms of rule established in them which includes free democracy. Anarchists believe that it is only through violent revolution that an anarchist society can be brought about.

An example of the danger the extreme far-left pose was recently seen in the UK. Deeply imbued with the extreme far-left ideology, Jacob Graham from Liverpool was convicted in March 2024 for planning and preparing acts of terrorism. His plan was to carry out a bombing campaign aimed at killing over 50 people and to assist others linked to the extreme far-left to carry out attacks. He wrote and published a manifesto that he stated was written for extreme far-left anarchists. It is an ideology whose threat to state security cannot be ignored and would meet the criteria for extremism in the new definition.

Involuntary Celibate (incel) Movement

Incels movement can be traced back to 2014 with the murder of six women in Santa Barbara, California by Elliot Rodger, who is revered by incels globally. Incels hold misogynistic views stating the sexual revolution made women promiscuous and manipulative, fuelled by:

1. Feminism;
2. Contraceptive pill; and
3. Women's involvement in politics.

Incels claim that feminine values have dominated society and men must fight back against politically correct and misandrist values in order to preserve male culture.

While there have been no incidents involving those imbued with the incel ideology in Europe, there have been several incel inspired attacks in the US and Canada. In relation to Europe, in the UK Jake Davison went on a shooting spree killing four people in August 2021. From the police investigation it was found that Davison was imbued with the incel ideology, finding what he downloaded on his electronic devices were linked to incel sites and videos he posted glorifying Elliott Rodger. At his trial in 2023, there was no evidence the murders were inspired by Davison's incel view, it was a result of a domestic dispute with his mother. Although this incident was not incel inspired, there is the potential for this extremist ideology to influence incel lone actors to commit acts of violence as seen in Toronto, Canada. On one occasion a 17-year-old incel inspired male committed murder in 2020. At his trial it was treated as an act of terrorism and in 2023 Ontario's Superior Court held it was an act of terrorism saying incel is an extremist ideology which motivates terrorist activity.

The Right

When examining what is labelled as far-right, it is useful to break it down into three categories:

1. Right wing populism – examples include the UK's Reform Party and Swedish Democrats in Sweden.
2. Far-Right. Nationalist groups that are anti-Islam, but not necessarily anti-Muslim, anti-immigration, but not necessarily racist and many are anti-EU due to their nationalist view in seeing the EU as eroding national identity.
3. Extreme far-right – these are white supremacist, neo-Nazi groups, many of whom are proscribed/listed as terrorist organisations in European states.

Right Wing Populism and the Far Right

Both right wing populist and far-right political ideology have entered mainstream politics in many European states. In the UK this has occurred with the Reform Party who, following the 2024 General Election have five MPs. Other examples include Italy with The Brothers of Italy party who formed a government in 2022 with Georgia Meloni as its Prime Minister and in the 2024 EU Parliament elections The Brothers of Italy increased their number of MEPs to 24. In the Netherlands, the People's Party for Freedom, led by Geert Wilders has the largest number of seats in the Dutch Parliament with Wilders currently organising a coalition government and gained 6 MEP seats in the 2024 EU parliament elections. In France the National Rally Party led by Marine le Pen secured 30 MEPs in the 2024 EU Parliament

elections. This led French President Macron to call a general election where at the time of writing it appears National Rally are the third largest political party with a total of 142 seats, an increase of 53, in the French Parliament. A similar pattern occurred in Austria where the Freedom Party gained a further 3 MEPs in the June 2024 EU elections, totalling 6 MEP's and in Germany where, having 92 seats in the Reichstag, 15 MEPs from the Alternative fur Deutschland party were elected. Two key political issues have brought about this electoral success, one is immigration with the second, linked to immigration, the influence of Islamist ideology is having among some of European states' citizens, that is eroding traditional national culture. The latter has been exacerbated with the current pro-Palestinian protests where some protesters have been calling support for the groups Hamas that is proscribed/listed as a terrorist organisation in most European countries. As these political parties are seeking change through legitimate democratic processes under the rule of law, it is problematic to label them as extremists.

Extreme Far-Right

In relation to the extreme far-right it is important to identify and recognise the variations that can incorrectly label groups and individuals connected with the right. In identifying the extreme far-right, these are individuals and groups directly linked to white supremacist, neo-Nazi ideology. In essence this ideology is racist, anti-Semitic, anti-Zionist, anti-Muslim, homophobic and anti-EU seeing liberal democracies and multicultural society as weak that needs violently overthrowing. In addition to this, like the Islamist ideology, the extreme far-right are increasingly becoming internationalised. Examples of the threat the extreme far-right pose includes the murder of politicians who advocated liberal democratic principles with the killing of UK MP Jo Cox in June 2016 by Thomas Mair and the murder of German Christian Democratic Union politician, Walter Lubcke in June 2019 by Stephan Ernst, where both Mair and Ernst were deeply imbued with the neo-Nazi ideology. In December 2022 the group Reichsburger planned a coup d 'tat of the German government. Again, in the UK, Jack Renshaw was convicted in 2019 for planning and preparing acts of terrorism where he planned to kill UK MP Rosie Cooper. On 24 April 2024 in Sweden members of the Nordic Resistance Movement entered an event organized by the Left Party outside of Stockholm where they attacked the event's 50 participants. After vandalizing the property, the members set off smoke bombs before fleeing the scene. Three of the Left Party participants

were injured and taken to the hospital. The Nordic Resistance Movement is a good example of how neo-Nazi groups are increasingly becoming transnational in nature having chapters in Norway and Finland along with support from neo-Nazis in Denmark and Iceland. This is not unique to this group, the US neo-Nazi group, Atomwaffen is proscribed as a terrorist organisation in the UK and is another example of the growing transnational threat the extreme far-right pose as Atomwaffen were responsible in forming chapters in the UK (Sonnenkreig Division) and in other European states (Feurekreig Division). Clearly, it is the direct threat posed by the extreme far-right's ideology that meets the current UK definition of extremism.

Conclusion

Determining forms of extremism that pose a threat is a fine balancing act in assessing if what they say or believe in is protected under freedom of expression. One might not like what some extremists espouse and may be offended by it, but crucial to determining extremism that poses a threat is if it promotes violence or incites hate. That violence includes overthrowing liberal democratic democracies. The examples Micheal Gove gave did not seem to meet this criterion, even though you may suspect there is an underlying intent with the groups he mentioned to promote violence and hate, there is no evidence of it. It is important that extremism definitions do not widen to the point that what is legitimate protest or expressions from minority opinion groups that are not part of mainstream thinking are included in this. One absurdity and an example of how the new extremism definition can be misinterpreted was seen with Rishi Sunak's statement that Scottish nationalists were extremists. It is submitted that in its current format, due to the terms 'intolerance', 'negate' and 'undermine', the definition needs to be amended to ensure it is fit for purpose. As stated, the best starting point in determining what amounts to extremism is to focus on groups and ideologies that do pose a threat to the state and its citizens' safety such as those covered above.