In November 2018, the All Party Parliamentary Group (APPG) on British Muslims released a report ‘Islamophobia Defined’, urging the government to adopt a legal definition of Islamophobia. Certainly, anti-Muslim hatred and discrimination need to be addressed, but the report and its definition are problematic and only likely to make the problem worse.

The definition

The proposed definition from the APPG is as follows:

“Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.”

‘Cultural racism’

Tellingly, there is no attempt to define ‘Islam’ in the APPG report. What they have done instead is racialise Islam so as to make Islamophobia a form of racism. It does not matter that Islam is not a race, or that many Muslims do not see themselves as anything like a separate race. The authors want Islamophobia to be seen as racist. The report explains:

“The concept of racialisation thus situates Islamophobia within anti-racism discourse which is not however just informed by biological race, but by a culture – broadly defined – that is perceived to be inferior to and by the dominant one.” (p39)

The idea is to define ‘Islamophobia’ as ‘cultural racism’, making it unacceptable to criticise Islamic culture or practices. By this definition, viewing a culture that gives less rights to women as inferior to one where women have more rights would be Islamophobic. Expressing that it is better for women not to have to cover their faces would also be Islamophobic. Arguing that polygamy should be outlawed because it is bad for society would also be Islamophobic. One would not even be able to say that UK law is preferable to sharia law. Once we agree to the concept of ‘cultural racism’ and Islamophobia defined in this way, we lose the freedom to criticise Islamic culture.

What is Muslimness?

The definition of Islamophobia hinges on ‘Muslimness’. What exactly constitutes ‘Muslimness’ is left undefined, perhaps deliberately so. The proposed definition of Islamophobia is actually rooted in “perceived Muslimness”, making it entirely subjective. It is not clear whether the “perceived Muslimness” is perceived by the perpetrator or the victim. Presumably ‘Muslimness’ is perceived by appearance, though it is not the case that all Muslims wear distinctive clothing.

Sara Khan, Lead Commissioner for Countering Extremism, has written:

“A narrow understanding of “Muslimness” leaves behind those Muslims who, because of how they choose to live their lives or practise their religion, don’t have a “Muslimness” that other Muslims find acceptable.”

This is a stark warning. Ofsted have been accused of Islamophobia for questioning whether young girls should wear the hijab at school (p55). What about Muslims who do not want their girls to wear the hijab?
It seems that according to this definition, it is impossible for Muslims to be Islamophobic. What about attempts by hard-line Muslims to police the behaviour of others? What about hatred of Muslims for being the wrong type of Muslim? As Sara Khan comments:

“Other Muslims boycott Ahmadiyyah businesses and restaurants, bully Ahmadiyyah children at school, and distribute leaflets calling for their death. If this abuse was experienced by Muslims at the hands of non-Muslims, it would be perceived as anti-Muslim hatred; why should it be any different just because the perpetrators are Muslims themselves?”

Who is an Islamophobe?

The list of those who have been accused of being Islamophobic is long and illustrious. For example, there’s Theresa May; Tony Blair; Her Majesty’s Chief Inspector of Education, Amanda Spielman; Sarah Champion, MP for Rotherham, who spoke out about Islamic grooming gangs; Maajid Nawaz, founder of Quilliam; and Sadiq Kahn, Mayor of London. An accusation of Islamophobia seems to be made against anyone who raises questions about Islamic beliefs or practices. There is no attempt in the APPG report to determine when accusations of Islamophobia would be inappropriate.

The problem with Islamophobia

The Casey Review highlighted the problem with Islamophobia:

“Too many public institutions, national and local, state and non-state, have gone so far to accommodate diversity and freedom of expression that they have ignored or even condoned regressive, divisive and harmful cultural and religious practices, for fear of being branded racist or Islamophobic. …”

“At its most serious, it might mean public sector leaders ignoring harm or denying abuse.”

This is the real problem – fear of being branded Islamophobic. Perhaps we should call this Islamophobiaphobia? At its worst is has meant that public sector institutions have been reluctant to tackle Islamic rape gangs because of Islamophobiaphobia, leaving more girls to be abused.

What about free speech?

The APPG report pays lip service to free speech claiming that it does not intend to curtail free speech or criticism of Islam as a religion (p11). It noted that many responses focused on the issue of free speech “with particular emphasis on whether the term is or could be used to silence legitimate criticism of the religion.” (p34). The National Secular Society objected that “‘Islamophobia’ confuses hatred of, and discrimination against Muslims with criticism of Islam.” (p34). This is a serious problem. As it stands, people who criticise Islamic teachings, beliefs or practices are often labelled Islamophobic. The report makes no mention of whether criticism of Muhammad should be deemed Islamophobic.

But then the report wants to prohibit criticism of Islam, if that criticism is perceived to be humiliating or marginalising to Muslims:

“As such, the recourse to the notion of free speech and a supposed right to criticise Islam results in nothing more than another subtle form of anti-Muslim racism, whereby the
criticism humiliates, marginalises, and stigmatises Muslims. One, real life example of this concerns the issue of ‘grooming gangs’.”

“Participants reported being told that ‘Mohammed is a paedophile’, for instance. This comment does not, in a strictly grammatical sense, have the victim themselves as subject, but is rather an example of the ‘criticism of Islam’ as it is actually articulated and experienced. Yet, clearly, it is aimed at (and can achieve) harm to individual Muslims, and is not rooted in any meaningful theological debate but rather in a racist attempt to ‘other’ Muslims in general, associating them with the crime our society sees as most abhorrent of all.” (p35)

What is being referred to here, as the report acknowledges, is actually criticism of Muhammad, not of Muslims. It is also criticism of Muhammad that is based on Islamic traditions. It appears then that the authors of the report do want to silence criticism of Islam or of Muhammad and that they consider that such criticism should be called Islamophobic even if it is rooted in Islamic teaching. This is therefore a flagrant attempt to curtail free speech.

**Loyalty to Ummah**

Amongst a list of examples of Islamophobia is this one:

“Accusing Muslim citizens of being more loyal to the ‘Ummah’ (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.” (p56)

This would mean that the Casey Review would be Islamophobic for reporting:

“We found a growing sense of grievance among sections of the Muslim population, and a stronger sense of identification with the plight of the ‘Ummah’, or global Muslim community.”

Reporting of factual information like this would be censored as Islamophobic under this definition.

**Historians threatened**

Historian Tom Holland highlighted in a strongly worded twitter thread the problems that the definition would create for historians. Holland has written about the origins of Islam and has been accused of Islamophobia and even received death threats for his work. In one of his tweets he wrote:

“The definition of Islamophobia the Government is being asked to approve is one that threatens to criminalise ‘claims of Muslims spreading Islam by the sword or subjugating minority groups under their rule’. But most Muslims, for most of history, would have been fine with these claims.”

Other tweets continued:

“The definition of Islam we are being given is of a liberalised, westernised Islam - but Islamic civilisation is not to be defined solely by liberal, Western standards. Military conquest & the subjugation of minority groups have absolutely been features of Islamic imperialism.”
“We risk the ludicrous situation of being able to write without fear of prosecution about the Christian tradition of crusading or anti-semitism, but not the Islamic tradition of jihad or the jizya.”

Holland’s points need to be taken very seriously indeed.

**Police also concerned**

An article in *The Times* revealed that another letter to Theresa May had been written by Martin Hewitt, chairman of the National Police Chiefs’ Council, warning her that adoption of this definition would hamper counter-terrorism efforts:

“Mr Hewitt also tells the prime minister that counterterrorism specialists worry that the definition could lead to judicial review of terror legislation, perhaps rendering even efforts to curb the distribution of extremist material technically Islamophobic. Representatives from counterterror policing, he notes, were not invited to give evidence to the parliamentary group.”

Richard Walton, former Head of Counter-Terrorism Command of the Metropolitan Police has also warned that adopting this definition would “over time cripple the UK’s successful counter-terrorism strategy and counter-terrorism operations.”

“The APPG definition would thwart the prosecution of individuals for possession of extremist material and dissemination of terrorist publications; even prosecution for membership of (and encouragement of support for) proscribed terrorist groups. Imagine how Anjem Choudary might have used the label ‘Islamophobic’ in his defence.”

The impact of adopting this definition on our security services should not be taken lightly.

**The proliferation of phobias**

As Christians we believe there is no place for hatred or antagonism towards individuals. When it comes to ideologies or religions, however, freedom of speech requires that we must be able to criticise each other’s beliefs in the strongest terms.

There is a problem of competing victimhoods in our society, seen in accusations of homophobia, Islamophobia, transphobia etc. Accusations which sometimes have merit, and other times are used to shut down debate. There is no place for racism or for discrimination against individuals because of their beliefs. As Christians, we do not want to get into a competition for victim status, so I personally am uncomfortable with the term ‘Christianophobia’ for similar reasons to my objections to ‘Islamophobia’. ‘Christianophobia’ can also be used to silence criticism of Christianity or of the beliefs and practices of Christians.

**No definition needed**

The problem with defining ‘Islamophobia’ is that any definition will not get away from the word being interpreted as encompassing criticism of Islam. The word references ‘Islam’ rather than ‘Muslims’ and therefore will always be used in ways which conflate attitudes towards Islam and attitudes towards Muslims.
We already have laws which cover religiously motivated hate crime, incitement to religious hatred, and discrimination because of a person’s religion or belief. There is no need to specify a definition of Islamophobia in law. Furthermore, Freedom of Information inquiries have found that some crimes recorded by the police as ‘Islamophobic’ were actually committed against Christians, Sikhs, Hindus, atheists, and even Jews. This kind of problem will only increase with a legal definition based on perception.

‘Anti-Muslim’ is a better term

The Network of Sikh organisations, in its submission to the Home Affairs Committee Islamophobia inquiry, said:

“We are of the view that ‘anti-Muslim’ hatred (like ‘anti-Sikh’ or ‘anti-Hindu’) is much clearer language to describe hate crime specifically against the Muslim community.”

One advantage of using ‘anti-Muslim’ is that it makes clear that it is directed against Muslims as individuals rather than against Islam as a religion. One could also use the term anti-Christian.

Islamic blasphemy law

Defining Islamophobia in law as a form of ‘cultural racism’ will seriously inhibit free speech. It will protect Islam and Islamic culture from criticism and will create what is in effect an Islamic blasphemy law. We urge the government to resist the pressure to define Islamophobia in law. If Islamophobia is defined according to the APPG report, then the freedom to criticise Islam will be lost.

June 2019
APPENDIX

Open Letter: APPG Islamophobia
Definition Threatens Civil Liberties

Addressed to the Home Secretary Sajid Javid

The APPG on British Muslims’ definition of Islamophobia has now been adopted by the Labour Party, the Liberal Democrats Federal board, Plaid Cymru and the Mayor of London, as well as several local councils. All of this is occurring before the Home Affairs Select Committee has been able to assess the evidence for and against the adoption of the definition nationally. Meanwhile the Conservatives are having their own debate about rooting out Islamophobia from the party.

According to the APPG definition, “Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness”.

With this definition in hand, it is perhaps no surprise that following the horrific attack on a mosque in Christchurch, New Zealand, some place responsibility for the atrocity on the pens of journalists and academics who have criticised Islamic beliefs and practices, commented on or investigated Islamist extremism.

The undersigned unequivocally, unreservedly and emphatically condemn acts of violence against Muslims, and recognise the urgent need to deal with anti-Muslim hatred. However, we are extremely concerned about the uncritical and hasty adoption of the APPG’s definition of Islamophobia.

This vague and expansive definition is being taken on without an adequate scrutiny or proper consideration of its negative consequences for freedom of expression, and academic and journalistic freedom. The definition will also undermine social cohesion – fuelling the very bigotry against Muslims which it is designed to prevent.

We are concerned that allegations of Islamophobia will be, indeed already are being, used to effectively shield Islamic beliefs and even extremists from criticism, and that formalising this definition will result in it being employed effectively as something of a backdoor blasphemy law.

The accusation of Islamophobia has already been used against those opposing religious and gender segregation in education, the hijab, halal slaughter on the grounds of animal welfare, LGBT rights campaigners opposing Muslim views on homosexuality, ex-Muslims and feminists opposing Islamic views and practices relating to women, as well as those concerned about the issue of grooming gangs. It has been used against journalists who investigate Islamism, Muslims working in counterextremism, schools and Ofsted for resisting conservative religious pressure and enforcing gender equality.

Evidently abuse, harmful practices, or the activities of groups and individuals which promote ideas contrary to British values are far more likely to go unreported as a result of fear of being called Islamophobic. This will only increase if the APPG definition is formally adopted in law.
We are concerned that the definition will be used to shut down legitimate criticism and investigation. While the APPG authors have assured that it does not wish to infringe free speech, the entire content of the report, the definition itself, and early signs of how it would be used, suggest that it certainly would. Civil liberties should not be treated as an afterthought in the effort to tackle anti-Muslim prejudice.

The conflation of race and religion employed under the confused concept of ‘cultural racism’ expands the definition beyond anti-Muslim hatred to include ‘illegitimate’ criticism of the Islamic religion. The concept of Muslimness can effectively be transferred to Muslim practices and beliefs, allowing the report to claim that criticism of Islam is instrumentalised to hurt Muslims.

No religion should be given special protection against criticism. Like anti-Sikh, anti-Christian, or anti-Hindu hatred, we believe the term anti-Muslim hatred is more appropriate and less likely to infringe on free speech. A proliferation of ‘phobias’ is not desirable, as already stated by Sikh and Christian organisations who recognise the importance of free discussion about their beliefs.

Current legislative provisions are sufficient, as the law already protects individuals against attacks and unlawful discrimination on the basis of their religion. Rather than helping, this definition is likely to create a climate of self-censorship whereby people are fearful of criticising Islam and Islamic beliefs. It will therefore effectively shut down open discussions about matters of public interest. It will only aggravate community tensions further and is therefore no long term solution.

If this definition is adopted the government will likely turn to self-appointed ‘representatives of the community’ to define ‘Muslimness’. This is clearly open to abuse. The APPG already entirely overlooked Muslims who are often considered to be “insufficiently Muslim” by other Muslims, moderates, liberals, reformers and the Ahmadiyyah, who often suffer persecution and violence at the hands of other Muslims.

For all these reasons, the APPG definition of Islamophobia is deeply problematic and unfit for purpose. Acceptance of this definition will only serve to aggravate community tensions and to inhibit free speech about matters of fundamental importance. We urge the government, political parties, local councils and other organisations to reject this flawed proposed definition.

Signatories

Emma Webb, Civitas

Hardeep Singh, Network of Sikh Organisations (NSOUK)

Lord Singh of Wimbledon

Tim Dieppe, Christian Concern

Stephen Evans, National Secular Society (NSS)

Sadia Hameed, Council of Ex-Muslims of Britain (CEMB)

Prof. Paul Cliteur, candidate for the Dutch Senate, Professor of Law, University of Leiden
Brendan O’Neill, Editor of Spiked
Maajid Nawaz, Founder, Quilliam International
Rt. Rev’d Dr Gavin Ashenden
Pragna Patel, director of Southall Black Sisters
Professor Richard Dawkins
Rahila Gupta, author and Journalist
Peter Whittle, founder and director of New Culture Forum
Trupti Patel, President of Hindu Forum of Britain
Dr Lakshmi Vyas, President Hindu Forum of Europe
Harsha Shukla MBE, President Hindu Council of North UK
Tarang Shelat, President Hindu Council of Birmingham
Ashvin Patel, Chairman, Hindu Forum (Walsall)
Ana Gonzalez, partner at Wilson Solicitors LLP
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Wilson Chowdhry, British Pakistani Christian Association
Ashish Joshi, Sikh Media Monitoring Group
Satish K Sharma, National Council of Hindu Temples
Rumy Hasan, Academic and author
Amina Lone, Co-Director, Social Action and Research Foundation
Peter Tatchell, Peter Tatchell Foundation
Seyran Ates, Imam
Gina Khan, One Law for All
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