



Islamophobia, Islamist Extremism, and Free Speech

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Introduction

There can be no doubt that Muslims in the west suffer discrimination and other forms of unwarranted hostility because of their faith nor that this should be dealt with robustly wherever it occurs. But awareness of this problem has, regrettably, given rise to a much less-worthy corollary – the widely-held assumption that any criticism of Muslims and/or Islam is 'Islamophobic' and should not be tolerated. An unholy alliance unites some very disparate elements promoting this view. One, a minority of 'militant', 'fundamentalist' or 'extremist' Muslims and 'Islamists', shrewdly recognises that their antagonism towards the west can be advanced by castigating even lawful and legitimate criticism of Muslim beliefs, practices, and conduct, as proof of a western conspiracy to destroy Islam. Some other Muslims, but by no means all, have jumped on the bandwagon for various reasons including a misconceived desire to 'defend the faith', insecurity, fear, and signalling fidelity and honour to family and clan.

A third faction consists of far-left activists who regard the militant Muslims as allies in the struggle against a perceived common enemy – western, neo-colonial, neo-liberal, capitalism – notwithstanding that their respective visions of what should replace it are radically different. This cohort has been joined by other paternalistic and very badly-informed non-Muslims – including some 'critical social scientists' – who share the view that Muslims are universally repressed and persecuted by western states and societies and that they and their faith should, therefore, be shielded from all criticism to prevent additional offence and further anti-Muslim prejudice. In order to avoid possible financial loss and other negative consequences – including potentially violent repercussions – some powerful institutions, the fourth constituent, also actively seek to silence legitimate criticism of Muslims and Islam.

Though worse in some places than others, the toxic symbiosis between false charges on these grounds ('Islamofauxbia') and the fear of being accused of Islamophobia ('Islamophobia-phobia') is deepening a wider crisis for free speech across the western world. At the heart of this element lies the failure to understand, or to accept, the distinction between, on the one hand, genuine anti-Muslim/Islamic prejudice, and on the other, legitimate and lawful criticism.

This is unacceptable for a host of reasons. Any public allegation of Islamophobia, whether true or false, is likely to have serious consequences, potentially including murder, other physical harm, vilification, cancellation, ostracism, disciplining or dismissal by employers, and irreparable damage to career and reputation. Censoring lawful criticism of any belief system, and/or those who subscribe to it, also constitutes a violation of the fundamental right to freedom of expression. However, financial and other costs, plus the recalcitrance of offending institutions, typically make it difficult for victims to enforce relevant legal and other obligations.

Drawing upon relevant parts of my forthcoming book, *Islamophobia and free speech*¹, an attempt will be made here to consider these problems and what should be done about them.

Grounds for concern

In other European countries non-Muslims have been killed for allegedly maligning the faith or the faithful. However, it is a sad irony that, so far, the only murders in Britain committed expressly for such reasons have been those of Asad Shah, an Ahmadiyya shopkeeper and 71-year-old Bangladeshi imam, Jalal Uddin, each struck down in 2016 by other Muslims for alleged heresy, an offence against Islam only Muslims can commit. There have been other serious consequences including a school teacher and his family from Batley. Yorkshire. forced into hiding as a result of the Charlie Hebdo cartoons having been shown in class, public vilification of an autistic teenage schoolboy followed by death threats for causing accidental minor damage to a copy of the Qur'an in the school playground, and, as a result of threats and intimidation, the abandonment of a proposed Centre for the Study of Political Islam in the world-renowned Department of Peace Studies and International Development at the University of Bradford. Christian street preachers have also been arrested by the police for criticising the Islamic faith. And, in the British general election of July 2024 – having been denounced as an Islamophobe for allegedly failing to advocate a ceasefire in the post-October 2023 war between Israel and Hamas with sufficient vigour - Khalid Mahmood, a Muslim Labour MP for more than twenty years, lost his seat by 507 votes to Ayoub Khan, an independent pro-Palestinian candidate.

However, the 'BRISOC scandal' provides a particularly graphic illustration of the problems under discussion.² The controversy erupted in mid-February 2021 when the University of Bristol Islamic Society (BRISOC) launched a potentially life-threatening social media campaign to have me sacked as Professor of Human Rights at the University of Bristol Law School. Multiple counts of Islamophobic expression in my teaching and other public output were alleged. Accompanied by my photo, BRISOC's online petition – which eventually garnered over 4,000 signatures – demanded that I apologise 'to all Muslim students'. And if I refused, the University was called upon to discipline me, including by dismissal. BRISOC also insisted that the Islam, China, and the Far East module on my Human Rights in Law, Politics and Society (HRLPS) course – each of which I had been teaching for nearly a decade and a half with the full approval of the Law School and the consistent praise of students and

¹ S. Greer, *Islamophobia and free speech* (Palgrave Macmillan, 2025). I'm very grateful to the publishers for their kind permission to summarize some of this material here.

² See S. Greer, Falsely Accused of Islamophobia: My Struggle Against Academic Cancellation (Academica Press, 2023).

external examiners – should be 'scrapped'.

BRISOC claimed that the following statements are Islamophobic: 1. Islam lacks a single institution to interpret the faith; 2. the Qur'an is non-narrative, non-systematic, and non-chronological and was originally addressed, in an elusive and elliptical style, to people already familiar with its message; 3. Islam spread rapidly through war, conquest, trade, and conversion; 4. Islamic law is uncompromisingly individualistic and based fundamentally upon submission and the performance of obligations not rights; 5. the source of political authority in Islam is revelation not reason; 6. jihadi terrorism is 'Islamist'; 7. Islam is hostile to the modern conception of democracy; 8. historically Islam was a progressive faith insofar as it was open to all; 9. the Charlie Hebdo massacre illustrates how the traditional Islamic death penalty for blasphemy can be exacted by self-appointed executioners; 10. Britain's counterterrorism programme Prevent is not Islamophobic and racist.³ A KC, whose opinion the University sought, confirmed that irrespective of whether or not I'd said any of this, none of it was unlawful.

Statements 1-6 are simply matters of fact universally acknowledged in the authoritative literature.⁴ As such, none expresses anti-Muslim prejudice. The remainder are matters of opinion. But not necessarily my opinion. Since these perspectives are also widely discussed in the literature they cannot convincingly be denounced as Islamophobic. It is particularly bewildering how item 8, which is complimentary about Islam, could possibly be regarded as expressing anti-Muslim prejudice. Using the Charlie Hedo massacre as an illustration of the potentially fatal consequences of blasphemy in traditional Islam, cannot credibly be regarded as Islamophobic either for two reasons. Blasphemy has long been, and still is, punishable by death in many parts of the Muslim world, including by mobs and free-lancers claiming no authority but their own.⁵ Second, how such conduct may be regarded by the various streams and schools of Islam is also precisely the kind of question an undergraduate lecture might justifiably flag up for further exploration in a seminar, as was my purpose.

Nor is it Islamophobic to observe that jihadi terrorism is 'Islamist' since Islam, albeit a wayward version rejected by the mainstream, is the ideology invoked to justify it.⁶ It is not Islamophobic and racist either, to deny that the UK's counterterrorist Prevent strategy is Islamophobic and racist. Prevent seeks to steer away from any kind of terrorism those who voluntarily consent to participating in the programme. I do indeed deny that it is systematically discriminatory, racist, Islamophobic, anti-democratic, contrary to the rule of

³ Ibid., Ch. 3.

⁴ See S. Greer, Islamophobia and free speech, (Palgrave MacMillan, forthcoming), Chs. 1-4.

⁵ Ibid., Ch. 4.

⁶ Ibid.

law, or systematically violates any other human rights. I also maintain that anyone, and not just Muslims, should be targeted by Prevent if evidence-based concerns arise that they may be vulnerable to recruitment into terrorism.⁷ In fact, the bulk of those currently processed by it potentially present a threat stemming from non-Islamic motives.⁸

BRISOC also alleged that I was guilty of Islamophobia for having claimed that Islam and human rights are incompatible. This is simply untrue. I have, in fact, publicly distinguished three positions: the human rights ideal is western and un-Islamic and does not fit a Muslim context at all well, a view held both by some western commentators and by particularly conservative Muslims; Muslims discovered human rights long before the west, a view held only by some Muslims; and Islamic and non-Islamic approaches to human rights, though different, are not inherently irreconcilable, the view I personally take.⁹

After an exhaustive five-month official University inquiry, in July 2021, I was unequivocally exonerated from all BRISOC's accusations, a verdict unanimously upheld on appeal that October. The University nevertheless succumbed to a bout of Islamophobia-phobia. In September the Islam, China and the Far East module was removed from the syllabus of HRLPS expressly in order to avoid further complaints. Publicly announcing my exoneration that October, the University also stated that it 'recognised' BRISOC's 'concerns' and that HRLPS needed to be revised in order, amongst other things, to respect the sensitivities of students taking it.¹⁰ Ilt has yet to be explained how and why these had become more acute in 2020-21 than at any other point in the previous decade and a half, especially since nothing of substance had changed. As a direct result of the BRISOC scandal I was recruited by, and became Research Director of, the Oxford Institute for British Islam, an independent progressive Muslim think tank and research academy.

By failing to take any effective action to protect me from BRISOC's manifestly false accusations by, for example, disciplining those involved, the University of Bristol not only failed to discharge its statutory obligation to protect my academic freedom. It also prima facie breached its Prevent duty to have 'due regard to the need to prevent people from becoming terrorists or supporting terrorism'. This is not because BRISOC is, or might become, a terrorist organization. It is rather that, by apparently endorsing rather than unequivocally rejecting their allegations, the October 2021 statement may have encouraged others to commit what may yet be a terrorist offence against me.

⁷ S. Greer, *Tackling Terrorism in Britain: Threats, Responses and Challenges Twenty Years After 9/11* (Routledge, 2022), Ch. 7.

⁸ Ibid.

⁹ Greer, Islamophobia and free speech, Ch. 4.

¹⁰ University of Bristol, 'University statement regarding complaint against Professor Steven Greer', 8 October 2021.

Lawful and legitimate criticism of Muslims and Islam

There is no good reason why Muslims and Islam should not be subject to the same kind of lawful critical engagement as any other faith or ideology. Indeed, many aspects of the mainstream faith have been critically scrutinized for centuries, including by some Muslims, a fact sorely neglected in the current debate about Islamophobic expression. Doubts have, for example, been expressed about the divine origins of the Qur'an and Islamic law (the sharia), as well as the received account of the life of Mohammad. There has also been criticism of the imperialistic and authoritarian character of the slavery-based Muslim empires of the Middle East, north Africa and central Asia, notwithstanding their otherwise glittering civilizations and periods of tolerance for those of other faiths. Most non-Muslims do not subscribe to the metaphysical and devotional elements of mainstream Islam, particularly belief in jinn ('genies'), angels and the Day of Judgment. But they are unlikely to object to anyone else doing so provided no attempt is made to impose these beliefs upon others.¹¹

The principal areas of live controversy centre, instead, upon the implications of the various schools of Islam for matters of public policy, most if not all of which are also of concern for progressive Muslims.¹² In addition to the animal welfare implications of halal meat, the following are amongst the most vigorously debated. First, although the Qur'an does not mandate any particular mode of governance – and can even be interpreted as expressing some sympathy for democracy – no genuinely democratic tradition has ever developed in the Muslim world and no contemporary Muslim majority state is fully democratic. Indeed, most fall far short. There are also issues with the rule of law, the position of women, sexuality, crime and punishment, human rights, and the relationship between the faith and terrorism. The Qur'an clearly assumes, for example, that men are in charge of women, requires wives to 'obey' their husbands, and, as a last resort, permits husbands to 'strike them' if they fail to do so.¹³ It also allocates women half the inheritance of a man¹⁴ and accords the testimony of women a status formally equal to half that of a man, at least in financial matters requiring witnesses.¹⁵ Men are also allowed up to four wives simultaneously, including Jews and Christians,¹⁶ plus an unlimited number of sex slaves 'that your right-hand possesses'.¹⁷ By contrast, a Muslim woman can have only one (Muslim) husband at any given time. And, according to the sharia, a man may divorce his wife simply by saying three times 'I divorce you', while a woman can only divorce her husband through formal legal proceedings.

¹¹ Greer, Islamophobia and free speech, Chs. 1-3.

¹² Ibid., Ch. 5.

¹³ Qur'an 4:34.

¹⁴ Ibid., 4:11.

¹⁵ Ibid., 2:282.

¹⁶ Ibid., 4:3.

¹⁷ Ibid., 4:24,

The harsh punishments prescribed by orthodox Islam, which remain available in states such as Saudi Arabia, Pakistan, and Iran, are particularly controversial in the west in spite of the fact that they may be infrequently officially enforced. Notwithstanding that Muslim scholars disagree about how to deal with it, the most serious offence for the mainstream faith is apostasy. It remains a capital offence in sharia-governed states although there are significant differences in how frequently death sentences are passed and carried out. Blasphemy is also regarded as a cardinal sin and a serious crime. However, opinions also differ over what to do about it. Though not often invoked, capital punishment remains the penalty stipulated by the penal codes of several contemporary Islamic states such as Pakistan and Iran. In Muslim jurisdictions where blasphemy is a crime, obtaining a fair trial is also a challenge because it is blasphemous for witnesses, lawyers, judges, reporters and others to repeat what the defendant is alleged to have said.

Banning Islamophobic expression?

Regrettably the current wave of 'Islamofauxbia' and 'Islamophobia-phobia' has been fuelled in Britain by several well-intentioned but misconceived attempts to define Islamophobic expression and to propose that it be outlawed. The most recent, most influential, and most deeply-flawed is the 72-page report of the All Party Parliamentary Group on British Muslims, chaired by MPs, Anna Soubry (Conservative) and Wes Streeting (Labour, and since July 2024, Secretary of State for Health and Social Care). Their report, *Islamophobia defined:* The inquiry into a working definition of Islamophobia, was published in November 2018. All Party Parliamentary Groups (APPGs) are informal, cross-party associations, independent of Government, with no official status and no powers granted by Parliament or any of its Committees. Composed of self-selecting members of both Houses, they are more likely to attract those already convinced that the given focus concerns an issue that needs addressing than those who are not. It is clear that the APPG on British Muslims was dominated by parliamentarians who already believed that the state and society present more of a problem for Muslims in Britain than the other way around. APPGs often produce thoughtful and authoritative reports. Regrettably *Islamophobia defined* is not one of them.

The report's core thesis has five principal components: Islamophobia is a form of racism. It is a serious problem in contemporary Britain. It manifests at virtually every sector and level of state and society including education, employment, public service, the media, culture etc, and in a range of ways from microaggressions to physical assault. In the interests of both victims and society in general, something needs to be done about it as a matter of urgency. And the key lies in defining it in a 'legally binding' manner. The APPG's report has been uncritically

adopted by the Labour Party (when in opposition), the Liberal Democrats, the Scottish National Party, Plaid Cymru, the Green Party, and by over 50 local authorities in England.¹⁸ But it has been resoundingly rejected by a wide range of commentators and activists from all faiths and none. These have included Muslims such as Sajid Javid – formerly Conservative Home Secretary, Chancellor of the Exchequer, and Secretary of State for Health and Social Care – and Fiyaz Mughal, founder of the *Tell Mama* organization which records anti-Muslim hate crime and offers support to those who have experienced it. Mughal, for example, regards militant opposition to alleged blasphemy against Islam as itself a type of Muslim extremism presenting 'an inherent threat against the democratic and secular values of our country'.¹⁹

The APPG's report is littered with a host of methodological, conceptual, evidential, and analytical difficulties. In common with BRISOC's accusations, virtually all the examples of allegedly 'Islamophobic speech' - for example, that 'Islam was spread by the sword' - would constitute legitimate observations in most contexts. The report also lacks even a rudimentary understanding of the relevant legal and human rights landscapes, particularly the fact that unlawful anti-religious prejudice is intentionally and expressly framed in generic rather than faith-specific terms. Central to relevant human rights jurisprudence is the principle that the right to freedom of expression does not include causing 'gratuitous offence/insult' to religious sensibilities. Yet this does not feature in the APPG's report at all. Nor is there any indication of what a 'legally binding' definition of Islamophobic expression would mean or the difference it would make in practice. While the struggle against racism involves achieving equality, the APPG's objective is to secure privileged treatment for Islam and Muslims not accorded any other faith or community of believers. This is more likely to deepen rather than to alleviate division and segregation, stifling discussion about the sources of militant Islamism, encouraging false denunciations of core elements of the UK's counterterrorist strategy as 'racist and Islamophobic', and playing into the hands of Muslim extremists. It would, therefore, be a grave mistake if the APPG's conception were to come anywhere close to outlawing 'Islamophobic' speech as its advocates recommend.

The British debate about Islamophobia rumbled on in the wake of the APPG's report. But nothing of significance happened as far a national public policy was concerned until after the general election in July 2024. New life has, however, been breathed into the controversy by several recent developments. On 2 September 2024, in response to a Parliamentary question, Angela Rayner, Deputy Prime Minister and Secretary of State for Levelling Up, Housing, and Communities, told the House of Commons that the government was actively

¹⁸ Singh, Islamophobia' revisited, pp. 13-25, 26-36.

¹⁹ H. Yorke, 'Extremists "falling between the cracks" as officials accused of underplaying Islamism', *The Times*, 24 November 2024.

considering how Islamophobia should be defined.²⁰ Around the same time, Labour MP Afzal Khan wrote to the Prime Minister urging him formally to adopt the APPG's conception.²¹

A particularly powerful contribution to the debate has also been made by the Network of Sikh Organisations UK (NSO). Warning Ms Rayner that Sikhs would resist the APPG's definition becoming law, the NSO maintains that 'shutting down historical truths about current and historical religious persecution' would create a religious hierarchy risking the exacerbation rather than the alleviation of intercommunal tensions. According to the NSO, Sikhs object particularly strongly to characterising, as Islamophobic, the statement – 'Islam was spread by the sword' – not least because some of their own revered gurus were martyred in Moghul India for refusing to convert to the Muslim faith. Responding to the letter, Baron Khan of Burnley, Parliamentary Under-Secretary of State for Social Housing and Faith, announced at the end of September 2024, that the government did not regard the APPG's definition as 'in line' with existing equality law which, he also affirmed, provided adequate protection against Islamophobia. The Labour party is, therefore, officially committed to the APPG's report while the current Labour government has rejected it. This highly unsatisfactory state of affairs needs to be more formally resolved as soon as possible in favour of the legal position as stated by Baron Khan.

While the prospect of a legal ban on Islamophobic expression has receded, it has not, however, disappeared. For example, on 27 November 2024, Labour MP, Tahir Ali, asked the Prime Minister if he would 'commit to introducing measures to prohibit the desecration of all religious texts and the prophets of the Abrahamic religions'. Responding, Sir Keir Starmer undertook to tackle 'Islamophobia in all its forms'. Describing 'desecration' as 'awful', he also urged it to be 'condemned across the house'. Amongst others, the National Secular Society said that, if implemented, Ali's 'deeply alarming' request would amount to the reintroduction of blasphemy laws in the UK. Adding that MPs should 'uphold' and not 'seek to dismantle' the UK's foundational values, concern was also expressed that the PM had offered no defence of the right to free speech. In a separate question, and apparently ignoring Baron Khan's

²⁰ Hansard, Islamophobia, Volume 753, debated on Monday 2 September 2024.

²¹ F. Attenborough, 'Is the Labour Government inching closer to adopting a definition of "Islamophobia"?', Free Speech Union Newsletter, 5 September 2024.

²² Network of Sikh Organizations (NSO), 'Serious concerns about the APPG "Islamophobia" definition', https://nsouk.co.uk/serious-concerns-about-the-appg-islamophobia-definition/.

²³ Ibid.

²⁴ NSO, 'Lord Khan's response to our concerns about the APPG "Islamophobia" definition', https://nsouk.co.uk/2024/09/.

^{25 &}lt;a href="https://www.secularism.org.uk/news/2024/11/nss-mps-call-for-new-blasphemy-laws-deeply-alarming">https://www.secularism.org.uk/news/2024/11/nss-mps-call-for-new-blasphemy-laws-deeply-alarming. See also G. Heffer, 'Senior Tories warn against "blasphemy laws" after Labour MP urges Keir Starmer to ban the "desecration" of religious texts and abuse of prophets of Christianity, Islam and Judaism', Mail On Line, 27 November 2024.

statement, Labour MP Imran Hussain – who has previously backed the APPG's report – called upon the Prime Minister to 'adopt a definition' of Islamophobia.²⁶

By the end of 2024 the government was said to have shelved work on blasphemy laws.²⁷ However, on 4 February 2025, it was reported that, in order to contribute to addressing the steep rise in incidents of anti-Muslim hatred in the aftermath of recent events in the Middle East, Ms Rayner had decided to establish a 16-person advisory working group to provide a non-statutory definition of anti-Muslim hatred/Islamophobia.²⁸ The group, which is required to complete its work within six months, will be chaired by former Conservative Attorney General Dominic Grieve, author of a highly complimentary foreword to the APPG's 2018 report.²⁹ Mr Grieve said that the proposed definition 'must be compatible with the unchanging right of British citizens to exercise freedom of speech and expression – which includes the right to criticise, express dislike of, or insult religions and/or the beliefs and practices of adherents', and that it 'will provide the government and other relevant bodies with an understanding of unacceptable treatment and prejudice against Muslim communities'.³⁰

However, it has yet to be explained why existing legal and other prohibitions are inadequate and how merely providing a definition will contribute to a reduction in anti-Muslim prejudice. Fiyaz Mughal has stated, for example, that the entire exercise is 'at best misguided and, at worst, counterproductive' because 'defining Islamophobia is not a solution: it's a distraction when existing laws have robustly brought perpetrators of anti-Muslim hate to justice'. The public, he maintains, will see it as 'preferential treatment for Islam rather than a meaningful solution to increasing anti-Muslim hatred'.³¹ It is also difficult to dismiss the suspicion that those agitating most vociferously for an official definition of Islamophobia regard this as merely the first step in a longer campaign to prohibit it by law.

In January 2025 the British 'Asian grooming gangs' controversy of the 2010s was also revived in an unexpected series of social media interventions by Elon Musk, adviser to US President Donald Trump and the world's wealthiest man. In the UK an acrimonious debate ensued about whether the problem – widely said to remain unresolved in spite of a string of criminal convictions over the previous decade – should be addressed by local investigations or by a

²⁶ National Secular Society, 'MP's call for new blasphemy laws "deeply alarming", 27th November 2024, https://www.secularism.org.uk/news/2024/11/nss-mps-call-for-new-blasphemy-laws-deeply-alarming.

²⁷ Humanists UK, 'Government promises "no return" of blasphemy law', 3 December, 2024, https://humanists.uk/2024/12/03/government-promises-no-return-of-blasphemy-law/

^{28 &}lt;a href="https://www.gov.uk/government/news/government-launches-working-group-on-anti-muslim-hatredislamophobia-definition">https://www.gov.uk/government/news/government-launches-working-group-on-anti-muslim-hatredislamophobia-definition

²⁹ C. Hymas, 'Angela Rayner to set rules on Islam and free speech', The Daily Telegraph, 4 February 2025.

^{30 &}lt;a href="https://www.gov.uk/government/news/government-launches-working-group-on-anti-muslim-hatredislamophobia-definition">https://www.gov.uk/government/news/government-launches-working-group-on-anti-muslim-hatredislamophobia-definition.

³¹ F. Mughal, 'A council to define Islamophobia will not beat extremism', The Times, 20 February 2025.

national inquiry. The Home Secretary, Yvette Cooper, opted for several government-backed local inquiries plus a separate three-month national audit, including the 'cultural and societal drivers', to be conducted by Baroness Casey of Blackstock. In a letter to the Home Secretary, Lord Singh of Wimbledon – writing on behalf of the NSO – urged the Home Secretary to permit the review to consider race and religion 'as contributing factors in these terrible crimes'. He added:

'Although much of the focus on victims has rightly been those from vulnerable white working-class communities ... this stain on British society has also impacted the Sikh and Hindu communities too ... We cannot shy away from the irrefutable truth that non-Muslim girls are considered fair game by some perpetrators by virtue of the fact they are kuffars (a derogatory term for non-Muslims). Until we are honest about this admittedly uncomfortable factor, we will be no further forward in addressing cases which involve racially and religiously motivated targeting of vulnerable girls from all our communities' 32

Some prominent Muslims echoed these sentiments. For example, writing in her personal capacity in *The Sunday Times*, Baroness Falkner of Margravine, Chair of the Equality and Human Rights Commission, said:

'I'm a first-generation female migrant from Pakistan who naturalized as a British citizen. I'm a secular Muslim and I've grown up, lived and worked in Muslim-majority countries, so I am well versed in the cultural and religious mores of those countries. It is obvious that there are regressive attitudes towards women, especially non-Muslim white girls, in parts of the south Asian diaspora in the UK.'33

Acknowledging that, in the UK, the majority of sex abusers in general are white and that demonizing a whole community should be avoided, the Baroness nevertheless asks: 'why does it appear that Pakistanis, or a subset of Pakistani men, are so overrepresented in gang rape outrages?'

However, not all Muslims agreed. The Muslim Council of Britain said, for example, that 'despite persistent racist narratives, recent data ... show that perpetrators come from all backgrounds and that most group-based offenders are white'. This raises several questions. Why have there been no high-profile child sex grooming gang scandals in Britain involving

³² NSO, 'Our letter to Home Secretary', 20 January 2025, https://nsouk.co.uk/our-letter-to-the-home-secretary-on-grooming-gangs/

³³ K. Falkner, 'I'm afraid there is a Pakistani problem, and we must root it out', *The Sunday Times*, 19 January 2025, https://www.thetimes.com/comment/columnists/article/im-afraid-there-is-a-pakistani-problem-and-we-must-root-it-out-cm0qb022n.

³⁴ Muslim Council of Britain, 'We Need Truth and Action Against Child Sexual Abuse Gangs, Not a Racist Witchhunt', 4 January 2025, https://mcb.org.uk/mcb-we-need-truth-and-action-against-child-sexual-abuse-gangs-not-a-racist-witch-hunt/.

white men and non-white girls? Perhaps there are few opportunities. But it should not go unnoticed that, were the perpetrators white men and the victims underage non-white Muslim girls, the racial/religious dimension would be quickly recognised and resoundingly condemned by those who deny its relevance when these characteristics are the other way around.

Nor is Baroness Falkner alone in noticing that the 'anti-white racism' shown by the perpetrators towards their victims 'was mirrored by a kind of hands-off racism towards the offenders'. In her 2016 report on opportunity and integration Dame Louise Casey had already observed that: 'Too many public institutions, national and local, state and non-state, have gone so far to accommodate diversity ... that they have ignored or even condoned regressive, divisive and harmful cultural and religious practices, for fear of being branded racist or Islamophobic.'³⁵ This prompted the London-based, pro-Iran Islamic Human Rights Commission to declare her 'Islamophobe of the Year' in 2017. The following year, Labour MP, Sarah Champion, was also honoured in the same dubious manner for the same reason.

Conclusion

Free societies need to distinguish more clearly between the expression of anti-Muslim prejudice on the one hand, and legitimate critique of the faith and the faithful on the other. Religious discrimination is already illegal. Intentional incitement to religious, including anti-Muslim/Islamic, hatred is widely criminalized as it should be. Otherwise, the right to freedom of expression recognized by international human rights law, and the legal systems of all genuinely liberal states including the UK, legally protect criticism of any ideology and its adherents - including Islam and Muslims - providing it does not amount to gratuitous insult or offence. However, this laudable principle requires a sharper focus and a higher threshold. Since it is reasonable to expect believers of all faiths and ideologies to tolerate minor and/ or unintentional offence, the gratuitous insult in question should be both gross and intentional or reckless. Determining whether or not this test had been passed would ultimately be the responsibility of a court. But it would only provide a lawful basis for prosecution if it constituted a hate crime or if some other crime, for example a public order offence, had been committed. It may also trigger disciplinary measures on the part of any organization to which the alleged culprit belongs, including possible dismissal from employment. Whether such consequences are themselves lawful will, however, depend upon the precise details and circumstances.

It remains to be seen what the working group's definition of Islamophobia will be and what contribution it will make. But, whatever these outcomes, the distinction between lawful and

³⁵ L. Casey, *A Review Into Opportunity and Integration: Executive Summary* (Department for Communities and Local Government, 2016), para 67.

unlawful criticism of Muslims and Islam needs to be much more widely acknowledged, and implemented much more effectively, on five related levels. First, more effective ways need to be found to deter those who would otherwise weald such false charges to silence legitimate debate. Second, those who do so must be vigorously contested and sanctioned. Third, Muslims themselves should adhere more faithfully to the Qur'anic injunction, that anyone who insults the faith and faithful should simply be ignored.³⁶ Those who fail to follow this example should also be more publicly reprimanded by their co-religionists. Fourth, anyone falsely accused of expressing anti-Muslim prejudice should be granted immediate and effective institutional support and assistance. It is, therefore, a relief that, at least in the academic context, the process for complaining to the Office for Students (the universities' regulator) about breaches of academic freedom will now go ahead in spite of a hiatus since last August. Finally, the hope is that anyone lawfully and legitimately criticizing Muslims and/or Islam will be less reticent about doing so, those otherwise tempted to make false accusations will be discouraged, and that it will be more universally recognised that lawful debate about every faith or ideology and its adherents should be tolerated, if not encouraged, and certainly not unlawfully stifled.

³⁶ Qur'an 6:68.

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