



# STUDENTS AS SUSPECTS?

The challenges of counter-radicalisation policies in education in the Council of Europe member states

Francesco Ragazzi



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Interim report  
Francesco Ragazzi

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# Foreword

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In my 3rd Annual Report, *State of democracy, human rights and the rule of law – A security imperative for Europe* (2016), I declared my intention to develop a “safe spaces” education initiative around teaching controversial issues. The purpose was to make the classroom once again a place where everyone’s rights are upheld, where freedom of expression can flourish and, perhaps most importantly, to ensure that controversial opinions are not driven underground to develop – and perhaps take root – away from the light of public scrutiny and open debate.

The publication *Students as suspects? – The challenges of counter-radicalisation policies in education in the Council of Europe member states* sets out recent practice and evidence from the education sector. In considering the effects of counter-terrorism policies in education, it presents the challenges facing teachers in encouraging the necessary debate and poses a number of important questions. For example, could policies designed to identify and prevent radicalisation inadvertently undermine the very social cohesion they aim to preserve? What are the issues facing educators and students and their families? Do counter-terrorism policies give rise to contradictory demands on educators, asking them to build social cohesion and resilience while at the same time requiring them to employ a logic of suspicion in spotting potential radicals? Can this contradictory mission challenge key principles of human rights and fundamental freedoms, notably education for democratic citizenship and human rights education?

This publication, useful in its own right, will now also serve as the basis for a new Council of Europe education flagship initiative entitled Democratic Schools: Safe Spaces for All, the aim of which is to assist education professionals and school communities as a whole.

From 2018, the initiative should contribute to establishing open, inclusive and safe learning environments in education systems across Council of Europe member states.

*Thorbjørn Jagland*  
Secretary General of the Council of Europe

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# Abstract

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Could policies aimed at preventing radicalisation in Europe end up undermining the very social cohesion they aim to preserve? Since the mid-2000s a growing number of European governments have broadened the scope of counter-terrorism as an issue that needs to be tackled by society as a whole. This report considers the effects of such policies in the education sector through a review of the existing literature on the subject. It begins by considering the issues facing educators and students and their families and goes on to show how counter-radicalisation policies make a contradictory demand on educators, asking them to build social cohesion and resilience while at the same time functioning as informants for security agencies. The report then suggests that this contradictory mission might challenge key principles of (1) human rights and fundamental freedoms; (2) education for democratic citizenship (EDC), human rights education (HRE), competences for democratic culture (CDC) and the objectives of building inclusive societies; and finally (3) the key objectives of counter-terrorism itself. The report ends with recommendations for further research and action.



# Executive summary

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Since the murder of Theo van Gogh in the Netherlands (2004), the bombings in Madrid (2004) and in London (2005), up to the most recent attacks across Europe, governments of the Council of Europe have emphasised the need to prevent “radicalisation”. Radicalisation is understood as an individual or collective recruitment into violent extremism or terrorism (Council of Europe 2015). In this light, governments have broadened the scope of counter-terrorism: traditionally defined as the remit of law-enforcement agencies, it has been reframed as a broader issue that needs to be tackled by society as a whole. Families, teachers, doctors, nurses, social workers, and community and religious leaders have all been asked to participate.

There is, however, a built-in contradiction in counter-radicalisation programmes. They require that educators on the one hand “spot radicals” and report them to the authorities, and on the other build trust and social cohesion in classrooms. As a result of these policies, the rights of students and their families may be hindered. Muslims, in particular, may be treated as a “suspect community”. Yet, as Council of Europe Secretary General Thorbjørn Jagland has stated over the years, counter-terrorism should not come at the expense of civil liberties. Privileging security over liberty is a false solution that results in more insecurity. Several key instruments of the Council of Europe reaffirm this central idea. This report explores (1) policy frameworks in matters of education in most European countries; (2) issues faced by educators; (3) issues faced by students and their families; (4) the challenges counter-radicalisation policies may pose in terms of human rights; (5) the principles of education and inclusion; and (6) counter-terrorism efficiency. Finally, the report suggests recommendations to address these challenges.

## Counter-radicalisation and the education sector

In Chapter 1, the conceptualisation of involvement in terrorism as “radicalisation” is discussed. It finds its intellectual roots in the early 2000s among security services in the Netherlands and the United Kingdom. The academic community is, however, suspicious of the notion, as it contradicts years of research in conflict studies and the sociology of violence. The social science literature and community also contest the scientific grounds for the establishment of indicators of radicalisation used by governments.

Grounded in security thinking, the notion allows governments to conceptualise a radicalisation process which can be prevented. From the mid-2000s, counter-radicalisation policies – also known as preventing violent extremism (PVE) or countering violent extremism (CVE) policies – have been developing in Europe, first through the initiative of the European Union (EU), then, in the mid-2010s, through the work of institutions such as the Organization for Security and Co-operation in Europe (OSCE) and the United Nations (UN), which has contributed to their widespread adoption in Europe.

The current trend shows that a majority of European countries have now devised a strategy or action plan against radicalisation, with a smaller but increasing number involving the education sector. While there is a variety of approaches on how to counter radicalisation in the education sector, the literature points to some of the key issues and challenges posed to education professionals, students and their families that are shared across the member states of the Council of Europe.

### **Issues faced by education professionals, students and their families**

In several European countries, education professionals are asked to spot radicalisation through a set of indicators, such as support for terror organisations or refusal to commemorate terror attacks, but also more mundane behavioural changes in lifestyle and critical attitudes towards authorities and the values of mainstream society. Some policies may ask educators to report students to the authorities. In the United Kingdom, they may face sanctions if they do not. Counter-radicalisation policies address issues specific to violent extremism, but also reframe more mundane aspects of student and teenage behaviour as security problems best dealt with by security professionals.

In Chapter 2, the issues faced by educational professionals are discussed. While they express the need for adequate training and advice as to how they can deal with troubling cases and situations, some resent being asked to act as agents of counter-terrorism policies and feel that police work "is not their job". They point out that the task of "spotting radicals" on the one hand, and the need to create the trust and inclusion conducive to a proper teaching activity on the other, are contradictory. They fear that the radicalisation criteria, grounded in contested scientific evidence, might lead to unjustified referrals to the authorities.

In Chapter 3, this is considered from the perspective of students and their families. The literature shows that Muslim students in Europe may face various forms of discrimination in European schools, ranging from restrictions on their clothing or religious practices to prejudice in school curricula. Counter-radicalisation policies, which predominantly focus on Islam and have affected mainly Muslim students, can contribute to discrimination against these students by perceiving them as "potential terrorists". As a result, Muslim students and their families may feel treated as a "suspect community" and may perceive schools as confrontational spaces where they might be exposed to discrimination, restriction of freedom of expression and attacks on their privacy.

### **Challenges to human rights, principles of education and counter-terrorism objectives**

Some aspects of counter-radicalisation policies, as they are currently implemented or discussed in the Council of Europe member states, appear to be set on three interrelated collision courses with certain aspects of the fundamental principles of

human rights that form the basis of the Council of Europe's policy, with some of the Council of Europe's key principles of education for democratic citizenship and human rights education (EDC/HRE) and with the objectives of preventing terrorism in the long run.

In Chapter 4, the review of the relevant literature, while not providing a legal analysis of counter-radicalisation policies, highlights some key elements of the relevant legal instruments that might be challenged. It shows that counter-radicalisation policies in the education sector may not always make the best interest of the child a "primary consideration" and may infringe on the right to education. Freedom of expression, freedom of thought, conscience and religion, and the right to preserve one's identity, as well as the right to freedom from discrimination and the right to respect for private and family life, may be affected or unduly restricted by certain forms of implementation of counter-radicalisation policies. Finally, key elements of protection in matters of juvenile justice can be affected when intelligence collected through counter-radicalisation in schools is used as justification for administrative and judicial measures.

In Chapter 5, upon reviewing the Council of Europe principles of education for democratic citizenship, human rights education, competences for democratic culture (CDC) and the objective of "building inclusive societies", the report finds that counter-radicalisation policies might come into contradiction with some of its key principles. Such policies might indeed be interpreted as a move to "narrow" the scope of education, thereby conflicting with some of the key values promoted by the Council of Europe in that regard. Among the key principles are the following:

- ▶ *Education is a transformative process.* Criticising the status quo and questioning established values can be a key principle of education for democratic life, grounded in the valuing of human dignity and rights, as well as the development of critical skills.
- ▶ *Schools should be safe and free learning environments.* Providing quality education means that schools should be spaces for experiencing democracy and freedom of expression in a critical fashion. The competences of respect and tolerance of ambiguity cannot be developed in an environment in which educators are required to spot and report certain opinions or behaviours.
- ▶ *Education should be based on diversity.* Promoting intercultural dialogue against racism and discrimination and improving knowledge about all cultures, which allows pupils to learn to value cultural diversity, openness to cultural otherness and respect, cannot take place in an environment that considers a section of the population a priori suspect.
- ▶ *Teachers are seen as role models.* They cannot be considered as role models for democratic education if they are perceived to be discriminating against a category of students.

In the final chapter, Chapter 6, the report considers counter-radicalisation policies in the education sector from an instrumental perspective of counter-terrorism goals and objectives. It finds that these policies attribute to educators the functions of collecting intelligence, neutralising narratives and generating social cohesion. There

is, however, a key contradiction between the task of detection and the task of building trust. Trust and confidentiality are a key condition for the exercise of "helping professions" such as social work and education work. Yet counter-radicalisation policies force professionals to undermine these relations of trust, which may ultimately delegitimise them in the eyes of their students. This outcome can have counterproductive consequences in terms of intelligence collection and, more importantly, might generate more resentment and exclusion, which in turn might fuel radicalisation.

In the concluding section, it is pointed out that, in many respects, the problems covered under the label of "countering radicalisation and violent extremism" may not be new problems, but a reformulation of old issues that educators, both in schools and sites of informal education, are regularly dealing with. Of course, the emergence of terror groups like al-Qaeda and ISIS, as well as the rise of populism and violent ideologies, constitute a specific category of challenges to students, their families and education professionals. For the most part, teachers, educators and youth workers are well equipped to deal with the problems of radicalisation. The policy move could, however, have counterproductive effects for human rights, for education and for counter-terrorism itself.

## **Recommendations**

Taking stock of the current state of the debates, this section outlines suggestions for ways the Council of Europe might take action to counter radicalisation and violent extremism in the education sector. We are currently at the very early stages of a process that will concern more and more of the Council of Europe member states. Yet many initiatives have already been developed that can benefit the collective reflection. The key areas for further reflection are the following:

### **1. How can radicalisation be tackled while preserving the autonomy of the education sector?**

As this report has shown, a central challenge of the implementation of counter-radicalisation policies in the education sector is the tension built into the policies between logics of suspicion and logics of trust. On the one hand, educators are asked to detect and report. On the other, they require trust to carry out their work and to foster social cohesion. While this tension exists in the mission given to educators, it also translates into uneasy relations with the security sector. Education professionals are eager to help prevent terrorism. Yet many resent being considered as aides to the security services. One of the key issues is, therefore, the question of the autonomy of the education sector. This translates into key practical questions:

- ▶ How can autonomous methods to deal with issues of radicalisation be developed that empower rather than undermine the position of educators?
- ▶ What relations can be developed with the security sector so that, on the one hand, trust relations with students and the rights of students are not jeopardised and, on the other, the legitimacy of educators and the effectiveness of their role in the prevention policies are preserved?

## **2. How can radicalisation be tackled while preserving the principles of human rights, education for democratic citizenship/human rights education and the competences for democratic culture?**

As the report has shown, regardless of their effectiveness, one unintended consequence of counter-radicalisation policies in the education sector is that they may hinder the principles of human rights, education for democratic citizenship/human rights education and the principles contained in the competences for democratic culture. This not only infringes upon the rights of students, it may prove counterproductive for counter-radicalisation efforts, as it reinforces grievances among students and undermines trust in state institutions. This issue translates into the following key practical questions:

- ▶ How can issues be tackled that are not per se related to radicalisation (racism, anti-Semitism, Islamophobia, social exclusion) but which might be facilitating conditions for radicalisation?
- ▶ How can mechanisms be developed to tackle radicalisation that do not reinforce issues of discrimination and breach of trust, and instead make it possible to de-escalate the possible tensions between students and education professionals?
- ▶ How can safe discussion environments be provided to address controversial issues around religion, discrimination, exclusion or foreign policy, while educating according to the core principles of EDC/HRE and their limits (such as hate speech, discrimination, violent ideologies)? In other words, how can the defence of the principle of free speech be reconciled with the idea that hate speech is not tolerated?

## **3. How can training for education professionals be addressed?**

As this report has shown, in most member states of the Council of Europe, counter-radicalisation policies in the education sector are recent. Training for education staff raises important challenges. First, the assumption of many training programmes, namely that radical individuals can be "spotted" through external signs, is scientifically flawed and needs to be rethought while nevertheless providing tools for educators to identify problems. Second, governments are still developing the logistics of the training, such as content and methods, resulting sometimes in disappointing experiences for education professionals. Finally, training is not always in line with the human rights and EDC/HRE values that are key to successful counter-radicalisation programmes. The challenges here are therefore as follows:

- ▶ How can methods be developed to identify individuals that might require attention without resorting to external signs of religiosity or key behavioural changes? Is the identification of radicalised individuals possible?
- ▶ Can the Council of Europe, in partnership with member states and international organisations, develop training materials that support member states in addressing issues linked to radicalisation while avoiding the pitfalls identified in this report?

## **4. What is the next step?**

On the one hand, European and international professionals and expert networks have accumulated and shared key insights into challenges and best practices at the

national and European levels. On the other, as policies develop, many are contested and much remains to be discovered in order to assess ways of addressing these challenges. While a few years ago only a few countries had implemented such policies, they are now a priority for an increasing number of states. What are the characteristics of these policies? How do they compare at European level? What degree of autonomy do they afford to the education sector? How do they address the issues in this report? Are there typologies of approaches that can be outlined? A possible course of action could entail the following steps:

- ▶ *Take stock.* A first step in the Council of Europe's action could be to obtain a bird's eye view of the existing situation in member states. This can be carried out through documentary research, field research, expert focus groups or interviews, with the aim of systematically surveying existing practices, successes and the challenges they encounter.
- ▶ *Elaborate policy proposals.* On the basis of the first assessment, and in collaboration with the relevant partners, a second step could be to elaborate policy proposals for the seven key practical challenges raised in points 1-3 above.
- ▶ *Test policy proposals in pilot projects.* The next step could consist in testing the policy proposals through pilot projects conducted in selected education institutions across the Council of Europe member states in order to learn about what works in practice.
- ▶ *Disseminate findings.* The final step of the project would produce relevant documents to support member states in the development of policies aimed at countering radicalisation while avoiding the pitfalls highlighted in this report.

# Introduction

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## Key points

Since the mid-2000s, counter-terrorism policies have focused on prevention through counter-radicalisation programmes. The characteristic aim of these programmes is to expand the scope of counter-terrorism to non-security professionals such as families, teachers, doctors, and youth and social workers. The education sector is at the centre of these policies.

As some controversial examples show, there is a built-in contradiction in counter-radicalisation programmes: they require that educators both (1) "spot radicals" and report them to the authorities, and (2) build trust and social cohesion in classrooms. As a result of these policies, students and their families feel discriminated against and treated as a "suspect community".

As Council of Europe Secretary General Thorbjørn Jagland has stated over the years, counter-terrorism should not come at the expense of civil liberties. Privileging security over liberty is a false solution that ends up generating more insecurity. Several key instruments of the Council of Europe reaffirm this central idea.

This report explores: (1) policy frameworks in matters of education in most European countries; (2) issues faced by educators, as well as (3) students and their families; (4) challenges of counter-radicalisation policies in terms of human rights, (5) principles of education and inclusion and (6) counter-terrorism efficiency. Finally, the report suggests recommendations to address these challenges.

## **1. Involving society in counter-terrorism**

Could policies aimed at preventing radicalisation in Europe end up undermining the very social cohesion they aim to preserve? Since the murder of Theo van Gogh in the Netherlands (2004), the bombings in Madrid (2004) and in London (2005) up to the most recent attacks across Europe, governments of the Council of Europe have emphasised the need to prevent “radicalisation”. Radicalisation is understood as the individual or collective recruitment into violent extremism or terrorism (Council of Europe 2015). In this light, governments have broadened the scope of counter-terrorism. Traditionally defined as the remit of law-enforcement agencies, it has been reframed as a broader issue that needs to be tackled by society as a whole: family members, teachers, doctors, nurses, social workers, and community and religious leaders have been asked to participate in the task.

The field of education, as well as other fields, such as health and social work, have been pinpointed as priority areas for policy intervention. As the Council of Europe’s Action Plan on the Fight against Violent Extremism and Radicalisation leading to Terrorism (Council of Europe 2015) puts it:

Action is needed to prevent violent radicalisation and increase the capacity of our societies to reject all forms of extremism. *Formal and informal education, youth activities and training of key actors* (including in the media, political fields and social sectors) have a crucial role in this respect. Schools, prisons and detention centres, vulnerable neighbourhoods, places of worship all require tailored measures, mostly at local level.

Tools to assist those who can play a crucial role in countering radicalisation on the ground – such as *teachers, social workers, local authorities, women, youth and sport representatives, religious leaders* – and the exchange of good practices, both in terms of the content of programmes and the training and guidelines provided to staff, must be developed. (Emphasis added)

Contemporary counter-terrorism is therefore characterised by a process through which non-state actors are empowered to take charge of security functions traditionally pertaining to the state, with the objective of preventing future threats linked to terrorism. While involving civil society in the counter-terrorism effort might be appealing at first glance, its practical application has revealed that it can rapidly lead to unwanted consequences, entering into conflict with another key area of the Council of Europe’s policy, in particular the objectives of education encapsulated in the Charter on Education for Democratic Citizenship and Human Rights Education (Recommendation CM/Rec(2010)7) and the principles of social cohesion addressed in the Action Plan on Building Inclusive Societies (CM(2016)25). Let us consider the following examples.

## **2. Detecting radicals – undermining cohesion and trust?**

In March 2016, a staff member at a nursery school in the United Kingdom asked a 4-year-old boy about a drawing he had made. The boy explained that it depicted his father cutting a cucumber, but the nursery nurse understood it as his father

preparing a “cooker bomb” (Quinn 2016), due to the child’s pronunciation. She then informed the parents that she would report the child to a deradicalisation programme, but, as the issue became public, local authorities encouraged her not to do so. Both the child and the parents felt discriminated against, and the boy was “left reluctant to join in class discussions for fear of being suspected of extremism” (Quinn 2016).

While this case might appear as an extraordinary but isolated blunder, it raises questions about the functioning and the unintended effects of counter-radicalisation policies across Europe, in particular when they target children and young adults. In the 3 955 cases of “radicalisation” reported to the United Kingdom’s Channel deradicalisation programme nationwide in 2015, for example, the number of young children reported is substantial. In the West Midlands, where detailed data is available for 788 referred individuals, 31% of those reported were younger than 14, and 68 were under nine years old (Halliday 2016). The fact that their teachers reported these children is also noteworthy. In France, where both private citizens and professionals have been encouraged to report cases of radicalisation to the authorities since April 2014, the government has received, as of June 2016, 10 873 reports. Of these, 19% concern under-18s; 203 cases were reported by education professionals, of which 41 by teachers.<sup>1</sup> Many other member states of the Council of Europe, including Belgium, Bosnia and Herzegovina, Denmark, Germany, Norway, Sweden and Switzerland, have developed or are developing similar counter-radicalisation policies, although they are only now beginning to address the education sector.

The phenomenon, of course, is not limited to the education sector. Families are encouraged by governments to report signs of radicalisation of their family members (Owen 2016). In France, this has proved quite successful. Of the 10 873 reports to the radicalisation database, more than half (52%) came from families, and mothers in particular,<sup>2</sup> who have knowingly or unknowingly reported their children to the intelligence services. Community representatives are directly involved as well. In the Netherlands, through the “key-figures programme” (*sleutelfiguren aanpak*) (Kouwenhoven 2016), selected community members are asked to serve as the “eyes and ears” of the police and intelligence services, reporting on possible cases of radicalisation from their privileged position in the communities. The city of Amsterdam alone collaborates with 200 such figures (Blokker 2015). In Denmark, the “Aarhus model” – often cited as a reference for best practices – may certainly adopt a “softer” approach to dealing with individuals categorised as “radicals”, but it is nevertheless based on the idea that communities, social workers and educators should regularly feed the police with information about the public, participating therefore in the same logic of generating intelligence for law-enforcement purposes (Henley 2014).

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1. Unpublished data, provided by the French Ministry of the Interior’s Unité de Coordination de la Lutte Antiterroriste (UCLAT).

2. Ibid.

### **3. Countering radicalisation within the bounds of “democratic security”**

As noted in the “Guidelines for educators on countering intolerance and discrimination against Muslims”:

Intolerance and discrimination against Muslims are not new phenomena. However, they have evolved and gained momentum in recent years, particularly under conditions of the “war on terror”, the global economic crisis, anxieties about national identity and difficulties in coping with the increased diversity in many societies. Such developments have contributed to a growth in resentment and fear of Muslims and Islam that have often been fuelled by sections of the media and by some political discourse. (OSCE, Council of Europe and UNESCO 2011: 13)

Of course, terrorism in Europe is not only related to al-Qaeda-type movements, and is part and parcel of European history in the 20th century. As the figures published by Europol show, nationalist movements (Corsican, Irish, Basque) still form an important part of terrorist activity in Europe and the terrorist acts committed by the neo-Nazis Uwe Mundlos, Uwe Böhnhardt and Beate Zschäpe from 2000 to 2007, or more famously the attacks committed by Anders Behring Breivik in 2011, remind us of the threats posed by right-wing extremism (BBC News 2013; Europol 2016).

But the nature of the terrorist activities should not distract attention from the fact that the main issue with counter-radicalisation policies seems to be that they might be on a collision course with some of the fundamental principles that govern the democratic societies of the Council of Europe. As Secretary General of the Council of Europe Thorbjørn Jagland puts it, democracy is indeed not, “simply [about] elections or the other institutional hallmarks of popular governance”, democratic principles entail “rich pluralism that fosters tolerance while enabling a society to settle its disputes peacefully [as well as the] genuine competition of ideas by which societies can modernise, avoiding stagnation and meeting new challenges” (Jagland 2016b).

More precisely, Jagland specifies five key principles for “any state which can claim to be democratically secure”:

the existence of efficient and independent judiciaries; genuine freedom of expression; the right to freedom of assembly and freedom of association; the functioning of democratic institutions; the inclusive nature of societies and a widely shared sense of democratic citizenship. (Jagland 2016b)

Too often, the new security context, and in particular the recrudescence of terrorism on the security agenda – first in its international form with the attacks of 11 September 2001, then in its “home-grown” form since the London bombings of 2005, up until the attacks in Paris in 2015 – have brought about the idea that these democratic principles could be limited in the name of increased security. Liberty and security, the metaphor goes, should “balance” one another.

Yet, as Secretary General Jagland put it, once the two values are balanced against each other, security always prevails. Indeed, following the events of 2001, civil liberties, the rule of law and other fundamental democratic principles of our democratic orders have been infringed upon and weakened (Jagland 2015b, 2016a).

The dichotomy between liberty and security is a false one; often, more security generates more insecurity. More than 50 years ago, the field of conflict studies captured this dynamic through the concept of the “security dilemma”, namely the idea that one country arming itself for self-defence will inevitably become more threatening to other countries, therefore generating an arms race (Herz 1962; Booth and Wheeler 2008; Galtung 1996). Thus, more security leads to escalation, with the Cold War providing a telling example of how this principle has unravelled at the level of inter-state relations. For the peace-studies literature of the 1960s and 1970s, it was therefore clear that the answer to security dilemmas was not more security (escalation) but instead “de-escalation”, namely the process through which tensions are addressed by emphasising notions of co-operation. In sociological approaches to domestic security, it has therefore become clear that more security does not necessarily generate reassurance. On the contrary, it tends to generate more unease and insecurity, in particular for those who feel targeted unjustly by the measures taken (Della Porta 2013; Bigo 2002).

Secretary General Jagland expressed a similar concern in developing his notion of “democratic security”. The choice between liberty and security, he argues, is an illusion, because “our commitment to democracy makes us more secure, not less: promoting tolerance and keeping power in check” (Jagland 2015b). Division, discrimination and the infringement of human rights are, in the long run, a danger similar to that which harsh security measures try to prevent: “Instability, uprising, tensions between our communities … these things follow when citizens are denied their voice; when power cannot be scrutinised and kept in check; when corruption is not exposed by free media; when individuals and groups are gagged” (Jagland 2015a).

Thus, the best response to the current challenges faced by our democratic societies, argues Jagland:

is the democratic engagement that allows people to develop mutual understanding of one and other as well as a shared set of civic values that can exist alongside their different beliefs .... Reasoned debate. Dissent. Diverse and challenging viewpoints. These are the lifeblood of societies which are plural, dynamic, evolving ... and capable of living together peacefully too. (Jagland, 2016b)

As detailed in the Secretary General’s report, these principles have been, over the years, translated into practice through key initiatives and documents of the Council of Europe that can be used as the framework of reference against which the unwanted effects of counter-radicalisation can be assessed: from the basic principles established in the European Convention on Human Rights (ETS No. 5), the European Convention on the Exercise of Children’s Rights (ETS No. 160) and the revised European Social Charter (ETS No. 163), the Charter on Education for Democratic Citizenship and Human Rights Education and the White Paper on Intercultural Dialogue “Living together as equals in dignity” to the recommendations of the Action Plan on Building Inclusive Societies, Recommendation CM/Rec(2012)13 on ensuring quality education, the reference framework for competences for democratic culture and the more specific indications of the “Guidelines on human rights and the fight against terrorism”, the “Guidelines on child-friendly justice” or the “Guidelines for educators on countering intolerance and discrimination against Muslims”. All these documents

emphasise the key role of education and educators in preventing terrorism but also ensuring the promotion of a democratic culture:

A human rights-based approach to education can give students and teachers a sound framework within which to assess behaviours and attitudes in a school setting. This approach guarantees the right to respect in the learning environment and incorporates respect for students' identity, participation and integrity. (OSCE, Council of Europe and UNESCO 2011: 23)

#### **4. Aims, methodology and outline**

Having outlined some of the challenges faced by counter-radicalisation policies in the education sector and recalled the guiding principles of the action of the Council of Europe, the aim of this report is to establish the current state of our knowledge on counter-radicalisation policies targeted at the education sector in the Council of Europe member states, as well as their potentially unwanted effects. The aim is to inform the action of the Council of Europe in this domain.

The methodology adopted for this report is a literature review of the current state of our knowledge on the question. No original research was carried out except for a preliminary meeting with some key actors on the premises of the Council of Europe in Strasbourg on 6 July 2016. Instead, the report lays out the path for such research. The limitation of a literature review, in this case, is that most of the studies have focused on the United Kingdom and very few on other countries. The report thus reflects the state of the literature and calls for a more systematic analysis of the issue in the other member states of the Council of Europe.

The report is organised as follows: it first provides an overview of the policy framework related to counter-radicalisation policies at the international, regional and national levels (Chapter 1). It then looks at the challenges faced by counter-radicalisation policies for education professionals (Chapter 2), followed by the issues for students and their families (Chapter 3). Finally, it considers the challenges of these policies to relevant human rights frameworks (Chapter 4), the challenges to the broader Council of Europe objectives in terms of education and building inclusive societies (Chapter 5), and finally the challenges in terms of counter-terrorism itself (Chapter 6). The concluding section formulates some key recommendations, which include an emphasis on the development of further research and concrete initiatives with regard to the main challenges identified in this analysis.

# Chapter 1

## Counter-radicalisation policy and the education sector



### Key points

The notion of “radicalisation” emerged in the early 2000s among the security services of the Netherlands and the United Kingdom. Counter-radicalisation policies – also known as “preventing violent extremism” (PVE) or “countering violent extremism” (CVE) – have been developing in Europe from the mid-2000s through to the adoption of EU policy. From mid-2010, institutions such as the OSCE and the UN have contributed to their widespread adoption in European countries.

The academic community is sceptical of the concept of radicalisation, understood as a process that can be spotted or anticipated. It is in contradiction with much of the empirical research in terrorism studies, conflict studies and the sociology of violence. Indicators of radicalisation used by governments rely on contested scientific evidence.

Historically, counter-radicalisation policies build on (1) a colonial history of counter-insurgency warfare and the notion that the state should win the “hearts and minds” of the population; (2) a long-term process of devolution of the monopoly of social control from police forces to societal actors (such as civil society, families, schools, etc.).

The current trend is that a large majority of the Council of Europe member states have now adopted legislation or action plans against radicalisation; many of them involve the education sector. A growing number of states are expected to follow. Given the widespread dissemination and the controversial nature of some aspects of these policies, it is only fitting to assess and review the effects of these approaches.

Counter-radicalisation has become a priority of local, national, regional and international security agendas. As enshrined in the Action Plan on the Fight against Violent Extremism and Radicalisation Leading to Terrorism (2015), the Council of Europe has outlined a set of measures, including in the field of education, to both recognise and detect radicalisation and to build a more cohesive societal environment to prevent its emergence. This section offers a brief genealogy of the policy developments on radicalisation, emphasising the origins of the discourse of radicalisation in the security and intelligence sector based on a logic of involvement of non-security professionals in the counter-terrorism effort. It also shows how two countries – the United Kingdom and the Netherlands – have been at the centre of the development of counter-radicalisation policies that have progressively been adopted by European and international bodies.

The idea that terrorism should be fought through preventive measures, which require the involvement of the civilian population, has a long history that can be traced back to colonial history and counter-insurgency warfare (Miller and Sabir 2013; Mumford 2012). The notion that the state must “win the hearts and minds” of the population – putting societal actors at the centre of the policy – has emerged from this historical context.

The recent history of counter-radicalisation is, however, generally considered to have started at the end of the 1990s. Dutch intelligence services were among the first in Europe to consider that terrorism, in particular in its “home-grown” variety, should be addressed not only through law enforcement, but also through societal measures aimed at addressing broader issues of integration and polarisation between ethnic and religious groups in society (Coolsaet 2010; Vermeulen and Bovenkerk 2012).

After the London bombings of 2005, the United Kingdom became interested in the Dutch findings and approach. From the mid-2000s onwards, the United Kingdom and the Netherlands became two of the most prominent countries to promote preventive, “softer” counter-terrorism both in Europe and internationally. The Dutch-British model progressively attracted interest in Europe and abroad from the mid-2000s up until the early 2010s. In 2014, with the adoption of UN Security Council Resolution UNSCR 2178 (2014), it became one of the top security priorities of the international community and by 2015, with the encouragement of international institutions such as the UN, the United Nations Educational, Scientific and Cultural Organization (UNESCO) or the OSCE, a large number of countries had adopted similar policies. The following paragraphs briefly outline the main features

of the contemporary counter-radicalisation legislative and policy framework and then review the impact of these programmes on the education sector.<sup>3</sup>

## **1. Radicalisation: a concept of security professionals**

### **a. The Netherlands**

#### **General policy framework**

The Dutch discussion regarding the fight against radicalisation began in 2002 with the murder of politician Pim Fortuyn, but really took shape two years later with the murder of Theo van Gogh, shot and stabbed by a militant for political Islam. At the instigation of the AIVD, the Dutch intelligence service, the Netherlands gradually devised what it defines as a “comprehensive approach” (*brede benadering*). In 2005, following the Madrid attacks, the Dutch justice minister placed the NCTb (Nationale Coördinator Terrorismebestrijding – National Co-ordinator for the Fight against Terrorism) in charge of co-ordinating all the agencies involved in prevention and law-enforcement efforts. In 2007, the Action Plan on Polarisation and Radicalisation rounded out the legal approach, emphasising how these two phenomena directly related to the fight against terrorism and presented a threat to “social cohesion” (Ministerie van Binnenlandse Zaken en Koninkrijksrelaties 2007).

In the Dutch perspective, recourse to political violence reflects, more than anything, a problem of social integration, particularly for Muslim minorities. The “comprehensive approach” focuses on three priorities:

- ▶ fostering the integration of Muslim populations by introducing anti-discrimination measures, combating Islamophobia and encouraging social and political participation;
- ▶ increasing the Muslim population’s “resilience” to radicalisation by supporting Muslim associations with a moderate message;
- ▶ isolating and combating radicalisation phenomena by setting up support systems (including guidance and mentoring) for individuals considered “at risk”.

The National Counterterrorism Strategy, which outlined the main directions for counter-radicalisation policy for the 2011-2015 and now the 2016-2020 periods, confirmed these priorities (NCTV 2011).

#### **In the field of education**

The Netherlands does not have a national-level policy in terms of counter-radicalisation in the education sector, even though it has discussed it at political level on several occasions. It has instead decentralised the policies to municipal level.

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3. The following paragraphs draw in part from a previous study (Ragazzi 2015).

## **Empowering local municipalities for the broad-ranging preventive work**

The Netherlands has mostly focused on empowering municipalities and other authorities at local level when it comes to preventing radicalisation. The education sector is not required to collaborate with law-enforcement and intelligence agencies, but municipalities actively approach schools in order to raise awareness around the issue of radicalisation. One of the main types of intervention is training sessions designed to address radicalisation in schools – they are generally delivered by civil society organisations or experts specialised on the topic (Vachlis 2015).

### **Reporting information about radicalisation**

Schools have various channels for reporting cases of students who might be considered to be in the process of radicalisation. For instance, safety co-ordinators in schools are strongly encouraged to contact security bureaus within municipalities to report cases. Larger cities have municipal offices dedicated to the question of radicalisation (*Meld en Adviespunt Radicalisering*). In addition to these contact points for schools, intelligence agencies such as the AIVD can provide training programmes for schools. As Masha Vachlis puts it:

As a result, the Dutch Parliament, municipalities, private social organisations and foundations, the Dutch intelligence services and the school teachers themselves are all involved in the chain that makes the school a battleground against radicalisation (Vachlis 2015).

## **b. The United Kingdom**

### **General policy framework**

On the basis of similar principles, the British Government entrusted Sir David Omand, then Security and Intelligence Co-ordinator, to outline the first version of its new counterterrorist strategy, named “Contest”, in 2003. This document, initially intended to co-ordinate the activities of the various agencies involved in counter-terrorism, revised in 2009 and informally baptised “Contest II”, comprised four sub-strategies (House of Commons 2009):

- ▶ *Prevent*, which established the framework of counter-radicalisation and everything that precedes becoming involved in terrorist activity;
- ▶ *Pursue*, which details the strategies to prevent and remove direct threats of terrorist attacks;
- ▶ *Protect*, which deals more precisely with border control, transport systems and more generally all critical infrastructure; and lastly,
- ▶ *Prepare*, which aims to strengthen the resilience of the United Kingdom and its population to possible terrorist attacks.

The first version of Prevent set three goals which were pursued in the two successive versions of the policy (HM Government 2011):

- ▶ “respond to the ideological challenge of terrorism and the threat [faced] from those who promote it” by working to develop counter-narratives and non-violent alternatives for voices that advocate violence;
- ▶ “prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support”;
- ▶ “work with sectors and institutions where there are risks of radicalisation which we need to address”, in other words work with “communities” through mosques, religious and neighbourhood institutions, as well as schools, hospitals and other social services, to better detect and possibly “deradicalise” individuals who disseminate violent ideas.

## In the field of education

While the Prevent strategy went through a certain number of iterations, the Counter-Terrorism and Security Act 2015 made this third stream of Prevent – that of “detecting” and “deradicalising” potential radicals – an obligation for a certain number of professions, including the education sector. More specifically, under section 26 of the 2015 act “a specified authority must, in the exercise of its functions, have due regard to the need to prevent people from being drawn into terrorism”.

Similarly, according to the “Revised Prevent duty guidance for England and Wales” “specified authorities are expected to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology”. They are required to have “robust safeguarding policies in place to identify children at risk .... Institutions will need to consider the level of risk to identify the most appropriate referral, which could include Channel or Children’s Social Care, for example” (HM Government 2015b).

Of particular importance for the Prevent strategy has been the police-led Channel programme. Societal actors are encouraged to report individuals they consider might be at risk of radicalisation to the police. After considering the specifics of the case, the police might decide to take action, or to refer the case to dedicated Channel panels. These panels, composed of police representatives, as well as representatives from the sectors of education, mental health, local government or social work, then determine (1) whether the individual should indeed be included in the programme and (2) if so, what would be the most appropriate “deradicalisation” initiatives for the candidate (for example following a mentoring programme).

The Dutch and British strategies to combat terrorism gradually structured the European debate and encouraged other countries that had resisted the policies for much of the past 15 years, such as France, to re-define their position.

## 2. The emergence of an international discourse

The 2005 attacks in London, which coincided with the EU British presidency, gave the United Kingdom an occasion to present a European counter-terrorism strategy

that was largely modelled on the one the United Kingdom had adopted a few months previously.

## a. The European Union

### General policy framework

In December 2005, the European Union Counter-Terrorism Strategy virtually took up the British strategy point by point, also defining four areas of action: prevent, pursue, protect, and respond. Immediately afterwards, the European Council adopted the European Union Strategy for Combating Radicalisation and Recruitment to Terrorism (2005).

The European counter-radicalisation strategy of 2005 defined three priorities:

1. Disrupt the activities of networks and individuals involved in recruitment.

With communications, funds transfers and travel greatly accelerated and facilitated by globalisation, the objective is to keep an eye on neighbourhoods through community policing, and to set up surveillance mechanisms to monitor the internet and travel to "high risk" zones. Prisons, places of education and religious training are also identified as areas for surveillance. Finally, the strategy outlines the need to set up the appropriate legal framework to prevent individuals from inciting and legitimising violence.

2. Ensure that moderate voices prevail over those of extremists, particularly over rhetoric that distorts conflicts by presenting them as a clash between the West and Islam.

It is recommended in particular to co-operate with moderate organisations to counteract the al-Qaeda discourse, accelerate the training of imams so as to "change the perceptions of European and Western policies particularly among Muslim communities," and to correct inaccurate perceptions associating Islam and terrorism.

3. Promote security, social justice and democracy for all "more vigorously".

A series of conditions conducive to radicalisation are identified, including poor governance, a lack of democracy and economic prospects and unmanaged modernisation. While these conditions, the document points out, are not present in Europe, they can be part of the history of the immigrant communities settled there. The aim, then, is to eliminate the structural factors supporting radicalisation by tackling inequalities and discrimination and by promoting intercultural dialogue, debate and long-term integration both inside and outside Europe. The document declares that member states will work individually and together, co-operating actively with communities, religious authorities and other organisations best able to counter extremist rhetoric. In this regard, the European strategy is more a policy and framework document than an operational strategy. It is in fact up to member states and their administrations to implement counter-radicalisation policies.

The Revised EU Strategy for Combating Radicalisation and Recruitment to Terrorism (2014) reaffirmed the objectives of the 2005 policy, specifying the two main objectives of civil society and the education sector.

1. The first concerns the capacity to detect radicalisation. "Teachers, social and health care workers, religious leaders, community police officers, and prison and probation staff ... may be able to identify signs of radicalisation at an early stage, therefore they need to be aware of and understand signs of radicalisation to terrorism" (Council of the European Union 2014).
2. A second motivation is that societal actors can be instrumental in "combating inequalities and discrimination where they exist, promoting inter-cultural dialogue, strengthening education to enable opportunities and critical thinking, and promoting tolerance and mutual respect, exchanging viewpoints and communicating to civil society the success in these areas", issues perceived as instrumental in preventing radicalisation (Council of the European Union 2014).

## In the field of education

### The Radicalisation Awareness Network

In the education sector, the activities of the European Union with regard to counter-radicalisation have mostly taken place within the activities of the Radicalisation Awareness Network (RAN). As in the previous documents, teachers are considered both as agents of "detection" and teachers of skills that build societal resilience to extremist discourse:

[Teachers] are well-positioned for prevention work, both for identifying and safeguarding vulnerable young people at risk of radicalisation, and for teaching critical thinking skills from the first stages of education. (European Commission 2016)

The work of the RAN has primarily been one of networking between education professionals, as well as input to the various high-level conferences of the RAN (Lenos and Keltjens 2016a, 2016b, 2016c; RAN 2016). The education policies and the deployment of counter-radicalisation policies in EU member state schools has remained the competence of member states.

## b. Organization for Security and Co-operation in Europe

### General policy framework

In 2015, the OSCE Secretary General launched the United CVE Campaign which set out to mainstream PVE and CVE approaches among the OSCE member states (OSCE 2014, 2015; OSCE Permanent Council 2012). After the European Union and the Radicalisation Awareness Network, the OSCE's campaign has been one of the leading forces behind the development of counter-radicalisation policies in Europe. It also explains why a large number of non-EU countries have adopted counter-radicalisation policies and action plans from 2015 onwards (Regional Cooperation Council 2016: 15). The OSCE's activities have consisted mainly in the following (OSCE 2017):

- ▶ capacity-building national PVE/CVE programmes in member countries;
- ▶ developing good practices on women and CVE, in collaboration with the Global Counterterrorism Forum (GCTF);

- ▶ the publishing of a policy guidebook on community policing for CVE;
- ▶ the publishing of a practical manual for law-enforcement officers in counter-terrorism investigations.

## In the field of education

In the field of education, the OSCE's activities have consisted mainly of the following:

- ▶ as regards youth and civil society: regional expert meetings to explore and identify good practices and recommendations;
- ▶ as regards youth engagement in CVE: the formulation of a comprehensive list of recommendations.

## c. The Global Counterterrorism Forum

### General policy framework

An international institution that plays a key role in determining the normative framework on matters of counter-terrorism and counter-radicalisation is the Global Counterterrorism Forum (GCTF). Established in New York in September 2011, it defines itself as an “informal, apolitical, multilateral counter-terrorism (CT) platform that has strengthened the international architecture for addressing 21st century terrorism” (GCTF 2017a). It gives itself the mission of supporting the implementation of the United Nations Global Counter-Terrorism Strategy, and more recently the UN Secretary General’s Plan of Action to Prevent Violent Extremism (United Nations General Assembly 2016). It is composed of more than 30 members from both Western and Muslim states.

The work of the GCTF is divided among six working groups, including the Countering Violent Extremism Group dedicated to matters of “prevention of radicalisation”, such as community engagement, community policing, the involvement of women or religious education in CVE, as well as other aspects, such as strategic communications and counter-narrative programmes in prisons (GCTF 2017b).

The GCTF’s memoranda, collecting conference discussions in a list of “best practices” on several of these issues, inform policy design in both international and national institutions that grapple with the issues of countering violent extremism.

## In the field of education

In the field of education, the GCTF published the “Abu Dhabi Memorandum on good practices for education and countering violent extremism (CVE)” in April 2012 (GCTF 2012). The main recommendations focus on:

- ▶ emphasise co-operation between schools and security actors (Good practices 1, 2);
- ▶ ensure the CVE effort is not labelled as such in order to avoid the “stigma” (Good practice 3);
- ▶ conduct further research (Good practice 5);
- ▶ emphasise critical thinking and cohesion (Good practices 6, 7, 16);
- ▶ create mechanisms of dialogue (Good practice 12);

- ▶ detect signs of radicalisation (Good practice 15, which specified, however, that “it is important to ensure that schools do not become information-collecting institutions”);
- ▶ engage families (Good practices 20-23).

The document is thus based around the same contradictions that we have seen in previous documents and policies, despite recognising the risk of such an exercise. The goal of the document is indeed to “provide concrete options for how education can be utilized in a positive way to prevent and counter violent extremism without securitizing the education sector”. (GCTF 2012). It is entirely unclear, however, how teachers can both provide an open space for discussion (16) and detect signs of radicalisation (15) without creating a securitised atmosphere or transforming the school into an “information-collecting institution”.

## **d. The United Nations**

### **General policy framework**

The UN's involvement in counter-terrorism dates back to UNSCR 1267 (adopted in 1999), 1333 (2000) and 1373 (2001) under Chapter VII of the UN Charter. The early measures of the UN concerned mainly the so-called “targeted sanctions”, namely the freezing of assets of individuals identified as terrorists. UNSCR 1267 established a list of persons or entities (linked to the Taliban) to be targeted; UNSCR 1373 broadened the scope of asset-freezing to persons who “commit, or attempt to commit, terrorist acts or participate in or facilitate the commission of terrorist acts”, requesting that individual states determine who these persons or entities are.

The UN established the Counter-Terrorism Centre (CTC) and, five years later, adopted the UN Global Counter-Terrorism Strategy, structured along four pillars:

- ▶ addressing conditions conducive to the spread of terrorism;
- ▶ preventing and combating terrorism;
- ▶ building member states' capacity to prevent and combat terrorism and to strengthen the role of the UN system in this regard;
- ▶ ensuring respect for human rights for all and the rule of law as the fundamental basis for countering terrorism.

The UN thus established the Counter-Terrorism Implementation Task Force (CTITF) to promote UN-wide co-ordination on such matters.

### **In the field of education**

It is, however, only in 2014 with UNSCR 2178, which was mainly designed to address the question of so-called “foreign fighters”, that a UN Security Council resolution enshrined the principle of the prevention of terrorism and the need for societal actors to be involved in the counter-terrorism effort. The resolution thus:

encourages Member States to engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts, address the conditions conducive to the spread of violent extremism,

which can be conducive to terrorism, including by empowering youth, families, women, religious, cultural and education leaders, and all other concerned groups of civil society and adopt tailored approaches to countering recruitment to this kind of violent extremism and promoting social inclusion and cohesion. (Article 16)

and similarly:

emphasizes in this regard the importance of Member States' efforts to develop non-violent alternative avenues for conflict prevention and resolution by affected individuals and local communities to decrease the risk of radicalisation to terrorism, and of efforts to promote peaceful alternatives to violent narratives espoused by foreign terrorist fighters, and underscores the role education can play in countering terrorist narratives. (Article 19)

The UN SCR therefore enshrined, in one of the highest instances of international law, the dual mission of the education sector: to "counter recruitment" into violent extremism through "tailored approaches" (Article 16) on the one hand and, on the other, to promote social inclusion and cohesion (Article 16) through education. UNSCR 2178 comes, however, as the result of a growing body of legislative frameworks that emerged from the European continent.

## **UNESCO**

In November 2015, UNESCO member states adopted Decision 197EX/46, in order to include UNESCO in the effort to provide assistance to states designing strategies to prevent violent extremism. The policy of UNESCO has focused on four points: (1) education, skills development and employment facilitation; (2) empowerment of youth; (3) strategic communications, the internet and social media; and (4) gender equality and empowering women (UNESCO 2017).

### **3. The spread of counter-radicalisation policies in Europe**

#### **a. The Council of Europe: a normative framework**

The Council of Europe has been a key international actor in counter-terrorism, with the double objective of "develop[ing] legal standards to prevent and suppress acts of terrorism through criminal law and other measures, while respecting human rights and in full respect of the rule of law" (Council of Europe 2017a).

The Council of Europe's involvement in counter-terrorism was formalised in 2005 in the Council of Europe Convention on the Prevention of Terrorism (CETS No. 196), complemented in 2015 by the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (CETS No. 217) to address the issue of foreign fighters. The strategy of the Council of Europe has been defined in the Action Plan on the Fight against Violent Extremism and Radicalisation Leading to Terrorism (2015) and the Committee of Ministers Declaration "United around our principles against violent extremism and radicalisation leading to terrorism" (2015), which serve as guidelines to orient the action of both the Council of Europe and the member states.

While the Convention on the Prevention of Terrorism and its additional protocol have primarily focused on law-enforcement matters, the action plan adopted in 2015 adds an additional objective:

to prevent and fight violent radicalisation through concrete measures in the public sector, in particular in schools and prisons, and on the Internet. (Committee of Ministers of the Council of Europe 2016)

This develops, as we have detailed in the introduction to this report, the double objective of “detecting” radicalisation and “building inclusive societies”.

In line with its mission of defence of human rights, the Council of Europe has also been attentive to the fact that tackling terrorism and radicalisation is carried out with respect for fundamental freedoms. This has been the purpose of documents such as the “Guidelines on human rights and the fight against terrorism” (2002), the Declaration on freedom of expression and information in the media in the context of the fight against terrorism (2005) or the “Guidelines of the Committee of Ministers of the Council of Europe on protecting freedom of expression and information in times of crisis” (2008).

## **b. The spread of counter-radicalisation policies in European countries**

While the Netherlands and the United Kingdom were the first countries to develop counter-radicalisation strategies, the Europeanisation of the strategy since 2005 and its internationalisation since UNSC Resolution 2178 in 2014 have meant that a number of European governments have adopted counter-radicalisation policies as part of their counter-terrorism strategy, and a number of them have developed policies in the education sector or are currently discussing the possibility of doing so. This section provides a non-exhaustive overview of the current situation, yet the following examples can give a sense of the widespread dissemination and diversity of counter-radicalisation policies in the education sector.<sup>4</sup>

### **Albania**

In the first half of 2016, Albania adopted the Albanian National Strategy – Countering Violent Extremism (CVE), which was developed separately from the counter-terrorism strategy. The CVE strategy aims to involve schools, teachers, social workers and religious communities. Concerning the education sector, the strategy’s aims are to “better explain the issue and dangers and ‘vaccinate’ students against extremism, as well as to develop modules for teachers and students under the leadership of the Ministry of Education” (Regional Co-operation Council 2016: 23).

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4. As of February 2017 when this report was written, no information or only partial information was found on counter-radicalisation policies concerning the education sector for Azerbaijan, Georgia, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Malta, Monaco, Portugal, Moldova, Romania, San Marino, Slovenia and Ukraine.

## **Austria**

The Austrian National Security Strategy of 2013 emphasised the need to counter radicalisation. In 2014, 150 schools were instructed on how to “spot potential jihadist threats” (*The Local* 2014). During 2015, the Austrian Ministry of Education developed several workshops aimed at deradicalisation in schools (Bundesministerium für Bildung und Frauen 2015). The example of The Mother’s School against Extremism project, initially developed in Tajikistan (2012) by Vienna-based international NGO Women Without Borders/Frauen Ohne Grenzen, which aims to provide support to families and professionals, has been emulated across Europe (Ioffe 2016, Women Without Borders 2017).

## **Belgium**

In 2014 Belgium adopted the Federal Strategy against Violent Radicalisation, with a focus on decentralised initiatives delegated to municipalities, foreign fighters, social media and internet, and prisons (Royaume de Belgique 2014). In February 2016, the Belgian minister of the interior announced a new plan, Canal, aimed at reinforcing the counter-radicalisation effort in eight municipalities (RTL Info 2016). In January 2017, the Fédération Wallonie-Bruxelles Government announced a set of new measures specifically targeting the education sector, among others the Network of Prevention of Extremism and Violent Radicalisms, the Help Centre for Individuals affected by Radicalism and Violent Extremism (CAPREV) and a hotline (Fédération Wallonie-Bruxelles 2017). In schools, dedicated “radicalisation referents” support the education staff. Furthermore, the ministry of education offers training programmes to teachers and students as well as online resources (D’Otreppe 2016). A telephone hotline that can be used by families and professionals to report cases of radicalisation has also been set up (Le Soir 2016).

## **Bosnia and Herzegovina**

Bosnia and Herzegovina adopted its counter-terrorism strategy in 2015. An action plan has been drafted but is yet to be formally adopted (as of July 2016) (Regional Cooperation Council 2016: 28)

## **Bulgaria**

Bulgaria adopted a Strategy for Countering Radicalisation and Terrorism (SCRT) in 2015. Education features as an important aspect of the strategy, which aims to “develop critical thinking and appreciation among young people and vulnerable groups through education and sport, and raise awareness of democratic values and offering alternative role models” (Republic of Bulgaria 2015: 8)

## **Croatia**

In 2012, Croatia adopted an Action Plan for the Prevention and Suppression of Terrorism (Vlada Republike Hrvatske 2012) and a National Strategy for the Prevention and Suppression of Terrorism in 2015 (Vlada Republike Hrvatske 2015). As part of the national strategy the government intends to “develop co-operation with the scientific and educational community in order to improve existing protection measures and mechanisms for the prevention and suppression of terrorism” (Vlada Republike Hrvatske 2015).

## **Cyprus**

In 2014, the Council of Ministers of Cyprus approved the National Counter-Terrorism Strategy for the Republic of Cyprus based on the four pillars of the corresponding EU strategy: “Prevent, Pursue, Protect and Respond” (*SigmaLive* 2015).

## **Czech Republic**

The Czech Republic adopted the Strategy to Combat Terrorism (Czech Republic 2009) and the Strategy for the Fight Against Terrorism (Ministry of Interior of the Czech Republic 2013), which emphasises the role of education.

## **Denmark**

Denmark adopted the Action Plan for the Fight against Terrorism in 2005, followed by the Action Plan to Prevent Radicalisation and Extremism in 2009, revised in 2014. Denmark has pioneered counter-radicalisation initiatives at local level, and has attracted much attention for the programme developed by the municipality of Aarhus since 2007.

Anyone can be referred to the city’s anti-radicalisation team by family members, friends or police, social workers and youth club leaders. ... Teachers and youth leaders are also trained to recognise the signs of radicalisation and are – along with members of the community – encouraged to contact the anti-radicalisation team if they are worried about someone. (*The Local* 2015a)

Awareness campaigns on radicalisation and extremism start as early as fourth and fifth grades (*The Local* 2015b). The Danish approach builds on the school, social services and police (SSP) co-operation and the revised action plan of 2014 reiterates the central role of education in the counter-radicalisation policy:

Local authority experts and the police play key roles in preventive work in Denmark as part of their general crime-prevention duties. Preventing radicalisation and extremism among children and young people is part of the “SSP co-operation”, a crime-prevention partnership involving schools, social services and the police. In every local authority

district in the country, selected council employees and police officers have been trained to take part in work to prevent extremism and radicalisation. (Danish Government 2014: 6)

## Estonia

Combating radicalisation forms part of the Estonian counter-radicalisation policy, but there do not appear to be specific initiatives aimed at the education sector (Government of Estonia 2013).

## Finland

In June 2012, the Finnish Government issued the plan Towards a Cohesive Society – Action Plan to Prevent Violent Extremism. It was updated in 2016 with the publication of the National Action Plan for the Prevention of Violent Radicalisation and Extremism. The plan identified education as one of the key policy sectors for the prevention of violent extremism:

Politicians and decision-makers direct and steer the different sectors of social policy and provide guidelines for them. From the standpoint of preventing violent radicalisation and extremism, the key policy sectors include education, social and health services, employment, and integration and housing. (Ministry of the Interior of Finland 2016: 17)

In 2016, the Finnish police force trained school teachers to identify students who show signs of extremism and radicalisation, as part of a national operational programme on security and administration of justice (Yle 2016).

## France

France published its first Action Plan against Radicalisation and Terrorism in 2014 and revised it in 2016. Schools are included in regional reporting mechanisms (*états-majors de sécurité*) in which cases of potential radicalised students are discussed. Individual attention is then given to specific cases, through public services or civil society actors (*cellules de suivi*). Education personnel can also directly or indirectly report cases via a dedicated hotline (*numéro vert*) and are requested to spot signs of radicalisation in their classrooms (Vaughan 2016). Additional initiatives aimed at raising awareness are also organised (Premier Ministre 2016; Ministère de l'Education Nationale, de l'Enseignement Supérieur et de la Recherche 2017).

## Germany

Germany's Federal Strategy for Extremism Prevention and Promotion of Democracy (2016) builds on years of experience of prevention of extremism and designates the education sector as a key partner in the prevention of terrorism (Die Bundesregierung 2016). Civil society has actively participated in prevention efforts, in particular of right-wing extremism, through, for example, the work of government-supported NGO "EXIT", and since 2011 a government-funded group called Hayat has developed

counselling services, which connect imams, school teachers, police or other authorities (*Deutsche Welle* 2014).

## **Hungary**

Hungary's National Security Strategy, published in 2012, identifies "addressing the causes conducive to terrorism, countering extremism and radicalisation" as one of the priorities concerning the counter-terrorism effort (Ministry of Foreign Affairs of Hungary 2012).

## **Luxembourg**

In 2015, Luxembourg adopted the government plan for national vigilance in the face of the threat of acts of terrorism, which defines "measures for vigilance, prevention and protection or in reaction to a terrorist attack". It defines municipalities as key actors to cover the education sector (Le Gouvernement du Grand-Duché de Luxembourg 2015). In schools, teachers have been given training to recognise signs of radicalisation. In October 2016 a hotline to report signs of radicalisation was made available to the public (*Luxemburger Wort* 2016).

## **Montenegro**

Montenegro adopted a Counteracting Violent Extremism Strategy (2016-2018) in December 2015, centred on understanding the drivers of radicalisation, establishing co-ordination mechanisms among relevant institutions at national and international level, as well as implementing and monitoring the effects of these policies. While the plan does not have comprehensive provisions concerning the education sector, it aims at "providing media training for relevant religious schools and related educational institutions" (Government of Montenegro and Ministry of Justice of Montenegro 2015: 8).

## **Norway**

In 2010, Norway adopted its Collective Security – a Shared Responsibility Action Plan to Prevent Radicalisation and Violent Extremism. In 2014 the updated Action Plan against Radicalisation and Violent Extremism was adopted. The 2014 action plan outlines initiatives specifically dedicated to schools, such as developing dialogue conferences for young people, or teaching resources for use in secondary education and training, and suggests modalities for action in the event of concern, involving the school, the child welfare service and the police (Norwegian Ministry of Justice and Public Security 2014).

## **Poland**

In 2014, Poland adopted the National Counter-Terrorism Programme 2015-2019 with a central concern for radicalisation. The author could not, however, find specific measures related to the education sector (Rady Ministrow 2014).

## **Russia**

Russia distinguishes between extremism and the “ideology of terrorism”. According to the Strategy for Countering Extremism in the Russian Federation to 2025, adopted in November 2014, extremism – including nationalism, religious intolerance and political extremism – is a threat to national security. The strategy identifies three priority areas: inter-ethnic and inter-religious extremism; work with younger generations; and improving migration policy (Pawlak and Göppfarth 2016).

## **Serbia**

Serbia began developing a counter-terrorism strategy in 2015 under the auspices of the Ministry of the Interior, involving the ministries of the interior, defence, finance, education, youth and sports. The future strategy, which cover the years 2016 to 2021, is likely to impact the education sector (Regional Cooperation Council 2016: 49).

## **Slovakia**

Slovakia adopted a National Action Plan on Combating Terrorism (2015-2018), and a National Strategy on Countering Extremism (2015-2019) in 2015. The latter contains specific provisions for the education sector, such as the plan to “introduce a multi-disciplinary approach, involve several actors in the process of detection of signs of radicalisation (education – teaching and professional staff – social workers) – to draw up a document for teaching and professional staff and social workers to identify signs of radicalisation” (Rokovanie Vlady Slovenskej Republiky 2015).

## **Spain**

Spain outlined its counter-radicalisation policy in the Strategic National Plan to tackle Violent Radicalisation (Ministro del Interior 2015). The government has set up a counter-narratives initiative through a dedicated web page, a specific hotline to report cases of radicalisation and a smartphone app (*El Mundo* 2015). Recently, the Autonomous Community of Catalonia has developed a policy requiring teachers to collaborate with the police force and spot signs of radicalisation among their students, such as retreat from social life, change of clothes or the refusal to partake in school activities (González 2016; Oms 2016).

## **Sweden**

In Sweden, the government issued an Action Plan to Safeguard Democracy against Violence Promoting Extremism in December 2011. In December 2013, the Official Swedish Report “When we care” – proposals regarding co-operation and education to increase the effectiveness of efforts to prevent violence-promoting extremism – outlined Swedish counter-radicalisation policies in schools (SOU 2013: 81). In

2015, the government announced “Actions to make society more resilient to violent extremism”, which further empowers non-security actors and schools in particular to participate in the counter-radicalisation effort (Swedish Government 2015). In 2016, the Swedish Red Cross set up a hotline at the request of the National Co-ordinator Against Terrorism, in order to “help the families and friends of people tempted by radical extremism” (*The Local* 2015c).

## **Switzerland**

The Swiss Federal Department of Justice and Police announced in September 2016 that a National Action Plan against Radicalisation and Violent Extremism would be prepared for the second half of 2017 (Département Fédéral de Justice et Police 2016). The report “Radicalisation prevention measures – Situation in Switzerland”, published in July 2016, will serve as a basis for action. The report suggested a central role for teachers and social workers in preventing radicalisation and sharing information with law-enforcement authorities (Réseau National de Sécurité 2016). Swiss initiatives are mostly developed at local level. The city of Winterthour has developed a network of 200 youth professionals (teachers, social workers, police officers, religious representatives) to organise the prevention of radicalisation (Zünd 2017). There, teachers will receive training to detect signs of radicalisation (24 heures 2015). Zürich has dedicated two members of its violence prevention task force to matters of radicalisation. In Zürich, a software based on 42 questions to detect radicalisation (Ra-Prof) has been deployed and used in schools (*Le Temps* 2016). Basel has also created such a task force, bringing together police forces, schools, integration services and psychiatric services (Zünd 2017). Geneva has developed a different approach, focusing on more structural factors aimed at integrating staff and students (Tribune de Genève 2015).

## **“The former Yugoslav Republic of Macedonia”**

“The former Yugoslav Republic of Macedonia” appointed a National Co-ordinator for CVE in 2015. In 2016, a National Strategy in the Fight against Terrorism was adopted, which mentions CVE for the first time in an official context. There do not seem to be any specific initiatives dedicated to the education sector (Regional Cooperation Council 2016: 41).

## **Turkey**

While Turkey faces several challenges in terms of terrorism and radicalisation, there is no single articulated strategy that includes counter-terrorism and counter-radicalisation. The Turkish National Police are involved in counter-radicalisation, including “awareness-raising, social projects, preventive engagement with families, and professional training of officers” (Regional Cooperation Council 2016: 56). The Turkish police force has also established a research centre within the Police Academy to improve support in the field.

## Kosovo<sup>5</sup>

In September 2015, the Government of Kosovo\* approved the National Strategy on Prevention of Violent Extremism and Radicalisation which Leads to Terrorism – a five-year plan from 2015 to 2020. The ministries involved in the plan include those of labour, foreign affairs, education and security. The plan entrusts municipalities with some of the CVE responsibilities, and the plan includes a referral mechanism similar to the United Kingdom's Channel programme, involving education professionals, welfare professionals, teachers, parents, psychologists and Islamic community representatives (Regional Cooperation Council 2016: 36).

### **4. Counter-radicalisation in schools: a trend requiring attention**

While counter-radicalisation policies were developed in the mid-2000s in the Netherlands and in the United Kingdom, as the issue of home-grown terrorism seemed circumscribed to a few large northern European cities, in the light of the developments of domestic and international terrorism over the last decade, governments of the member states of the Council of Europe have increasingly set policies aimed at countering radicalisation and terrorism at the top of their security agenda. Through the multiplier effects of the adoption of these policies by regional and international institutions (the EU, the OSCE, the Council of Europe, the UN), almost all of the Council of Europe member states have now adopted counter-radicalisation policies and plans.

Furthermore, a growing number of states are translating these strategic objectives into concrete policy. In most counter-radicalisation plans and policies, young people and institutions dealing with them (education, youth work and social work) are considered as key targets. A growing number of states are now faced with the difficult task of implementing an agenda that presents the key contradiction of working through suspicion while requiring trust, and are now facing a mixed reception from the part of education professionals.

The policy framework, from its origins, has indeed been built on two contradictory sets of assumptions. On the one hand, there is the idea that schools can be a space of "detection" of future criminal behaviour. Or, in the words of O'Donnell (2015: 57):

Efforts to target those at "risk of radicalisation" appear to rest upon three key assumptions that are, in turn, related to pre-crime counterterrorist strategies: (i) there are individuals who are vulnerable to certain kinds of ideas; (ii) these individuals may not even know that they are on a pathway to terrorism; and (iii) professionals can be trained to spot the signs that indicate someone is at risk of radicalisation.

On the other hand, schools are promoted as a space where radicalisation can be addressed by fostering resilience through dialogue, social inclusion and

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5. All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo.

diverse societies. Given the controversial nature of these policies and in particular the contestation they generate in the education sector, it is an important moment to review their effects.



## Chapter 2

# Issues faced by education professionals



Photo: Dreamstime

### Key points

This chapter considers the issues faced by educators in schools.

Education professionals are asked to spot radicalisation through a set of behavioural indicators, such as changes in lifestyle and critical attitudes towards authorities and the values of mainstream society. In several countries, educators are asked to report students to the authorities. In the United Kingdom, it has become a statutory obligation.

Teachers are simultaneously asked to foster social cohesion and build resilience through trust, democratic education and education for critical thinking.

While educators are asking for guidance on how to deal with troubling situations, many resent being asked to act as agents of counter-terrorism policies, in particular because they feel that the tasks of “spotting radicals” on the one hand and creating the trust and inclusion conducive to a proper teaching activity on the other are contradictory.

Educators fear that the radicalisation criteria, based on contested scientific evidence, might lead to unjustified referrals to the authorities and might be driving conversations underground, as well as reframing some aspects of student and teenage behaviour as security problems that are best dealt with by security professionals.

Examination of the legislative and policy orientations relating to counter-radicalisation in the education sector points out one of its key conceptual contradictions, namely between the mission of detecting radicalisation and the mission of fostering social cohesion. There are, however, several other problems that are faced by educational professionals and students and their families in their everyday life. The following two chapters first highlight the challenges faced by educational sector professionals and then consider the issues faced by students and their families.

Research in this field is still patchy, incomplete and often focused on one country – the United Kingdom. What is presented here is therefore informed by press articles, NGO reports, group discussions carried out with selected experts and personal communications with security professionals. While the best effort is made to present a variety of contexts and geographical locations, the aim of this report is to present the current situation and to point towards areas for further research.<sup>6</sup>

## **1. Issues faced by education professionals**

Education professionals must deal with several issues that are not directly linked to the content of their teaching, but which are part of their mission to educate future citizens. While these issues have always been included in the education sector's set of responsibilities, a heterogeneous set of old and new problems has also now been regrouped under the label of "countering radicalisation".<sup>7</sup>

### **Membership in, or support for, groups advocating political violence**

Students declare being members of violent groups and organisations, or their intention to leave for a conflict zone, or students show signs of support or sympathy for groups who advocate political violence (extreme right, extreme left, environmental, independentist, al-Qaeda or Daesh).

### **Breakdown in social relations.**

Students show a sudden or important change in the groups of friends they associate with.

### **Break with school**

Students refuse to attend school, contest the content of the teaching material, do not attend some classes, or do not come to any classes at all.

### **Break with family ties**

Students enter into conflictual relations with their parents, refusing to communicate with them or their families, maybe running away from home.

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6. For a review of the existing literature that shows the harmful effects of these policies on Muslim, black and minority ethnic youth, mostly in the United Kingdom, see Sukarieh and Tannock 2016: 24; other relevant texts include: Brown and Saeed 2014; Coppock 2014; Coppock and McGovern 2014; Miah 2013; and Sian 2014.
  7. The list of official "signs" of radicalisation presented here draws from the French policy. See Ministère de l'Education Nationale, de l'Enseignement Supérieur et de la Recherche 2015.

## New eating habits or clothing style linked to religious practice

Students show signs, for example, of a conservative or very conservative religious practice, wearing ostentatious religious clothing, refusing to shake hands or refusing to eat non-halal food.

## Modification of social identity and discourse

Students become violent or anti-social, entering into repeated conflicts with other students, rejecting the principles of European society, its values and practices, including a systematic rejection of authority.

## Contested histories

Students contest the coverage of certain historical periods, such as the Holocaust, the colonisation and decolonisation periods or the Israeli-Palestinian conflict. This is particularly true of countries that have a divided history, for example Cyprus, in which questioning the official historiography can be considered as a problem.<sup>8</sup>

## Discrimination

Students react to hate speech, feeling victimised because of their religion (Jewish, Muslim), in particular in the context of specific events (terror attacks, Brexit, foreign policy events, etc.).

## 2. Challenges posed by counter-radicalisation policies

### Demands on education professionals

European countries vary in their approaches to detecting signs of radicalisation. To date, only the United Kingdom has made it a statutory duty to report cases of radicalisation. Other countries, such as Belgium, France, Spain, or some cities in Switzerland, have set up structures for education professionals to signal cases. Sometimes cases are referred to the police, sometimes to dedicated services that are separate from the police. Several of these mechanisms are relatively new and, while many countries do not have dedicated mechanisms to spot signs of radicalisation, many governments are moving in this direction.

The account of this Belgian educator illustrates the general concern and course of action for educators:

The cases that we most often have to face" explains a Brussels director, "are the cases of young adolescents who repeat radical messages they have heard on the street, with their family or they have read on the Internet. Teachers use their pedagogy to tackle these simplistic discourses by providing context to them. But sometimes this is not enough, the pupil remains convinced, and we resort to 'radicalisation referents' hired by the municipality. They help us deal with these situations by reconnecting or raising awareness with the family. But such cases are very rare. (D'Otreppe 2016)

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8. Intervention of Ellada Evangelou, Council of Europe Group Meeting, 2016.

In countries where policies aimed at countering radicalisation in schools have been implemented, educators facing these situations are trained to follow a certain number of procedures to deal with them. Most of the time these include both (a) detecting and reporting students showing signs of radicalisation and (b) generating a “safe space” for discussion, fostering critical thinking and in some cases respect. A certain number of key issues, however, make it difficult for educators to carry out their work.

## Teachers' reactions

The list of criteria for radicalisation varies substantially from one country to another, and sometimes from one government agency to another. Some issues may present themselves very rarely – students professing their intention to leave for Syria – others are more mundane problems for students, especially teenagers – rejecting their families, rejecting the dominant values of society, etc. As a result, the implementation of counter-radicalisation policies has not been without controversy.

## United Kingdom

In the United Kingdom, for example, in March 2016 the National Union of Teachers (NUT) passed a motion rejecting Prevent,<sup>9</sup> arguing that it required teachers to act as the “Secret Service of the public sector”. As the General Secretary of the National Association of Head Teachers (NAHT) summarised:

To put it bluntly, teachers are not counter-terrorism experts, have no wish to be ancillary members of the security service and lack the training to do it well even if they did. (Rights Watch 2016: 12)

Other organisations had a similar reaction. The Universities and Colleges Union (UCU) argues, for example, that the statutory duty of Prevent will:

have a chilling effect upon debate and academic freedom within UK universities and colleges; create an atmosphere of mistrust within institutions and between staff and students which is at odds with academic values; create a legal duty upon institutions and staff which is vague and not achievable. (O'Donnell 2015: 62)

The picture is, however, complex. A recent report shows, that since it has become a statutory duty, and subject to proactive inspections, a larger number of United Kingdom teachers has come to accept the policy (Busher et al. 2017). This “domestication” of counter-terrorism has mostly been carried out by presenting the policy as a form of “safeguarding”, raising important ethical and political questions about the relation between safeguarding and counter-radicalisation (Walmsley 2017).

## France

Similar reactions have been found in France. A first controversy emerged in 2014, when a leaked document from the Académie de Poitiers clumsily described religious

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9. On the United Kingdom's Prevent policy, see Chapter 1, section 1.b. “The United Kingdom”.

signs as signs of radicalisation. The ministry distanced itself from the document, but the policy of “spotting signs” was pursued (see Chapter 1, section 3 – “France”).

The controversy emerged again in 2016 when teachers grading the final high school examinations were allegedly asked to detect radicalised students and report them (*Marianne* 2016).

We were asked to scan the portion of exams that showed signs of radicalisation and to send them to the regional pedagogic inspector with the anonymous number ... When I asked if it was about detecting radicalising youth, her answer was positive. (*Marianne* 2016)

The request provoked a stark reaction from the teacher’s union SNES-FSU:

Teachers are responsible and competent civil servants who do not need to snitch in order to carry out their work. Or, as another teacher put it: “it’s not up to us to fill in the ‘S files’” [intelligence files used to indicate terror suspects]. (*Europe 1* 2016)

Commenting on the examinations episode, the French Ministry of Education has officially denied that such a demand was formulated. The 2016 plan did, however, confirm that educators were asked to spot signs of radicalisation. The French Minister of Education explained:

Schools and heads of schools have to be able to detect the early signs, the precursor signs of radicalisation in their pupils. After all, all young people go through school so it is a very important place. And so heads of school should know their pupils quite well. Handbooks have been made and given to heads to help them detect those signs in pupils and when they do they are directed to the police and to specialised social services. (Vaughan 2016)

## Spain

Educators have similarly reacted with scepticism in Catalonia in the light of the new policies there.<sup>10</sup> As Nicolás Fernández Guisado, president of the teachers’ organisation ANPE, argued:

Everyone should know their job. We are not prepared, nor is this the job of the school. ... We do not want a policed school and we do not want witch hunts. (Sanmartín 2016)

Or as Carlos Lopez of the trade union UGT put it:

The teacher has to provide an education respecting the law. ... But if we are asked to carry out police or coercive work, we disagree. (Sanmartín 2016)

Manel Pulido, secretary for the Catalan union CCOO – Education, complained:

Recently the school is put in charge of solving all the problems: traffic accidents, sexist violence, now radicalisation ... this can really be a stretch of our functions. (Sanmartín 2016)

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10. See Chapter 1, section 3.b. “Spain”.

## **Switzerland**

In Switzerland, the approach favoured in Zürich,<sup>11</sup> also based on spotting radicals in schools, is not entirely shared in other cities, such as Geneva.

"On a personal level, I find it a bit strange" stated the president of the Romandie teachers' union (SER), formulating similar objections as that of his British, French and Spanish counterparts. (24 heures 2015)

How can we understand this resistance to counter-radicalisation policies?

### **The challenges of spotting "signs" of radicalisation**

While teachers are in demand for guidance on how to deal with situations considered to be troubling, such as students becoming very religious, supporting conspiracy theories, condoning terror acts or making anti-Semitic, racist or anti-system remarks, many are puzzled by the advice they receive concerning the characterisation of the problem. While training generally focuses on spotting "signs" of radicalisation, many feel ill-equipped to recognise them, and many commentators doubt that it is indeed possible to spot radicalisation that would lead to terrorism.<sup>12</sup>

These doubts echo those of key researchers in the field of radicalisation, such as Arun Kundnani (2009, 2012) or John Horgan (Bjørgo and Horgan 2009; Horgan and Braddock 2010), who have published extensively on the topic, as well as the 140 academics who have written an open letter to question the very possibility of using signs to detect radicalisation (*The Guardian* 2016). Criticism focuses on a set of key issues:

- ▶ The criteria are considered "not academically rigorous" and "questions remained" about "the academic validity of the knowledge upon which these criteria have been established". (Hooper 2016).
- ▶ Similarly, critics contest the notion that there is a linear, causal and temporal path to radicalisation that can be observed and that manifests itself through "signs", the so-called "conveyor belt approach" to radicalisation that has informed much of the United Kingdom's Prevent programme as well as other programmes inspired by Prevent (O'Donnell 2015: 53; Rights Watch 2016: 4).
- ▶ Indicators are criticised for being too broad in their scope – potentially encompassing many normal behaviours – and ambiguous in their meaning. An independent systematic review of the "quality and psychometric properties of assessments" has highlighted important areas of concern (Scarcella et al. 2016).

### **From extremism to violence: predicting the future?**

Closely associated to the problems of determining "signs" of radicalisation is the assumption that there is a relation between adopting extremist views and engaging in political violence – also known as the "conveyor belt" approach to radicalisation.

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11. See Chapter 1. Section 3.b. "Switzerland".

12. Intervention of Samia Hathroubi, Council of Europe Group Meeting, 2016.

By assuming the linearity of the radicalisation process, the policy functions through a paradigm of what could be defined as “pre-crime” (Thomas 2016: 10): students are referred for fear that they might become violent in the future, but there is no evidence that they actually will.

As Horgan and Braddock (2010) have shown, however, there are no clear indicators of prediction for terrorism. As O’Donnell puts it:

If there are no clear indicators to identify those at the “risk of radicalisation”, no agreed legal definitions of “radicalisation” or extremism, no clear correlation between radicalisation, extremism, violent extremism and terrorism, if the indicators outlined are so extensive as to include large portions of the population, and if the idea that radicalisation leads to terrorism has been significantly challenged, how can it be suggested teachers, lecturers, early childhood care workers and so forth can, simply by observing the ideas, dispositions, appearances and behaviours of those in their care, recognise and objectively verify indicators that purportedly show someone to be “at risk of radicalisation”? (O’Donnell 2015: 57)

Educators thus question the conveyor belt theory of radicalisation. As former director of the STREET Project in London (UK), Alyas Karmani, puts it:

The conveyor belt theory says that individuals go from being normal, to being radicalised by ideology, to becoming violent extremists. It is a very influential model; however, through my research with close to thirty-five offenders, my experience is that every single one of them was completely unique in how they ended up supporting violence: we can’t say it’s down to one factor or another. What I’d like to see in the future, is that the prevention of violent extremism is re-focused on what practitioners have experienced and the insights that they can offer. (Fitzgerald 2016: 141)

## **The blurred boundaries between extremism and freedom of expression**

In most countries, the boundary between acceptable speech and speech that could be considered to fall under the counter-radicalisation policy is set by law (hate speech, discriminatory speech, etc.). The distinction, while difficult to establish in practice, is between the expression of opinions and the support or incitement to violence. In practice, however, the implementation of this distinction is challenging for education professionals.

### **Netherlands**

As teachers in the Netherlands put it:

We get an email we read a sort of protocol (sic), I still do not understand exactly the government expects us to do, and that I what is next? I have no idea. (Hijdra 2015)

“I don’t know what to do about extreme opinions. Aren’t they allowed to have an extreme opinion? Is it not also their freedom?” The paradox of teaching students about ideals makes radicalisation difficult to identify and places and leaves educational personnel confused. (Vachlis, 2015)

## **Spain**

A similar perplexity was experienced by educators in Catalonia, as expressed by the union CSIF: Sources in this organisation highlight the “complexity” of this [reporting] protocol with regard to issues like “religious freedom, the freedom of expression” or for the “very fact that security agencies have difficulties themselves in tackling issues of radicalisation.” (Sanmartín 2016)

## **United Kingdom**

In the United Kingdom, the latest version of the Prevent strategy, with its focus on non-violent extremism, asks teachers to be on the lookout not only for violent behaviour or support for violent groups, but also for students who might show:

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. (Rights Watch UK, 2016: 15)

The definition has been extended to include:

calls for the death of members of our armed forces, whether in this country or overseas. (Rights Watch UK 2016: 15)

Teachers have talked about the difficulty of setting the exact boundaries between what constitutes a “sign” of radicalisation and what is instead the legitimate expression of political dissent, and thus question the notion that opposing “fundamental British values” might be an indicator of committing a terrorist attack in the future. In the United Kingdom, in particular, the notion of “non-violent extremism” is considered by some professionals as “overly broad and ambiguous”. Some educators, like Gus John, the first black Chief Education Officer in England, feel that they are being asked to become instruments of “thought police”, while others see “OFSTED’s [Office for Standards in Education] undeclared role as foot soldiers for GCHQ [the British Government’s electronic surveillance and interception facility]” (John 2014: 2, cited in Thomas 2016: 11), making parallels between the current condition of Muslim children and the condition of racially profiled black youth in the 1970s in Britain (Thomas 2016: 11).

## **Training programmes: too short, questionable content**

As a result of the broad scope of radicalisation criteria – as described in the sections above – education professionals are given an important degree of discretion in determining what behaviour falls under the issue of “radicalisation”. Training is therefore an essential part of the success of the policy. Unfortunately, in the countries where training has been deployed, many education professionals have found it unsatisfactory.

## **Short and insufficient training programmes**

### **Belgium**

In Belgium, education professionals have welcomed training programmes, “the requests for information and training come from the teaching professionals” but regret they are too “disparate” and “occasional” (D’Otreppo 2016):

This phenomenon of religious radicalisation has surprised us a bit. We didn’t expect it, and the different authorities haven’t yet co-ordinated to tackle it. ... In order to address it we are still improvising. We work with what we have. (D’Otreppo 2016)

### **Netherlands**

In her work on the training available in the Netherlands, Masha Vachlis found that some training material used images that did not correspond at all to the experience of educators in Dutch schools.

[T]he training provided presents instructors images of youngsters leaving to Syria. However, teachers are asked to find initial signs of radicalisation, which cannot be equated to these images. For instance, the security coordinator at a school in Amsterdam [asserted]: “These images contain youngsters that leave off to fight in Syria alongside ISIS”. According to the security coordinator, these images represent youngsters that are already far along in the process of radicalisation. These images are perceived as unrecognizable and do not correspond with the reality that schools face with regard to radicalisation. (Vachlis 2015)

### **United Kingdom**

In the United Kingdom, the majority of teachers receive no more than a 90 minute video of training. (Rights Watch 2016: 10). As a result, security professionals are expressing doubts about the skills gained through such training. As Sir Peter Fahy, the former Chief Constable of Greater Manchester Police, put it in an interview with Rights Watch UK:

[I]t is questionable whether a few hours of training could ever be sufficient to equip individuals who have no background in counter-terrorism to make judgments about whether or not an individual is evincing signs of radicalisation. (Rights Watch UK 2016: 10)

Additionally, videos are not perceived to be useful from a practical perspective, not containing “clear instruction on the statutory requirements and the scope of the relevant government guidance” (Rights Watch UK 2016). The Open Society Justice Initiative (OSJI) report (2016: 45) found in that regard that:

[t]oo many providers adopted a “one-size-fits-all” approach [which] was often too superficial to help staff understand the nature of specific risks in the communities that they serve.

This is not a problem specific to the United Kingdom.

## **Anti-Muslim bias, absence of human rights component**

Some NGOs have reported that the videos might even be counterproductive, containing biased views of Islam that might further alienate Muslim students (Open Society Justice Initiative 2016: 44). As one professional who attended Prevent training in the summer of 2015 put it:

"[I]mages of extremism were based on ISIS imagery only". The training gave "just one view of Islam" and made "people look at Muslims in a stereotypical way. ... Such exclusive depiction of only one form of extremism", she said, "has fed anti-Muslim sentiment and led to attacks in the tube on women wearing hijab." (Open Society Justice Initiative 2016: 44)

Furthermore, the teachers interviewed for the Rights Watch report specified that the training they received did not cover any of the human rights instruments relevant to this policy (Rights Watch UK 2016: 10).

## **The problem of referrals**

The vagueness of radicalisation signs and poor training of education staff can result in unnecessary referrals, or doubts about the right referral procedure.

## **Belgium**

In some countries, the decision to report is delegated to the education professional, as explained by this headmaster of a school in Brussels:

Today, it's true that we have no official guidance in this regard. We act as good family men and on a case by case basis. I also trust the "radicalisation referent" civil servants in order to know whether a case needs to be referred. (D'Otreppe 2016)

The autonomy of education professionals is considered a desirable solution:

For the rest, I don't think it's really necessary to set up strict rules. Experience, knowledge of the field, of the student and the autonomy of headmasters are sufficient to treat cases individually. (D'Otreppe 2016)

But the overall strategy still presents risks of confusion between education and police roles, as evidenced by the Belgian Minister of Education:

Despite a protocol agreed in 2006, there is still the risk of a "confusion of roles" between the mission of schools and certain police interventions, be they preventative or repressive. (D'Otreppe 2016)

## **United Kingdom**

In the United Kingdom, because of the extension of the Prevent programme in the education sector, security professionals doubt the accuracy of many referrals made to the safeguarding programme Channel. As Sir Peter Fahy, the former Chief Constable of Greater Manchester Police, said when interviewed recently by Rights Watch UK:

The extension of the Prevent duty to the education sector was introduced in haste and without the time for proper training. This led in some cases to inappropriate referrals. (Rights Watch UK 2016: 10)

Similarly, practitioners lose track of information once it travels across organisational boundaries through Channel. The logic of secrecy dominates and teachers are not kept informed about the follow-up of referred cases. This ends up creating practical and normative difficulties in the classroom (Walmsley 2017).

### **3. Undesirable effects for educators**

Consequently, a pattern of undesirable effects of counter-radicalisation begins to appear in the education sector, which not only hinders the everyday work of educators, but might be counterproductive in terms of preventing radicalisation in the longer run.

#### **Driving conversations underground**

When not addressed by the instructors, conversations tend to happen anyway, but out of the teachers' view, for example on social media platforms such as WhatsApp or Snapchat.<sup>13</sup> Difficult conversations in classrooms not only concern violent radicalisation, but are a challenge in and of themselves. When questions of colonisation, the Crusades or the Holocaust need to be addressed, they can be a challenge for educators. As Durodie puts it:

Remarkably today, many working in the education sector too have, in numerous instances abandoned the agenda of a true spirit of education, which necessarily confronts individuals with occasionally discomfiting aspects of reality, for a less challenging existence. So, for example, some now report it to be too problematic to present issues such as the Crusades or the Holocaust to particular students who jeer or applaud at the mention of Auschwitz (Short, 2012, p. 139). And again, rather than confronting this, as at least one government-funded report exemplifies, the preferred course appears to have been to determine ways in which such moments can best be skirted around. (The Historical Association, 2013) (Durodie 2015: 30)

As a result of counter-radicalisation programmes demanding, in some countries, that educators be the "eyes and ears" of the intelligence and law-enforcement agencies, the result is that students are afraid that expressing their opinions will result in them being referred for radicalisation.

#### **United Kingdom**

As the Rights Watch report argues, in the United Kingdom:

The Prevent strategy is leaving a generation of young Britons fearful of exercising their rights to freedom of expression and belief and risks being counter-productive by

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13. Intervention of Samia Hathroubi, Council of Europe Group Meeting, 2016.

driving children to discuss issues related to terrorism, religion and identity outside the classroom and online where simplistic narratives are promoted and go unchallenged. (Rights Watch UK 2016: 4)

### ***Reporting and eroding trust***

One of the key issues for education professionals is that the imperatives of counter-radicalisation policies undermine the relations of trust they need to create with their students.

### **United Kingdom**

The government's *Learning together to be safe* toolkit, which offers specialist guidance in a tiered approach, changes the role of teachers, making them potential agents of the state whose function is not to educate but rather to provide security surveillance, monitoring and feeding back problematic behaviours to the security agencies. Kundnani (2009: 7) has shown how the emphasis on tackling violent extremism puts the integrity of the teaching profession at risk as teachers are increasingly expected to "become the eyes and ears of counter-terrorism policing" (Miah 2013: 153).

Or, as Alyas Karmani illustrates:

I didn't know who this person was, who gave me this slip of paper. So I went with a stock answer, which is to say: "look, as Muslims, we have a responsibility that if anyone is going to commit a criminal act, then we have to engage with the local enforcement agencies and that's the only choice we have." I had no choice. If I'd kept quiet, I'd be complicit. If I said "let's deal with it amongst ourselves", then the authorities could knock on my door and say "you're harbouring extremists". It so happened that it was a young person, and guess what he did after we had this conversation? He told everyone "Alyas shops people to the police." Can you believe that? So you're between a rock and a hard place. It's a lose-lose situation, because I had to say that. And I knew the possible ramifications of that: I lose credibility because people are not going to come up to me anymore. This is the dilemma of a "real" safe space. (Fitzgerald 2016: 144)

### **Transforming education problems into security problems narrows and endangers the mission of education**

The reframing of issues common to children and teenagers, such as the ones mentioned above, from "education problems" to "security problems" does not go without consequences. It suggests that the expertise and know-how of the education profession might not be sufficient to deal with them, while it was considered sufficient until a few years ago. Instead, counter-radicalisation policies suggest that cases should be reported to the police or the intelligence services. Educators are therefore potentially turned into informants, which risks severely undermining the relations of trust they can establish with their students. This form of "securitisation of education" is contested by a number of education professionals, who want to preserve their autonomy and refuse to transform education challenges into security problems.

## **Switzerland**

Georges Pasquier, a teacher in Geneva, recalls that one of the functions of the school consists in developing socialisation skills and social cohesion among students, teachers being already vigilant in their day-to-day work:

When one of them adopts a disruptive behaviour, we try, with the help of specialists and parents, to identify the source and to solve the problem. A dedicated programme does not seem appropriate to me. (*24 heures* 2015)

Jean-Paul Rouiller, a Swiss terrorism expert, remains sceptical about such initiatives and their track record internationally:

Even if there have been some successes, the experiences carried out in several European countries show mixed results. The later an individual is detected, the less the chances of success. Having said that, the question is to know whether we really have a choice. (*24 heures* 2015)

## **Spain**

Nicolás Fernández Guisado, president of ANPE, explains that the process might be counterproductive:

In cases of offences or suspected offences or if the law is broken, of course the education community can act, but to carry out police activities in the classroom is not only dangerous but counter-productive, because students can abandon school if they see that it does not play its inclusive role. ... we are talking about minors in the majority of cases [which requires] a lot of precaution and prudence. (Sanmartín 2016)

While the accounts reported here are not representative of a wide range of positions in the education sector, nor of the positions of education professionals in other countries of the Council of Europe, they exemplify some of the issues that might face educators as a result of counter-radicalisation policies in schools. These policies also directly affect students and their families.



# Chapter 3

## Issues faced by students and their families



### Key points

This chapter considers the issues in schools that face students and their families.

Muslim students can face various forms of discrimination in European schools, ranging from restrictions on their clothing or religious practices to prejudice in school programmes.

Counter-radicalisation policies, which predominantly focus on Islam and have affected mainly Muslim students, may contribute to the discrimination against Muslim students by perceiving them as “potential terrorists”.

As a result, Muslim students and their families may feel treated as a “suspect community”, and may perceive schools as confrontational spaces where they might be exposed to discrimination, absence of freedom of expression and attacks on their privacy.

Counter-radicalisation policies not only address or pose problems to professionals working in the education sector, they also raises issues for students and their families. This section catalogues some of the main issues at stake.

## **1. Issues faced by students in schools**

Regardless of counter-radicalisation policies, students and families, whether from a Muslim background or politically active, face increased scrutiny from some education professionals. The most common issues faced by students are the following.

### **Clothing**

#### **France**

In France, which passed a law banning the wearing of veils in schools (Law of 2004 banning the veil and Law of 2010 banning full face veils<sup>14</sup>), the question of clothing has become a key source of contention. As one 19-year-old girl explains to Béatrice Mabilon-Bonfils in her study:

No matter what we do, the finger is always pointed at us. I remove my hijab when I enter high school because it's forbidden, while I would like to keep it. It's a lack of respect for who I am. But I don't have a choice. So I go along with it. As soon as I am through the gate, I put my hijab back on. In high school we are supposed to be allowed to wear a hijab. But as my vocational training is in a high school ... [m]y problem is that I must do an internship in a company for my training and I was also asked to remove my hijab there. I didn't have the choice. Otherwise I couldn't finish my training. The head teacher called me ... and asked me to "be Charlie". Well, no, I am against the attacks, but I can't accept those cartoons. Why would I comply? (R. 19 years old, vocational training) (Béatrice Mabilon-Bonfils 2015: 44)

Muslim students can be excluded from the education system. In May 2016 a teenage Muslim girl was barred from entering her school grounds for wearing a long black skirt seen as too openly religious (*The Local* 2016).

### **Omissions in school materials**

#### **France**

In some countries, school handbooks have been found to carry anti-Muslim stereotypes:

What is this common ground, when the schoolbooks themselves carry many stereotypes on Islam and Muslims? (Béatrice Mabilon-Bonfils 2015: 40)

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14. On the 2010 law, in *S.A.S. v. France* the European Court of Human Rights found that the French ban on face covering did not violate European Convention on Human Rights (ECHR) provisions on the right to privacy or freedom of religion, or other invoked provisions.

This problem was recognised by the OSCE, the Council of Europe and UNESCO in 2011:

The omission of information on the culture and history of Muslims in textbooks also poses a problem. The role of textbook revision is fundamental in this regard, not only in ensuring that content is accurate and comprehensive, but also in addressing the underlying assumptions and connotations that a text may evoke in a student's mind. Problems may also arise from stereotypes appearing in media resources used by schools. (OSCE, Council of Europe and UNESCO 2011: 19)

## **Exclusion from religious education**

### **Denmark**

Some school systems, such as in Denmark, are found to exclude Muslims in religious education:

Another challenge to educational approaches that promote mutual understanding and religious diversity is the role of Christianity in the Danish public school system. Notably, it is not compulsory for public schools to teach religion; rather, they have "Christian studies" as a mandatory part of the curriculum in which it is not obligatory to teach students about other religions until grade 9. The position of the State Church in Denmark, and more specifically, the position of Christianity in the public school system, may be an impediment to creating an educational atmosphere in which Muslim students feel included as Danish citizens. (Werner 2016)

## **2. Challenges posed by counter-radicalisation in schools**

### **Reactions of students and their families**

Similarly to teachers' unions, student organisations have been critical of counter-radicalisation programmes.

### **France**

The leak of an internal document of the Académie de Poitiers in 2014, while not representative of the official position of the French Government, clearly indicated the target population of the counter-radicalisation programme:

Entitled "prevention of radicalisation in school" [the document] invited teachers to consider criteria such as "a long and ungroomed beard (shaved moustache)", "shaved hair", "Muslim clothing", "refusal to get tattooed", "weight loss due to frequent fasting". ... The document also invites the monitoring of students who are interested in the early history of Islam. (*Le Parisien* 2014)

Magali Espinasse, academic secretary of the union Snes-FSU, reacted to the leak:

We should look for physical characteristics that allow us to recognise dangerous individuals, attitudes or even discourses ... it's plain racism. It is ridiculous. "Muslim

clothing" what does it mean? "Shaved head" what does it mean? "Refusal to get tattooed", are you for or against tattoos? And if they are against, then should we report them as future jihadists? (*Le Figaro* 2014)

While the polemic was contained by the reaction of the minister of education, and the terrorist attacks of 2015 and 2016 in France considerably changed the public discourse, Alain Jaiillet, a professor at the University of Cergy-Pontoise captures the problematic use of the principle of *laïcité* (secularism):

When we look at the measures, they're a catalogue of ideas that advance a moral cause and give no space for dynamic discussion .... Rather than helping to depoliticise *laïcité*, the measures are moralizing, and "re-establish the authority of teachers and of Republican rites" or rituals. "The Republic isn't a religion," he says. "We don't go to a Mass of the Republic." (Piser 2017)

Or, as a Marseille schoolteacher puts it:

For the majority of students, *laïcité* is a notion that evokes restrictions, interdictions, even vexations. ... It's interpreted as, "schools don't accept that we have a religion". They have the feeling to be relegated to the periphery because of their origin or religion. (Piser 2017)

## **United Kingdom**

In the United Kingdom, students have also been vocal in contesting the Prevent policy. The National Union of Students (NUS) in the United Kingdom has launched a campaign called "Students not Suspects" (O'Donnell 2015: 62). As Sukarieh and Tannock document:

"We fundamentally believe that universities and colleges are places for education, not surveillance", declared the National Union of Students in the UK in its 2015 conference resolution to oppose all Prevent-related strategy and programming: "Any expectation by the state for academic staff to be involved in monitoring their students is deeply worrying and could have a chilling effect on relations between staff and students." (Sukarieh and Tannock 2016: 29)

This section lists some of the main challenges posed by counter-radicalisation policies to students and their families.

## **Muslim students perceived as potential terrorists**

For many students, the counter-radicalisation policies and programme come as one additional layer of discrimination, by targeting them specifically.

## **France**

The notion of *laïcité* (secularism) is considered as a principle used to constrain the behaviour of Muslims in France and is directly put in relation to the problem of terrorism. A 16-year-old student from France explains:

They talked to us about the *laïcité* (secularism) charter, but I don't see the relation with the terror attacks. They were terrorists, we are just students so what's the connection

with them? Because I'm Muslim? ...to be honest, I do Ramadan, but that's about it ... nothing else. So, I don't see why I should be more affected than any other student ... and in the media, they only talked about the fact that it was not all Muslims ... and yet we only talked about that. (H 16 years old) (Béatrice Mabilon-Bonfils 2015: 44)

Several students feel that a selective use of the principle of "*laïcité*" results in discriminatory practices against minorities, and has emerged as a principle to "maintain order".

While it was, in its inceptions, a political tool at the service of a project ... one has to admit that the principle of *laïcité* has transformed into an instrument of aggression of minorities, mainly today of the Muslim minority which is presented as the lynchpin of the crisis of the French model of integration. ... Today, *laïcité* is used as an argument of law enforcement, no longer a component of emancipation. It is sometimes used in a discriminatory fashion against Muslims. It generates deep feelings of injustice. (Béatrice Mabilon-Bonfils 2015: 43)

The following episode, in which a Muslim student was asked to "cut his beard or leave school" confirms that the 2014 leaked document represented some of the thinking in the education sector:

The young Muslim pupil at a high school in Seine-Saint-Denis in the northern suburbs of Paris, says he has been growing his beard for two years. But the facial hair is not to the liking of the school's headmaster, who reportedly asked the pupil to trim it back. "I explained that I grew it for religious reasons, and he said it was a sign of radicalisation and told me: You cut it or you leave." (*The Local* 2016)

The report of Busher, Thomas, Choudhury and Harris (2017) confirms this idea, showing that 57% of surveyed British educators consider it "more likely" or "considerably more likely" that Muslim students might feel stigmatised by the Prevent policy, while only 9% consider it "less likely" or "considerably less likely".

## United Kingdom

Students in other countries face similar issues. As one student in the United Kingdom explains:

The big stereotypical view of us Muslims in school [to] put it plain and simple is that we're terrorist. The white students think we're terrorist, but I also think the teachers also think the same. We know that the white teachers and the kids don't like us. It doesn't take a genius to figure that you know ... For example we'll be in class, like the other day we were talking about something in history and this white guy said something which I did not agree with him so I told him I think you wrong. And suddenly he jumped up and said OK you're right otherwise "YOUR (sic) GONNA BLOW ME UP". Or, I'll give you another example, it will be like, you'll be walking down the corridor in school, you know, minding your own business, and a group of white students would say "tick tick tick tick" – like a bomb going off. (Miah 2013: 158)

Muslim children feel under scrutiny, in particular if they practise a form of Islam that is not considered acceptable by the government. Thus despite the claims that these programmes concern all students, Muslim students are found to be targeted more

(Rights Watch UK 2016: 4). Counter-radicalisation policies therefore end up leading to a “culturalisation” of politics, that is a process through which societal antagonisms are formulated in cultural terms. As Sukarieh and Tannock put it:

As such, anti-radicalisation discourse is part of what Mahmood Mamdani and Wendy Brown have described as the “culturalisation of politics” that “analytically vanquishes political economy, states, history, and international and transnational relations”, while “in their stead, ‘culture’ is summoned to explain the motives and aspirations leading to certain conflicts.” (Sukarieh and Tannock 2016: 28)

## **Switzerland**

In Switzerland, Bilal Ramadan, a member of the school teachers’ union UCESG, summarised his views concerning the policy of “spotting radicals” in schools:

Schools must of course be vigilant, but such a policy must be part of co-ordination of different sectors. We have seen that youths get radicalised elsewhere than in the schoolyard. ... Such a policy only adds fuel to the fire. (*24 heures* 2015)

### **3. Undesirable effects for students and their families**

As a result of many of these challenges, a pattern of undesirable effects of counter-radicalisation starts to emerge in the education sector, which not only discriminate against Muslim students and hinder the everyday work of educators, but might also be counterproductive in terms of preventing radicalisation in the longer term.

#### **Undermining trust: schools as less safe spaces**

One of the most detrimental consequences of the co-option of education professionals into the security apparatus through reporting duties or sharing of information is the breakdown of trust relations between students and teachers, as well as the breakdown of trust between students.

## **United Kingdom**

As one NGO reports, some students do indeed feel pressured to inform on classmates (Rights Watch UK 2016: 4). The consequence is that students are beginning to consider schools as spaces of scrutiny rather than safe spaces for the expression of personal or political views (Fitzgerald 2016: 140). As the Rights Watch UK report puts it:

The strategy is “creating a dynamic in which Muslim youth come to be fearful of the educational setting and distrustful of their teachers and their classmates.” (Rights Watch UK 2016)

#### **A chilling effect on students’ freedom of speech**

That students might no longer consider schools as safe spaces has other related consequences.

## **United Kingdom**

It has been noted that students limit what they say in class for fear of being reported:

From interviews with students, teachers, parents, and other professionals, this report sets out how the Prevent strategy is having a chilling effect on discussions of political and religious issues in the safe space of school. (Rights Watch UK 2016: 4)

Expressing “grievances” can be considered a sign of radicalisation:

For example, according to anti-radicalisation policies now adopted by many schools in the UK, if a student has a “grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy”, then this is not something to be responded to in the first instance as the beginning of an investigation and possible challenge to social structure or state practice, but rather is treated as evidence of that student’s current state of mind and personal identity, and more specifically, as a possible “indicator of vulnerability” to radicalisation that demands close monitoring and possible future intervention and referral for deradicalisation programming. (Sukarieh and Tannock, 2016: 29)

## **Fear for privacy**

Another consequence of these policies is that students and their families begin to worry about their privacy.

## **United Kingdom**

As Dodd (2009) explains, “The government programme aimed at preventing Muslims from being lured into violent extremism is being used to gather intelligence about innocent people who are not yet suspected of involvement in terrorism” (Miah 2013: 153). Several students are afraid that data collected through counter-radicalisation referral programmes could be held indefinitely:

Children referred under the Prevent strategy also face the prospect of their referral following them in a permanent record. In one case documented in the report, a 17-year-old, referred under Prevent for expressing solidarity with Palestine, has been told that authorities have collected information on him without his consent, with the suggestion being that this information will be held by the authorities indefinitely. This raises serious privacy and data protection concerns, and the legal basis for this data collection and retention has never been made clear by the government. (Rights Watch UK 2016: 5)

In particular because in the United Kingdom, for example, Channel does not require consent for sharing of information:

Following referral, the CPP assesses whether or not an individual case is “potentially appropriate for Channel”. So long as the CPP is satisfied that it is so, then the referral moves to a Screening and Information Gathering Stage, in which the CPP seeks information about the individual from other members of the Channel panel and a range of institutions (including schools), those institutions being subject to a statutory duty to co-operate with the CPP and the Channel panel under section 38 of the 2015 Act. Statutory guidance suggests that organisations should first consider seeking the

consent of the individual referred (or their parent/guardian) to the sharing of information about them, but recognises that, as part of Channel, there is no absolute requirement for the consent of the subject to the sharing of their information, and a decision not to seek consent will “be dependent on the circumstances of the case but may relate to issues such as the health of the individual, law enforcement or protection of the public.” (Rights Watch UK 2016: 11)

Statutory guidance suggests that organisations should first consider seeking the consent of the individual referred (or their parent/guardian) to the sharing of information about them, but recognises that, as part of Channel, there is no absolute requirement for the consent of the subject to the sharing of their information, and a decision not to seek consent will “be dependent on the circumstances of the case but may relate to issues such as the health of the individual, law enforcement or protection of the public.” (Rights Watch UK 2016)

## **France**

In France, the approximately 200 cases of radicalisation in school reported through the counter-radicalisation hotline and the Etats-Majors de Sécurité (EMS) have been recorded in the database of cases of radicalisation.<sup>15</sup> More research is needed to determine how generalised the phenomenon is across the Council of Europe member states.

The data collected through counter-radicalisation channels informs the broader counter-terrorism apparatus. It can be transformed into actionable intelligence and used to justify administrative measures such as travel bans, house arrests or even judicial prosecution in a context of increased blurring between intelligence and evidence (Bonelli and Ragazzi 2014).

## **Pathologising radicalisation: denying agency**

Several observers have noted that radicalisation is often described as a “disease”, namely “a virus that any young Muslim could catch if we allow them to be exposed to extreme Islamist ideologies and those that perpetuate them” (Thomas 2016: 10).

## **United Kingdom**

As a result, counter-radicalisation is couched in a language of “safeguarding”, “grooming and vulnerability, painting young British Muslims as both ‘suspect’ and in need of being ‘saved’” (Coppock and McGovern 2014: 243). It draws on contemporary “fears and anxiety about paedophilia as a way of explaining the threat from Al-Qaeda” (Furedi 2007, cited in Durodie 2015: 27). As O’Donnell reports:

Chief Constable Norman Bettison, leader of Prevent, said, “the ‘virus’ metaphor is particularly useful in thinking about strategies to target the most susceptible and vulnerable in our communities. … This sort of endeavour will help us to provide barriers to infection …” (Bettison cited in Heath-Kelly, 2013, p. 401) (O’Donnell 2015: 59)

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15. Personal communication.

Yet as Durodie notes, “the framing of young people as vulnerable to ‘being drawn into terrorism’ is a passive formulation that implicitly removes their autonomy and agency (as well as, inadvertently perhaps, their accountability) from the picture” (Durodie 2015: 27). Students are therefore infantilised and their political opinions pathologised. When dissent is pathologised and seen as a marker of an individual “vulnerable to radicalisation” writes O’Donnell, this “risks silencing students and precluding dialogue about difficult and complex ideas” (O’Donnell 2015: 58). Or as Sieckelinck puts it, “it overlooks the fact that the people involved are active agents themselves” (Sieckelinck et al. 2015: 335).

#### **4. A counterproductive policy?**

The challenges listed in this brief overview of the literature on the effects of counter-radicalisation policies in education thus highlights the fact that under the label of “radicalisation” – a contested term with highly contested academic grounding – educators are asked to address a few new problems (consultation of jihadi videos, departures for Syria and Iraq) and a large number of well-known issues affecting children and teenagers (difficult relations with their social, family and educational environment, violence, rejection, etc.). Some of these problems, such as discrimination or rejection on ethnic or religious grounds – both by other students and by education professionals – appear to contribute directly to the attraction of some young people for groups and ideologies advocating political violence.

As one study has found, students subject to discrimination or intolerance have been reported to develop the following reactions: low self-esteem; self-segregation; internalised oppression; disengagement from school activities; not fulfilling their potential; attraction to violent extremist ideologies; drop out/school refusal; health problems/depression; and suicidal thoughts (OSCE, Council of Europe and UNESCO 2011: 20).

In other words, “radicalisation” is an exogenous factor to school, but conditions of structural violence (Galtung 1996) within the educational institutions might be facilitating factors towards extremism. Solving these structural issues is therefore part and parcel of the effort to prevent radicalisation.

Taken together, it therefore appears that counter-radicalisation policies pose three main challenges to the Council of Europe member states: (1) their compatibility with some of the basic human rights principles of education policy and (2) the core values of the role and mission of education, and (3) their potential counterproductive character in pursuing the goal of tackling radicalisation and preventing terrorism. The following section explores these issues in more detail.



# Chapter 4

## Challenges to human rights and fundamental freedoms



### Key points

This chapter<sup>16</sup> lays out the legislative framework that might be relevant to the assessment of the compliance of counter-radicalisation policies in the education sector with international standards of human rights and fundamental freedoms in relation to children and education.

Counter-radicalisation policies in the education sector may not always take into consideration the best interest of the child as a “primary consideration” and may infringe on the right to education.

Freedom of expression, freedom of thought, conscience and religion, the right to preserve one’s identity as well as the right to freedom from discrimination and the right to respect for private and family life may be affected or unduly restricted by certain aspects of counter-radicalisation policies.

Key protections in matters of juvenile justice and the right to a fair trial might be affected when intelligence collected through counter-radicalisation in schools is used as justification for administrative and judicial measures.

<sup>16</sup>. This chapter is co-authored with Professor Jim Murdoch of the School of Law, University of Glasgow.

Some aspects of counter-radicalisation policies, as they are currently implemented or discussed in the Council of Europe member states, appear to be set on three interrelated collision courses: (1) with some of the aspects of the fundamental principles of human rights that form the basis of the Council of Europe's policy, (2) with some of the Council of Europe's key principles of education and (3) with the objectives of preventing terrorism in the long run. This chapter considers the first of these challenges.

As recalled by the Committee of Ministers of the Council of Europe in March 2016, the Action Plan on the Fight against Violent Extremism and Radicalisation leading to Terrorism should indeed be enacted in coherence with the Action Plan on Building Inclusive Societies. The Action Plan on Building Inclusive Societies draws on the Programme of Action of the World Summit for Social Development (1995) which stressed that:

The aim of social integration is to create a "society for all", in which every individual, each with rights and responsibilities, has an active role to play. Such an inclusive society must be based on respect for all human rights and fundamental freedoms, cultural and religious diversity, social justice and the special needs of vulnerable and disadvantaged groups, democratic participation and the rule of law. (cited in CM/Rec(2016)25: 2)

As such, the action plan recalls, among other instruments,<sup>17</sup> the principles of the Charter on Education for Democratic Citizenship and Human Rights Education, which states that:

In all areas of education, member states should promote educational approaches and teaching methods which aim at learning to live together in a democratic and multicultural society and at enabling learners to acquire the knowledge and skills to promote social cohesion, value diversity and equality, appreciate differences – particularly between different faith and ethnic groups – and settle disagreements and conflicts in a non-violent manner with respect for each other's rights, as well as to combat all forms of discrimination and violence, especially bullying and harassment (CM/Rec(2010)7: 12).

In terms of combating intolerance and discrimination, the action plan builds on the work of the European Commission against Racism and Intolerance (ECRI).<sup>18</sup>

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17. See Recommendation CM/Rec(2012)13 on ensuring quality education; Recommendation CM/Rec(2010)7 on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education; Recommendation CM/Rec(2007)6 on the public responsibility for higher education and research; Declaration of the 24th session of the Council of Europe Standing Conference of Ministers of Education (Helsinki, Finland, 26-27 April 2013); Declaration of the 2nd session of the Council of Europe Conference of Ministers responsible for social cohesion (Istanbul, 12 September 2012); Declaration of the 23rd Session of the Council of Europe Standing Conference of Ministers of Education (Ljubljana and Brdo, 4-5 June 2010); Declaration of the 22nd Session of the Standing Conference of Ministers of Education (Istanbul, 4-5 May 2007).
  18. See CM/PV(2015)125-add1/19 May 2015 (Item 2.b), 125th Session, 19 May 2015; Item 2 – A shared responsibility for democratic security in Europe: a. Report by the Secretary General on the state of democracy, human rights and the rule of law in Europe; b. The fight against violent extremism and radicalisation leading to terrorism; c. The Council of Europe's role in response to the current crises and conflicts in Europe; d. The Council of Europe's contribution to democratic security in Ukraine; CM(2015)74-final/19 May 2015, 125th Session of the Committee of Ministers (Brussels, 19 May 2015), Declaration of the Committee of Ministers of the Council of Europe: "United around our principles against violent extremism and radicalisation leading to terrorism".

In this framework, General Policy Recommendation No.10 on combating racism and racial discrimination in and through school education is particularly relevant in reminding members of the Council of Europe that they must:

ensure that schools are obliged to incorporate the fight against racism and racial discrimination as well as respect for diversity into the way that they are run: a) by ensuring that the fight against such phenomena in schools, whether they emanate from pupils or educational staff, is part of a permanent policy. (European Commission against Racism and Intolerance 2006)

The challenges posed by counter-radicalisation policies outlined in chapters 2 and 3 of this report are indeed not only related to improper policy implementation; many of them are potentially direct challenges to the fundamental principles of human rights enshrined in key international instruments such as the European Convention on Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESR) and the United Nations Convention on the Rights of the Child (UNCRC).

This section is not a comprehensive legal analysis of the compatibility of counter-radicalisation policies with these instruments – this task would require a detailed analysis for each national policy or the detailed analysis of specific cases. It lists instead where the main points of contention may lie. Among human rights organisations (Open Society Justice Initiative 2016; Rights Watch UK 2016) a consensus is indeed beginning to emerge that counter-radicalisation policies in the education sector might be potentially in violation of a certain number of human rights, including:

- ▶ the specific legal protections accorded to children;
- ▶ freedom of expression;
- ▶ freedom of thought, conscience and religion;
- ▶ the right to cultural identity;
- ▶ the right to education;
- ▶ the right to respect for private and family life;
- ▶ the right to freedom against discrimination.

The following sections develop the different points mentioned above.

## **1. The child's best interests as the "primary consideration"**

When dealing with children,<sup>19</sup> the normative framework of human rights highlights the child's best interest as the "primary consideration", that is, it evaluates all factors that can affect or potentially affect a child's well-being. In this regard, any dispositions, policies or protocols that can limit the child's freedom of expression, right to non-discrimination, or even that promote interrogations of children without the

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19. For the purposes of the document, a child means every human being below the age of 18 unless under the law applicable to the child, majority is attained earlier (United Nations Convention on the Rights of the Child).

presence or consent of a legal guardian can be regarded as undermining this standard. This principle is recalled in relevant instruments of the Council of Europe.<sup>20</sup>

The words “primary consideration” mean that the best interests of the child should not be considered at the same level as other considerations. Children’s best interest should be awarded high priority. The main applicable legislative framework is:

## **United Nations Convention on the Rights of the Child**

### **Article 3**

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

## **2. Juvenile justice**

When policies aimed at countering radicalisation in the education sector can result in administrative or judicial measures for the concerned children, they must comply with international instruments in terms of juvenile justice. The following articles are of particular relevance.

## **United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”) (United Nations General Assembly 1985)<sup>21</sup>**

### **Article 1**

- 1.3 Sufficient attention shall be given to positive measures that involve the full mobilization of all possible resources, including the family, volunteers and other community groups, as well as schools and other community institutions, for the purpose of promoting the

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20. “Noting that Article 12 as a general principle of the UNCRC is connected to all other articles of the convention and in particular to Article 2 (the right to non-discrimination), Article 3 (primary consideration of the best interests of the child), Article 5 (guidance by parents and evolving capacities of the child), Article 6 (the right to life, survival and development), Article 13 (the right to freedom of expression), Article 15 (the right to freedom of association) and Article 17 (the right to information)” (CM/Rec(2012)2).

21. See also: United Nations General Assembly (1989); United Nations General Assembly (1990a); United Nations General Assembly (1990b); United Nations Security Council (2015); as well as Council of Europe Committee of Ministers recommendations CM/Rec(2008)11 and CM/Rec(2003)20.

well-being of the juvenile, with a view to reducing the need for intervention under the law, and of effectively, fairly and humanely dealing with the juvenile in conflict with the law.

## **Article 5**

5.1 The juvenile justice system shall emphasize the well-being of the juvenile and shall ensure that any reaction to juvenile offenders shall always be in proportion to the circumstances of both the offenders and the offence.

## **Article 6**

6.2 Efforts shall be made, however, to ensure sufficient accountability at all stages and levels in the exercise of any such discretion.

## **Article 7**

7.1 Basic procedural safeguards such as the presumption of innocence, the right to be notified of the charges, the right to remain silent, the right to counsel, the right to the presence of a parent or guardian, the right to confront and cross-examine witnesses and the right to appeal to a higher authority shall be guaranteed at all stages of proceedings.<sup>22</sup>

## **Article 11**

11.1 Consideration shall be given, wherever appropriate, to dealing with juvenile offenders without resorting to formal trial by the competent authority, referred to in rule 14.1 below.

11.3 Any diversion involving referral to appropriate community or other services shall require the consent of the juvenile, or her or his parents or guardian, provided that such decision to refer a case shall be subject to review by a competent authority, upon application.

In several instances, it is questionable, for example, whether children under certain ages can be referred to deradicalisation programmes (Thomas 2016: 10).

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22. See also on the right to be heard: "the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law"; and on the right to effective remedy: "provide children and young people with effective redress and remedies through child-friendly means of making complaints and judicial and administrative procedures including access to assistance and support in using them, ensuring that these mechanisms are available to children and young people (CM/Rec(2012)2).

### **3. Freedom of expression**

When counter-radicalisation policies produce a “chilling effect” and force students to watch their words or stay silent for fear of being associated with radical groups, their freedom of expression is potentially at stake.

Since the European Convention on Human Rights (“the Convention”) is to be read as a whole, the substantive content of each guarantee may be influenced by competing considerations. Articles 9, 10 and 11 of the Convention guarantee freedom of thought, conscience and religion, expression, assembly and association. The guarantees are closely linked, in terms of both substantive content and textual formulation. These provisions are crucial for the protection of collective political freedom and the development of individual identity as shaped through personal attitudes and beliefs. Much religious expression, including political expression motivated by religious belief, is likely to fall within the scope of Article 10 of the Convention, rather than under Article 9. This is because it may be difficult to show that the expression was a “manifestation” of belief; however, it may simply be more convenient or appropriate to examine the matter under freedom of expression “read in the light of” Article 9.

Freedom of expression includes the freedom “to hold, receive and impart information and ideas”.<sup>23</sup> It is through free expression that aspects of other rights, such as rights of freedom of association and freedom of religion, are realised. The right is one of the foundations of a pluralist democratic society and contributes towards the full development of a person. In Europe, the key provision is Article 10 of the European Convention on Human Rights.<sup>24</sup>

### **European Convention on Human Rights**

#### **Article 10 – Freedom of expression**

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

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23. Article 10, European Convention on Human Rights; Article 19, ICCPR.

24. See also ICCPR, Article 19 and UNCRC, Article 13.

The Council of Europe has repeatedly reiterated its commitment to this principle in numerous instruments and documents.<sup>25</sup> As the European Court of Human Rights ("the Court") has made clear, "opinion and expression does not forfeit its protection merely by virtue of being untrue, shocking, offensive, disturbing, or indeed through challenging the democratic principles which justify its being protected".<sup>26</sup>

Any restriction on freedom of expression requires to be prescribed by law, in pursuit of one of the legitimate aims found in Article 10, paragraph 2, and "necessary in a democratic society". The assessment of whether an interference with Article 10 is necessary is carried out in the same manner as that set out above in relation to Article 9. It is thus easier for state authorities to justify interferences with religious expression where that expression is likely to foster intolerance or division, or otherwise is objectionable.<sup>27</sup>

On the other hand, debate and the dissemination of information and ideas are generally considered to be of considerable value where these contribute to political discourse. Political expression which contributes to democratic discussion will therefore be protected by the Court.<sup>28</sup> As a consequence, interferences with such speech will require particularly weighty justification. The difficulty may arise in determining whether speech which apparently ridicules other religions nevertheless attracts special protection on account of its essentially "political" nature.<sup>29</sup>

Within the education context, certain forms of "hate" speech or speech deemed contrary to common "values" may justify potential intervention from the state with a view to counter-radicalisation. When considering such forms of speech, state authorities reserve the right to monitor the manner in which any statements were made, and their capacity – direct or indirect – to lead to harmful consequences. Any restriction on speech for fear of radicalisation should nevertheless be proportionate in order to prevent any "chilling effect" on free speech, that is, an atmosphere in which individuals feel restricted in expressing their views. Such a "chilling effect" has been the subject of adverse comment by the Independent Reviewer of Terrorism Legislation in the United Kingdom in relation to the Prevent strategy.<sup>30</sup> Given that Strasbourg jurisprudence recognises the considerable value in debate and discus-

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25. See for example: "States Parties shall assure to the child who is capable of forming her or his own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child" (UNCRC, Article 12).

26. See *Handyside v. United Kingdom* (1976), A 24, paragraph 49 (expression was crucial for promotion of "pluralism, toleration and broadmindedness").

27. For example, *Otto-Preminger-Institut v. Austria* (1994), A 295-A, paragraph 56 (permissible restrictions on expression under Article 10 read alongside promotion of religious tolerance under Article 9); and *Mouvement raëlien suisse v. Switzerland* [GC] 2012 (in relation to speech seen as promoting ideas contrary to European democratic values).

28. *Feldek v. Slovakia*, 2001-VIII, paragraph 74.

29. For example, *Vereinigung Bildender Künstler v. Austria*, 2007-II, paragraphs 26-39 (paragraph 8: painting which showed a collage of various religious and political public figures; paragraph 33: "satire is a form of artistic expression and social commentary and, by its inherent features of exaggeration and distortion of reality, naturally aims to provoke and agitate"). Cf *Otto-Preminger-Institut v. Austria* (1994), A 295-A.

30. Legislative Scrutiny: Extremism Bill (9 March 2016), No. 30, Q.2.

sion, such a “chilling effect” can be said to be contrary to the values espoused in Article 10. This is true in the classroom, but also in other contexts such as youth work and social work.

## **4. The freedom of thought, conscience and religion**

When the legitimate religious practice of students is being considered a sign of radicalisation, their freedom of thought, conscience and religion might be at stake. The right of freedom of thought, conscience and religion protects both the right to hold and change opinions (including religious opinions) and to manifest these opinions through rituals and practice. According to the interpretation of the conventions, while some aspects of this right might be limited by law, a person’s inner conviction (the *forum internum*) may not be restricted.<sup>31</sup> The main instrument in this regard is:

### **European Convention on Human Rights<sup>32</sup>**

#### **Article 9 – Freedom of thought, conscience and religion**

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
2. Freedom to manifest one’s religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

It is generally accepted that Article 9 implies that a person’s internal convictions are protected absolutely, but that the state may interfere with the “manifestation” of religious faith (in public or in private, with others or alone) where domestic law permits this and where this can be shown by the state to have been “necessary in a democratic society” (that is, there was a “pressing social need” for the measure and the measure was proportionate to the legitimate aims being pursued).

Not every act motivated or influenced by religion or belief constitutes a “manifestation” of that religion or belief, and therefore many of these acts will fall out of the scope of Article 9.<sup>33</sup> In order to constitute a “manifestation” of religion or belief, the act in question must be intimately linked to the religion or belief in question.<sup>34</sup> It should be noted that proselytism has been recognised as a “manifestation” in terms

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31. UN Human Rights Committee, General Comment 22, paragraph 5 (cited in Rights Watch UK 2016: 22).

32. See also Article 18 of the ICCPR and Article 14 of UNCRC for children.

33. *Arrowsmith v. United Kingdom* (1978), DR 19, 5.

34. *SAS v. France* [GC] 2014, paragraph 55.

of the Convention.<sup>35</sup> However, a “manifestation” can be subject to qualification in the above manner, most often due to considerations of public order or the protection of vulnerable individuals against undue exploitation.

The issue may arise as to whether the targeting of individuals under counter-terrorism policies solely on account of indications of increased religiosity could constitute an interference with freedom of thought, conscience and belief in the light of the overly broad definition of “extremism” and anti-Muslim sentiment. Here, the concern is that freedom of religion may be compromised by the threat of increased surveillance.

It should be noted, however, that freedom of religious belief is subject to restriction. The phrase “thought, conscience and religion” and the term “belief” suggest a potentially wide scope for Article 9, but in practice a somewhat narrower approach to interpretation has been adopted. A “consciousness” of belonging to a minority group (and in consequence, the aim of seeking to protect a group’s cultural identity) does not give rise to an Article 9 issue.<sup>36</sup> “Belief” in any event is much more than mere opinion, and in order to attract Article 9 protection, beliefs must “attain a certain level of cogency, seriousness, cohesion and importance” and also be such as to be considered compatible with respect for human dignity. In other words, the belief must relate to a “weighty and substantial aspect of human life and behaviour” and also be such as to be deemed worthy of protection in European democratic society.<sup>37</sup> This has certain consequences for “extremist” belief where action taken by state authorities may be easier to justify.<sup>38</sup>

## **5. The right to one’s cultural identity**

In some instances, speaking or reading in a foreign language (Arabic, Amazigh, Farsi, Pashto), wearing certain traditional clothing and observing certain festivities or rituals might be considered a “sign” of radicalisation – or a form of rejection of western society’s traditions.

Children from immigrant or minority groups (Muslim, Sikh, for example) have, however, the right to preserve their specific identities without fear of being suspected of refusing the “values” of their countries of residence or considered to be on the path to radicalisation. Applicable legislative frameworks include:

### **United Nations Convention on the Rights of the Child**

#### **Article 8 – Right to have (and preserve) an identity**

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognised by law without unlawful interference.

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35. *Kokkinakis v. Greece* (1993), A 260-A, paragraph 31.

36. *Sidiropoulos and Others v. Greece* 1998-IV, paragraph 41.

37. *Campbell and Cosans v. United Kingdom* (1982), A 48, at paragraph 36 (re: Protocol No. 1, Article 2).

38. For example, *Mouvement raëlien suisse v. Switzerland* [GC] 2012 (in relation to Article 10 of the Convention).

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

## **European Cultural Convention (ETS No. 18)**

Article 1. Each Contracting Party shall take appropriate measures to safeguard and to encourage the development of its national contribution to the common cultural heritage of Europe.

Article 2. Each Contracting Party shall, insofar as may be possible, A. encourage the study by its own nationals of the languages, history and civilisation of the other Contracting Parties and grant facilities to those Parties to promote such studies in its territory; and B. endeavour to promote the study of its language or languages, history and civilisation in the territory of the other Contracting Parties and grant facilities to the nationals of those Parties to pursue such studies in its territory.

Article 3. The Contracting Parties shall consult with one another within the framework of the Council of Europe with a view to concerted action in promoting cultural activities of European interest.

The Council of Europe protects children's cultural and national identities through other instruments, such as:

## **Framework Convention for the Protection of National Minorities**

[From the Preamble]. A pluralist and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity.

Article 5.1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

Article 5.2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

## **6. The right to education**

When students are banned from attending school because their clothing or attitude is considered to be "too religious" or a display of "signs of radicalisation", their right to education might be at stake. Several aspects of counter-radicalisation programmes, including the "spotting" of signs of radicalisation linked to religious practices or political ideas, could be in contradiction with the basic right to education. Applicable legislative frameworks include the following.

## **European Convention on Human Rights<sup>39</sup>**

### **Article 2 – Right to education**

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

The second sentence provides that “in the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions”. Parental interests are considered to be secondary to the child’s basic right to education, and parents may not refuse the right to education of a child on the basis of their convictions. “Education” suggests “the whole process whereby, in any society, adults endeavour to transmit their beliefs, culture and other values to the young”, while “teaching or instruction refers in particular to the transmission of knowledge and to intellectual development”.<sup>40</sup> The matter may arise in regard to the content and implementation of curricula. Note, however, that “philosophical convictions” suggests views “as are worthy of respect in a ‘democratic society’ ... and are not incompatible with human dignity” and which also “attain a certain level of cogency, seriousness, cohesion and importance”. These include settled beliefs which refer to “a weighty and substantial aspect of human life and behaviour”.<sup>41</sup>

## **Protocol to the European Convention on Human Rights**

### **Article 1 – General prohibition of discrimination**

1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

More specific international frameworks in this field include the UN World Programme for Human Rights Education and the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education.

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39. See also Article 13 of the ICESCR; Article 28 of the UNCRC.

40. *Campbell and Cosans v. United Kingdom* (1982), A 48, paragraph 33.

41. *Ibid.*, A 48, paragraph 37.

## **7. The right to respect for private and family life**

Privacy is one of the key principles that is targeted by counter-radicalisation policies, in particular the private information that children and teenagers might reveal when interacting with education professionals, be it teachers or youth and social workers. The information collected through counter-radicalisation initiatives is very often shared directly with intelligence agencies, and forms part of the basis for mentoring programmes (such as Channel in the United Kingdom), or informs administrative and judicial action in the field of counter-terrorism (such as restraining orders, confiscation of passports, house arrests, etc.). The respect for privacy is therefore one of the key safeguards to protect many of the other rights mentioned in this section. The main applicable instrument is:

### **European Convention on Human Rights<sup>42</sup>**

#### **Article 8 – Right to respect for private and family life**

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Like Articles 9 and 10 of the Convention, Article 8 is a qualified right. The right can be interfered with so long as the interference is in pursuit of one of the legitimate aims set out in the text. Such interference must be prescribed by law and be “necessary in a democratic society”.

Information revealed by children and teenagers when interacting with education professionals, be they teachers or youth and social workers, may be considered “private” and would therefore benefit from protection in terms of Article 8. Disclosure of information, in the educational context or otherwise, may therefore constitute an interference with an individual’s right to a private life.

However, information collected through counter-radicalisation initiatives is very often shared directly with intelligence agencies, forming part of the basis for mentoring programmes (such as Channel in the United Kingdom), or informing administrative and judicial action in the field of counter-terrorism (such as restraining orders, confiscation of passports, house arrests, etc.).

State authorities are required to point to a clear legal basis for any sharing of information if it is considered “private”. In the event that there is no legal basis, or the basis is not sufficiently clear, the sharing of private information will constitute a

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42. See also Article 7 of ICCPR; Article 16 of UNCRC; EU Data Protection Directive 95/46/EC for EU countries.

violation of the Convention.<sup>43</sup> Safeguards to prevent use of recorded personal data in violation of Article 8 are required to be in place, particularly in the context of security and policing. The data that is stored must be relevant and not excessive in relation to the purposes for which it is stored. It must be stored only for so long as it is necessary in pursuit of those purposes to do so.<sup>44</sup>

Even where a disclosure is in accordance with the law, it may be found to be incompatible with the Convention should state authorities be unable to show that it was "necessary in a democratic society". There must be relevant, sufficient reasons for the disclosure.<sup>45</sup> Furthermore, dissemination of private information must be restricted to the extent strictly necessary to achieve the purpose in question.<sup>46</sup> Similar issues of legality and proportionality arise from the retention of data pertaining to individuals which may be gained in pursuit of counter-radicalisation policies in education.

It is clear therefore that states are required to establish a framework to manage the circumstances in which private information obtained in an educational context may be, or is required to be, disclosed. Any such framework must ensure that any disclosure is limited to being utilised proportionately in pursuit of a specified aim.

## **8. The right to freedom from discrimination**

One of the main concerns raised by counter-radicalisation policies is that of discrimination. Because the very definitions of "radicalisation", "violent extremism" as well as "non-violent extremism" are vague, the task imparted to education professionals to act on "signs" of such vaguely defined phenomena might trigger behaviour based on "an identifiable characteristic" that bears no objective and reasonable justification – the definition of discrimination. It is important to note that the Convention has observed that it:

"does not necessarily require a discriminatory intent", and occurs where "a difference in treatment ... take[s] the form of disproportionately prejudicial effects of a general policy or measure which, though couched in neutral terms, discriminates against a group." (cited in Open Society Justice Initiative 2016: 22)

Applicable legislative frameworks include:

### **European Convention on Human Rights<sup>47</sup>**

Article 14. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

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43. *Avilkina and Others v. Russia* (6 June 2013), paragraphs 43-54.

44. *S. and Marper v. the United Kingdom* (GC) (4 December 2008).

45. *MM v. United Kingdom* (13 November 2012).

46. *MS v. Sweden* 1997-IV.

47. See also ICCPR Article 2.1, ICESCR Article 2.2 and UNCRC Article 2 for similar provisions.

In the context of Article 14:

discrimination means treating differently, without an objective and reasonable justification, persons in relevantly similar situations. ... [The Court] has also accepted that a general policy or measure that has disproportionately prejudicial effects on a particular group may be considered discriminatory notwithstanding that it is not specifically aimed at that group, and that discrimination potentially contrary to the Convention may result from a *de facto* situation.<sup>48</sup>

“Very weighty reasons” are required by states to justify differential treatment based on such factors as race or ethnic origin.<sup>49</sup> Article 14 is not “freestanding”; that is, it only exists in relation to another substantive guarantee. This is not the case with Protocol No. 12.

## **Protocol No. 12 to the European Convention on Human Rights**

### **Article 1 – General prohibition of discrimination**

1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

## **United Nations Convention on the Rights of the Child**

### **Article 2**

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child’s parents, legal guardians, or family members.

## **European Convention on Human Rights**

### **Article 14 – Prohibition of discrimination**

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion,

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48. *DH and Others v. Czech Republic* [GC] 2007-IV, paragraph 175.

49. *Ibid.*, paragraph 196.

political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Several international organisations, including the United Nations, the OSCE and the Council of Europe, have adopted documents addressing intolerance and discrimination against Muslims. In addition to the work on discrimination against Muslim and Arab populations carried out by the UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance<sup>50</sup> and the OSCE,<sup>51</sup> the Council of Europe's European Commission against Racism and Intolerance (ECRI) has issued a set of policy recommendations on this specific issue.

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50. Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance: "The situation of Muslims and Arab peoples in various parts of the world", 13 February 2006 (E/CN. 4/2006/17); and Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance: "The situation of Muslims and Arab peoples in various parts of the world in the aftermath of the events of 11 September 2001", 3 January 2003 (E/CN. 4/2003/23), available at <http://www.ohchr.org/EN/Issues/Racism/SRRacism/Pages/IssuesFocus.aspx>, accessed 2 September 2017.

51. OSCE Ministerial Council Decision No. 6/02, "Tolerance and non-discrimination", Porto, 7 December 2002, available at [www.osce.org/mc/40521](http://www.osce.org/mc/40521), accessed 2 September 2017; OSCE Ministerial Council Decision No. 12/04, "Tolerance and non-discrimination", Sofia, 7 December 2004, available at [www.osce.org/mc/23133](http://www.osce.org/mc/23133), accessed 2 September 2017; OSCE Ministerial Council Decision No. 10/05, "Tolerance and non-discrimination", Ljubljana, 6 December 2005, available at [www.osce.org/mc/17462](http://www.osce.org/mc/17462), accessed 2 September 2017.



# Chapter 5

## Challenges to the goals of democratic education



### Key points

This chapter considers counter-radicalisation policies in relation to the Council of Europe principles of education for democratic citizenship (EDC), human rights education (HRE), competences for democratic culture (CDC) and the objective of “building inclusive societies”. It finds that they might be in contradiction with some key principles.

Counter-radicalisation in the education sector might be interpreted as a move to “narrow” the scope of education that contradicts some of the key values promoted by the Council of Europe in that regard. Among the key principles are:

- ▶ Education is a transformative process: criticising the status quo and questioning established values can be a key principle of education for democratic life, grounded in the valuing of human dignity and rights as well as the development of critical skills.
- ▶ Schools should be safe and free learning environments: providing quality education means that schools should be spaces for experiencing democracy and freedom of expression in a critical fashion. The teaching of the competences of respect and tolerance of ambiguity cannot take place in an environment in which educators are required to spot and report certain opinions or behaviours.

- ▶ Education should be based on diversity: promoting intercultural dialogue against racism and discrimination and improving knowledge about all cultures, which enables learners to develop a sense of value for cultural diversity, openness to cultural otherness and respect, cannot take place in an environment that considers a section of the population a priori suspect.
- ▶ Teachers may be seen as role models: teachers cannot be considered as role models for democratic education if they are perceived to be discriminating against a particular category of students.

## ***1. Education, not raison d'État***

Chapter 4 highlighted the potential challenges to the principles of human rights and fundamental freedoms presented by counter-radicalisation policies in schools. This section focuses on the possible tensions that might emerge between the unintended consequences of counter-radicalisation policies in schools and the broader project of building inclusive societies, including some of the key aspects of education for democratic citizenship (EDC) and human rights education (HRE).

After direct challenges to human rights and fundamental freedoms, the second main challenge raised by counter-radicalisation policies is indeed the submission of education priorities to the demands of *raison d'État*: as Sukarieh and Tannock have argued, counter-radicalisation policies can be interpreted as part of a broader “movement” that has been sweeping the education sector in Europe over the past decade, characterised by a process of “narrowing” the scope and mission of education. Such “narrowing” constitutes, according to them, “a direct attack on the core elements that make up the centuries-old radical education tradition” (Sukarieh and Tannock 2016: 28), or as Ben-Porath puts it, we risk becoming a “belligerent society”, in which education is reduced to an instrument for public security policy (Sieckelinck et al. 2015: 331).

Yet the values promoted by the Council of Europe are precisely the opposite of this process of “narrowing down”, as years of work in the education sector have shown and as the latest initiative to build competences for a democratic culture (CDC) attest. As Sjur Bergan, Head of the Education Department of the Council of Europe puts it:

Higher education – and by extension education as a whole – has at least four major purposes: preparation for the labour market, preparation for life as an active citizen in democratic society, personal development and the development of a broad and advanced knowledge base. ... If we want to make preparation for democratic citizenship an integral part of the mission of education, we need to be able to say something about what students should know, understand and be able to do that relates specifically to the democratic mission of education. (Bergan 2016)

Education, should be promoting and encouraging social change and constitute a transformational practice. As Sieckelinck et al. explain:

Pedagogically speaking, ... judging adolescents for their subversive views or activities is highly contested, as young persons, to successfully negotiate the transition from

childhood to the adult world, have to perform an array of developmental tasks in which the status quo is never sacred. (Sieckelinck et al. 2015: 331)

The remainder of this section considers in greater detail what these transformational practices are and how they can respond, in the field of education, to the Council of Europe Secretary General's view that, in order to prevent terrorism: "We have to render our opponents irrelevant by giving people a better, more attractive path" (Jagland 2015a). In order to do so, it highlights four fundamental principles of democratic education that might be endangered by the unintended consequences of counter-radicalisation policies in schools: education as a transformative and critical process, schools as safe and free learning environments, education institutions as spaces of respect for diversity and otherness and, finally, the understanding of the teacher as a trusted figure dedicated to the learning of the child. For each of these principles, the section highlights first the conceptual underpinnings, the expression of these ideas in key Council of Europe documents and, finally, the concrete proposals of the CDC framework.

## **2. Education as a positive process of radicalisation**

### **Conceptual premises**

Many contemporary conceptions of education – and certainly the view promoted by the Council of Europe – are based on the critical work of scholars like Paolo Freire, who advocated for a radical approach to education (Sukarieh and Tannock 2016: 27). In *Pedagogy of the oppressed* (1970), Freire theorised education as an act of liberation and empowerment, rather than a passive deposition of knowledge into students' minds, which he defined as "banking education". In the work of Freire, and in what might be considered today as a provocative view, radicalisation is considered as a positive outcome:

"Radicalisation", as Freire wrote in *Pedagogy of the Oppressed*, is a "process of liberation" that is "nourished by a critical spirit" and "involves increased commitment to the position one has chosen, and thus ever greater engagement in the effort to transform concrete, objective reality ... In the radical tradition, as Darder writes of the work of Freire, radicalisation is seen as: an imperative of emancipatory life ... [W]e radicalise and are radicalised, through relationships, labour, and struggle with one another ... Without a consciousness of radicalisation to support us, as educators ... it is impossible to support the imagination, creativity, and dreams of our student ... [R]adical hope develops in conjunction with the formation of critical consciousness ... as we push against debilitating ideologies and structures that attempt to squelch our emancipatory dreams ... this process of radicalisation predisposes us to re-evaluate constantly our lives, attitudes, behaviours, actions, decisions, and relationships in the world." (cited in Sukarieh and Tannock 2016: 27)

While the work of Freire might be considered controversial, it has deeply influenced modern pedagogy and is "the essence of education for democratic citizenship, the way the Council of Europe defines it" (Huber 2011: 73). The conceptual principles of Freire have been translated into key objectives for the Council of Europe.

## **EDC/HRE principles**

### **Preparing citizens for democratic life**

The Council of Europe has reiterated that the mission of education is, of course, to prepare for the labour market, but it also has a higher goal, which is to prepare future citizens. As the ministers for foreign affairs stated in 2008:

In a multicultural Europe, education is not only a means of preparing for the labour market, supporting personal development and providing a broad knowledge base; schools are also important fora for the preparation of young people for life as active citizens. (Council of Europe Ministers of Foreign Affairs 2008: 30)

Indeed, as the Committee of Ministers recalled, one of the key objectives of education is to:

prepare children and young people for democratic citizenship as well as for economic activity; ... it must further the personal development of pupils and students as well as their growth as active members of society; [and is] crucial to developing the democratic culture that democratic institutions and societies need to function. (CM/Rec(2012)13)

### **Grounding democratic principles in the fabric of education**

The objective of EDC/HRE is therefore to ground the basic democratic principles that form the core of the Council of Europe's *raison d'être* in the very fabric of education. These objectives are described as follows:

The wider aim of EDC/HRE is the establishment of sustainable and participative forms of democracy based on respect for human rights and good governance. As such, EDC/HRE is a public good and an ongoing investment for producing societies characterised by human rights principles such as non-discrimination, inclusion and participation, and the rule of law. (Tibbitts 2015: 7)

These are goals not only of the Council of Europe but of the broader international community, a joint effort between the OSCE, UNESCO and the Council of Europe:

A human rights-based approach to education can give students and teachers a sound framework within which to assess behaviours and attitudes in a school setting. This approach guarantees the right to respect in the learning environment and incorporates respect for students' identity, participation and integrity. (OSCE, Council of Europe and UNESCO 2011: 23)

### **Educating citizens to be critical and active**

The injunctions of promoting a transformative understanding of education based on Freire's idea of "transforming concrete, objective reality" do not mean simply a passive understanding of human rights principles; instead the aims are to educate citizens to "take action".

g. One of the fundamental goals of all education for democratic citizenship and human rights education is not just equipping learners with knowledge, understanding and skills, but also empowering them with the readiness to take action in society in the defence and promotion of human rights, democracy and the rule of law. (CM/Rec(2010)7: 9)

## **Competences for democratic culture**

In terms of competences for democratic culture, this translates into two key aspects:

### **Valuing human dignity and human rights (values)**

The first is the promotion of the value of human dignity and rights:

The general belief that every individual human being is of equal worth, has equal dignity, is entitled to equal respect, and is entitled to the same set of human rights and fundamental freedoms, and ought to be treated accordingly. (Barrett 2016:36)

### **Developing analytical and critical thinking (skills)**

The second is the promotion of analytical and critical thinking skills:

Analytical and critical thinking skills consist of a large and complex cluster of interrelated skills. Analytical thinking skills are those skills that are required to analyse materials of any kind (e.g. texts, arguments, interpretations, issues, events, experiences) in a systematic and logical manner. (Barrett 2016:44)

## **Tensions with counter-radicalisation policies**

The development of critical thinking is a key notion of a democratic education – it is also a key skill promoted by the Action Plan on the Fight against Violent Extremism and Radicalisation leading to Terrorism (Council of Europe 2015). But in many member states, students are asked to uncritically abide by a set of values – for example “British values” – which cannot be questioned and which, interestingly, do not refer to human rights.<sup>52</sup> In fact, in the United Kingdom for example, questioning British values, according to the current legislation, qualifies as a sign of radicalisation that should be reported (HM Government 2015b). As Paul Thomas puts it:

In the wake of the 2001 riots and the 7/7 London bombing, there was much talk of “British values” and this has now been re-energised following the Trojan Horse affair. Now, all state schools are required to promote “fundamental British values” (Richardson and Bolloten, 2014), but defining what is “British” about such values is highly problematic, even before Britain’s controversial past and present world role is considered. (Thomas 2016: 15)

There is therefore a key contradiction between the effects of counter-radicalisation and the principles of democratic education that needs addressing. As Lynn Davies puts it:

Instead of working with students to train their critical and analytical lens on the states and societies that shape their lives – to foster the “healthy doubt about what both politicians and [other] leaders tell us” which “is the best safeguard against dogmatism and acceptance of authoritarianism” that democratic education can be expected to provide – the anti-radicalisation movement asks educators to work hand in glove with the state security apparatus to train their analytical lens on students themselves. (Davies 2014 in Sukarieh and Tannock 2016: 29)

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52. I would like to thank Martyn Barrett for pointing out this aspect.

### **3. Schools as safe and free learning environments**

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#### **Conceptual premises**

A second key principle, defended by Montessori, is the notion of “learning environment”. Teachers have the duty to create the environment that will match the child’s needs not only physically and intellectually, but also morally and emotionally. As Maria Montessori puts it:

Scientific observation has established that education is not what the teacher gives; education is a natural process spontaneously carried out by the human individual, and is acquired not by listening to words but by experiences upon the environment. The task of the teacher becomes that of preparing a series of motives of cultural activity, spread over a specially prepared environment, and then refraining from obtrusive interference. (Montessori 1946)

At the core of the principles of the Council of Europe, therefore, lies the idea that schools should be spaces in which students do not worry about “obtrusive interference”.

#### **EDC/HRE principles**

In EDC/HRE terms, this translates into a certain number of key principles enshrined in Council of Europe instruments.

#### **Schools as spaces for experiencing democracy**

First, schools are a playground of democracy: democracy cannot just be taught in principle, it must be enacted in the very practice of education:

Member states should promote democratic governance in all educational institutions both as a desirable and beneficial method of governance in its own right and as a practical means of learning and experiencing democracy and respect for human rights. They should encourage and facilitate, by appropriate means, the active participation of learners, educational staff and stakeholders, including parents, in the governance of educational institutions. (CM/Rec(2010)7: 10)

Democratic school governance is indeed found to be good for schools, because it: improves discipline, enhances learning, reduces conflict, makes the school more competitive and ultimately prepares children for democratic life.

Children don’t do as we tell them to do; they do as we do. It is no use talking about democracy in our schools if we don’t practise it. And it is not enough to let pupils decide only about simple things like the colour of the classroom walls when they need repainting. They must be given influence, and thus learn the responsibility of true participation, in matters that are central to their learning and their daily life in the school: teaching methods, school policies, term planning, budget issues, and recruitment of new staff, to name a few. This is certainly not done overnight, and there are no standard methods suitable for all, but we are convinced that this is the best way to carry out Education for Democratic Citizenship in Europe. (Bäckman and Trafford 2007: 12-13)

## **Freedom of expression should not be limited**

It also means that the freedom of expression of students should not be limited. Indeed as the Committee of Ministers recalls, member states should:

provide education in a way that respects the human dignity of the child or young person and enables free expression of her or his views and participation in school life, for example through using interactive teaching methods and the recognition of non-formal education and informal learning. (CM/Rec(2012)2)

## **Quality of education is key**

These principles are reiterated in the assessment of the quality of education. The Committee of Ministers indeed affirms that:

access to education is in itself an important right, the true value of this right can only be realised if education is of adequate quality and if learning opportunities and arrangements enable pupils and students to complete their education in reasonable time and under conditions conducive to quality education. (CM/Rec(2012)13)

More specifically, the document argues that:

"quality education" is understood as education which: a. gives access to learning to all pupils and students, particularly those in vulnerable or disadvantaged groups, adapted to their needs as appropriate; b. provides a secure and non-violent learning environment in which the rights of all are respected; ... d. promotes democracy, respect for human rights and social justice in a learning environment which recognises everyone's learning and social needs; e. enables pupils and students to develop appropriate competences, self-confidence and critical thinking to help them become responsible citizens and improve their employability; f. passes on universal and local cultural values to pupils and students while equipping them also to make their own decisions ...; h. relies on qualified teachers who are committed to continuous professional development. (CM/Rec(2012)13)

## **Creating free and safe spaces of discussion**

One of the ways to ensure that democratic debate and freedom of expression are respected, even when discussing controversial themes that might be considered as too sensitive or dangerous for a classroom – such as discrimination against Muslims, Jews or other religions, western foreign policy choices, terrorism or contested histories – is to create a secure space for guided discussions:

It is essential to engender spaces for dialogue that are open to all. Successful intercultural governance, at any level, is largely a matter of cultivating such spaces: physical spaces like streets, markets and shops, houses, kindergartens, schools and universities, cultural and social centres, youth clubs, churches, synagogues and mosques, company meeting rooms and workplaces, museums, libraries and other leisure facilities, or virtual spaces like the media. (Council of Europe Ministers for Foreign Affairs 2008: 33)

Or, as the handbook *How all teachers can support citizenship and human rights education: a framework for the development of competences* explains:

Creating a learning environment that promotes the use of diverse sources, and finding, analysing and using information is paramount as citizens need to be able to analyse public policy and media coverage of contemporary issues on the basis of rational evidence. (Brett et al. 2009: 48)

The OSCE, UNESCO and the Council of Europe reiterate a similar position:

Teachers and students should create an inclusive atmosphere in which everybody feels safe to discuss sensitive issues openly. Ground rules that allow for an honest discussion in a respectful way should be developed, with the participation of students. Teachers should be aware of hierarchies in the classroom and try to integrate all learners into this process. (OSCE, Council of Europe and UNESCO 2011: 33)

### Critical discussion should be active and encouraged

Spaces for discussion should not only be set up, they should be lived. As Paul Thomas argues:

Firstly, the need to critically consider differing life experiences and perspectives so that young people can hear different voices on current political issues, and experience critiques of their own perspective. This understanding stresses that "cognitive dissonance is essential in learning, whether about religion or anything else" ... and that political/citizenship education has to be genuinely experiential – it needs to involve hearing, analysing and debating genuinely different perspectives – for it to be successful. This approach to "educating against extremism" argues that it is better to enable young people to voice their feelings, even supposedly extremist or racist ones, so that they can be interrogated and considered. For Gus John, education needs to urgently create: A safe environment where young people can openly share their views, however abhorrent, and have their views subjected to rigorous and informed challenge and debate. (Thomas 2016: 13)

Or as Lynn Davies puts it, the emphasis on complexity is necessary to provide the political education required for young people to challenge simple narratives and conspiracy theories that often form the basis of violent narratives.

In particular, a much more politicised educational approach to debate and engagement in current controversies is advocated, including: Honesty and critical dialogue about belief systems as well as about social and economic inequality between groups. (cited in Thomas 2016: 13)

## Competences for democratic culture

In order to enact these principles, key competences of CDC can be developed, such as:

### Respect (attitude)

Respect consists of positive regard and esteem for someone or something based on the judgment that they have intrinsic importance, worth or value. Having respect for other people who are perceived to have different cultural affiliations or different beliefs, opinions or practices from one's own is vital for effective intercultural dialogue and a culture of democracy. (Barrett 2016: 13)

## **Tolerance of ambiguity (attitude)**

Tolerance of ambiguity is an attitude towards situations which are uncertain and subject to multiple conflicting interpretations. It involves evaluating these kinds of situations positively and dealing with them constructively. (Barrett 2016: 13)

## **Tensions with counter-radicalisation policies**

Whereas the philosophy and initiatives of the Council of Europe in matters of education promote freedom of expression, exploration of ideas and the use of the school as a space for experimentation of democratic practice, the counter-radicalisation policies produce instead, as we have seen, a “chilling effect”, limiting freedom of expression and driving conversations underground, in great part because students understand quickly that when teachers are requested to “spot signs” of radicalisation, the discussion cannot be free.

## **4. Education based on diversity**

### **Conceptual premises**

A third key principle of the Council of Europe in matters of education is that education should be grounded in tolerance and intercultural and religious understanding. As Davies (2008) argues, it should not simply promote “tolerance” between “communities” conceptualised as distinct and separate – a premise that forms much of the basis of current counter-radicalisation policies, and their emphasis on an essentialised “Muslim community”, but should instead “give children status in the uniqueness and multiplicity of their hybrids” (cited in Thomas 2016: 13).

### **EDC/HRE principles**

The Council of Europe has long taken note of the question of diversity, moving beyond assimilation and multiculturalism to emphasise instead the notion of the intercultural (Council of Europe Ministers of Foreign Affairs 2008: 32).

#### **Promoting intercultural dialogue against racism and discrimination**

Education must enable pupils and students to develop proficiency in intercultural dialogue (CM/Rec(2012)13). As the Council of Europe Ministers for Foreign Affairs put it:

Intercultural competences should be a part of citizenship and human-rights education. Competent public authorities and education institutions should make full use of descriptors of key competences for intercultural communication in designing and implementing curricula and study programmes at all levels of education, including teacher training and adult education programmes. Complementary tools should be developed to encourage students to exercise independent critical faculties including to reflect critically on their own responses and attitudes to experiences of other cultures.

All students should be given the opportunity to develop their plurilingual competence. Intercultural learning and practice need to be introduced in the initial and in-service training of teachers. School and family-based exchanges should be made a regular feature of the secondary curriculum. (Council of Europe Ministers for Foreign Affairs 2008: 43)

As such, the rejection of racism, xenophobia and other forms of discrimination should be at the core of the education system. As ECRI has argued, member states should:

ensure that schools are obliged to incorporate the fight against racism and racial discrimination as well as respect for diversity into the way that they are run: a. by ensuring that the fight against such phenomena in schools, whether they emanate from pupils or educational staff, is part of a permanent policy. (European Commission against Racism and Intolerance 2006)

### **Education should provide knowledge about all cultures**

A second key consideration of intercultural dialogue as stressed in the White Paper on Intercultural Dialogue is that knowledge should be made available about all cultures, not only the dominant one.

Within the formal curriculum, the intercultural dimension straddles all subjects. History, language education and the teaching of religious and convictional facts are perhaps among the most relevant. Education as to religious and convictional facts in an intercultural context makes available knowledge about all the world religions and beliefs and their history, and enables the individual to understand religions and beliefs and avoid prejudice. This approach has been taken by the Parliamentary Assembly of the Council of Europe, the European Court of Human Rights and ECRI. In 2007, the European Ministers of Education underlined the importance of measures to improve understanding between cultural and/or religious communities through school education, on the basis of shared principles of ethics and democratic citizenship; regardless of the religious education system that prevails, tuition should take account of religious and convictional diversity. (Council of Europe Ministers for Foreign Affairs 2008: 30)

### **Competences for democratic culture**

The rejection of racism and discrimination forms the core of competences for democratic culture, and in particular:

#### **Valuing cultural diversity**

The second set of values is based on the general belief that other cultural affiliations, cultural variability and diversity, and pluralism of perspectives, views and practices ought to be positively regarded, appreciated and cherished. This belief assumes: that cultural diversity is an asset for society; that people can learn and benefit from other people's diverse perspectives; that cultural diversity should be promoted and protected; that people should be encouraged to interact with one another irrespective of their perceived cultural differences; and that intercultural dialogue should be used to develop a democratic culture of living together as equals in society. (Barrett 2016: 36)

## **Openness to cultural otherness and to other beliefs, world views and practices (attitudes)**

Openness is an attitude either towards people who are perceived to have different cultural affiliations from oneself or towards world views, beliefs, values and practices that differ from one's own. The attitude of openness towards cultural otherness needs to be distinguished from the attitude of having an interest in collecting experiences of the "exotic" merely for one's own personal enjoyment or benefit. (Barrett 2016: 39)

## **Respect**

Respect is an attitude towards someone or something (e.g. a person, a belief, a symbol, a principle, a practice) where the object of that attitude is judged to have some kind of importance, worth or value which warrants positive regard and esteem. Depending on the nature of the object that is respected, the respect may take on very different forms (cf. respect for a school rule v. respect for an elder's wisdom v. respect for nature). One type of respect that is especially important in the context of a culture of democracy is the respect that is accorded to other people who are perceived to have different cultural affiliations or different beliefs, opinions or practices from one's own. (Barrett 2016: 39-40)

## **Knowledge and critical understanding of the world**

This specific form of "knowledge and critical understanding" includes a variety of subjects: politics, law, human rights, culture, cultures, religions, history, media, economies, environment and sustainability (Barrett 2016: 52-55).

## **Tensions with counter-radicalisation policies**

The rejection of discrimination and the promotion of intercultural approaches for dialogue and teaching are at the core of the values of the Council of Europe, yet, as shown in chapters 2 and 3, counter-radicalisation in schools tends to focus on one religion – Islam – and often ends up conflating signs of religiosity, such as the adoption of traditional clothing or dietary habits, with signs of radicalisation and extremism.

## **5. Empowering, not undermining teachers as role models**

### **Conceptual premises**

A third key principle is that the teacher should be a facilitator of learning. Teachers should be empowered to gain the trust and confidence of their students as a precondition for their learning process. Teachers should therefore be role models of democratic behaviour that can be trusted and relied upon to enforce all the values of EDC/HRE and the CDC values, attitudes, skills and knowledge.

## **EDC/HRE principles**

The figure of the teacher as a role model is at the centre of the Council of Europe's approach to education.<sup>53</sup>

### **Educators are role models**

Teachers serve as role models.

Educators at all levels play an essential role in fostering intercultural dialogue and in preparing future generations for dialogue. Through their commitment and by practising with their pupils and students what they teach, educators serve as important role models. (Council of Europe Ministers for Foreign Affairs 2008: 32)

### **Teachers are on the frontline of combating discrimination**

This means that the teacher has the mission of combating discrimination and preventing suspicion and animosity from appearing between students of different nationalities, cultures or religions. In the case of Muslim students, for example:

Stereotypes have impact not only on young people but also on their parents, as well as on teachers and other education professionals. This presents a new challenge for educators. While teachers cannot be expected to resolve the political and social tensions among communities, they can have a central role in shaping the attitudes and behaviours of young people. The actions and approaches adopted by teachers and school administrators can be crucial in promoting respect for diversity and mutual understanding, both in schools and in society. Effective partnerships with the media and civil society can also foster the social change that education in and for human rights seeks to encourage. (OSCE, Council of Europe and UNESCO 2011: 13)

Similarly:

teachers are responsible not only for teaching about the subject matter, but also for promoting mutual respect and understanding among the students. Therefore, they should take seriously and react to any expressions of anti-Muslim views or use of stereotypes. Teachers should find sensitive ways to address such actions and attitudes with the student population in general, and should reach out both to students who have been hurt or distressed and to students who have expressed such views. While addressing these issues, teachers need to make sure that Muslims are not perceived or presented always simply as "victims". Rather, they should be recognised as individuals who have their own lives and personalities and whose identity is made up of many different components. (OSCE, Council of Europe and UNESCO 2011: 23)

### **School administrators have a key role to play**

It is, however, not only teachers who should be beyond reproach. School administrators have a key role to play.

School administrators should be especially alert to school policies and practices that may have discriminatory effects. (OSCE, Council of Europe and UNESCO 2011: 19)

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53. See also Brett et al. 2009.

Schools, indeed, not only teach curricula, they are the central institutions where children and young adults acquire democratic values. As such:

In schools and within school curricula, it is important for portrayals of Islam and Muslims – and of all religions or beliefs and their adherents – to be accurate, fair and respectful. A number of international instruments set out that education is intended not only to provide strictly academic or technical training but that it should also inculcate such values as human rights, tolerance, pluralism, antiracism and international and inter-communal harmony. (OSCE, Council of Europe and UNESCO 2011: 23)<sup>54</sup>

## **Schools are key places to promote understanding**

Schools are key places to promote understanding between communities and to combat intolerance and religious extremism. Education has a major potential role in challenging prejudices; building understanding between individuals and communities; empowering disadvantaged groups; and encouraging open, respectful debate. Any serious programme of EDC/HRE should equip young people with the knowledge and skills to challenge racism as an anti-democratic force and understand the underlying societal function of racism, anti-Semitism and discrimination in our societies as well as their economic and political dimensions. Such a project should also enable all young people to develop a range of secure and confident identities as citizens; "Young citizens confident in their identities will be in a strong position to challenge the stereotypical images of minorities that currently help support discriminatory practices." (Brett et al. 2009: 50)

## **Tensions with counter-radicalisation policies**

When educators, who have to be the trusted role models of democratic education, instrumental players in creating environments that are free, respectful and open spaces of discussion, are also asked to spot signs of radicalisation, their mission is in danger. As chapters 2 and 3 have shown, not only are educators uncomfortable with their mission of "classroom intelligence officers", second guessing the intentions or attitudes of their students put the very basis of democratic education at stake.

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54. See OSCE 1996.



# Chapter 6

## Challenges to the goals of counter-terrorism policy



### Key points

This chapter considers counter-radicalisation policies in the education sector from an instrumental perspective of counter-terrorism goals and objectives.

Counter-radicalisation policies in the education sector attribute the functions of collecting intelligence, neutralising narratives and generating social cohesion to educators. There is, however, a key contradiction between the task of detection and the task of building trust.

Trust and confidentiality are a key condition for the exercise of the “helping professions” such as social work and education work. Yet counter-radicalisation policies force professionals to undermine these relations of trust.

This can have counterproductive consequences in terms of intelligence collection and, more importantly, might generate more resentment and exclusion, which in turn might fuel radicalisation.

The previous chapters discussed the impact of counter-radicalisation policies in the education sector on human rights (Chapter 4) and on the core principles that underpin the Council of Europe's vision on education (Chapter 5). The present chapter deals with the last aspect of the problem, namely the possible counter-productive effects of counter-radicalisation policies, as they are currently implemented in some member states, from a perspective of counter-terrorism itself. It argues that the very objectives of counter-terrorism might be jeopardised by the unintended consequences of stifling freedom of expression and undermining trust in educators.

## **1. Using the educator as an actor of counter-terrorism**

### **The counter-terrorism objectives of counter-radicalisation in the education sector**

A number of Council of Europe member states that have developed counter-radicalisation policies in the education sector have pursued two objectives in terms of counter-radicalisation:

- ▶ Spotting signs of radicalisation. Using a complex set of indicators, the first purpose of the policy is to use educators as "eyes and ears" of the law-enforcement agencies in order to detect and prevent radicalisation from happening. Educators are seen as instrumental players in the counter-terrorism effort. By being in contact with a large public, they can provide information that could not be accessible otherwise to law-enforcement agencies.
- ▶ Building resilience and social cohesion. Through activities aimed at developing critical thinking, but also through the adoption of bundles of values, such as the "British values" and counter-narratives, the second main purpose of the policy is to build resilience to radicalisation discourse and contribute to fostering social cohesion. In this sense, educators should perform their traditional function of fostering inclusion, because social inclusion is perceived as a key factor of resilience and therefore prevention of terrorism.

The previous sections discussed how these objectives might be in contradiction with some of the principles laid out in both the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education and the Action Plan on Building Inclusive Societies, as well as the main points laid out in the report "Living together – Combining diversity and freedom in 21st-century Europe", the three main instruments outlined in the Action Plan on the Fight against Violent Extremism and Radicalisation leading to Terrorism.

If we now consider an instrumental perspective, how do counter-radicalisation policies in the education sector fare in purely counter-terrorism terms?

## **The place of the education sector within the broader counter-terrorism strategies**

Within the framework of the Council of Europe treaties and other international instruments, the objectives of counter-terrorism are:

to prevent terrorism and to counter, in particular, public provocation to commit terrorist offences and recruitment and training for terrorism. (Council of Europe 2005)

While member states of the Council of Europe have dealt with the issue of terrorism for a long period of time in their history, the principle of involving the education sector in the counter-terrorism effort is relatively new. As Chapter 1 has shown, it is only since the early 2000s that countries like the Netherlands or the United Kingdom have given the education sector a place in a counter-terrorism policy toolkit that was, until then, confined to traditional security agencies: law enforcement domestically, the military abroad.

From a purely instrumentalist perspective, the involvement of the education sector in counter-terrorism should be understood as the result of two processes which can broadly be defined as the “securitisation of social policy”. First, a long historical process through which an increasing number of security functions related to social control, which had been monopolised by law enforcement up until the 1970s and 1980s, are delegated anew to civil society. Second, the importation, in the domestic domain, of the military logics of counter-insurgency, in which the work of “winning the hearts and minds” cannot only be performed by the security apparatus of the state, but requires the involvement of other sectors, such as education and youth (Ragazzi 2016).

From this perspective, education institutions are not approached primarily as institutions concerned by the best interests of the child, in which future critical minds are formed, but instead as institutions which present advantages in performing the following functions:

### **Collecting intelligence**

As part of the general approaches in terms of intelligence-led policing, schools are perceived as one of the entry points for the sourcing of “flows of information”. In this perspective, educators are perceived as privileged informants. Because they are in permanent contact with a large public, which *a priori* trusts them, over a long period of time, they are in a position to collect data that would never be accessible to intelligence or law-enforcement agencies (Lindeskilde 2012).

### **Providing social control: neutralising narratives**

The second function that is attributed to educators is that of performing a function of social control. Because schools are institutions of knowledge, but also of discussion, formation of opinions and discipline, they are perceived as useful institutions for countering unofficial narratives. Of course, this can be done through civic education, initiation to critical thinking and other competences that are promoted by the policies of the Council of Europe. But, as is the case in some of the examples presented in chapters 2 and 3, sometimes it is a narrower and fixed bundle of

values, historical references and principles of the acceptable ways of looking at issues of religion, domestic politics or foreign policy. In this case, the education sector is perceived as a site of early neutralisation of dangerous narratives viewed on the internet, such as al-Qaeda or ISIS propaganda, conspiracy theories and suchlike. It is also conceived as a space for deploying “counter-narratives”, namely narratives aimed at presenting the official way of considering national values or government policies.

### Providing social control: generating social cohesion

Within the functions of social control, finally, we find an instrumental use of the goal of fostering social cohesion. Within counter-terrorism and counter-radicalisation strategies, social cohesion is not pursued for its own good (although this might be a welcome side effect) but because cohesive societies are considered as more resilient to radicalising narratives and recruitment efforts.

### Tapping into confidentiality and the educator–student trust relationship

From a counter-terrorism perspective, the value of the educator is thus that she/he possesses the following key characteristics: being in touch with a large public and benefiting from a *prima facie* trust relation with this large public so as to be able (1) to share the information gathered as a result of this trust relation with the law-enforcement apparatus, (2) to exert some degree of moral authority on students so as to prevent (a) the spread of propaganda and (b) the recruitment process, translated either into online militancy for extremist groups, or even departures, for example, to the so-called Islamic State.

## 2. Conceptualising trust and confidentiality

### Conceptualising relations of trust

In order to understand the effect of tapping into relations of trust in a counter-terrorism context, it is necessary to recover the function of trust in political societies, even in purely instrumental terms. While it forms part of the background of most theories of social cohesion, surprisingly only a few authors have explicitly theorised the function and role that this specific type of relation performs in society. Among those who have contributed to the recent debates, Möllering (2001) has highlighted the importance of Georg Simmel’s thought in shaping contemporary thinking around this notion. Simmel remarked that without “the general trust that people have in each other, society itself would disintegrate” (Simmel 1978: 178). Simmel details in *The philosophy of money* the different psychological and social operations required to transition from material money to credit money: the farmer’s belief that the crops will grow or the trader’s belief that his goods will be desired (Möllering 2001: 405). For Simmel, trust is as strong – if not stronger – than rational calculation; it is indeed a “psycho-sociological quasi-religious faith”, based on a mix of knowledge and non-knowledge. As he puts it:

To “believe in someone”, without adding or even conceiving what it is that one believes about him, is to employ a very subtle and profound idiom. It expresses the feeling that there exists between our idea of a being and the being itself a definite connection and unity, a certain consistency in our conception of it, an assurance and lack of resistance in the surrender of the Ego to this conception, which may rest upon particular reasons, but is not explained by them. (Simmel 1978: 179)

Trust constitutes, therefore, the glue that holds society together, precisely because it creates a conduit of authorisation of human relations that does not need a constant rational assessment of costs, benefits, risks and advantages. Instead it relies on credentials to assume that a specific human interaction will go as anticipated.

Drawing on Simmel, Niklas Luhmann emphasises a second key feature of trust relations, namely their anticipatory characteristic: “to show trust is to anticipate the future. It is to behave as though the future were certain” (Luhmann 1979: 10). Luhmann conceptualises trust as a mechanism of “reduction of complexity” that functions as a method of hedging bets and anticipating risks. To trust someone, explains Luhmann, is indeed a particular choice that combines the knowledge about this person with the absence of knowledge that is contained in the expectation of the future (Luhmann 1979: 10).

The third key feature of trust is that it functions as a particular form of social control, as highlighted by the strand of sociology inspired by Durkheim. The “faith” outlined by Simmel to explain the leap one makes when trusting someone is understood by Durkheim as one of the features of solidarity, and in particular the mechanical solidarity of traditional communities – “moral density” in Durkheimian terms (Durkheim 1997). In other words, trust is not only an individual decision; it is also very often a moral obligation. In many social contexts, it is extremely costly not to trust, in particular if the person to be trusted is endowed, through cultural norms embedded in relations of power, with the capacity to command obedience. This can be the case either because trust is assumed to be the default appropriate behaviour (say, trust in police forces or in judges) or because trust is the necessary precondition for certain professions to work. In sum, while trust is a necessary binding relation of society, it interestingly functions both as a technique of anticipation and a key component of social control.

### **Trust, suspicion and the “helping professions”**

The preservation of legitimate state power – which can be conceived as the ultimate political objective of counter-terrorism policy – conceptualised canonically as the process of monopolisation of relations of power pre-existing in society into a rationalised bureaucratic structure (Weber, 1978; Mann 1986), can thus be equally read as a project of monopolisation of relations of trust, albeit in an ambiguous way.

On the one hand, state institutions require that populations forgo traditional relations of trust towards their traditional institutions, between, for example, members of families, clans, tribes or guilds, to the profit of an unmediated relation with the authorities, required for the provision of public services, justice, protection and, welfare. On the other hand, state bureaucracies project a constant gaze of suspicion towards the populations they govern, in order to root out crime, sedition, waste,

subversion and other “social ills”. Institutionalised trust and suspicion are therefore at the core of the ambiguous nature of state power which is always protective and oppressive, empowering and dominating. For more on this ambivalent relationship, see Michel Foucault (1975) and authors who have pursued his main lines of investigation: Donzelot (1979), Cohen (1985), Garland (2001), Muncie (2004) and Crawford (2009). As the bureaucratisation of the state has progressively permeated the different spheres of society, it has, however, appeared with some salience that certain relations of trust within society must be preserved and kept out of the suspicious gaze of the state – through the conception of professional confidentiality or discretion – for the very system to be able to function.

For some professions, this privilege of confidentiality has been embedded in their practice since they began to exist. The principle of attorney-client confidentiality, for example, is considered the “oldest and most widely recognised privilege” (Saltzburg 1980: 603). The hypothetical scenario in which a lawyer would have to tell his or her clients that “anything they say could be used against them” and that they would have to testify against them if needed, is telling enough to understand the absurdity of such a proposition. Similar dispositions exist in certain countries to protect doctor-patient relations – as encoded in the “Hippocratic oath”. Religious ministries, in several instances, are allowed to oppose, for a certain number of matters, a principle of exclusivity between them and their flock to state enquiries.

As in the legal, medical or religious professions, educators and youth workers need to assure a certain degree of confidentiality with their public in order to carry out their professional duties. As Merton et al. put it more generally concerning the “helping professions”:

A significant pair of professional-client norms is the professional’s promise of confidentiality, on the one hand, and the client’s duty to disclose, on the other. Confidentiality is usually justified as a matter of principle with the observation that in its absence, clients could not be expected, and would not be likely, to reveal intimate and sometimes shameful details of their lives. (Merton et al. 1983: 34)

The confidential information obtained by youth workers, teachers or professors is shared with them precisely because the parties involved have established that this information should remain secret and that the relationship between them has the unique purpose of helping them. Confidentiality is therefore understood as the necessary condition for the function of assistance to work (Bisman 2008: 24). Yet here lies the core of the problem: the project of information sharing that underpins counter-radicalisation policies’ aims undermines this “disinterested” confidentiality.

### **3. Undermining trust: the challenges of using the educator as an actor of counter-terrorism**

#### **Driving conversations underground**

The first counterproductive effect of undermining the trust relations between educators and students is the “chilling effect” (outlined in Chapter 3, section 3). The

"chilling effect" is not only a limitation of freedom of expression, it also means that conversations that could be happening in controlled spaces – where educators can intervene – are driven underground, taking place on dedicated internet forums or on social media such as Telegram, Snapchat or other applications. The outcome is thus a net loss of key information from a counter-terrorism perspective.

Universities UK, which represents vice-chancellors and principals of British university institutions, argues, with much justification, that current counter-extremism laws create anger and confusion among their members, pose a threat to freedom of speech, and drive controversial and offensive views underground. (Hargreaves 2016)

Or, as Amrit Singh, author of the Open Society Justice Initiative report, put it in relation to the effects of Prevent in the health-care sector:

Conversations about terrorism are being driven underground, where they are less likely to be challenged. ... One psychologist quoted in the report says, "we are being encouraged to police thought crimes and political opinions" and describes another psychologist being fed questions by Prevent officers to ask her patient. (Singh 2016)

## The risk of escalation

One of the key findings of conflict studies and sociological approaches to terrorism of the past decades is that terrorism and radicalisation are always relational processes that include the states themselves. In other words, security policies that are considered to discriminate and alienate populations can paradoxically be a key factor in fuelling the radicalisation process they aim to prevent or curtail. As Rights Watch UK puts it:

As again the experience of Northern Ireland shows, the lasting effect of tactics used purportedly to prevent terrorism, but which actually result in the securitisation of communities, is to stoke community unrest and provide fertile ground for terrorist recruitment, thereby stimulating further violence. The risk of adverse effects is particularly acute in relation to vulnerable members of society, such as children, who are unable to protect their own interests from arbitrary interference. Where children are concerned, there is no room for error in the deployment of counter-terrorism strategies. In fact, the need for a high level of rigour in training, implementation, and scrutiny is particularly acute. (Rights Watch UK 2016)

And it begins to be documented that problematic policies such as Prevent might indeed have the opposite effect of their initial purpose. As the Open Society Justice Initiative report explains:

Other adults wrongfully targeted under Prevent have said that, had they been different, their experience of Prevent could have drawn them towards terrorism, and not away from it. (Open Society Justice Initiative 2016: 18)

This point of view is shared by both intelligence services, as Durodie documents:

Indeed, the security services, who are already fully engaged monitoring the few that could pose a real, immediate threat, understand this very well. As noted by the former British Secret Intelligence Service (MI6) Chief, Sir Richard Dearlove, in 2014, some of their activities might also be driven by a loss of an appropriate sense of proportionality. (Durodie 2015: 26)

This view is also shared by practitioners in the field of counter-radicalisation, as in the words of Alyas Karmani:

PREVENT two and PREVENT three have, if anything, been push factors towards extremism and radicalisation, rather than developing resilience, because these initiatives have closed down the space for expression and this has resulted in Muslims being disproportionately targeted. (Fitzgerald 2016: 140)

In other words, counter-radicalisation policies, if they are not carefully conceptualised and deployed, risk producing effects opposite to those they intend to have.

# Conclusion

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Counter-radicalisation in schools is not an epiphenomenon; it is the new trend developing at the intersection of counter-terrorism and education policy. In order to follow UN Security Council Resolution 2178, as well as the counter-radicalisation strategies laid out by European multilateral organisations, Council of Europe member states have already, or will soon, face the question of how to implement them in the education sector. The key question is how to roll out an effective counter-radicalisation policy without hindering human rights principles, and the objectives of democratic education and counter-terrorism.

As this report has shown, many problems covered under the label of “countering radicalisation and violent extremism” are not entirely new problems. While some of them are new, others are reformulations of old issues that educators, both in schools and sites of informal education, should be equipped to deal with: bullying; teenage relational problems with authority, friends and family; the search for group membership and identification; or the discovery of political ideas and participation. For some groups, an additional layer of discrimination is enacted, either by other students or by educational staff, that has to do with broader issues of ethnic, religious or other forms of stereotyping or denigration that occur in society.

Of course, the emergence of terror groups like al-Qaeda and Daech, as well as the rise of populism and violent ideologies in all corners of the political spectrum constitute a specific category of challenges to students, their families and education professionals. But even then, these are not entirely new phenomena: the entire 20th century is riddled with episodes of extremism, and the education sector has developed a broad range of already existing and tested strategies to deal with many of these challenges. One of the effects of the counter-radicalisation policies has been to transform many of these challenging behaviours into potential signs of terrorism that require immediate security attention.

While this report does not deny that in some limited cases the recourse to law enforcement might be necessary (when there is evidence of criminal activity), the right balance has to be found. Through training, teachers should be empowered to regain control and autonomy over issues that pertain to the pedagogic skillset. This does not mean that the current situation does not pose specific challenges that alarm students, families and educators and which might require discussing and updating, as well as maybe inventing new educational tools to deal with them. In fact, while the literature shows signs of interrogations in the education sector, very little is known about the real needs of educators in this regard.

It is crucial to note, however, that the move to recast many of the problems mentioned above in a language of counter-terrorism and counter-radicalisation is not simply a semantic one, it is profoundly political. It has indeed a concrete effect: it makes the assumption that educators are not well equipped to deal with these problems – and that the logic of education should be subordinated to another one, that of intelligence collection and social control that forms part of the broader counter-terrorism project.

What permeates starkly through individual testimonies of students, families and educators as well as through statements of students and educators' unions, is the unease with precisely this position, and in particular the effects of counter-radicalisation policies in schools in terms of both human rights and efficiency with regard to countering extremism. Not only are these policies perceived as questioning and possibly undermining the ethical and professional principles of educators – for example in terms of confidentiality, freedom of expression or simply consideration for the best interests of the child – they are also reported to generate counterproductive effects in terms of the two stated objectives of these policies: preventing radicalisation and ensuring social cohesion. In fact, in many respects, the policies appear as a movement of narrowing down the scope of education, reducing, through an instrumentalist perspective, the role of the education sector altogether. Here again, the literature is indicative at best and points to an urgent need to know more about the current state of counter-radicalisation policies in the member states of the Council of Europe, to the ways it is received and perceived by students, their families and education professionals, as well as what the alternative forms of addressing the issues that could work in schools might be. These elements are key to devising a sound evidence-based policy to prevent and combat radicalisation in the education sector while upholding the key principles of the Council of Europe in terms of human rights.

# Recommendations

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Taking stock of the current state of the debates, this section outlines suggestions for the action of the Council of Europe in matters of countering radicalisation and violent extremism in the education sector. We are currently at the very early stages of a process that will concern more and more of the Council of Europe member states. Yet many initiatives have already been developed that can benefit the collective reflection. The key areas for further reflection are the following:

## **1. How can radicalisation be tackled while preserving the autonomy of the education sector?**

As this report has shown, a central challenge of the implementation of counter-radicalisation policies in the education sector is the tension built into the policies between the logics of suspicion and logics of trust. On the one hand, educators are asked to detect and report. On the other, they require trust to carry out their work and to foster social cohesion. While this tension exists in the mission given to educators, it also translates into uneasy relations with the security sector. Education professionals are eager to help prevent terrorism. Yet many resent being considered as aides to the security services. One of the key issues is, therefore, the question of the autonomy of the education sector. This translates into key practical questions:

- ▶ How can autonomous, specifically pedagogical methods be developed to deal with issues of radicalisation that empower rather than undermine the position of educators?

- ▶ What relations can be developed with the security sector so that, on the one hand, trust relations with students and the rights of students are not jeopardised and, on the other, the legitimacy of educators and the efficiency of their role in the prevention policies is preserved?

## **2. How can radicalisation be tackled while preserving the principles of human rights, EDC/HRE and the CDC**

As the report has evidenced, regardless of their efficiency, one unintended consequence of counter-radicalisation policies in the education sector is that they may hinder principles of human rights and EDC/HRE, as well as the principles contained in the CDC. This not only infringes upon the rights of students, it may prove counterproductive for counter-radicalisation efforts, as it reinforces grievances to students and undermines trust in state institutions. This issue translates into the following key practical questions:

- ▶ How can issues be tackled that are not per se related to radicalisation (racism, anti-Semitism, Islamophobia, social exclusion) but which are now, however considered facilitating conditions for radicalisation?
- ▶ How can mechanisms be developed to tackle radicalisation that do not reinforce issues of discrimination and breach of trust, and instead make it possible to de-escalate the possible tensions between students and education professionals?
- ▶ How can safe discussion environments be provided to address controversial issues around religion, discrimination, exclusion or foreign policy while educating according to the core principles of EDC/HRE and their limits (such as hate speech, discrimination, violent ideologies)? In other words, how can the defence of the principle of free speech be upheld while ensuring that hate speech is not tolerated?

## **3. How can training for education professionals be addressed?**

As this report has shown, in most member states of the Council of Europe, counter-radicalisation policies in the education sector are recent. Training for education staff raises important challenges. First, the assumption of many training programmes, namely that radical individuals can be “spotted” through external signs, is scientifically flawed and needs to be rethought while nevertheless providing tools for educators to identify and address problems. Second, governments are still developing the logistics of the training, such as content and methods, resulting sometimes in disappointing experiences for education professionals. Finally, training is not always in line with the human rights and EDC/HRE values that are key to successful counter-radicalisation programmes. The following challenges exist.

- ▶ How can methods be developed to identify individuals that might require attention without resorting to external signs of religiosity or key behavioural changes? Is the identification of radicalised individuals possible? Should alternatives be considered?
- ▶ Can the Council of Europe, in partnership with member states and international organisations, develop training materials that support member states in addressing issues linked to radicalisation while avoiding the pitfalls identified in this report?

#### **4. What is the next step?**

On the one hand, European and international professionals and expert networks have accumulated and shared key insights into challenges and best practices at the national and European levels. On the other, as policies develop, many are contested and much remains to be discovered in order to assess ways of addressing these challenges. While until recently only a few countries had implemented such policies, they are now a priority for an increasing number of states. What are the characteristics of these policies? How do they compare at European level? What degree of autonomy do they afford to the education sector? How do they address the issues in this report? Are there typologies of approaches that can be outlined? A possible course of action could entail the following steps:

- ▶ *Take stock.* A first step could be to obtain an overview of the existing situation in the member states. This can be carried out through documentary research, field research, expert focus groups or interviews, with the aim of systematically surveying existing practices, successes and the challenges they encounter.
- ▶ *Elaborate policy proposals.* On the basis of the first assessment, and in collaboration with the relevant partners, a second step could be to elaborate policy proposals for the seven key practical challenges raised in points 1-3 above.
- ▶ *Test policy proposals in pilot projects.* The next step could consist in testing the policy proposals through pilot projects conducted in selected education institutions across the Council of Europe member states in order to learn about what works in practice.
- ▶ *Disseminate findings.* The final step of the project would produce relevant documents to support member states in the development of policies aimed at countering radicalisation while avoiding the pitfalls highlighted in this report.



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Could policies aimed at preventing radicalisation in Europe end up undermining the very social cohesion they aim to preserve? Since the mid-2000s, a growing number of European governments have broadened the scope of counter-terrorism, making it an issue that needs to be tackled by society as a whole. This report considers the effects of such policies in the education sector through a review of the existing literature on the subject. It begins by considering the issues facing educators and students and their families, and goes on to show how counter-radicalisation policies make contradictory demands on educators, asking them to build social cohesion and resilience while at the same time requiring them to employ a logic of suspicion in spotting potential radicals.

The report suggests that this contradictory mission challenges key principles of 1. human rights and fundamental freedoms; 2. education for democratic citizenship, human rights education, competences for democratic culture and the objectives of building inclusive societies; and 3. the key objectives of counter-terrorism itself.

The author therefore presents three main areas of reflexion, followed by recommendations for further research and action by the Council of Europe.

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