

# **Pädagogik in Zeiten von Krieg und Terror**

Redaktion:

David Salomon – Jürgen-Matthias Springer – Anke Wischmann

**JAHRBUCH FÜR PÄDAGOGIK 2017**



**PETER LANG**

In jüngster Zeit sind Krieg und Terror in öffentlichen Diskursen nahezu omnipräsent. Hatte sich bereits nach den Anschlägen vom 11. September 2001 die Wahrnehmung einer permanenten Bedrohung des „Abendlandes“ eingestellt, die unmittelbare und mittelbare politische, gesellschaftliche und auch pädagogische Konsequenzen nach sich zog, so vermitteln Kommentare aus Politik und Medien anlässlich der jüngsten Anschläge in europäischen Staaten inzwischen den Eindruck eines permanenten Ausnahmezustands. Pädagogik muss sich in Zeiten von Krieg und Terror mit dem Erstarren von Nationalismen, Exklusionsmechanismen und immer gewaltsamer werdenden Dominanzdiskursen auseinandersetzen, die sich sowohl in der Zunahme eines ideologisch immer offener werdenden Rassismus zeigen als auch in radikaler werdenden Identitätspolitikern beispielsweise des Salafismus und Dschihadismus. Regressive Ideologien und exkludierende Mechanismen sind für Pädagogik in zwei Hinsichten von Relevanz. Zum einen reproduzieren sie sich nicht zuletzt in Erziehungsverhältnissen und Sozialisationsprozessen, zum anderen muss danach gefragt werden, wie Bildungsarbeit auf sie reagieren kann.

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## **II. Bildungsräume in Zeiten von Krieg und Terror**



## Higher Education and Counter-Terrorism in the State of Exception: The Case of England

*Zusammenfassung:* Der Bereich der Höheren Bildung sieht sich traditionell im Spannungsfeld zwischen der Aufgabe, die Meinungs- und Wissenschaftsfreiheit zu stützen und zu schützen, sowie institutionell, gesellschaftlich und politisch verordneten Zielvorgaben. Aktuell zeigt sich in Großbritannien eine spezifische Entwicklung im Bereich der Prävention extremistischer Radikalisierung an Universitäten. Dieser Beitrag untersucht einige der Maßnahmen, die an das durch die britische Regierung implementierte Prevent-Programm anschließen. Dieses Programm besagt, dass von Universitäten als Orten öffentlicher Bildung erwartet wird, dass diese verdächtige Aktivitäten und Subjekte im Hinblick auf Radikalisierungstendenzen ihrer Studierendenschaft melden. Dabei geraten vor allem Studierende arabischer oder indischer Herkunft in den Blick, die so gleichsam als Andere markiert und – wie gezeigt wird – im Anschluss an Butler dehumanisiert werden. Des Weiteren wird mit Bezug auf Arbeiten Judith Butlers argumentiert, dass Maßnahmen, die der Politik des Prevent-Programms folgen, wie eine verstärkte Überwachung muslimischer Studierender oder gar deren Inhaftierung, als ein Hinweis auf die Rückkehr zum souveränen Obrigkeitsstaat und einem permanenten Ausnahmezustand verstanden werden können. Der Begriff des Ausnahmezustands bezeichnet nicht nur den explizit, etwa im Anschluss an die Anschläge in Frankreich, verhängten Status, der die Exekutive vorübergehend in erhöhte Alarmbereitschaft versetzt, sondern es geht um eine allmähliche Veränderung staatlicher Regierungspraxis, die einhergeht mit der systematischen Einschränkung persönlicher Freiheitsrechte – vor allem für jene, die als feindlich angesehen werden. In diesem Prozess, so wird deutlich, spielen Bildungsinstitutionen eine zentrale Rolle, wie anhand hochschulpolitischer Diskurse und Praktiken nachvollzogen werden kann.

*Abstract:* Historically, Higher Education (HE) as a sector has often found itself in tension between supporting academic freedom, freedom of expression and speech, and fulfilling officially (state) mandated political or social aims. In this paper I explore the ‘Prevent’ strand of the British government’s counter-terrorism strategy, ‘CONTEST’, and the implications for Higher Education Institutions (HEIs) in England, arguing perhaps controversially, that is illustrative of a gradual shift towards sovereignty via the introduction of a permanent and all-pervading State of

Exception in western democracies in response to the increased terror threat these nations are (perceived to be) experiencing. The aim of ‘Prevent’ is to identify individuals who might be becoming radicalised, and prevent them from going on to become terrorists. Drawing on the work of Judith Butler I argue that the so-called ‘war on terror’ is being used to justify new regimes of control and that the education system plays a central role in the creation of the State of Exception. Employing ‘Prevent’ in HE as an example, I investigate sovereignty as a banal, anonymous and bureaucratic norm, practice and discourse, and the State of Exception as constituted via the performativity (repetition of spoken and unspoken citations) of this norm in education. I also argue that educational policies and practices such as ‘Prevent’ are central to the creation of Muslims as non-human subject as under the State of Exception their rights are being potentially – and in some cases, actually- suspended under the pretext of public security which places them (potentially) beyond the law. The ongoing use of extreme measures are ‘the means by which the exceptional becomes established as a naturalised norm’ (Butler 2004, 67).

*Keywords:* Higher Education; counter-terrorism; the State of Exception; ‘Prevent’; performativity

### *Introduction*

Historically, Higher Education (HE) as a sector has often found itself in tension between supporting academic freedom, freedom of expression and speech, and fulfilling officially (state) mandated political or social aims. In England, there has been an emphasis in HE policy since World War II towards universities’ responsibilities to act against ‘subversives’, ‘fifth columnists’ and now, ‘extremists’. In recent policy ‘extremists’ tends to refer to Islamic extremism, despite the brief mention of other types of extremism such as animal rights, right wing and nationalist, anarchist, socialist, environmentalist and Irish republican. In this paper I explore the ‘Prevent’ strand of the British government’s counter-terrorism strategy, ‘CONTEST’, and the implications for Higher Education Institutions (HEIs) in England. The aim of ‘Prevent’ is to identify individuals who might be becoming radicalised, and prevent them from going on to become terrorists. Drawing in particular on the work of Judith Butler (2004, 2008, 2010) on performativity, sovereignty, and the racial frame, I argue, perhaps controversially, that the ‘Prevent’ programme, which involves tighter regulation and increased surveillance of activities in the HE sector, exemplifies the British government’s unofficial introduction of a state of exception (Agamben 1998, 2005). The state of exception is characterised by the gradual normalising of increased sovereignty, a more overtly

controlling style of governance and the removal from the protection of law a specific population group- in this case, Muslims.

*The state of exception and increased sovereignty*

In recent times there has been much talk by the media and politicians of sovereignty: the role of the European Union and the Brexit referendum, the election of Donald Trump in the US have all involved mention of ‘a return to sovereignty’. Sovereignty in these debates tends to refer to the notion of self-governance and authority over one’s own affairs. However, a second meaning of the term is supreme government and overt control, and it is this second meaning which I am going to argue is becoming ever more evident in England.

The dominant style of governance in the West since the beginning of the 20<sup>th</sup> century (and arguably earlier) has tended to be what Foucault termed governmentality: a system of governmental control in which power is de-centred and exerted by shaping the behaviour, attitudes and subjectivities of citizens in order to effect self-regulation (Foucault 1988). However, some have argued that sovereignty, or the more overt exercise of state power, has in fact never completely been replaced by governmentality, and it can be reintroduced by those in positions of power whenever they feel it necessary (Butler 2004, Agamben 1998, 2005). Butler has argued that the so-called ‘war on terror’ is illustrative of this shift towards sovereignty. She argues that a permanent and all-pervading state of emergency has been introduced in western democracies such as the US and UK in response to the increased terror threat these nations are (perceived to be) experiencing which is being used to justify new regimes of control and reinforced state sovereignty involving the limiting of personal freedoms, increased regulation of immigration and constant surveillance. In some countries such as France, at the time of writing, this state of emergency has been made explicit, in others, such as the UK, it may be less explicit. In a state of emergency, the so-called democratic state can suspend laws and engage in actions for which public consent is not sought. This indefinite state of emergency, justified by the ‘war on terror’, allows the suspension of law in domestic cases as well as internationally:

*“It would seem that the state, in its executive function, now extends conditions of national emergency so that the state will now have recourse to extra-legal detention and the suspension of established law, both domestic and international, for the foreseeable future” (Butler 2004, 63).*

Normally a state of emergency is introduced for a short period by leaders in order to address a national emergency. However, Butler argues that these new

regimes of control are becoming permanent and permeating ever more aspects of our lives:

*“[...] state power restructures temporality itself, since the problem of terrorism is no longer a historically or geographically limited problem: it is limitless and without end, and this means that the state of emergency is potentially limitless and without end, and that the prospect of an exercise of state power in its lawlessness structures the future indefinitely” (ibid. 2004, 65)*

In order to theorise the state of emergency, Butler draws on the work of Agamben (2005) on the state of exception, which is characterised by the gradual normalising of increased sovereignty, a more overtly controlling style of governance, and the removal from the protection of law from a specific population group. However, Butler’s concept of the current state of emergency differs slightly from Agamben’s state of exception. Butler’s notion of sovereignty is somewhat distinct from the sovereignty identified by Agamben (Neal 2008). For Butler, sovereignty occurs within governmentality, and indeed is enabled by governmentality. In her examples of the mechanisms of the ‘war on terror’ in the US, there is no single sovereign, rather discourse and practices which create this overt control: Butler identifies plural and dispersed techniques of power, policies created by civil servants who are allocated a role in the war and allocate roles to others, as she argues, ‘[p]etty sovereigns abound’ (Butler 2004, 56). For Butler, sovereignty is a banal, anonymous and bureaucratic norm, practice, and discourse and the state of exception/emergency is constituted via the performativity (repetition of spoken and unspoken citations) of these norms (Neal 2008, 51).

*“[...]performativity must be understood not as a singular or deliberate “act”, but, rather, as the reiterative and citational practice by which discourse produces the effects that it names” (Butler, 2011, xiii)*

In the state of exception, the powerful can reduce groups of citizens to what Agamben refers to as bare life, or mere physical existence, thus exercising sovereignty and removing from these groups the protection of law. Agamben equates these dispossessed groups to the homo sacer, which is a paradoxical figure from Roman Law, who may not be used for sacrifice, but may be killed by anyone without this being considered a crime. The homo sacer is a figure who does not enjoy the rights of a citizen, and therefore may not live a political life, yet s/he leads a life defined by politics. Agamben uses the situation of the Jewish people under the Nazis as an example of the state of exception, suggesting that the Nazi terror was not necessarily exceptional, rather, an extreme form of sovereignty which can be reintroduced in a democracy by the powerful at any time. Butler illustrates the current state of emergency with the examples of extreme phenomena such as the



Guantanamo Bay detention centre, and ‘renditions’ of terror suspects for torture in third countries.

Unlike Agamben, Butler argues that the state of exception has specific implications for those who are positioned as racial ‘others’, “how sovereignty [...] works by differentiating populations on the basis of ethnicity and race” (Butler 2004, 68). She develops the concept of the ‘racial frame’ through which certain groups are viewed such that they are deemed less-than-human (Butler 2004). A ‘frame’ in Butlerian terms, is a collection of discourses which shapes perception. Whilst discursive, these frames are not ‘merely’ perceptual or cultural: they have material effects on real lives and interaction. In the ‘war on terror’, those individuals and groups who are regarded as less-than-human are those of (perceived) Arab, North African, Middle Eastern or south Asian heritage. Some might argue that Butler’s notion of less-than-human is extreme, however, it is individuals from these groups whose citizenship rights are most likely to be suspended both under English (Prevention of Terrorism Act 2005; Civil Contingencies Act 2004) and US law (USA Patriot Act 2001).

*“I am suggesting that the rigorous exclusion of norms of Islamic community pose a threat to culture, even to prevailing norms of humanization. And when some group of people comes to represent a threat to the cultural conditions of humanization and of citizenship, then the rationale for their torture and their death is secured.” (Butler 2008, 18)*

For Butler then, the homo sacer created by the current state of emergency, are Muslims. The rights of Muslims are being potentially – and in some cases, actually – suspended under the pretext of public security. In being (potentially) beyond the law, the position of people who are (perceived to be) from these ethnic groups as (perceived) non-human is reified without the full rights of a citizen, Butler argues they are rendered a non-human subject. Thus in counter-terrorism discourses, (perceived) racial groups who are likely to be Muslims are deemed (in Butlerian terms) non-human.

Colatrella (2011) argues that Agamben exaggerates our present situation, which cannot be compared to that of the Holocaust. Indeed this does raise questions about the extent to which developments related to the ‘war on terror’ and new security measures may be relevant to wider society; and whether they are simply exceptional, rather than indicating a state of exception. However, as my colleague and I argue elsewhere (Chadderton and Colley, 2012), the practice of sovereignty through the state of exception may be advancing. Arendt (1963) and Dejours (2009) for example argue that extreme abuses of power are not established on a widespread scale overnight: they become possible through a lengthy process in which evil becomes commonplace and is ‘banalised’ in everyday life.

Butler suggests that the ongoing use of extreme measures are ‘the means by which the exceptional becomes established as a naturalised norm’ (Butler 2004, 67).

*Prevent: the UK government’s counter-terrorism strategy*

The UK government developed a new counter-terrorism strategy for England and Wales in 2003 in response to the terrorist attacks of 9/11, the London Bombings, and has been refined and refocused the strategy several times. As Silke has argued, ‘[c]ounterterrorism is not specific to any one agency or department’ (Silke 2011, 3), and CONTEST is indeed wide-reaching. It is based around four strands of work:

- *Pursue: the investigation and disruption of terrorist attacks;*
- *Prevent: work to stop people becoming terrorists or supporting terrorism*
- *Protect: improving our protective security to stop a terrorist attack*
- *Prepare: working to minimise the impact of an attack and to recover as quickly as possible*

(Her Majesty’s Government [HMG] 2016, 9)

The Prevent strand, originally called ‘Preventing Violent Extremism’, which is the focus of this paper, aims to stop terrorism, in particular by preventing the radicalisation of young people. It relates to education, policing, health and community services. The new Counter Terrorism and Security Act 2015 introduced a new statutory duty for HEI’s to have “*due regard to the need to prevent individuals from being drawn into terrorism*”. This means that institutions now have a statutory duty to engage with the government’s Prevent agenda. Although HEIs’ inclusion in Prevent is not new, the 2015 act now ties HEIs in more actively to the counter-terrorism agenda than previously. Research published in 2011 already showed a minority of universities had developed systems, policies or procedures for ‘preventing violent extremism’, while a significant number had developed close cooperation and collaboration with state counterterrorism policies which the authors argue, raises potential issues of academic freedom (Miller/Mills/Harkins 2011, 405).

Teachers, police, youth workers, health workers, and now Further and Higher Education employees are required to do Prevent training in recognising the signs of radicalisation. The Prevent approach promotes the belief that radicalisation can be identified, and prevented via a series of interventions,

*“We would expect appropriate members of staff to have an understanding of the factors that make people support terrorist ideologies or engage in terrorist-related activity. Such*

*staff should have sufficient training to be able to recognise vulnerability to being drawn into terrorism, and be aware of what action to take in response.*” (HMG 2015, 5)

As others have argued however, there is no clear evidence for why individuals might support extreme ideologies, nor why they might engage in terrorist-related activity (Brown/Saeed 2015, 1953). Prevent’s focus on HE is due to the fact that a majority of those involved in terrorist attacks in the West have a university degree, from which it has been assumed that universities are spaces of radicalisation (Brown and Saeed, 2015). The rationale given by the UK government for an increased focus on HE institutions is that young people make up the majority of individuals who have travelled to Syria or Iraq to join terrorist organisations, and that an important function of HEI’s is the challenging of extremism and radicalism (HMG 2015).

*“[HEIs’] commitment to freedom of speech and the rationality underpinning the advancement of knowledge means that they represent one of our most important arenas for challenging extremist views and ideologies. But young people continue to make up a disproportionately high number of those arrested in this country for terrorist-related offences and of those who are travelling to join terrorist organisations in Syria and Iraq. [HEIs] must be vigilant and aware of the risks this poses.”* (ibid., 3)

Previous iterations of Prevent had already focussed on placing the responsibility on staff to monitor students’ behaviour changes: For example, *Protective security advice for higher and further education* (2009), produced to protect HEI’s and Further Education colleges from terrorist attack by the National Counter Terrorism Security Office (NaCTSO and ACPOS, 2009) placed a large amount of responsibility on staff for being aware and suspicious, focussed on the identification of threat and security awareness, and contained very detailed information on staff and physical premises, for example advice on large gatherings and websites.

Equally there has been an ongoing focus on schools. The Department for Education and Schools (2005) produced guidance for schools after 7/7 focused on their capacity to tackle terrorism directly and called for teachers to be involved ‘more explicitly in national security issues than at any time in British history’ (Preston 2009, 196). The Department for Children Schools and Families (2008) introduced an ‘extremism toolkit’ for schools, ‘Learning together to be safe: a toolkit to help schools contribute to the prevention of violent extremism’, also tying schools into counter-terrorism agendas. Citizenship Education, introduced as a discrete subject on the National Curriculum for England and Wales in 2002, also ‘has a surveillance function through identifying those who might hold extremist or negative values’ (Preston 2009, 196; see also Chadderton 2009).

The new act of 2015 requires an increased focus from HEIs in two main areas: firstly staff are required to monitor student behaviour and complete Prevent training which is intended to equip them to recognise signs of radicalisation in students<sup>1</sup>, and secondly, universities are required to monitor the views of external speakers invited to speak at events at universities, and where these ‘extremist views’ are required to ‘not allow the event to proceed’<sup>2</sup> (HMG 2015, 4).

### *The argument for effective counter-terrorism measures at universities*

It could be argued that the government is right to pay attention to HEIs in their counter terrorism strategy. Significant risks for British universities can be identified, including a spate of terrorist attacks in public places across Europe; campus shootings in American universities; military expertise held in universities; the intellectual freedoms offered by HE; increasing international student mobility; a rise in the number of overseas campuses (particularly in areas such as the Middle East); a resurgence of student activism; the involvement of military / industrial firms in developing technologies or funding research. Due to these risks, there have been many calls for universities to police student societies and external speakers. For example, Professor of Politics Anthony Glees recommended that universities should police student societies and speakers because of a

*“[...] pattern of overseas Islamic funding of Middle Eastern studies at Britain’s major universities, notably Oxford, Cambridge and Edinburgh — funding which is wholly unregulated by the British government” (Glees 2009).*

The Centre for Social Cohesion in 2010 provided a comprehensive list of extremist speakers who have addressed audiences on British campuses, complaining of the ‘*astonishing carelessness and indifference still shown by University bodies towards the threat of radical Islam.*’ In addition the Quilliam Society conducted a report on student radicalisation via what they argued was a take-over of the Islamic Society at City University, London (Quilliam 2010). Quilliam argued the events at City University ‘*illustrate[...] how easily a small group of extremist students can take over a university Islamic Society and use it as a vehicle for the propagation of extremist, intolerant and pro-violent ideologies*’. The report went on to identify factors that can potentially lead to the radicalisation of students or staff:

- Exposure to an extremist ideology
- Exposure to people or groups who articulate that ideology

- A crisis of belonging that gets channelled into an aggressive and separatist ‘Muslim’ identity
- Exposure to a range of perceived grievances (ibid. 2010)

However, this report did not in fact, reveal the actual radicalisation of any students, nor have any students from City University gone on to commit acts of terrorism.

Finally it was also believed that the Christmas Day Bomber, Umar Farouk Abdulmutallab, nick-named the underwear bomber, who attempted to detonate explosives while aboard a transatlantic flight Christmas Day 2009, was radicalised at University College London, and an investigation was undertaken to establish how this happened. However, this was later disproved, with the Caldicott Report stating:

*“[...] there is no evidence to suggest either that Umar Farouk Abdulmutallab was radicalised while a student at UCL or that conditions at UCL during that time or subsequently are conducive to the radicalisation of students.” (Caldicott 2010, 3)*

### *Prevent: the creation of a state of exception for Muslims*

I argue then that rather than being an effective measure of counter-terrorism (see others for more detail on this argument which is beyond the remit of this paper e.g. Thornton 2011), the ‘Prevent’ programme in HE exemplifies the state developing rationales to consolidate and augment its power in areas of life at every level (Butler 2008). The mobilisation of norms of security and threat are being used to justify increased control and surveillance of Muslims, already positioned as non-British and a threat to security in longstanding discourses (see e.g. Chadder-ton 2009). It cannot be overlooked that this increased regulation and surveillance of activities at UK HEI’s, with its focus on Islamist terrorism, is taking place in this wider context. Following Butler, the state of exception has not been overtly declared in a single utterance, rather discourses and practices at different state and media levels are creating the reality of the state of exception. In a state of exception, the law can be transcended or ignored to protect the public good. As Kapoor argues, in the case of the UK, race equality legislation is being ignored due to the potency of the discourses of security:

*“Playing on the threat to national and indeed global security, it is the ‘War on Terror’ that has provided a means by which the state has been able to justify the implementation of a whole range of racially structured measures that would otherwise have appeared to go against the grain of race equality legislation.” (Kapoor 2010, 1040)*

The state of exception is thus created by the performativity of these discourses, which have subjectifying force – they are dominant enough to constitute reality (Butler, 2011). Thus the state of exception has no structural ontology except for the practices, acts and discourses (Neal 2008, 48). These practices are not exceptions in themselves, but rather repeated acts which ‘performatively constitute exceptionalism as a legitimate and normalised form of government’ (ibid., 49). The practices will also not be understood as a suspension of the legislation because they are part of normality. It is the repeated citation which produces reality. The security discourse allocates citizens a role in the war on terror, translating into

*“a virtual mandate to heighten racialised ways of looking and judging in the name of national security. A population of Islamic peoples, or those taken to be Islamic, has become targeted by this government mandate to be on heightened alert, with the effect that the Arab population in the US becomes visually rounded up, stared down, watched, hounded and monitored by a group of citizens who understand themselves as foot soldiers in the war against terrorism” (Butler 2004, 77).*

Sovereign authority is thus devolved to the civil servants creating the policies, university management, tutors and practitioners, who are allocated roles in the war, turning public services into instruments of surveillance (Kundnani 2009).

For Butler, sovereignty becomes somewhat anonymous, and part of the burocratic process. As stated in the most recent guidelines for HEIs:

*“In complying with this duty we would expect active engagement from senior management of the university (including, where appropriate, vice chancellors). [...] we would also expect RHEBs [Relevant Higher Education Bodies] to make use of internal mechanisms to share information about Prevent across the relevant faculties of the institution” (HMG 2015, 4-5).*

There is an explicit focus on Islamist terrorism in all Prevent documents. Although other types of extremism are mentioned as well, in particular right-wing extremism, Islamism is always mentioned first and presented as the greater and more serious threat. In previous Prevent documents, there has been an explicit focus on ‘Asian students’, ‘Muslim students’ and on the dangers of ‘racial heterogeneity’ which, it has been argued, contrasts white homogeneity with a racialized ‘other’ (Preston 2008). The Prevent strategy review (2011) claimed to be a refocus away from Muslims and community cohesion. However, it actually continued to focus on Muslims and Al-Qaida:

*“it is clear that Prevent work must be targeted against those forms of terrorism that pose the greatest risk to our national security. [...] The UK faces a range of terrorist threats. The most serious is from Al Qa’ida, its affiliates and like-minded organisations.” (HMG 2011, 5).*

There are other references which call up longstanding stereotypes around Muslims and Islam and create a ‘them’ and ‘us’ binary: There is a focus on those ‘who see a conflict between being British and their own cultural identity’ (ibid., 18) which suggests that terrorism is not British and those who believe ‘the West is perpetually at war with Islam’ (ibid., 24). The Prevent Duty guidance for HEI’s 2015, although not mentioning Muslims very much directly, does focus on gender segregation and ‘issues arising from the use of prayer facilities’, (HMG, 2015) both referencing aspects of life which tend to be associated with Muslims. The annual report of CONTEST mentions Islamist terrorism as the principal threat (HMG, 2016). It also mentions Northern Ireland Related Terrorism and terrorists associated with the extreme right, although devotes only a line or two to each. During 2015 however, it reports that around 15% of the referrals under the programme were linked to far right extremism, and around 70% linked to Islamist-related extremism (HMG 2016).

Butler (2008, 2010) argues that a series of frames operate which justify war. One of these frames is a racial frame, and this frame ‘works in the service of Prevent, [and] counterterrorism’ (Zarabadi/Ringrose, 2017, 13). For Butler, subjects, lives and realities are performatively constituted by discourse. Racial frames – collections of discourses – ‘differentiate [...] in advance who will count as a life, and who will not’ (Butler, 2010, xxix). In a given society, some lives are conceivable as lives on an equal level as other lives, but those with fewer rights, she argues, will be constituted as ‘less-than-human’.

In the case of the war on terror, the frame through which the less than human are viewed is Islam. Islam is regarded as beyond the hegemonic norms of the West, which positions Muslims as suspicious or threatening. Since 9/11, the ‘war on terror’ and further attacks by Islamists in Europe, discourses around identities have become polarised into those who are with the West, and those who are against (e.g. Ladson-Billings 2003, Oztas 2011). Populations in the US and Europe are perceived as split into two groups: a group which is to be protected from threat, and a group which is threatening (Oztas 2011). In this case the ‘allegedly suspect’ terrorists are Muslims, pre-defined as belonging to a culture which does not share the values of the west. This builds on longstanding discourses of Islam as an underdeveloped culture which condones, even encourages violence. The notion of terrorism is perceived as essentially linked to this ‘incompatibility’ with western life, again, a longstanding discourse, which in effect implicates all Muslims. Thus links with violence and threat are seen as integral to Islam, and by association, to all Muslims. The division of populations in this way has implications for who can be considered a citizen of a given nation, and who, by implication, cannot. It is the fact that all Muslims, or those taken to be Muslim, Arabs, or Middle Eastern are viewed through a racial frame defining them as threatening and non-western,

which means that these citizens are considered to embody the threat of terror, which therefore allows them to be understood as non-citizens. As non-citizens, they do not enjoy the same entitlement to rights as citizens, and deprived of legal protection, Muslims become constituted as ‘humans who are not humans’, or the potential homo sacer: in a power relation of potential violence.

Following Butler, it can be argued that through the framing of specific bodies as threat, these bodies become a legitimate target. In the context of the ‘war on terror’ and via programmes such as ‘Prevent’, Muslims are constituted as a terrorist threat, and increased surveillance and monitoring ensure that Muslims are the embodiment of the threat. Once Muslim citizens are constituted as the embodiment of the threat, they are vulnerable to the potential violence of the position of non-citizen, non-human, whose entitlement to rights is very much reduced – potentially the homo sacer.

As Douglas (2009, 37) argues ‘in the state of exception, what needs to be emphasised is that it is not a power relation of pure violence, but rather, of *potential violence*.’

In fact in May 2008 a student and member of staff at University of Nottingham were arrested on suspicion of terrorism, Rizwaan Sabir and Hicham Yezza. A master’s student in the School of Politics, Sabir was gathering material for proposals for an MA dissertation and a PhD. Sabir emailed his friend Yezza, who worked in the library, with something called the ‘Al Qaeda Training Manual’ to be printed out. Yezza’s colleagues noticed the document on his computer when Yezza was away from his desk and alerted the university authorities who called the police. Both men were arrested and released without charge after a few days. Lecturer Dr Rod Thornton was suspended for writing an article criticising the university’s treatment of Sabir (Thornton 2011, Townsend 2011). In this case, the material which led to their arrest was widely available to the public. Sabir had downloaded it from the US Department of Justice website, and it was and continues to be available in several book forms. It was the ‘Muslim’ identity of the student that made it radical – already constituted as ‘the terrorist threat’ via the racial frame serving the ‘war on terror’, both men were viewed through the lens of security and became potential targets – cast out of the polis into ‘...an unprotected exposure to state violence’ (Butler in Butler/Spivak 2007, 37).

### *Conclusion*

In this paper I have argued that the Prevent programme exemplifies the unofficial state of exception incipiently ushered in in England as a response to the ‘war on terror’. The state of exception is characterized by the suspension of ‘normal’ law



to protect the interest of the sovereign, and the removal from the political realm of a specific group, which is treated as the homo sacer, ‘constantly monitored and exposed to the potentiality of violence’ (Douglas 2009, 33). It cannot be overlooked that the demands on educational institutions to monitor students are made in the wider context of provisions for the temporary suspension of citizenship rights, and that the same or similar groups are targeted. The Prevent programme does not aim to subtly encourage students into self-surveillance or technologies of the self (Foucault 1988); rather those targeted by the programme are subject to external and explicit technologies of control. Their lives, like that of the homo sacer, are thus deeply politicized, as are those of the practitioners working with them. The process may not yet be complete, it could be argued that the state of exception is creeping into the liberal democracy of the UK. Therefore although the notion of an encroaching state of exception in democratic Europe may be extreme, if we take the example of new regimes and technologies of monitoring and regulation and surveillance in English HEs, it could be argued that many features of a permanent state of exception are increasingly defining our lives as extreme measures are resorted to in response to a perceived threat of terrorism.

### *Notes*

- 1 “Compliance with the duty will also require the institution to demonstrate that it is willing to undertake Prevent awareness training and other training that could help the relevant staff prevent people from being drawn into terrorism and challenge extremist ideas which risk drawing people into terrorism. We would expect appropriate members of staff to have an understanding of the factors that make people support terrorist ideologies or engage in terrorist-related activity. Such staff should have sufficient training to be able to recognise vulnerability to being drawn into terrorism, and be aware of what action to take in response. This will include an understanding of when to make referrals to the Channel programme and where to get additional advice and support.” (HM Government 2015, 5)
- 2 “when deciding whether or not to host a particular speaker, RHEBs should consider carefully whether the views being expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups. In these circumstances the event should not be allowed to proceed except where RHEBs are entirely convinced that such risk can be fully mitigated without cancellation of the event. This includes ensuring that, where any event is being allowed to proceed, speakers with extremist views that could draw people into terrorism are challenged with opposing views as part of that same event, rather than in a separate forum. Where RHEBs are in any doubt that the risk cannot be fully mitigated they should exercise caution and not allow the event to proceed.” (HMG 2015, 4)

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