CHAPTER EIGHTEEN

RELIGION, MINORITY RIGHTS AND MUSLIMS OF THE UNITED KINGDOM

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I. INTRODUCTION

Professor Joseph Kunz once remarked that ‘[h]e who dedicates his life to the study of international law is sometimes struck by the appearance as if there were fashions in international law just as neckties.’ Minority rights, as a subject has a strong sense of déjà vu about it – the examination of the rights of minorities, which was a fashionable preoccupation of the League of Nations, for a considerable after the birth of the United Nations remained absorbed into the wider aspiration of the protection of individual human rights. At the beginning of the new Millennium and with the commencement of ‘war against terror’, the fashions of international law appear to have changed with minorities once more a focal point of debate and examination. There is nevertheless one significant difference: the debate on minority rights (certainly within Western Europe, the United Kingdom and the United States) is about the dangers emanating from members of a particular minority – the Muslims. The official State responses are that the threat from radical Islamic extremists is substantial and is likely to dominate global political and legal developments for the foreseeable future.

Amidst the global threat from Islamic extremism, an examination of the position of British Muslim minority is of significant value. British Muslims have been under the spotlight since the tragic events of 11 September 2001. Right-wing racist elements within the society suggest that British Muslims are followers of an aggressive religion advocating recourse to violence, terrorism and destruction; they are in the words of Nick Griffin, the Leader

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of British National Party followers of a ‘wicked and vicious faith’.

It is also the case that there is a growth in Islamophobia, highlighted not only by the surge in stop and searches of Muslims but also by such instances as the refusal of air passengers to board a flight from Malaga to Manchester alongside two Asian Men on 20 August, 2006. During the course of the twin conferences (March 2005 and January 2006), there have already been several references to Islam, Muslims and Terrorism: It would appear that on a number of occasions, there has been an overlapping cross-referencing of Muslims as terrorists and criminals. In legal literature as well as societal discourses prefacing Islam with terrorism is not uncommon. In an environment of immense sensitivity, any discussion on the contemporary position of Muslims is enormously controversial.

The overall objective of the present paper is to critically examine the position of Muslim minorities within the United Kingdom. The chapter considers a number of issues and concerns encountered by the Muslim minorities both historically as well as post 7 July 2005. The chapter is divided into six sections. After these introductory remarks, section two presents a historical overview of Muslim minorities in the United Kingdom. Section three examines the practices and policies of the successive British governments and the factors that have led to disenchantment, discrimination and aggravation. Sections four and five focus specifically upon the implications of 11 September 2001 and 7 July bombings respectively. As the chapter examined, since July 2005 atrocities, substantial concerns has been expressed by the British government over the growth of extremism and radicalization; many of the legislative initiatives are ill-advised though there have been a few constructive initiatives such as the establishment of working

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