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THE EXPANSION OF PREVENT:

ON THE POLITICS OF LEGIBILITY, OPACITY AND DECOLONIAL CRITIQUE

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Abstract

It is argued here that the liberal state has authoritarian aspects that are irreducible to the authoritarian aspects of neoliberalism. The argument draws on James Scott's work on modern state ruling through bureaucratic 'legibility', and the decolonial work of S. Sayyid on how a form of political Islam he calls 'Islamism' challenges the west's construction of modernity as an intrinsically western project. The state's need for legibility undermines democracy by seeking to shape political debate and political activity to fit its bureaucratic channels for engagement, and Islamophobia caused by the UK state's reaction to Islamism, shapes how the UK state seeks control via legibility. Prevent expanded in 2011 from focusing on 'violent extremism' to 'extremism', with extremism defined in terms of normative commitments the state takes to be in tension with its conception of 'British values'. The state defined the Muslim population as opaque, because they were taken to not be socially integrated. This was used to justify a repressive ubiquitous surveillance based on what is termed here a 'legibility of symptoms'. This was presented, after 2015, as paternalistic 'safeguarding', when workers in public sector bureaucracies became legally obligated to carry out Prevent surveillance. Left-wing and environmental organisations engaged in extra-parliamentary protest are now as defined as potentially extremist. With the expansion of Prevent in 2011, the state created a 'pre-crime' space in civil society that is taken to justify repressive surveillance, presented as paternalistic safeguarding to save individuals 'at risk' of 'radicalisation' from going on to commit criminal acts.

LIBERALISM, AUTHORITARIANISM AND COLONIALISM

Much scholarship on neoliberalism describes its authoritarian aspects. Democratic accountability is reduced and public services are subject to 'market reforms', with citizenship redefined in terms of the consumption of these marketised services and away from any notion of democratic solidarity holding the state to account. Citizens are nudged into becoming *homo economicus* subjects who define themselves in terms of adaptation to markets rather than as members of a political community holding the state to democratic account and seeing public services as good in themselves.[1] Furthermore, the neoliberal state acts in repressive ways to groups it constructs as a threat to the social order. This has entailed the state acting in a punitive way in response to 'moral panics' constructed concerning: violent crime (often seen in a racialised way); the socialist 'enemy within' (during the early years of neoliberalism); and a 'welfare-dependent underclass'.[2] These authoritarian aspects of neoliberalism, combined with rising economic insecurity and precarity, led to the recent rise in right-wing populism, driven by resentment and scapegoating, born in a political culture increasingly devoid of democratic solidarity.[3]

While it is correct to argue that neoliberalism has authoritarian aspects, the argument developed here will be that the liberal state has authoritarian aspects that are irreducible to neoliberalism. There are two reasons for arguing this. The first concerns the bureaucratic nature of the modern state's power. Often a concern with bureaucracy holds that state bureaucracy is repressive because it embodies instrumental rationality, which is taken to be the dominant form of rationality in western modernity. The problem with instrumental rationality is that normative ends become colonised by the search for efficient bureaucratic means, and that instrumentalist thinking reduces people to a dehumanised thing-like status, in a world devoid of intrinsic meaning. Trying to use politics to change society, using normative commitments to reform existing socio-economic relations, becomes difficult given bureaucratic inertia and a mode of thinking that prioritises bureaucratic – efficient means over normative ends.[4]

Such views were critical of the Enlightenment for fostering this type of rationality, contrary to the view that the post-Enlightenment west was an exemplar of human progress based on the application of reason. Foucault also challenged the conception that post-Enlightenment liberal western modernity was such an exemplar. For Foucault, power has to be seen not as repressive but as generative. With this conception, individuals are motivated by the prevailing discourse which informs conceptions of desirable and appropriate behaviour. Modern forms of social control are more insidious than pre-modern forms of social control, because control is focused not on the body but the mind. With 'disciplinary' power, individuals are positioned into self-policing to conform to the prevailing discourse. Foucaultian work on governmentality extended this by showing how neoliberal states nudge individuals into self-defining in terms of a ubiquitous market rationality.[5]

James Scott is a political anthropologist influenced by anarchist political theory, who argued that Proudhon anticipated some aspects of Foucault's work, by arguing that to be ruled is to be subject to continuous surveillance, assessing behaviour and the motivations behind this.[6] Scott argues that the modern state is to be understood in terms of a post-Enlightenment commitment to the view that the state, as a rational organisation with a concentration of power, should reshape society to fit a normative commitment to a vision of the rationally planned 'good society'. Bureaucracy is of key importance here not because normative ends become colonised by instrumental-bureaucratic means, but because bureaucracy can construct and regulate society to fit the state's normative commitments, from across the political spectrum, concerning the rationally planned good society.

Like Foucault, Scott did not define the state's actions in terms of the domination of instrumental rationality, but in terms of the norms motivating the state and the way the state seeks to discipline the citizens to conform to its normative commitments. Like the thinkers who focused on instrumental rationality, Scott saw state power as repressive. Political action motivated by normative commitments taken to be incongruent with the state's normative commitments can be deemed illegitimate and subject to bureaucratic repression or limitation where possible. Scott argues that modern states, whatever their political orientation, seek to create within their population 'standardized characteristics that will be easiest to monitor, count, and manage. The utopian, immanent, and continually frustrated goal of the modern state is to reduce the chaotic, disorderly, constantly changing social reality beneath it to something more closely resembling the administrative grid of its observations'.[7] Bureaucratic rule is based on rendering society as 'legible' as possible. To achieve the production of standardised facts upon which rule via legibility rests, the state has to seek to ensure that the normative commitments of the population that motivate their behaviours are as congruent as possible with the state's normative commitments. Standardised characteristics in the citizenry can produce standardised

empirical facts for the bureaucratic categories seeking legibility to 'mesh' with. The state needs to reduce epistemic-political friction between the bureaucratic categories seeking legibility and the otherwise opaque 'constantly changing' social reality that can undermine state power.

So, liberal states have an authoritarian aspect because, as modern states, they seek rule through bureaucratic legibility, which is based on the state seeking to construct subject-positions that mesh with its bureaucratic categories and the normative commitments informing these. The state seeks to shape civil society to fit its bureaucratic categories and the normative commitments behind these, with this undermining democratic accountability and the possibility of a wide range of political criticism being able meaningfully to engage with the state.

The second reason that the modern western state has authoritarian aspects that are irreducible to neoliberalism is that the modern western state has, as Losurdo argued, a history of colonialism, slavery and genocide.[8] Liberal western states' normative commitments informing their rule through bureaucratic legibility are still influenced by their colonial past. The decolonial work of S. Sayyid is drawn upon here. He argues that west took itself to be synonymous with modernity. Against this, he argues that a form of political Islam he refers to as 'Islamism' challenges this by asserting an alternative Islamic modernity. Drawing on the work of Foucault and Derrida, Sayyid argues that the construction of the Islamic modern political subject radically challenged the construction of the west as synonymous with modernity.[9] The liberal western modern state is repressive because its colonial past entails racism in general, and Islamophobia in particular, as a reaction to the challenge posed by Islamism.

Heath-Kelly drew on Foucault to discuss the UK state's construction of the UK's Muslim population. She argued that following the Salman Rushdie affair in 1989, the Gulf wars, the riots of 2001, and the Muslim schools debate (pre-dating the Trojan Horse scandal), the UK's Muslim population came to be seen as not socially integrated into British norms and thus opaque. This occurred in the context of politics being increasingly about managing perceived risk.[10] The state's response was to define the Muslim population in terms of 'vulnerable' individuals who were 'at risk' of being radicalised by those who were 'risky' meaning dangerous because their lack of social integration had made them hostile to the state. The task was to make terrorism 'pre-emptively governable', though paternalistic reconstruction of the subject position of vulnerable at risk individuals, by seeking to integrate such individuals. In making this case she cited the work of Lacher who drew on Scott and Foucault.[11] Lacher argued that the opacity of Saharan populations was perceived as a threat to states with this resulting in the drive by a variety of states to render those populations legible in order to control them. Where it cannot bureaucratically 'see', the state cannot properly control.

Heath-Kelly is correct to hold that the UK's Muslim population are seen by the state as an opaque population that are both at risk and risky because the state constructs them as not socially integrated into British norms. With Heath-Kelly's account, the construction of opacity stemmed from a series of contingencies and the rise of a politics based on managing risk. However, using Sayyid we can argue that the cause of the UK's Muslim population being constructed as opaque is the rise of Islamism and the challenge this presents to the long-standing modern-west – non-modern rest dichotomy. Sayyid does not discuss opacity but we can argue that the rise of Islamism entailed the UK's Muslim population becoming constructed as an opaque other. The UK's Muslim population then became constructed as a threat to the state not just because of Islamism but because of opacity *per se* as well

as the Islamism that led to that population being constructed as not socially integrated and therefore opaque.

Pace Scott and Lacher, it will be argued that the epistemic-political vice of opacity can be turned into an epistemic-political virtue, by the state, using what it termed here the 'legibility of symptoms', following the 2011 expansion of Prevent, from 'violent extremism' to 'extremism'. The opaque population could not be rendered legible, but it could be subject to ubiquitous surveillance to seek out symptoms of radicalisation, based on a classified study presented by the state as scientific (the *ERG 22+* discussed below). The construction of the legibility of symptoms together with its presentation of Prevent after 2015 as a 'safeguarding' measure, allows the UK state to reinscribe its normative commitment to being an embodiment of a modernity that was necessarily western, with this safeguarding paternalism 'saving' a non-western and less-modern population. The construction of the UK's Muslim population as an opaque population with vulnerable at risk and risky individuals allowed the state to construct a pre-crime space in civil society and subject a population to repressive surveillance. State intervention would then occur to prevent vulnerable at risk individuals moving along a 'conveyor-belt', from holding non-criminal beliefs deemed extremist to supporting or carrying out criminal acts of violence or disruption. This pre-crime space was then extended out to non-opaque left-wing and environmental groups, practising extra-parliamentary protest. Neoliberal states engage in punitive repressive action with, for example, the 'sanctioning' of benefits claimants for trivial reasons, to send a message that 'failure' in market competition will be punished and there will be no 'welfare-dependent underclass'.[12] However, repression can also take the form of a creation of an expanding 'pre-crime' space in civil society, whereby repressive state action in the form of mass surveillance and the risk of Prevent referrals, is presented as paternalistic 'safeguarding' of individuals 'at risk' of radicalisation, who the state can 'save' from becoming violent or disruptive criminals. The state can endeavour to shape civil society to fit the normative commitments shaping its drive to rule through bureaucratic legibility, by using an expanding pre-crime space policed via the legibility of symptoms, to assert its normative constitution as an embodiment of western modernity and to reduce legitimate extra-parliamentary political protest operating outside its bureaucratic channels.

THE BUREAUCRATIC STATE AND ITS COLONIAL HISTORY: ON JAMES SCOTT AND S. SAYYID

We can now discuss Scott and Sayyid in more detail. Scott argued that:

> [...E]arly modern European statecraft seemed [...] devoted to rationalizing and standardizing what was a social hieroglyph into a legible and administratively more convenient format. The social simplifications thus introduced not only permitted a more finely tuned system of taxation and conscription but also greatly enhanced state capacity. They made possible quite discriminating interventions of every kind, such as public-health measures, political surveillance, and relief for the poor.[13]

After World War One Scott argued that planners across the political spectrum sought to re-engineer society rendered bureaucratically legible. Where this combined with a strong civil society with which the state had to negotiate, the outcome was piecemeal social engineering. However, when combined

with a high modernist ideology, an authoritarian state, and a weak civil society caused by war, revolution or economic collapse, the result was calamitous. High modernist ideology here refers to a belief, inspired by the progress of science and technology, that rational planning by the state can reshape society and nature (in the form of agriculture), to fit a utopian blueprint. The outcome could be disastrous not only because of the use of force to impose the state's vision, but because of state planners' lack of practical knowledge that was embedded in local knowledge of, for example, the land, with top-down agricultural plans often leading to agricultural failure. Scott is not against high modernist ideology or bureaucratic planning *per se* but against its failure to engage with civil society. As he puts it:

> High modernist faith was no respecter of traditional political boundaries; it could be found across the political spectrum from left to right but particularly among those who wanted to use state power to bring about huge, utopian changes in people's work habits, living patterns, moral conduct and world view. Nor was this utopian vision dangerous in and of itself. Where it animated plans in liberal parliamentary societies and where the planners therefore had to negotiate with organized citizens, it could spur reform.[14]

Scott argues that '[u]nlike many anarchist thinkers, I do not believe that the state is everywhere and always the enemy of freedom'.[15]

Scott does not discuss what a legitimate state would look like in detail but there is an implicit conception of what such a state may be like. As Scott prioritises the importance throughout his work on local mutual knowledge, we can say that a legitimate state, for him, would co-exist with a radically more mutualist society.[16] A freer and more democratic society would greatly reduce state bureaucracy, replacing it with local mutual knowledge and local co-operative practices for provision of services. However, it is hard to see how the state could engage with a plurality of local mutual knowledges and a plethora of co-operatives. Having a plurality of local mutual knowledges and different practices for the provision of services would be radically inefficient for the state to engage with and significantly undermine the efficiency of its operation – and thus its power – because there would be large-scale epistemic-political friction between the bureaucratic categories seeking legibility and actual knowledge and practices. Thus as Scott puts it: '[o]nce in place, the modern (nation-) state set about homogenising its population and the people's deviant, vernacular practices'.[17] The illiberal authoritarian modern state can create disasters with its top-down utopian social engineering, but the liberal modern state has authoritarian aspects, because of the need for all modern states to rule through bureaucratic legibility. The liberal modern state seeks to shape civil society so it meshes with its bureaucratic criteria seeking legibility as much as possible.

The normative commitment motivating the UK state moved from a social democratic to a neoliberal commitment. The former claimed to enhance social justice through using the state to correct market failures, but the parameters for legitimate dialogue between the state, organised capital and organised labour, were set by the state. Local mutual knowledges were excluded with the focus being on the bureaucratic channels for dialogue with two bureaucratic organisations in civil society. As Scott argued, when faced with the potential or actuality of disruptive protest from groups outside its control, such as groups representing labour, the state often sought not only to limit such protest by instigating some reforms, but also by incorporating those groups into formal communication channels, which ultimately disciplines them into ways of seeing and knowing which operate within the terms of

reference set by the state.[18] With the move from social democracy to neoliberalism, the state nudges citizens to self-define as consumers of services rather than citizens acting in solidarity to hold the state to democratic account, and acts in repressive and punitive ways to constructed moral panics taken to threaten the social order. Above these two normative commitments, concerning social democratic and neoliberal political economy, we can hold that there is a meta-level normative commitment which sees the liberal western state as the embodiment of modernity. S. Sayyid presents a decolonial critique of this meta-level normative commitment.

Turning to Sayyid's decolonial critique of the meta-level normative commitment, we can start to discuss his work by noting how he engaged in a sympathetic critique of Said's work on Orientalism. Sayyid noted that Said's work was organised around four themes. These were that the Orient is radically different from the west; that depictions of the Orient are based on textual exegesis and not 'modern Oriental realities'; that the Orient is unchanging and unable to change itself; and that the Orient is to be feared or mastered. Sayyid argued that there was a tension in Said's work between what he terms a weak Orientalism and a strong Orientalism. The former held that scholarship was corrupted by imperialism. The latter, which Sayyid argues is less developed in Said's work, held that the Orient is not so much misrepresented but constructed by the discourse of Orientalism. Said did not develop the strong Orientalism, Sayyid argued, because of his wariness of moving from Foucault and Gramsci to Derrida and his critique of the intrinsic violence of western metaphysics. 'What is at stake is not whether particular scholars are bad or dishonest, it is not a question of bias; the problem of Orientalism is the problem of what space exists for the "other"'.[19] Orientalism had a constitutive role rather than a distorting role. The question then becomes what of Islam once Orientalism is rejected? Sayyid addresses this by looking at how Islamism constructed Islamic subjecthood in a decolonial way by seeing Islamism as one form of modernity in opposition to the western colonial view that modernity and the west are synonymous. The western view constructs Islam as non-modern and the alternative is not to seek improvements to the western epistemological framework, but to see how western values ontologically create a western modern subject and Islamic values ontologically create an Islamic modern subject not defined by western normative commitments.

Sayyid argued that Islamism arose in the 1970s, with this being a political articulation of Islam that rejected Kemalism and its conception of the modernising project as the application of western ideas to Islamic societies. Islamists are disruptive of a geopolitical order and more fundamentally they are disruptive of 'an *episteme* which has been dominant for perhaps the last three hundred years. By not accepting western cultural copyright Islamists challenge "strong Orientalism" and western hegemony. [Islamism is the other that cannot be embraced by the west] because this other fails to accept the rules of the game – because it sees the game as a western game'.[20] The west has been decentred by two world wars, the end of colonialism, the critiques of colonialism and racism in the west, postmodern criticism stressing the violence of metanarratives used to legitimise the claim that the west is the universalist exemplar of human progress, and by the rise of an increasingly assertive Islamic political subject. In place of the colonial dyad of the west and the rest there is a pluralised modernity with a de-periphilisation of the rest as the correlate of the decentring of the west. As an example of Islamism as modern project, Sayyid argues that the political writings of Khomeini are modern but non-western. Khomeini used modern concepts such as the state and the people as an active agent for change, but detached these from western discourses of nationalism, Marxism and liberalism.[21]

The rise of Islamism is seen as a threat by the west, with this motivating Islamophobia in the west. At the heart of Islamophobia is 'the maintenance between a violent hierarchy between the west […] and

Islam […]. The emergence of Islamophobia can be understood as a response to attempts to erode the West – non-West framework. Islamophobia can perhaps be defined as the disciplining of Muslims by reference to an antagonistic western horizon'.[22] Islamophobia, unlike other forms of racism, stems from Islamism being seen as threat because 'it indicates the contingent nature of the western enterprise'.[23] European states seek to deal with their racist and colonial history by trying to reconstitute themselves as post-racial entities. Sayyid argues that:

> The post-racial arises not through the elimination of racism, but through a discursive re-configuration that makes it increasingly difficult to locate racism in western societies except historically or exceptionally. The constitutive character of racism as a form of politics in the formation of the European state is elided. […] Because the post-racial imagines that racism is over, it finds it difficult to see the racial logics at play in tropes such as 'the failure of multiculturalism', 'social integration', 'identity politics' and so on.[24]

Discussing reports in the mid and late 1990s by the *Runnymede Trust* on, respectively, anti-Semitism and Islamophobia, Sayyid noted some key differences.[25] Muslims were expected to express solidarity with Jewish people when they are attacked but there was no reciprocal suggestion. Anti-Semitism was seen as unprovoked whereas Islamophobia was partly provoked by some Muslims, who were tacitly positioned as 'bad Muslims' who got embroiled in politics based on religion, unlike 'good Muslims' who stayed out of politics, whereas Jewish people were not counselled to avoid politics. Muslims were seen as an ontological challenge to western claims to universalism, resulting in the articulation of some political views being seen as potentially threatening and partially responsible for Islamophobic reactions. Islamism created, we can say, a political subject that was an ontological challenge to the UK state's ontological construction of itself, based on its meta-level normative commitment to modernity being the exclusive preserve of western states.

THE EXPANSION OF PREVENT FROM 'VIOLENT EXTREMISM' TO 'EXTREMISM'

Throughout its history, concerns about Prevent being Islamophobic have been raised by 'academics, human rights, civil liberties and antiracist groups, trade unions, Muslim organisations, the *United Nation's Special Rapporteur on the Right to Privacy* and those in senior institutional or policing roles'.[26] The Prevent Strategy has gone through three stages. First, in 2007, a policy document entitled *Preventing Violent Extremism - Winning Hearts and Minds* was published. During the 2007-8 'Pathfinder Year' the policy of 'Community Engagement' was trialled and then, from 2008 on, rolled out nationwide. New Labour introduced one hundred and ninety eight 'National Indicators' to assess the performance of English local authorities and local authority partnerships. *National Indicator 35: Building Communities Resilient to Violent Extremism* sought to measure the performance of local authorities and local authority partnerships in using community engagement to reduce the risk of violent extremism stemming from the Muslim population.

The second stage of Prevent ran from 2011-2015 and was implemented by the Conservative – Liberal Democrat coalition Government.

The reforms to the Prevent strategy that were introduced in 2011 shifted its focus from preventing 'violent extremism' to the broader aim of countering 'extremism', defined as 'opposition to fundamental British values'. With no public debate or consultation, the 2011 Prevent strategy stipulated these values as 'democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs'.[27]

The three official objectives guiding the expansion of Prevent in 2011 were: 'to respond to the ideological challenge of terrorism and the threat from those who promote it; to prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and to work with sectors and institutions where there are risks of radicalisation that we need to address'.[28] The expansion of Prevent occurred in the context of then-PM Cameron's 2011 speech about 'muscular liberalism' being needed to respond to the 'failure of state multiculturalism'. Cameron argued that the state should not just passively accept a plurality of values but actively demand support for values it took to be central to British identity. The policy of state multiculturalism failed because it tolerated Muslim communities being 'segregated communities' where people, Cameron held, behaved 'in ways that run completely counter to our values'. This in turn created a situation, he argued, where some young men were open to radicalisation because they were disaffected with British society.[29]

In the third stage of Prevent, the *Counter Terrorism and Security Act 2015* was passed, making the implementation of Prevent a legal duty for all public sector organisations. Front-line public sector workers were given Prevent training to look out for any symptoms of extremism. The potential symptoms were: disengagement; asking inappropriate questions; change in appearance; becoming detached or withdrawn; signs of stress; isolation from friends and / or family; fixated on one topic of conversation; crying; quick to anger; and unhealthy use of internet.[30]

The Prevent Strategy has always been presented a paternalistic policy seeking to save vulnerable at risk Muslims from risky Muslims. In the first stage it took a 'hearts and minds' approach based on community engagement integrating at risk Muslims into British society. In the second stage, people deemed at risk of radicalisation would be saved by being given 'appropriate advice and support'. Now, in the third stage, Prevent is defined as a 'safeguarding' measure. Ben Wallace (former Security Minister) stated that the 'brand [of Prevent] is safeguarding; I will sell safeguarding all day long. We call it Prevent, but it is about safeguarding people from being exploited'[31] . This rebranding was used to try to win over education and NHS workers now obligated to carry out Prevent surveillance. This rebranding also helped to present Prevent as an apolitical-desecuritised technocratic bureaucratic routine, carried out along with other bureaucratic routines, by workers in public sector bureaucracies. Further, the *Counter-Terrorism and Security Act 2015* requires local authorities to carry out Channel deradicalisation, of those referred via Prevent. This was presented as 'desecuritising Channel', but it draws local government more closely into the securitisation underway with Prevent.[32]

The presentation of Prevent as a form of safeguarding has led to it also being presented as a 'public health' measure. Heath-Kelly discusses this in terms of a report entitled *Preventing Violent Extremism in the UK: Public Health Solutions*, published in 2019 by *Public Health Wales*, that argued that mobilising health professionals to monitor for signs of extremism will enhance public health (defined as preventing disease, prolonging life and promoting health). The *Care Act 2014* stated that a safeguarding intervention had to occur when an adult had needs for care and support but experienced or risked experiencing abuse and neglect, and could not protect themselves because of their needs.

Prevent though bypassed the care and support needs threshold for safeguarding and made everyone a potential subject of safeguarding, regardless of their capacity, by referring to an unspecified process of ideological grooming. However, whereas safeguarding referrals required informed consent for information to be shared with other agencies, unless a person lacks capacity, a serious crime has been committed, or people are at risk of harm, NHS professionals had not obtained consent before referring someone. The guidance these professionals received held that consent is not required because of the 'prevention of crime exception' to the *Data Protection Act*. Such referrals have led over five hundred people to seek help from the charity *Preventwatch* for support after referrals were felt to be discriminatory or traumatising.[33]

There have also been significant problems in the education sector. The campaign group *Rights Watch UK* produced a report in 2016 which showed how the 2011 expansion of Prevent had led to many Muslim school children being incorrectly identified as at risk of radicalisation. For example, a four year old child's pronunciation of 'cucumber' was thought to be 'cooker bomb' with the child then being deemed at risk of radicalisation.[34] Prevent saw around seven thousand people referred annually (following a spike in numbers in 2014). Of those, around a third came from the education sector. Ninety-five percent of the education sector referrals were 'false positives' with five percent referred to Channel.[35]

Muslim teachers in Muslim-majority schools have found themselves accused of being risky individuals radicalising Muslim children. The 'Trojan Horse' scandals started in Birmingham in 2014, with an anonymous letter sent to the *Department for Education*, alleging that in twenty one schools there was an Islamist plot to radicalise pupils. Claims of other such plots then spread to schools in Oldham and Bradford. The twenty one Birmingham schools were then inspected by *Ofsted*, with five having full inspections and sixteen having lighter touch monitoring inspections. 'Of the five subjected to full inspections, two had been rated as "outstanding" and one as "good" on the basis of significant improvements in pupil attainments they had achieved. After the March-April inspections, all five schools were downgraded and assessed as inadequate'.[36] Holmwood notes that:

> the January 2013 Oldknow Academy Ofsted Report (based upon observations of thirty-eight classes involving thirty-five teachers) […] stated: '[t]he academy's contribution to pupils' spiritual, moral, social and cultural development is exceptionally good. The very wide range of different cultures is celebrated, opportunities are provided for prayer at appropriate times, and assemblies reflect the different faiths groups in the academy […]. The academy is a friendly and racially harmonious place, where discrimination of any kind is not tolerated'. In their April 2014 Report (based upon observations of eleven lessons) the inspectors write: '[t]he curriculum is inadequate because it does not foster an appreciation of, and respect for, pupils' own or other cultures. It does not promote tolerance and harmony between different cultural traditions'. The conclusion must be that the inspectors were unaware of the *SACRE* 'locally agreed' religious education curriculum and were, instead, focused on the PREVENT agenda.[37]

There was no statutory requirement at the time of inspection to implement Prevent and nor was there detailed guidance on this until 2015. Before becoming academies, the *Local Education Authority* schools had *SACRE* (Standing Advisory Council on Religious Education) 'determinations' to have non-Christian worship, but these expired and were meant to re-approved by Gove, then the Education

Sectary, who ignored them, leading to the later claim that these schools were in violation of the regulations on religious instruction. There was no proof of any plot to radicalise the pupils and the teachers subject to disciplinary hearings had the cases against them eventually dropped. Here '"Muslim" became equated with "Islamism", "extremism" and "security risk".[38]

Cameron responded by stating that schools must promote 'British values' which he defined as 'a belief in freedom, tolerance of others, accepting personal and social responsibility, respecting and upholding the rule of law'.[39] Furthermore, the *Counter-Extremism Strategy* launched in 2015 was directly influenced by the Trojan Horse scandal in Birmingham, focusing on this as the single example of what the state took to be extremist 'entryism'. This thus looks like policy-based evidence making. The *Commission for Countering Extremism* (CCE) was set up in 2018. Its mission is drawn from the *Counter-Extremism Strategy* and it seeks to create a 'counter-ideology' to tackle extremism. On this, the campaign group *CAGE* argue that:

> Self-evidently, this is stretching the notion of 'counter-extremism', bringing cultural practices and religious bodies into the purview of the counter-extremism apparatus. This effectively opens them up to a whole host of civil sanctions and government interventions, operating in the pre-criminal space […]. It also entrenches this broad and securitised approach within civil society to ensure the reach of the counter-extremism apparatus is felt throughout society - picking up the baton from PREVENT.[40]

The *Building a Stronger Britain Together* programme stems from the *Counter-Extremism Strategy*. It linked community cohesion and securitisation, despite earlier promises not to securitise integration strategy. The *Integrated Communities Action Plan*, published in 2019, promoted the need for fundamental British values to be accepted so as to avoid certain communities being less able to participate in civil society and thus more open to radicalisation. The 2016 *Casey Review on Integration* and the Conservative Government's 2018 *Integrated Communities Strategy Green Paper* both 'asserted that segregated Muslim communities were fostering intolerance and extremist attitudes that ran counter to integration and British values'.[41]

In 2019 two Muslim-majority primary schools in Birmingham, Anderton Park and Parkfield, became the focus of media attention in what was framed as a conflict between British values, taken to be embodied in a progressive-liberal education programme on 'Sex and Relationships Education' (SRE), and religious parents who have been called 'bigoted' and hostile to British values. The *Department for Education* held that schools should ensure that their teaching on SRE reflected the community, yet a spokesperson for *Ofsted* stated support for school leaders at Anderton Park who were taken to be dealing with 'hostile outside influence'. Parkfield introduced a curriculum called 'No Outsiders' to use SRE as an exemplary way to illustrate understanding and acceptance of diversity. This drew on the queer theory developed by Lee Edelman and Judith Butler, despite both being critical of attempts to use their work to juxtapose a secular, progressive liberal present with religious convictions presented as pre-modern, especially those held by religious minorities. The parents have stated their tolerance of same-sex relationships, but conservative Muslim (but not conservative Christian) beliefs on gender are being presented as hostile to British values.[42]

In 2019 Lord Carlile, who had overseen the 2011 review of Prevent and who had stated his support for Prevent, was appointed as an independent reviewer. However, he was removed following a legal challenge in October 2019 by *Rights Watch UK*, based on procedural irregularity, with there being no transparency concerning the appointment.[43]

CAGE noted that the 2019 *CCE* report *Challenging Hateful Extremism* proposed the term 'hateful extremism', defined as:

> Behaviours that can incite or amplify hate, or engage in persistent hatred, or equivocate about and make the moral case for violence, and that draw on hateful, hostile or supremacist beliefs directed to an out-group who are perceived as a threat to the wellbeing, survival or success of an in-group; and that cause, or are likely to cause, harm to individuals, communities or wider society.[44]

'Hateful' is here defined broadly. Any position that may be 'equivocal' about violence, with the exception of state violence, such as revolutionary positions, or 'hostile' to an 'out-group who are perceived as a threat to the wellbeing, survival or success of an in-group', such as environmental groups who are 'hostile' to corporations and states who fail to act on the problem of global warming, could then be labelled as potentially guilty of 'hateful extremism'. Calling for radical or substantial action is becoming at risk of being deemed guilty of hateful extremism. The *CCE* have taken an interest in 'far-left' and Sikh 'extremism' and the Home Office's *Extremism Analysis Unit* has compiled a report on 'far-left' extremism. *CAGE* argue that 'expanding the range of targets will not make us any safer, nor undermine the Islamophobia intrinsic to modern counter-terrorism – it merely legitimises the repressive counter-terrorism apparatus to everybody's detriment'.[45] Pre-crime space, where no crime has been committed but individuals are held to have or be open to normative commitments the state deems extremist, is being broadened out to include extra-parliamentary protest by left-wing and environmental groups. With the expansion of pre-crime space comes the expansion of surveillance and risk of a Prevent referral.

In early 2020 the *Guardian* newspaper reported on how the *Counter Terrorism Policing* network produced a document distributed, in 2019, to public sector workers, which listed groups of potential concern. These groups included Greenpeace, Extinction Rebellion, Stop the War, CND, vegan activists, anti-racist campaigners, campaigners against airport expansion and various communist and socialist groups. In response *Counter-Terrorism Policing* stated that they did not want to imply that any support for most of these groups was automatically extremist and would amend the advice given, but did not state what would constitute extremism. The *Guardian* also reported how seeking advice to deal with vague criteria about referring people who are linked to such groups but not expressing any views about violent or disruptive protest could trigger a referral, with *Counter-Terrorism Policing* not seeking approval from the professional seeking advice.[46] People involved in groups critical of neoliberal capitalism would be under suspicion and surveillance with the ever-present risk of a Prevent referral if a public sector worker subjectively thought they were at risk of being radicalised into action that was beyond some vague notion of the acceptable mainstream.

ONTOLOGY AND THE LEGIBILITY OF SYMPTOMS

Four points can be made about how we can draw on and modify Scott's and Sayyid's work to explain the operation of state power in the context of the post-2011 expansion of Prevent. First, drawing on Scott's conception of the drive for control via legibility being to impose normative commitments, and Sayyid's arguments about western states failing to decolonise, we can say that the UK state attempts to render society bureaucratically legible, are based on two normative commitments. There is the meta-level normative commitment, that defines the west and modernity as synonymous, and there is the lower-level normative commitment concerning political economy, with this moving from social democracy to neoliberalism. Second, whereas Scott saw the problem of rule through legibility in epistemological terms, with the problem being that of bureaucratically 'seeing' what practices exist in social reality, we can use Sayyid to say this needs to be seen primarily as an ontological problem. Third, *pace* Sayyid, the UK's Muslim population were defined as a threat not only because of Islamism, but because of the construction of opacity based on a perceived lack of social integration, which is seen as a threat in itself to the state. Forth, *pace* Scott and Lacher, the UK state, with the post-2011 Prevent strategy, was able to create a new form of state control based on a legibility of symptoms, that turns the epistemic-political vice of opacity into a virtue for the state. We can unpack these points as follows.

The pre-2011 Prevent Strategy sought what we may term an epistemological solution to an ontological problem. The ontological problem consisted of the rise of the Islamist political subject position that challenged the ontological construction of UK, as a western state, embodying a modernity that was necessarily western. The rise of Islamism then led to the UK's Muslim population being ontologically constructed as opaque, because they were not taken to be socially integrated, and a threat to the state, because of both Islamism threatening the meta-level normative commitment, and the opacity stemming from Islamism taken to threaten rule through legibility. For the state to rule efficiently through legibility it needed to intervene in civil society to respond to the threats it took to come from Islamism and opacity. The epistemological solution sought was to try to use legibility to 'see' signs of social integration. However, people taking part in certain community activities like cricket is not necessarily the same as normative integration. The categories seeking legibility would only at best measure crude proxies for integration. Chronic epistemic-political friction between the bureaucratic categories seeking legibility and social reality would undermine the state.

The post-2011 expansion of Prevent can be seen as the state adapting by seeking an ontological solution to an ontological problem. Sayyid, drawing on Gilroy, states how Hegel's master – slave dialectic is subverted through decolonial critique and the rise of Islamism, because it refuses to acknowledge the subject position of the master.[47] Here we can say the UK state sought to reinscribe that dialectic, ontologically constructing itself as the embodiment of a western modernity, by juxtaposing itself to a population in civil society ontologically constructed as the non-western and non-modern other.

With the post-2011 changes to Prevent, the vice of epistemic-political friction was turned into a virtue for the state, with the state turning to the legibility of symptoms. Now there was to be no attempt to measure the integration of the Muslim population. Instead, the task became that of subjecting that population to ubiquitous surveillance with this being justified with the legibility of symptoms approach, whereby symptoms of extremism were meant to be objectively observable and recorded by

those, after 2015, in the public sector mandated to report any signs of extremism based on their Prevent training. The legibility of symptoms approach holds that while the population may be opaque, the symptoms of radicalisation can be objectively manifest and thus recorded by those given proper training, in public sector bureaucracies.

The legibility of symptoms approach reinscribes the master – slave dialectic. Instead of seeking to remove opacity, the state continues to define part of civil society, namely the UK's Muslim population, as opaque, and this legitimised the state acting in a repressive way, subjecting that population to ubiquitous suspicion and surveillance. This Islamophobic repression was then presented as a paternalistic safeguarding act by a post-racial state. The UK state sought to reinscribe its ontological position as the embodiment of modernity, defined as a western project, with this modern-western state then paternalistically saving a non-western and thus non-modern opaque population. The state seeks to negate Islamism and assert its cultural-political 'copyright' over modernity.

The expansion of Prevent, and thus the legibility of symptoms approach, is presented as being based on the science of psychology. However, the research underpinning this is neither valid nor reliable. In 2016 *CAGE* issued a highly critical report on the government's classified report which was used to justify the expansion of Prevent and to act as the basis for Channel.[48] The *CAGE* report was reviewed independently by eighteen UK academics from across the social sciences, psychology and philosophy. The government's classified report was produced in 2010 and entitled *Extremism Risk Guidelines: ERG 22+ Structured Professional Guidelines for Assessing Risk of Extremist Offending*. Two psychologists, Christopher Dean and Monica Lloyd, developed a model in this report positing twenty two signs that someone was at risk of radicalisation. Five years later the report's authors published an article on the *ERG22+*. The conclusions drawn in the classified report were defined by Lloyd and Dean as lacking reliability and validity, with their report being a 'work in progress'. Lloyd and Dean worked with casework notes for ten convicted offenders with some affiliation to Islam without full knowledge of what these people were convicted of. No far-right offender information was used and nor were structured interviews used. The authors of the article admitted that the most of the casework notes pertained to inmates with no intention of engaging in terrorism. Furthermore, we can note that empirical research indicates that there is no problem with any ethnic minority group failing to identify with 'Britishness'.[49]

This non-technocratic and non-paternalist policy, which is not based on sound scientific research, can be said to be a repressive act of state power, which had a chilling effect on the Muslim population. For instance, it created a reluctance of Muslim students to participate fully in educational activities.[50] It could be objected that in 2018 – 2019, 1389 people were referred to Prevent for far-right extremism and 1404 were referred for Islamic extremism, with this indicating that Prevent is working as a neutral technocratic safeguarding policy now.[51] However, as noted above, *Counter-Terrorism Policing* are being vague about their advice to public sector workers on referring people for left-wing and environmental commitments. The application of the legibility of symptoms always relied on subjective judgments. Now vagueness is being extended to non-opaque left-wing and environmental groups in civil society who seek to use extra-parliamentary protest, with this being taken to represent a normative challenge to neoliberal capitalism. The legibility of symptoms is presented as objective, but the state uses vagueness to seek to create a general chilling effect on protest and to help discipline civil society to be more congruent with the normative commitments informing the state's rule through legibility. The more a group challenges the state's meta-level normative commitment or its

commitment to neoliberal capitalism, the greater the risk of it entering the state's repressive political construction of pre-crime space.

To conclude, we can say the following. The modern state rules through bureaucratic legibility to regulate society according to its normative commitments. The perennial problem modern states encounter is epistemic-political friction between the bureaucratic categories used to render society legible and actual socio-economic practices. The UK's colonial history and the rise of Islamism led to Islamophobia and the definition of the UK's Muslim population as opaque. In response to this, the state created a legibility of symptoms. Prevent was always presented as a paternalistic act to save vulnerable at risk individuals from risky individuals but now this is intensified with the presentation of Prevent as a safeguarding measure. The UK state is practising repressive surveillance which has a chilling effect on the Muslim population's engagement in civil society. Whereas the Muslim population are constructed as potentially existing in pre-crime space based on their allegedly non-integrated non-modern identity making them at risk and risky, left-wing and environmental activism in civil society is now presented as potentially operating in a pre-crime space based on its use of extra-parliamentary protest and critique of neoliberal capitalism. The UK state is able to adapt rule through legibility ontologically to construct what counts as the social reality it seeks to render legible, shaping and limiting political activity in civil society. This is based on its meta-level normative commitment to reinscribe its existence as a western and thus modern post-racial state technocratically and paternalistically 'saving' via safeguarding what it constructs as a non-western and thus non-modern population, and its normative commitment to neoliberal political economy. To come from what is defined as an opaque population or to engage in extra-parliamentary protest is to have one's political existence potentially defined by the state as either that of the vulnerable at risk individual or the risky individual. The state's security bureaucracy, stretched out to now include public sector workers monitoring all individuals for 'symptoms' of radicalisation, can discipline civil society by expanding pre-crime space.

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