

**Responding to radical Islamist ideology:  
The case of Hizb ut-Tahrir in Australia  
by Anthony Bergin and Jacob Townsend**

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The January 2007 Sydney conference that Hizb ut-Tahrir (HT, the Party of Liberation) organised raises dilemmas that have a long history in liberal democracies. HT advocates a revolutionary change to our social and political system. HT encourages indirectly, and sometimes more directly, political violence by its inciting propaganda. It uses Australian tolerance to promote radical propaganda, even against Australia itself.

The Australian Government has reacted to public concern and political pressure with restraint. HT is not a terrorist organisation in Australia. Its members' proselytising remains to date on the acceptable side of anti-terrorism and sedition legislation. A ban on HT is not yet justified. But this group warrants intensive monitoring.

### **Background**

Sheikh Taqiuddin al-Nabhani al-Falastani founded HT in 1953 in a suburb of East Jerusalem, then part of Jordan. Al-Nabhani had been a judge in Lebanon and Mandatory Palestine and a university lecturer in Jordan. He was a judge in the court of appeal in East Jerusalem and a senior religious figure, who splintered from the Muslim Brotherhood movement.

His prior membership of the Muslim Brotherhood played a key role in conditioning al-Nabhani's perspective on political Islam. HT's strategic objective is nothing short of uniting the worldwide community of Muslims (*umma*) into a single polity, where spiritual and political leadership are held by a Caliph.

Organisationally, al-Nabhani drew heavily on Marxist-Leninist thinking on structuring a revolutionary movement. HT consists of a hierarchy of cells, generally up to five people each, with only one member of each cell aware of the identities in a higher cell. The benefits are its resistance to penetration. It reduces damage caused by defections or rebellion in individual cells.

HT's leader is Atā Abu al-Rishta, a Jordanian national of Palestinian origin who previously served as the party's spokesman for fifteen years. Both he and HT's headquarters are likely to be in Jordan, although there have been reports that

Abu al-Rishta is now in Lebanon. Its ideological and operational energy emanates most strongly from London.

### **Goals and strategies**

Tactically, HT's inspiration is a debatable interpretation of the Prophet Mohammed's story. HT pursues and predicts a repetition of Mohammed's success in establishing a Caliphate. The first step is quiet recruitment and avoidance of confrontation in order to build a vanguard. The second is public proselytising in order to introduce an ideological wedge between the *umma* and their governments. The aim is to convince both a critical mass and key power-holders to support HT. The final step is the revolution itself, when infiltrated governments and widespread agitation for change bring down borders and unite the *umma* under a single ruler, the Caliph.

HT advocates a complete Islamisation of society. In Australia, HT has not been a very successful recruiter. It's at best in the very early part of the second phase of its program. However, three caveats to this broad analysis complicate the response to HT: its intolerance and racism; its links to broader radicalisation; and the appearance of violence in its ideology.

First, HT denounces other Muslims, Christians and Jews (among other groups). The viciousness of the rhetoric varies among its leaders but HT generally see the world as a dichotomy of believers and unbelievers.

Second, HT may well act as an ideological warm-up track for violent radicals. The leading analyst of HT, Zeyno Baran, from the US Hudson Institute, depicts HT as a conveyor belt for terrorist cells, part of a division of labour between propaganda groups and operational groups.

Internationally, there is evidence to support this view. In Uzbekistan the violent group *Akromiya* has drawn its leadership and some members from HT cells. A Palestinian HT member was a leader of Palestinian Islamic Jihad and a founder of the Islamic Jihad Organisation.

Third, in its birth throes the Caliph will use force to implement *sharia* law. HT says they'll engage in military jihad as soon as there is a caliphate. A speaker at the Sydney HT conference this year referred to this as a duty.

HT's literature and speeches avoid direct support for violence, although there are approving references to fighting against Americans in Afghanistan and Iraq. HT remains quick to disassociate itself from individual terrorist acts. This is a clever communications strategy: HT tailors its messages to different audiences. HT's *Da'wa* (propaganda) is a means to achieve the establishment of the Caliphate, including in Australia. HT has made Australia one of its many arenas for proselytizing around the world. It has plenty of time to achieve its goal. Its vision is long-term.

### **Legal policy**

In the recent debate over HT operations in Australia, proponents of stronger restrictions have made arguments that refer to three areas of law: laws on

sedition and proscribing terrorist organisations and, at the state level, anti-vilification laws.

NSW Premier Morris Iemma requested the Australian Government to outlaw HT because it wanted to declare war on Australia, its values and people. The Western Australian Attorney-General called for a ban because HT threatened the fabric of the community. A major focus of their analyses was the apparent call at the Sydney conference for adult Muslims to prepare for violent jihad. The NSW Jewish Board of Deputies Chief Executive expressed his concern that no person or organisation should be permitted to make inflammatory remarks or engage in racial hatred.

On sedition, amendments to the Criminal Code in 2005 re-configured our earlier sedition offences and introduced others. The most pertinent to HT are the offences of encouraging violence between groups and of encouraging violence against Australia here and abroad. These are offences committed by individuals—not groups—and would not directly implicate HT as a whole. HT's public statements occasionally appear to have been in a grey area with regard to sedition.

The Criminal Code contains a mechanism for proscribing terrorist organisations. This can be applied if an organisation is directly or indirectly engaged in the preparation—broadly conceived—of a terrorist act. HT is probably relatively safe under this definition, although there are accusations that HT is directly involved in terrorism in Central Asia, especially Uzbekistan and Tajikistan. Some dismiss these claims as emanating from repressive governments and there is clearly some exaggeration occurring. It is less clear that it's all untrue. If in fact HT are involved in terrorism in Central Asia, and given it's a global organisation, then this may have implications for government here on any decision to ban the group.

Amendments to the Criminal Code in 2005 mean that a group can also be considered a terrorist organisation if it advocates terrorism. That is where it counsels, urges, gives technical instruction to or directly praises a terrorist act. This applies to acts committed overseas and is broad enough to capture statements that might lead to political violence. This could be activated by, for example, a speech declaring as martyrs the perpetrators of a suicide bombing in Baghdad. HT literature and speeches often seem very close to praising terrorism.

ASIO carried out a 2005 review of HT. Because HT has not been listed, it would appear that our intelligence agencies have not yet suggested that HT has crossed the line and were engaged in the preparation of terrorism.

There are racial vilification offences in state criminal codes that might apply to some types of speech also covered by sedition laws. The states could investigate and prosecute without action at the federal level.

HT pronouncements are often racist, particularly anti-Semitic. Germany has banned the group for this reason. Both the sedition offences and states' anti-vilification laws have high thresholds and are targeted at individuals. This makes prosecution difficult and ineffective if the aim is to prevent HT activities.

While there are countries that have banned HT, (China, Holland, Denmark, Saudi Arabia, Uzbekistan and Germany), some analysts argue that a ban might drive radicalisation underground. It may encourage support for more extreme groups. Penetrating and monitoring illegal groups poses particular challenges for security agencies. Late last year a combination of these factors led British Prime Minister Tony Blair to reverse his 2005 promise to ban HT made directly after the 7/7 London bombings.

### **Next steps**

HT's platform forbids its members from acts of terror. There's no clear evidence of HT engaging in the preparation of terrorism. HT's incitement and encouragement of religious hatred may be enough, however, to convince Islamists to perpetrate terrorist acts.

Although it defers the use of militant *jihad* until the establishment of the Islamic Caliphate, HT doesn't hesitate to use the same radical Islamic terminology commonly utilised by radical Islamic organisations such as al-Qaeda.

HT representatives argue that the party is unjustly forbidden from operating in some countries because it hasn't perpetrated an act of terror. But if incitement or propaganda influences an individual or group to perpetrate an act of terror, it's difficult to argue that one bears no responsibility.

We should continue to closely monitor HT. Such groups take advantage of our tolerance of intolerance. HT is engaged in ideological warfare. They create an 'us and them' divide between HT and the rest of Australia, including the vast majority of Muslims who don't subscribe to HT's ideology.

We should continue to engage like-minded allies to determine if we need to change our legal approach to this group. We have seen in other parts of the world how incitement and the sort of hatred of the West that HT promotes can turn to violence at short notice. Democracies have an obligation to protect their citizens and the values and principles of their political system.

### **About the Authors**

Dr Anthony Bergin is ASPI's Director of Research Programs. Jacob Townsend is a research analyst with ASPI.

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ASPI  
Tel + 61 2 6270 5100  
Fax + 61 2 6273 9566  
Email [enquiries@aspi.org.au](mailto:enquiries@aspi.org.au)  
Web [www.aspi.org.au](http://www.aspi.org.au)

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