Britain: First woman convicted under Terrorism Act

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On December 6, Samina Malik, a 23-year-old from Southall, West London, became the first woman in the UK to be sentenced under the Terrorism Act 2000. Malik was sentenced to 9 months, suspended for 18 months, with the condition that she be supervised for the whole period and undertake unpaid work. She has already spent 5 months in custody and 1 month under house arrest after her conviction.

Passing sentence, Judge Peter Beaumont said that Malik's offence was "on the margins of what this crime concerns" and said he was taking into account her family background. "You are 23, of good character till now and from a supportive and law-abiding family who are appalled by the trouble you are in," he said.

Following her trial in November, the jury at the Old Bailey found Malik guilty, by a majority of 10 to 1, of "possessing records" likely to be used for terrorism. She was convicted of having articles "likely to be useful to a person committing or preparing an act of terrorism."

Malik, who worked airside at a WH Smith newsagent at Heathrow Airport until her arrest in October last year, had written and posted poems on the Internet that the court deemed extremist. She had earlier been found not guilty, under Section 57 of the Act, of possessing an article for a terrorist purpose. Malik denied the charges.

The jury was told that Malik, who dubbed herself the "Lyrical Terrorist," had written "extremist poems" praising Osama Bin Laden, in support of martyrdom and beheading.

One of her poems, "How to Behead," was extensively quoted in the media and used by the prosecution to arouse a sense of repugnance in the jury. It states, "It's not as messy or as hard as some may think/ It's all about the flow of the wrist. No doubt that the punk will twitch and scream/ But ignore the donkey's ass/ And continue to slice back and forth/ You'll feel the knife hit the wind and food pipe/ But don't stop/ Continue with all your might."

The court also heard she had written on the back of a shop till receipt; "The desire within me increases every day to go for martyrdom."

Court prosecutor Jonathan Sharp said, "These communications strongly indicate Samina Malik was deeply involved with terrorist related groups." Police said they had found a "library" of extreme Islamist literature in her bedroom including *The Al-Qaeda Manual* and *The Mujahideen Poisons Handbook*. Deputy Assistant Commissioner and head of the Metropolitan Police Counter Terrorism Command Peter Clarke said, "Malik held violent extremist views which she shared with other like-minded people over the Internet. She also tried to donate money to a terrorist group.

"She had the ideology, ability and determination to access and download material, which could have been useful to terrorists. Merely possessing this material is a serious criminal offence."

Following the verdict, Judge Peter Beaumont QC, the Recorder of London, told Malik, "You have been in many respects a complete enigma to me."

In her defence, Malik said the poems had been "meaningless," and that she had only called herself the "Lyrical Terrorist" "because it sounded cool," explaining that it did not mean she was actually a terrorist or wanted to be one.

During the hearing, Malik explained that she started writing love poetry under the name "Lyrical Babe" while at Villiers High School in Southall. She then began writing rap poems in the style of artists Tupac Shakur and 50 Cent. Of one of her many poems, she

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said: “This does not mean I wanted to convert my words into actions. This is a meaningless poem and that is all it ever was. To partake in something and to write about something are two different things.”

Malik was prosecuted for a thought crime, and her conviction represents a grave threat to democratic rights. As offensive as her poems may be, they were the thoughts of a troubled individual and not a terrorist.

The decision by the jury was taken against the background of a hysterical media barrage around the so-called terrorist threat, while the ink was still drying on the Queen’s Speech in which the government made clear its intent to deepen the assault on democratic rights and civil liberties. In the same week, Jonathan Evans, the head of the secret service MI5, gave his first speech in which he spoke of Al Qaeda targeting young teenagers in particular.

It was clear from the evidence presented in court that Malik’s interest in Islamist fundamentalist publications never amounted to any actual plans to cause injury or a conspiracy to commit a terrorist attack. She did not possess any explosives or weapons, nor was any evidence presented that she attempted to procure them.

The attraction to Islamic fundamentalism of a section of Muslim youth is a political problem, not a criminal issue. It is a politically confused response to the actions of the imperialist powers in the Middle East and Africa, exacerbated by the social difficulties and racism faced by young Asians in Britain and throughout Europe.

In the absence of a socialist political movement of working people against war, social inequality and racism, and with a nominal Labour government instrumental in all of these attacks, it has been possible for Islamist reactionaries to portray themselves as a genuine anti-imperialist force. Far from combating Islamism, the anti-terror laws not only undermine the democratic rights of everyone but also help push a layer of young people towards it.

This situation is exacerbated by the failure of many civil rights groups to strenuously defend the democratic rights of Muslim youth and the growing closeness of the most high-profile, Liberty, to the government. Protest against Malik’s sentencing was generally subdued and came from only a small number of writers and journalists.

The fact that downloading Internet material is a “criminal offence in itself” means that millions of people throughout Britain could potentially be tried and convicted on the basis of what they or someone else entirely *might* do with it.

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