

Secularism and religious freedom

Posted: Wed, 6th Jun 2012 by [N/A](#)

I recently attended a Religious Discrimination and Symbolism workshop on behalf of the NSS. When I had finished my talk, a member of the audience told me that he had had no idea that secularism was supportive of freedom of conscience and belief, and was surprised to hear this message coming from a secularist. It is a message that is often unheard — whether willingly or otherwise — and it made me think of the importance of clarity on matters as serious as secularism and its implications. Here is an overview of what I said, as well as some of the points made afterwards:

The issue of religious discrimination — including with regard to religious symbolism and expression — is very current, and very popular. The media has given great focus to recent cases involving religious symbolism including of course the famous case of Nadia Ewieda, who some papers painted as having been sacked for wearing a cross while working as a check-in clerk for British Airways. As [Terry Sanderson reports](#), the misinformation surrounding this case is staggering: so much so that an MP in the House of Commons asked whether the laws banning Christian employees from wearing crucifixes would be lifted. Of course the response was that there is no law against Christians wearing crucifixes; there is no law on religious symbolism at all. The law is simple: an employer can request, with reasons, that employees refrain from wearing specific items. This was the case with Nadia Ewieda — the crucifix was disallowed because it was against BA's strict uniform policy (which it has now changed). And here is one of the most important points: these cases need honest and open discussion based on facts and not hyperbole. They are discussions in which the National Secular Society needs to be involved, but with our arguments clearly represented. We should start with a clear and coherent description of secularism, and not the falsehood that its opponents would have people believe.

Let's begin with what secularism is not — it is not a threat to religious freedom, in fact the opposite is true. The aim of secularism, and the National Secular Society, is to protect fundamental human rights, including the right to religious freedom, by ensuring that we are governed by a state that is neutral on matters of religious faith and that religion remains a matter for the private sphere. This does not mean that there should be no churches or synagogues or mosques, nor that they should be excluded from putting forward their political views, it simply means that those who do not believe in a particular faith are not obliged to do so, and are not obliged to follow the dictates of that faith. This is as important for people of faith as it is for non-believers. Christians might ask themselves if they would rather live in a secular state where no religion dictates the laws, or whether they would like to live in a state in which Islam or Hinduism or Judaism is our legislator.

The only thing that prevents one religion from dominating another is secularism. The evidence for this is strong. If you look at countries around the world which are ruled by religion, freedom of belief does not exist or is barely worthy of the name. In Saudi Arabia, an Islamic state, Christianity and all other religions are banned and the practice of them carries a sentence of execution no less. In the United States, religious freedom is enshrined in the constitution and protects religious minorities from legal attack. I have no doubt that some right-wing commentators there would happily hinder the practice or protection of harmless aspects of Islam, but religious freedom protects Muslims from such ideas becoming law. Secularism therefore protects the rights of religious minorities from the tyranny of the majority.

Some will argue that secularism is morally deficient, or that we cannot have morality or laws without a guiding text. So, in a secular society, how do we determine our laws? We do so based on what we can all agree. If we were to start again and recreate our social norms, we would surely all agree that we should not kill each other or steal each other's stuff....great, so we can make a law on that.

We all agree that marriage should only exist between one man and one woman and...oh wait, no we don't. We don't all agree on this at all and it is here where freedom of belief and secularism come to the fore. The main argument against gay marriage is a religious one – that we are "designed" (by whom?) as a one-man, one-woman species. But for some among that species the man-woman match does not fit, and they find happiness in same-sex relationships instead. If they want to marry, they should be allowed to. The point is — in a society where people disagree on what is right or wrong — freedom must provide the right to do what feels right for you. If you don't like gay marriage, do not marry a member of the same sex, but do not expect the rest of the world to bend to you, or the rights of others be restricted because of *your* beliefs. This applies to the "role of women" also (men never seem to have a "role" funnily enough). Women who wish to stay home from work are free to do so if they wish; what they can't do is demand that all women follow the same path, nor can they place restrictions on other women because of what *they* believe should be a woman's path.

In other words, secularism encourages people to mind their own business and stay out of other people's lives – to do so, they must keep their personal beliefs out of the laws which apply to us all. Laws should be based on our common experience, our scientific and sociological study, and the principle that we are all free to live as we wish provided we do not attempt to restrict the rights of others or to harm others. That's it – that's secularism.

On the point of discrimination surrounding religious symbols, a balance must be found. One person's rights end where another's begin. Discrimination (particularly in an employment context) means a person is placed at a disadvantage and this is the result of one of the protected characteristics, e.g. their gender, their race, or their religion. In employment, as in human rights, the test as to harm is the determining factor. The case of Aishah Azmi is a perfect demonstration. Azmi was employed as a teaching assistant in Yorkshire but refused to remove her face veil (niqab) because she was required to work with male colleagues. She was suspended from her job for this and took her case to an employment tribunal where she claimed discrimination on the grounds of her religion – she lost. The local council said that her inability to communicate effectively was causing harm to her pupils, some of whom could not understand her. The balancing act was performed and it found that the harm caused by her covering her face was greater than the harm caused by asking her to remove it. This could be applied to face covering generally and it could be argued that the harm caused — harm to social cohesion, female independence — is greater than that caused by placing restrictions on this particular religious practice. This debate is now happening across Europe and its outcome will be vital to the future of the balance of rights, and the status of women.

On a final point, I was drawn on the issue of the marginalisation of religion — particularly Christianity — in Britain. I am not convinced that such marginalisation is happening but let's look at the evidence. The Church of England is currently whipping itself in to a frenzy deciding whether or not women are capable (or should be "permitted") to be leaders in their church. In any other institution, this would be against the law – against the law for everyone except religious institutions. It is unlawful to discriminate against gay people in employment – for everyone except religious institutions. It is unlawful to cause animals to suffer unnecessarily during slaughter – for everyone except religious institutions. Organised religion is constantly being awarded exemptions and

exclusions and is not expected to keep to the same rules as everyone else, because *it* doesn't believe that it should.

If that is what constitutes marginalisation nowadays, then I have no doubt that many organisations would dearly love to be so marginalised.

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Anne Marie Waters was a member of the NSS. The views expressed in our blogs are those of the author and may not necessarily represent the views of the NSS.

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