

Eric Pickles' 'evangelical charter' on its way to becoming law

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A small group of Christians in parliament are changing the law to give local authorities the power to summon councillors to prayers. Stephen Evans argues that the right to freedom of religion should always be balanced by the right to be free from religion.

A small group of Christians in parliament are changing the law, almost unimpeded, to give local councils the power to introduce prayers to their meetings.

Communities secretary Eric Pickles, who regards Britain as a "Christian country" was outraged by the National Secular Society's 2012 [High Court victory](#) which delivered a landmark ruling that local councils had no statutory powers to summon councillors to prayer. The [local government \(religious etc. observances\) bill](#) is his revenge.

Immediately after the ruling, Pickles vowed to strike a blow for "freedom to worship over intolerant secularism". Shortly after the ruling he fast-tracked the Localism Act's 'general power of competence' which [he claimed](#) gave principal councils the power back to include acts of worship as part of their official meetings.

According to his department, this new bill simply corrects what it regards as an anomaly – and extends the power to hold prayers to smaller town and parish councils. This claim shouldn't be taken at face value.

Despite Pickles' protestations, it's not at all clear that the Localism Act actually permits principal councils to include acts of worship within their official business. Playing to the gallery and incensed by hysterical Daily Mail headlines about Christianity being 'under attack', Pickles announced that the "general power of competence" in his new Localism Act would "effectively reverse" the high court's ruling on council prayers.

But this is an untested assertion. There is no mention of prayers in the Localism Act, nor in any of the debates which gave rise to it.

Keith Peter-Lucas, a local government lawyer and partner at public services law firm Bevan Brittan, has expressed doubt about Pickles' wishful thinking:

"This general power has been oversold as a universal panacea. Despite the secretary of state confidently saying that this immediate implementation should effectively overtake Mr Justice Ouseley's ruling, the new general power may actually offer little assistance in this instance."

A number of other senior lawyers have also expressed doubt whether the Localism Act does, as Mr Pickles claims, make the inclusion of prayers in local authority meetings lawful. The Act was clearly not passed with that express intention.

So it seems the scope of this bill may not be as modest as its proponents would like us to believe.

The bill also gives authorities in England an explicit power to "support, facilitate, or be represented at religious or similar events". But can't they already do this?

Somewhat bizarrely, it's claimed by the bill's backers that, left unchallenged, the high court ruling could prevent local councillors from laying a wreath at a Remembrance Sunday event. At second reading in the Lords, Lord Cormack even suggested the bill was necessary to allow councils to close roads so people attending such ceremonies could do so safely.

This is nonsense on stilts.

The high court ruling simply clarified that local authorities have no power to hold prayers as part of their formal meetings or to summon councillors to such a meeting at which prayers are on the agenda.

Of course councillors should be free to facilitate and attend important local community events where there may sometimes be a religious element, but there is absolutely nothing in law that currently prevents them from doing so. To suggest otherwise is simply disingenuous and should raise alarm bells about the real motivation behind this bill.

The effect of this bill is to give councils and a range of other authorities such as fire and rescue authorities, joint waste authorities, internal drainage boards and even Transport for London the power to 'support religion' and impose prayer. It reads like an evangelicals' charter.

It is true that nobody will be "forced to pray", but surely the religious freedom bar should be higher than that? This bill will permit local authorities to summon councillors to acts of worship. They may excuse themselves from the religious element of the meeting, and – if they can face it – shuffle out and, when the moment seems right, slink in again in full view of the public gallery. But there's no justification for placing such a [burden on councillors](#). Surely our civic meetings should be conducted without anyone feeling compelled to participate in prayers, or feeling excluded, or that they have to absent themselves from any part of the meeting. Secularism promotes inclusivity. Prayers do not.

In arguing in favour of the bill, MPs and peers have remarked that both the House of Commons and House of Lords begin proceedings with prayers. It is indeed true that when the Chamber is at its busiest, parliamentary prayers act as a bizarre and antiquated seat reservation system; on certain days MPs and peers have no option but to attend prayers in order to reserve a seat. But this, to some 'quaint' tradition, also serves to assert the superiority of Christianity and the Church of England in particular at Westminster.

Although the 'appeal to tradition' is persuasive to some, many regard parliamentary prayers as an anachronism – inimical to a modern pluralistic secular democracy. Opposing the bill in the Commons, Conservative MP James Arbuthnot [said](#) the practice seemed "out of touch with the majority of the people we represent, because only a tiny proportion of our constituents go to church." Perhaps some MPs and peers ought to check their privilege.

Local authorities aren't religious communities. They should strive to be seen to serve the whole community equally. Councillors and the local communities they serve will not share a particular faith characteristic. Institutionalising a particular religion within the formal business of a council meeting or identifying the council with a belief - or even a range of beliefs - impedes councils from being equally representative of all local citizens.

Given that Christianity is the dominant religion in the UK, some councils may decide to start with Christian prayer. In other areas, Islamic observance may be chosen. This is the case in Oldham, [where we see](#) elected councillors standing to attention as the Mayor's imam declares "Allahu Akbar" and prays to the Almighty Allah to help those who are suffering in all parts of the world – but particularly Palestine.

Many who find the prayers embarrassing and possibly even anathema will choose to quietly but uncomfortably sit through them rather than leave the chamber. They are at the least the victims of bad manners, but is it not completely unreasonable to impose acts of worship on the unwilling? Surely there should never be any compulsion in religion. This is why religion belongs in the private, rather than the public, sphere. As the Earl of Clancarty [argued](#) at the Lords' second reading, the bill will be a "recipe for divisiveness and potential problems".

Many local councillors make a huge contribution to the communities they serve. Many will be motivated by their personal faith, and if they wish to pray for guidance prior to meetings they are free to do so. But why do we need a law to enable believers to impose their worship on others by making a public show of it?

A point so many politicians miss is that freedoms of thought and conscience apply equally to all believers and non-believers alike. The right of individuals to freedom of religion should always be balanced by the right to be free from religion. This bill is an attempt by a handful of religious enthusiasts in parliament to facilitate the encroachment of religion into secular spaces. Secularist peers have tabled a number of amendments in the Lords to make sure they don't get away with it. I wish them Godspeed.

Stephen Evans is the campaigns manager for the National Secular Society. The views expressed in the blog are those of the author, and do not necessarily represent the views of the National Secular Society. This post originally appeared at politics.co.uk.

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