

Ep 15: Islamophobia definition | Criticising infant circumcision

Video available at: <https://www.youtube.com/watch?v=U28virLevfM&feature=youtu.be>

00:03 - 00:51

Emma Park : (EP) Hello and welcome to the National Secular Society podcast. I'm Emma Park and this week I'll be talking to Stephen Evans, C.E.O. of the society, Chris Sloggett Communications Officer and Megan Manson Campaigns Officer. We'll be discussing two related issues of real importance to civil society today. One is the controversial definition of Islamophobia that was proposed in November last year by the all-party, parliamentary group on British Muslims. We'll be looking at why the National Secular Society and other organisations have serious concerns with this definition. We will also discuss another issue on which the NSS has long been campaigning – Infant male circumcision. As we will see, the treatment of this by some religious authorities also raises wider concerns about freedom of speech.

00:51 – 02:42

But first I will look briefly at the modern place of the right to free speech in the UK and why it is, in fact, inseparable from the right to freedom of religion or belief.

“I disapprove of what you say, but I will defend to the death your right to say it” this phrase is often attributed to Voltaire but was in fact coined by his English biographer Evelyn Beatrice Hall in 1906.

Since then however it has been cited again and again as a phrase that encapsulates a certain ideal of a liberal democratic society. This is the attitude that freedom of speech is so important that even opponents who disapprove of other's views or are offended by them will risk their lives to defend each other's right to express them. In the last century, freedom of speech along with freedom of religion or belief have been two of the crucial rights regularly suppressed by totalitarian regimes, whether communist, fascist or theocratic. It was for such rights as these that, as we were taught at school, so many soldiers in World War Two gave their lives. In fact, the human right to freedom of expression and to freedom of religion or belief go hand in hand – in a liberal democratic society, people should surely be able to follow the dictates of their own conscience and at the same time freely to criticise their own religious beliefs and practises and other people's – that is the theory. In recent years however there seems to have been a worrying trend in the UK towards attempting to suppress individuals exercise of free speech especially when this is directed towards criticising religious beliefs and practises.

One example of this is the definition of islamophobia proposed in a report last November by the APPG on British Muslims. I'm joined now by Stephen Evans and Chris Sloggett to discuss this definition of Islamophobia and its problems. Stephen, hello.

02:42 – 05:02

Stephen Evans (SE): Hello.

(EP) Could you first explain what the APPG on British Muslims proposes as a definition of Islamophobia?

(SE) Yeah, so the definition being proposed by the APPG states 'Islamophobia is rooted in racism and is a type of racism that targets expressions of 'Muslimness' or perceived 'Muslimness'. So, quite a broad sweeping and somewhat vague definition, I would suggest.

(EP) Ok and this definition has so far been adopted by the Labour Party, the Liberal Democrats, Plaid Cymru, the mayor of London and all five political parties in Scotland. However, it has received widespread criticism both about the wording of the proposed definition, the purpose behind it and the approach which the APPG took to reaching it. Stephen lets start with the definition itself – what is wrong with this definition?

(SE) Well, like I said it's very broad in the first place but I would also question, in the first instance, the need for a definition at all – I don't think any convincing case has been made that the current provisions of the law are insufficient to deal with discrimination against or violence directed towards Muslims. Um, so discrimination against all individuals on the basis of their religion alongside other protected characteristics is rightly already enshrined in legislation through the Equality Act – I also think that the adoption of this definition risks giving the impression to other religion and belief groups that Muslims in Britain enjoy some sort of special protections denied to others in that prejudice directed towards them is being singled-out and treated differently and I worry that this could lead to some sort of arms race of competitive grievance. I notice the Bishop of Truro in his recent religious freedom review for the government is actually suggesting now that we name the phenomenon of Christian discrimination and persecution which looks to me a lot like a prelude to some sort of Christianophobia definition being brought forward soon, so I'm very uneasy with us going down this route which I think feeds into the harmful politics of identity – it encourages people to identify first and foremost by their religion which I think leads to the sort of separatism and division that as secularists we should be against.

05:02 – 08:10

(EP) So, you've identified several arguments against having a definition of this phenomenon at all, but what about the actual definition of Islamophobia presented by the APPG?

(SE) Sure, well, as I said, the definition itself calls Islamophobia a type of racism that targets expressions of 'Muslimness' – now, the term 'expressions of 'Muslimness' I think is very vague – it could really mean any Islamic practise, almost anything that a Muslim does – so the wearing of a head or face covering is certainly an expression of Muslimness, non-stun slaughter is an expression of Muslimness but of course we should as a society be free to discuss and debate these issues without fear of being branded racist or Islamophobic. So I suppose the main problem with the definition is that it doesn't really differentiate between the criticising of religious beliefs or practises and acts of prejudice against individuals - so the definition as it stands I think stands to chill free speech and it will undoubtedly, I think, be used to shutdown important conversations that a healthy society needs to have and anything that silences legitimate criticism of Islam won't tackle anti-Muslim bigotry, it will create grievance I think, it will aggravate community tensions so it could in fact be counter-productive. So, wanting to tackle anti-Muslim hatred is an absolutely understandable impulse and we should all be concerned by evidence of increasing anti-Muslim discrimination and rhetoric but any definition that can be used to shield Islamic beliefs and even extremists from criticism clearly, for me, isn't fit for purpose and could actually do more harm than good.

(EP) Now that is discussing the definition proposed by the APPG but is there something with this very word itself, Islamophobia? – it almost sounds like a mental condition like agoraphobia...

(SE) Yes, its always been a contentious concept in that it conflates scrutiny and criticism of Islam,, which is of course a powerful world religion, with hatred of Muslims and clearly these are two very different things – its possible to be critical of Islam or aspects of Islam without being in any way bigoted towards Muslims, so, you know, the concept of Islamophobia makes criticism of a religion akin to racism so anyone who speaks out against anything to do with Islam always runs the risk of being branded racist and few people are able and prepared to defend themselves against such allegations so the easiest thing to do is just keep quiet and so I think the concept of islamophobia has a real self-censoring effect which is absolutely toxic to free expression and all the good things that free speech brings for society, so its quite a pernicious concept and, I think, my fear is that if the APPG get their way, it's a concept that will become further and more deeply embedded in our political lexicon and institutions which I think will have a real chilling effect on free-speech. The term anti-Muslim hate is a much more precise word, a much more precise term, and it does the job nicely- to address a very real and rising problem.

08:10 – 9:30

(EP) So, there's a difference then between hating Muslim people and criticising the religion and the concepts.

(SE) Absolutely. Of course.

(EP) The process by which the APPG operated to reach its definition has also been criticised. What are the National Secular Society's concerns about the process.

(SE) Well, let's just say I think they very much began with the end in mind. We certainly engaged with the APPG at a very early stage with a view to meeting them, to have discussions but this wasn't particularly welcomed, dissenting voices who took part in their consultation such as ourselves, such as the Southall Black Sisters, Romy Hasan – they were just dismissed and despite claims to have consulted the Muslim community no unadhered groups appear to have contributed to the consultation at all. So, for me it's really concerning how local authorities and political parties have adopted this definition without any real scrutiny or proper consideration of what I think are very negative consequences to freedom of expression and I just hope that the government's own consideration of this matter will draw on a wider range of opinions and hopefully conclude that pushing any concept of Islamophobia isn't a particularly helpful way of addressing the prejudice that Muslims face.

09:30 – 09:58

(EP) Thank you Stephen and talking about a wider range of views on this topic, detailed analysis of the definition and its flaws have been collected in a booklet entitled 'Islamophobia – an anthology of concerns' . This booklet was put together by the independent think-tank, Civitas. You can find a link to it on the podcast page. Chris, turning to you, you were responsible for the NSS' contribution to this booklet. Could you explain what your argument was there.

09:58 – 13:07

Chris Sloggett (CS): Yes. So, Hello – we highlighted some specific problems with the definition, the use of the word Islamophobia which Stephen has obviously talked about at length there, the wording of

the top line in particular which again we've already heard about and there was also the proposal to have five tests to determine whether criticism of Islam is bigoted or not. Those were some of the sort of most significant problems we identified but our concern really is that the definition takes the wrong approach – so anti-Muslim violence and discrimination are significant problems and, I mean, the definition was published last November and since then, of course, there's been the atrocity in Christchurch which has reminded us of that in absolutely no uncertain terms but this definition looks to limit discussion and debate as a means to combat bigotry and this is part of a sort of wider approach which seeks to patronise anti-Muslim bigotry away. So, in the essay for example we highlighted the case of Justin Haddon-Cave - last year this, Justice Haddon-Cave – he was a judge who told the Parson's Green bomber that Islam was a religion of peace and told him he'd have time to study the Koran in prison. This was really a very obvious violation of the separation of religion and the judiciary – judges should not be going about making theocratic proclamations – we raised this with the judicial watchdogs but our complaints were dismissed out of hand and later on, a few weeks later the judge is making similar comments to another terrorist. The point here that I suppose you need to make is that our whole approach to the problem of anti-Muslim bigotry is to conflate bigotry with criticism of Islam and to discourage debate, to chill free speech – what we should be doing is going in the opposite direction - open debate including on tricky subjects is the best response to bigotry. Bigotry thrives on ignorance - shutting down debates fuels ignorance and it also often fuels resentment because treating people as members of distinct groups defined by religion is not sensible, I think Stephen touched on some of that already. I suppose I'll summarise by saying that anti-Muslim crimes need to be prosecuted to the fullest extent of the law, anti-Muslim attitudes and discrimination must be challenged but it is not sensible for us to shutdown free expression on Islam.

(EP) Who else contributed to this booklet?

(CS) So, a variety of campaigners contributed to the booklet and that includes several of our honorary associates, so high-profile NSS supporters – Pragna Patel of the group Southall Black Sisters, the ex-Muslim secular activist Mariam Nemazee and the human rights campaigner Peter Tatchell were among them but there are also some activists whose agendas are very different to our own and who agree that this definition poses a threat to freedom of expression so we tend to disagree with groups like Christian Concern for example but we're on the same side on this one.

(EP) So altogether, fearless but responsible free speech on these topics benefits society as a whole. Stephen and Chris, thank you very much.

(CS) Thank you.

(SE) Thank you.

13:07 – 17:16

(EP) Chris Sloggett is still with me and I'm now joined by Megan Manson for the second part of our discussion. Megan, hello

Megan Manson (MM): Hi. Hello.

(EP) We now move on to two cases involving male infant circumcision – an issue against which the NSS has long been campaigning. The second of these issues also raises questions about free speech and the attempt by religious authorities to suppress it, but the first of these cases involves the very lenient treatment of a Nigerian Christian woman, Martina Obi-Uzom who was convicted in the Inner London crown court for having a baby boy circumcised against the will of his mother. The case was

widely reported in the papers. Megan, you've been working on this case - can you explain what happened?

(MM) Well, this was um... personally I found this a very shocking story indeed. What we know from the reports is that Martina Obi-Uzom, who's a seventy year old pharmacist, had an eleven-month-old baby, entrusted to her care while the baby's parents went away for the weekend and during that weekend Obi-Uzom took the baby to London to be circumcised in accordance with her own Nigerian Christian beliefs. She knew, the baby's mother did not want her baby circumcised so what she did is, she posed as the child's mother and recruited a man to pose as his father and she convinced a Jewish Mohel – a circumciser – to perform the procedure.

(EP) What's the NSS' objection to the way the case was handled by the Judge her honour judge Freya Newbery?

(MM) Well we were really struck by the leniency of the sentence. So, the facts are that Obi-Uzom took a defenceless baby that had been entrusted to her care, she took him, the baby to a man who held him down, took up a knife and did painful and irreversible injury to the most intimate part of his body. Had the baby been an adult, this would have been treated as an extremely serious, possibly even a sexual assault. A custodial sentence would have been the inevitable, would have been inevitable for the perpetrator I think but in this case Obi-Uzom, she isn't going to jail – she was given a suspended sentence of 14 months and she was also ordered to pay 1500 in costs and then a 140 pound victim's surcharge. So, 140 pounds seems like a really small amount of compensation for amputating part of a person's genitals without consent or without medical need and we can compare this to a case in August where a man was awarded 20,000 pounds for being circumcised by a mistake at Leicester general hospital and you can also compare this to prosecutions for female genital mutilation or FGM. So, in March a Ugandan woman was sentenced to 11 years in jail for cutting her three-year-old daughter's genitals and the judge at that time said that what she had done was a barbaric and sickening child abuse but because in the case of Obi-Uzom, the child involved was male and not female the court didn't seem to recognise the cutting of his genitals as such a serious crime. And on top of that, we were concerned for the reasons the judge had given for this leniency so eh, judge Freya Newbery said that she accepted that Obi-Uzom's intention wasn't to harm the child and that she was , and I quote 'of impeccable character' and she also said she was a professional person and highly qualified and she also said that Obi-Uzom's Christian belief in circumcision had great cultural and religious significance. We haven't been able to look at the full sentencing remarks yet but on its own, this statement seems to suggest that because Obi-Uzom's motivation was religious, this was almost considered a mitigating circumstance.

17:16 – 19:48

(EP) What about the argument that the court when it was deciding on its sentence was right to take into account Ms. Obi-Uzom otherwise good behaviour and her contribution to society?

(MM) Well, that is true that judges do need to take that maybe into consideration but I think in this case the judge went far too far and used quite irrelevant details for mitigating circumstances and in some cases I think those details implicate Obi-Uzom even further – so, for example the judge mentioned that she's a highly qualified professional person and that's true – she's a director of a pharmacist but surely that means that her high level of education which would involve specialist

knowledge in healthcare puts her in a better position to understand the harms and the risks of circumcision than the average person – that’s before we consider the ethics surrounding patient and parental consent – and what’s more, as a pharmacist she was in a position of trust when it comes to healthcare issues and she severely breached that trust. So, we’re still quite keen to see the full sentencing remarks and we’ve made enquiries to the court about this and we’ve also asked the general pharmaceutical council if they are taking any action against Obi-Uzom and we’re waiting for their response now.

(EP) On the subject of the ethics, what does the NSS say the court should do to protect a child’s right to bodily integrity?

(MM) Well, the courts need to make it clear that religion can never be an excuse for committing painful and permanent injury on a non-consenting child’s genitals without medical need. In the two convictions that we’ve seen for FGM in the UK I think it’s fairly clear that religious beliefs have not entitled the perpetrator to a lighter sentence, but the overall problem doesn’t really lie in the courts, it lies in how the law itself treats infant male circumcision – so, although there is in fact nothing in law that permits it, there is nothing that prohibits it either. The specific prohibition on FGM applies exclusively to female genitals and because people in this country have been circumcising babies on religious grounds for so long it’s sort of become legal by default and this is what really needs to change – biological sex shouldn’t be what determines whether or not a person can cut a child’s genitals – it should be whether or not there is a genuine medical need or in the case where it isn’t medical, whether that person who’s actually undergoing this procedure can and does consent to it.

So, we need to extend the current protections that exist for girls to boys.

19:48 – 21:08

(EP) Now Megan you mentioned that the judge took into account that, the fact that circumcision might be a vital part of some cultures such as perhaps Nigerian Christianity or orthodox Judaism – Chris, this issue was touched on in a speech given by the chief rabbi Ephraim Mirvis at an international inter-faith conference in Madrid. What was the argument that chief rabbi Mirvis made there?

(CS) Yes. So, the chief rabbi went on a sort of polite lament about the fact that secularists and humanist campaigners were raising points he didn’t like. In particular, he defended faith schools and ritual infant circumcision and he argued that campaigns against these infringed on Jewish people’s rights so he criticised the NSS by name because we work to end unnecessary infant circumcision and he accused secularists and humanists of attempting to impose humanism on society and he claimed this version of humanism with a capital H was intolerant. Much of his argument was an age-old version of the argument that ‘I should be able to live my way and you live your way’. Now there is some obvious merit in that but not when it means allowing abuse to be perpetuated or the state funding of a particular view of religion.

21:08 – 23:46

(EP) So, going on from that in more detail, what are the NSS' main objections to Chief Rabbi Mirvis' line of argument.

(CS) Well, his arguments in defence of faith schools and circumcision were flawed – so he argued that campaigning against faith schools meant campaigning against – and this is a quote 'my freedom to raise my children in accordance with the tenets of my faith'. Now, that's only true if you think that that freedom extends to expecting the state, funded by taxpayers from all religious backgrounds and none, to provide support for those schools to promote a particular view of religion. Secularist campaigners don't want to stop people taking children to the synagogue, mosque or church but the implication of what the rabbi said would be that we do. He didn't engage with reasonable criticisms of faith schools or circumcision but our real concern was and I think, yeah, the most concerning thing was that he effectively asked groups like us to shut up – he asked us to stop campaigning against 'our freedom to practise our faith' that's a quote from the chief rabbi – our freedom to practise our faith. Now, if groups like us stopped campaigning against the freedom to practise faith, we'd never work to highlight or stop abusive practises, so he also claimed secularism and humanism were intolerant – now religious groups often do this to shut down debate when they can't win the argument and he claimed that we were trying to impose humanism, well this is a mischaracterisation of efforts just to promote one law for all – it's not one world view for all, it's one law for all. But, yeah, the chief rabbi has mischaracterised that. He used a lot of diplomatic pleasantries – there was a lot of pleases in particular but this shouldn't blind us to the fact that this is an attitude that poses a threat to values which citizens of enlightened societies should hold dear. Human flourishing has long depended on people being willing to defy religious groups' desire to silence debate.

(EP) The issue of circumcision and faith schools raises a further question which is 'How far parents should have the right to raise their children according to their own beliefs'. This is a knotty problem isn't it?

(CS) Yeah, I mean, you have the right to raise your children in line with your beliefs but that right is not absolute and it shouldn't extend to the right to expect the state to provide support for those beliefs, to promote them or to segregate your children off from the rest of society and nor should it mean that the state or indeed campaigners who you may disagree with turn a blind eye to harmful practises which are conducted in the name of religion.

23:46 – 25:56

(EP) Megan, what's your view on this?

(MM) Well, it's interesting that often religious groups will argue in favour of practices that we um..., that we oppose in the name of religious freedoms – our religious freedom to do this- but we're actually arguing for the same thing from a different way -we are arguing for religious freedom too but we are looking from the child's point of view . So, in the case of circumcision, we're looking at the child's right to not have religion imposed on them – we're saying that the child can choose whatever religion or belief they want later but having somebody do something like that to your body so early on basically takes away a lot of that choice from you. And to an extent, the same goes for faith schools as well – if, obviously we rely on state education – most of us do and when there is religion involved, when religion is being sort of imposed by a religion that is funded by the state , it is the case that you are ignoring the children's freedom to sort of come up with their own beliefs and make their own decisions and in many cases you are discriminating against children who don't have those beliefs.

(EP) As our discussion has shown, there are no easy answers to the question of how to bring up children in a way which respects their parents interest in them and their own right to flourish and make their own decisions but it's very important that these issue should continue to be subject to responsible dispassionate criticism – and that's what the NSS aims to do. Chris and Megan, thank you very much.

(CS) Thank you.

(MM) Thank you.

(EP) That was episode 15 of the National Secular Society podcast hosted by Emma Park. If you liked this podcast, you can find further episodes on the website along with more information about the topics discussed at secularism.org.uk/podcast. You'll also find there a list of forthcoming NSS events and information on how to join the society. Thanks for listening.