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Freedom of expression

Position Statement

Freedom *from* discrimination or censorship and freedom *to* communicate is vital in a democracy in debate, reportage, creative media and any public arena.

*'There cannot be a democratic society without the fundamental right to freedom of expression. The progress of society and the development of every individual depend on the possibility of receiving and imparting information and ideas. This freedom is not only applicable to expressions that are favourably received or regarded as inoffensive but also to those that may shock, offend or disturb the state or any sector of the population.'*¹

Article 10 of the European Convention on Human Rights protects *not only the information or ideas that are favourably received or regarded as inoffensive or as a matter of indifference, but also those that offend, shock or disturb; such are the demands of that pluralism, tolerance and broad-mindedness without which there is no democratic society.*²

Key Issues:

Respect and Offence

There is often confusion between respect for individuals and respect for beliefs. While respect for the rights of the individual is enshrined in law, beliefs and organisations do not and should not automatically command respect in a democracy.

The weapon of taking offense is increasingly being used against freedom of expression, along with claims of bias or persecution, partly because it is hard to challenge such a subjective response. People or groups who claim the right not to be offended often demand the right to offend others in the expression of their beliefs, moral values and so on.

As well as being subjective, offense is also mutable. As the Parliamentary Assembly of the Council of Europe points out: 'What is likely to cause substantial offence to persons of a

¹ Council of Europe <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta06/ERES1510.htm#1#1> Resolution 1510 (2006) In acc with Article 10 of the European Convention on Human Rights (ETS No. 5)

² European Court of Human Rights: A guide to the implementation of Article 10 of the European Convention on Human Rights, p 16

particular religious persuasion will vary significantly from time to time and from place to place'. It also states that: 'The Assembly is of the opinion that freedom of expression (...) should not be further restricted to meet increasing sensitivities of certain religious groups'.³

Importantly, claiming offense and demanding respect cannot be acceptable when claims are made by cultures that violate basic human rights.

The European Court of Human Rights' guide to the implementation of Article 10 of the European Convention on Human Rights states that *Those who choose to exercise the freedom to manifest their religion, irrespective of whether they do so as members of a religious majority or a minority, cannot reasonably expect to be exempt from all criticism. They must tolerate and accept the denial by others of their religious beliefs and even the propagation by others of doctrines hostile to their faith*⁴.

Stifling the non-religious

Believers in any one religion are not a homogenous mass. A vocal minority – frequently extremists – often claim to speak for whole communities. Equally, there is no one non-religious culture; non-believers are as diverse as believers.

One of the growing causes for concern is that these diverse voices of the non-religious are either not being heard or are not equally valued: religious voices are claiming their right to freedom of expression but at the cost of non-religious voices being silenced. Claims of bias or persecution are used to silence debate or to steer it into areas non-critical of religion, particularly in its more extreme forms. It is these that are the greatest threat to social cohesion, equalities and free expression. And it is these most in need of being brought into open public debate.

The UN Special Rapporteur on Freedom of Religion or Belief noted that laws protecting religious citizens are inherently discriminatory against atheists, non-theists, and religious sceptics because they protect religion as opposed to belief or conscience and their expression⁵.

There is also the risk of a hierarchy of values with the most orthodox religious considering theirs the truest or most important and those of the non-religious either a pale imitation or non-existent – and therefore not worthy of respect or discussion. The potential result is a homogenised, sanitised universal culture that either gives offense to none or is controlled by the most vocal and powerful group whatever the rest of the populace may want or believe.

Rights and Responsibilities

There are increasing incidences of religious groups or individuals claiming their right to proselytize as freedom of expression. For example, the Christian GP Richard Scott who claimed it was his right to preach to his patients⁶. In this case, the General Medical Council is in the process of disciplining him for infringing on his patient's rights and breaching best practice guidelines. While

³ <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta06/ERES1510.htm#1#1> Resolution 1510 (2006)

⁴ Page 54

⁵ Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Ambeyi Ligabo, UN Doc. A/HRC/7/14, 7 March 2008.

⁶ <http://www.telegraph.co.uk/news/religion/8526760/Christian-GP-Dr-Richard-Scott-remanded-by-GMC.html>

expressing religious views is a right, it is one limited by context and by whatever other rights it may impinge on.

The necessary limits to freedom of expression are well understood in international law⁷ but attempts to further limit this freedom beyond a prohibition on incitement to hatred and violence run counter to the rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. In addition, the European Court of Human Rights states that *there are no grounds for affording better protection to the institutions than to individuals*⁸.

The crime of religiously aggravated offence introduced in the UK in 2006 represents a new kind of blasphemy law; the crime of religiously aggravated insulting behaviour carries a sentence of up to seven years in prison. Professional offence-takers in religious communities have already begun to exploit this new avenue of restricting criticism and comment about their beliefs⁹. A blasphemy law became effective in Ireland in 2010.

Movement for Change

1. The Public Order Act

A change to the Protection of Freedoms Bill is currently being discussed. The change includes reforming section 5 of the Public Order Act (POA)¹⁰ to remove the word 'insulting' from the section which states: A person is guilty of an offence if he — (a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or (b) displays any writing, sign or other visible representation which is threatening, abusive or insulting. If this amendment is accepted, it would be harder for religious people to claim offence. The law has been used to arrest Christian street preachers who deliver anti-gay sermons, such as Cumbrian preacher Dale McAlpine, who later won £7,000 compensation for wrongful arrest.

The NSS believes that insult is too subjective and nebulous a concept, and too open to abuse; the idea of what is insulting changes with time and place, for example. Its removal would protect freedom of expression – for both the religious and non-religious. We support the campaign by religious groups like the Christian Institute to protect their right to freedom of expression while we also want to ensure that 'insulting' cannot be used by the religious to prevent debate or criticism. We do not want the law used as a weapon against anyone who disagrees with or challenges someone else's beliefs.

Individuals are already protected from real harm or harassment by other laws. There are many alternative powers in existence to prevent or to prosecute behaviour that is abusive, or risks a breach of the peace, or amounts to harassment, or has religious, racial, sexual or disability hatred elements, or where people are placed in fear.

The offence under Section 5 was the most controversial of the statutory offences in the Public Order Act 1986 both before and during the passage of the Bill. Courts have to consider these cases in the light of Article 10 of the European Convention on Human Rights, which protects freedom of expression. A 1994 Home Office study found that a large majority of section 5 cases brought before the courts involved threatening or

⁷ Articles 19 and 20 of the International Covenant on Civil and Political Rights - ICCPR

⁸ European Court of Human Rights A guide to the implementation of Article 10 of the European Convention on Human Rights, p47

⁹ <http://www.secularism.org.uk/atheist-sentencing-creates-a-new1.html>

¹⁰ <http://www.legislation.gov.uk/ukpga/1986/64>

abusive behaviour, rather than insulting conduct. , In addition, the removal of the word 'insulting' from section 5 would bring English law into line with Scots law.

Section 5 has been used to arrest and/or prosecute (for example) religious campaigners against homosexuality, a British National Party member who displayed anti-Islamic posters in his window and people who have sworn at the police. Police charged a teenage anti-Scientology protestor, although the charges were later dropped, as they were in the case of a student arrested for calling a police horse 'gay'. Hotel owners were charged (although later acquitted) following a religious discussion with a Muslim guest.

The Human Rights Joint Committee said that 'We recommend that the Government amend section 5 of the Public Order Act 1986 so that it cannot be used inappropriately to suppress the right to free speech, by deleting the reference to language or behaviour that is merely "insulting." This amendment would provide proportionate protection to individuals' right to free speech, whilst continuing to protect people from threatening or abusive speech. We suggest such an amendment.'

Liberty have already called on the Government to remove the word 'insulting' because they are concerned about the breadth of offences under section 4A and 5 of the Public Order Act 1986 (POA) which we believe can have a chilling effect on free speech and an impact on legitimate protests... While the courts may be reluctant to convict a person in relation to using 'insulting' words or signs, the mere fact that this is a criminal offence is enough to stifle freedom of expression'.

There is no intention to change section 4A of the POA which deals with offences where: A person is guilty of an offence if, *with intent* to cause a person harassment, alarm or distress, he: (a) uses threatening, abusive or insulting words or behaviour, or disorderly behaviour, or (b) displays any writing, sign or other visible representation which is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress. This is a summary offence, punishable with imprisonment for a term not exceeding six months, or a fine.

In March 2010, Harry Taylor was found guilty of "religiously aggravated intentional harassment, alarm or distress" after he left anti-religious cartoons and other material he had cut from newspapers and magazines in the prayer room of John Lennon airport in Liverpool. Taylor was charged under Part 4A of the Public Order Act after the material was found by the airport chaplain, who said in court that she was "insulted, offended, and alarmed by the cartoons" and so called the police.

Before Remembrance Sunday 2011, the police arrested 179 members of the English Defence League *in case* they were planning to cause trouble and, were criticised for their heavy-handed approach. On their Twitter account¹¹ they made several heavy-handed threats about how Section 4 would be enforced on the day, for example 'Deliberately using abusive or *insulting* words or behaviour is an offence under Section 4 of the Public Order Act' (our italics). But its remarks met an angry response, forcing the Met to issue a series of tweets to justify its position.

Human rights lawyer Jules Carey, of Tuckers Solicitors, wrote: "This is the kind of freedom the veterans died for." Referring to Scotland Yard's threat to use rubber bullets if violence erupted at Wednesday's student march, he added: "Are the Met about to announce that rubber bullets have been authorised for use on anyone showing insufficient

¹¹ <https://twitter.com/#!/CO11MetPolice>

respect?"¹²

The NSS argues that threatening behaviour, incitement to violence and other offences would still be covered by the rest of the wording of these two sections as well as by other laws.

2. At the United Nations

In July 2011, the United Nations Human Rights Committee confirmed the central role of freedom of expression in human rights, making it clear that it can only be limited in the most exceptional circumstances, and calling for the first time for unrestricted public access to official information¹³. The Committee's Draft General Comment No. 34 states that freedom of expression includes 'political discourse, commentary on public affairs, discussion of human rights, journalism, cultural and artistic expression, teaching, religious discourse. It may also include commercial advertising. The scope of paragraph 2 embraces even expression that may be regarded as deeply offensive'.

On the subject of blasphemy, it states: 'Blasphemy prohibitions and other prohibitions of display of disrespect to a religion or other belief system may not be applied in a manner that is incompatible with the paragraph 3 or other provisions of the Covenant. Thus, for instance, they may not discriminate in a manner that prefers one or certain religions or belief systems or their adherents over another, or religious believers over non-believers. Blasphemy laws should not be used to prevent or punish criticism of religious leaders or commentary on religious doctrine and tenets of faith. States parties should repeal criminal law provisions on blasphemy and regarding displays of disrespect for religion or other belief system other than in the specific context of compliance with article'.

In November 2011, Frank William La Rue, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression stated that "I understand that religion, as well as philosophy, is in the world of context of spirituality and concept and idea, and therefore they are open to discussion and debate, which should never be charged with blasphemy law (...) I believe in respect, but I don't believe respect can be achieved through censorship."¹⁴

Stifling Debate

Everyone regards some ideas as sacred or unchallengeable, but those same ideas may well be thought blasphemous or nonsense by others.

Stifling free expression is counterproductive. It makes victims of people denied the freedom and insulates views from the most effective deterrents: counterargument and criticism. Cultures that violate basic human rights are generally the keenest to restrict freedom of expression.

The media too often give uncritical respect to religious views. In contrast, criticism of religious views or practice and non-religious perspectives in general are often considered unworthy and inappropriate. Discussions of contentious subjects in the media tend to be avoided rather than being seen as an opportunity to open debates.

¹²http://www.google.com/hostednews/ukpress/article/ALeqM5jhu_OOKvX1KEJ_lwHla5mJiJTB_Q?docId=B350442313210270

¹³ <http://www2.ohchr.org/english/bodies/hrc/docs/GC34.pdf>

¹⁴ <http://www.thejakartapost.com/news/2011/11/11/blasphemy-not-a-crime-un-official.html>

For example, during the Pope's visit to Britain in 2010, media coverage was overwhelmingly positive and even sycophantic. Criticism of the visit being state funded and of abuse cover-ups was downplayed or, in many cases, unrepresented.

The NSS is also seriously concerned by the deterioration in freedom of expression in the United Nations Human Rights Council (UNHRC); any discussion of sharia law, for example, is now limited to those deemed 'experts'¹⁵.

When the International Humanist and Ethical Union (IHEU) tried to make a brief joint statement at the UNHRC about honour killings, female genital mutilation and stoning, they were constantly interrupted by the Egyptian representative who accused them of trying to "crucify Islam".¹⁶ IHEU has also been accused of 'inciting hatred' by the same delegation, and on another occasion was prevented from speaking about the lack of conformity of sharia law with international human rights law, when Pakistan objected that it was 'insulting to our faith to discuss sharia law in this forum' – a complaint that was upheld by the Council president.

Christianophobia and Islamophobia

Genuine intercultural dialogue or valid analysis and criticism can be blocked by accusations of Islamophobia or of Christianophobia.

Any attempt to criticise or challenge more extreme Christian beliefs and the attempt to impose them on society as a whole is met with accusations of Christianophobia and persecution in an attempt to close down debate¹⁷. For example, the Vatican has responded to media criticism of its cover-ups of child abuse by comparing criticism with persecution of the Jews¹⁸. Similarly in the US, Catholics have compared the refusal to let them discriminate against homosexuals with the Nazis persecuting the Jews¹⁹. In the UK, Christians attempting to break equality laws frequently claim persecution in discussion of their actions²⁰.

On Islamophobia, British Indian writer Kenan Malik wrote: 'The trouble with Islamophobia is that it is an irrational concept. It confuses hatred of, and discrimination against, Muslims on the one hand with criticism of Islam on the other. The charge of 'Islamophobia' is all too often used not to highlight racism but to stifle criticism. And in reality discrimination against Muslims is not as great as is often perceived - but criticism of Islam should be greater. All too often Islamophobia is used as an excuse in a way to kind of blackmail society'²¹.

The Council of Europe on Freedom of Expression

These extracts may be useful in debate:

'Freedom of expression is not only applicable to expressions that are favourably received or regarded as inoffensive, but also to those that may shock, offend or disturb the state or any

¹⁵ <http://www.secularism.org.uk/discussionofreligiousquestionsno.html>

¹⁶ <http://www.secularism.org.uk/discussionofreligiousquestionsno.html>

¹⁷ <http://www.telegraph.co.uk/news/yourview/1571599/How-should-we-tackle-Christianophobia.html> <http://www.zenit.org/rssenglish-29688>
http://www.wnd.com/news/article.asp?ARTICLE_ID=41900 , <http://www.dailymail.co.uk/news/article-1325311/Gay-rights-laws-danger-freedom-Bishops-speak-homosexuality.html>

¹⁸ <http://www.nytimes.com/2010/04/03/world/europe/03church.html>

¹⁹ <http://conservativemeanderings.wordpress.com/2009/06/19/9th-circuit-ruling-supports-city-resolution-against-catholics-and-promotes-policy-gleichschaltung/>

²⁰ For example, (Registrar) Ladele v. Islington Council; McFarlane v. Relate Avon Limited; Eweida v. British Airways; Caroline Petrie (nurse) a Jones (teacher), both in North Somerset – and the Cornish B&B that turned away a gay couple.

²¹ http://www.kenanmalik.com/essays/prospect_islamophobia.html

sector of population within the limits of Article 10 of the Convention. Any democratic society must permit open debate on matters relating to religion and religious beliefs’.

‘In a democratic society, religious groups must tolerate, as must other groups, critical public statements and debate about their activities, teachings and beliefs, provided that such criticism does not amount to intentional and gratuitous insults or hate speech and does not constitute incitement to disturb the peace or to violence and discrimination against adherents of a particular religion. Public debate, dialogue and improved communication skills of religious groups and the media should be used in order to lower sensitivity when it exceeds reasonable levels’.²²

‘Freedom of thought and freedom of expression in a democratic society must, however, permit open debate on matters relating to religion and beliefs. Modern democratic societies are made up of individuals of different creeds and beliefs’.

‘Attacks on individuals on grounds of their religion or race cannot be permitted but blasphemy laws should not be used to curtail freedom of expression and thought. Blasphemy has a long history. The Assembly recalls that laws punishing blasphemy and criticism of religious.’²³

Defamation of religion – movement for change

Laws against defamation of religions used to stifle dissent and valid criticism are becoming more prevalent. Serious inroads were made into the UN over the last 20 years by countries keen to make defamation internationally illegal.

It’s not just the West that would suffer from silencing of debate. UNWatch executive director Hillel Neuer commented: ‘The first to suffer will be moderate Muslims in the countries that are behind this resolution, like Iran, Saudi Arabia, Egypt, and Pakistan, where state-sanctioned blasphemy laws stifle religious freedom and outlaw conversions from Islam to other faiths’²⁴.

Resolutions against defamation of religion were adopted by the UN Commission and by the Council every year since 1999, and by the UN General Assembly since 2007. In 2010, the UNHRC passed a resolution proposed by the Organisation of the Islamic Conference (OIC) urging the creation of laws in all member states to prevent criticism of religion (namely, Islam)²⁵.

UN resolutions tend to influence national laws and jurisprudence. Even non-binding resolutions may be cited as international sanction for new or existing national laws. This resolution is unnecessary because the problem it purports to address, increasing discrimination and incitement to hatred experienced by Muslims, is already dealt with under international law.

A coalition of non-governmental organisations said the resolution “may be used in certain countries to silence and intimidate human rights activists, religious dissenters and other independent voices,” and to restrict freedom of religion and of speech. The resolution would also restrict free speech and even academic study in open societies in the West and elsewhere²⁶.

²² Parliamentary Assembly Recommendation 1805 (2007)

²³ <http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/ta06/ERES1510.htm#1#1> Resolution 1510 (2006)

²⁴ <http://www.unwatch.org/site/apps/nl/newsletter2.asp?c=bdKKISNgEmG&b=1319279&rsCount=738&recordcount=20&page=10&printmode=>

²⁵ <http://www.secularism.org.uk/108265.html>

²⁶ <http://www.secularism.org.uk/108265.html>

US Secretary of State Hillary Clinton commented in 2010 that ‘any effort that could lead to the criminalization of the defamation of religion is a false solution, that exchanges one wrong for another ... We are convinced that the best antidote to intolerance is not the defamation of religion's approach of banning and punishing offensive speech, but rather, a combination of robust legal protections against discrimination and hate crimes, proactive government outreach to minority religious groups, and the vigorous defense of both freedom of religion and expression.’²⁷

In March 2011, after considerable international lobbying and pressure, the resolution brought by the OIC contained no reference to defaming religions and as a result was supported by the United States and the European Union²⁸.

The change in wording represents a switch in focus from protecting beliefs to protecting believers and calls for ‘combating intolerance, negative stereotyping and stigmatisation of, and discrimination, incitement to violence, and violence against persons based on religion or belief’.

In November 2011, the United Nations’ Third Committee’s adopted a text on combating religious intolerance based on this resolution. This is an historic step that brings the text closer to final passage in the full General Assembly²⁹.

CAMPAIGN: What We Have Done

In 2005-6, the NSS campaigned against the Racial and Religious Hatred Bill and the Government’s attempts to substantially lower the prosecution threshold for incitement to religious hatred. We campaigned in Parliament for freedom of speech safeguards and for intent to be a necessary component of the offence. Rowan Atkinson made a speech³⁰ stressing the importance of freedom of expression.

The campaign also involved a rally in Trafalgar Square and a large demonstration outside the Houses of Parliament in 2005 on the day that the Racial and Religious Hatred Bill went before the Lords for its next stage. The event was organised by evangelical Christians in collaboration with the NSS. We also joined with Lord Carey, former archbishop of Canterbury, in joint condemnation of the existing Bill and support for abolishing the blasphemy laws. The Bill was defeated. This was the Government’s third attempt in five years to introduce these measures.

In 2008, the blasphemy laws were abolished after a prolonged campaign by parliamentarians and pressure groups, principally the NSS.

In 2009 we objected to the ban on Dutch MP Geert Wilders from entering the UK and made the point that criticising Islamism is not racism or hate-mongering.

In April 2011 we wrote to the Advertising Standards Authority to complain about adverts being banned in contravention of freedom of expression rights (with reference to Federici, GHD and Sandown Free Presbyterian Church – see examples below). As a result, we met with them in June 2011 to discuss the issues.

²⁷ <http://www1.voanews.com/policy/editorials/Defamation-Of-Religion-Resolution-90884719.html>

²⁸ <http://www.thenational.ae/news/worldwide/middle-east/islamic-group-drops-demand-that-un-support-religious-defamation>

²⁹ <http://www.humanrightsfirst.org/2011/11/15/u-n-third-committee-makes-decisive-break-from-“defamation-of-religion”/>

³⁰ <http://www.timesonline.co.uk/tol/news/uk/article580686.ece>

In 2012 submitted a response³¹ to the consultation on the Public Order Act³² as part of the Police Powers consultation³³.

The NSS has been in the forefront of efforts to oppose the modification of the UN Human Rights Charter by Islamic nations to include defamation of religion. We will be monitoring this situation to make sure the change is real and effective.

We continue to monitor cases where freedom of expression is under threat from religion and to take appropriate action.

WHAT YOU CAN DO

Contact us if you know of any local or national examples of freedom of expression under threat. If the Advertising Standards Authority is involved, you can contact them here <http://www.asa.org.uk/> - and please let us know what happens.

Examples of accusations of blasphemy³⁴ and attempts to prevent freedom of expression

The fatwa issued against Salman Rushdie for *The Satanic Verses* is a well-known case. Other examples include:

1. *Behzti*, a play which depicted a rape in a Sikh temple, provoked violent protests and thousands of pounds of damage at the Birmingham Repertory Theatre in December 2004. The theatre was forced to cancel the play on safety grounds and playwright Gurpreet Kaur Bhatti fled into hiding after receiving death threats³⁵.

2. Despite winning many awards, *Jerry Springer – the Opera* was beset by street protests, threats to theatres and the publicizing of private addresses of BBC executives after it was shown on television in 2005³⁶. Many of the complaints came from people who had not even seen the show.

3. The London exhibition of the work of Maqbool Fida Husain was closed after threats of violence from Hindu fundamentalists in 2006³⁷.

4. British journalist Hardeep Singh was sued for libel by ‘His Holiness’ Sant Baba Jeet Singh Ji Maharaj for an article in the *Sikh Times* in August 2007 documenting the links between a Punjab-based sect and gurdwaras (Sikh temples) in Britain.³⁸ The judge found in favour of Hardeep Singh. In October 2010 Jeet Singh was granted the right to appeal. In February 2011 Hardeep Singh won an application for costs. His Holiness had to pay £250,000 in 14 days or the case would be struck out. The appeal was dismissed when His Holiness failed to pay the £250,000. But the case cost Singh nearly £100,000.

5. In 2008 a Jordanian court issued a summons, on charges of blasphemy, to eleven Danes for drawing and reprinting cartoons depicting the Prophet Mohammed. According to Danish reports, Jordanian lawyers hoped the case “will help establish an international law against slandering religion.”³⁹

³¹ [http://www.secularism.org.uk/uploads/nss-response-to-the-police-powers-\(section-5\)-consultation.pdf](http://www.secularism.org.uk/uploads/nss-response-to-the-police-powers-(section-5)-consultation.pdf)

³² <http://www.legislation.gov.uk/ukpga/1986/64>

³³ <http://www.homeoffice.gov.uk/publications/about-us/consultations/police-powers/consultation-document?view=Binary>

³⁴ See *Policing Belief: The Impact of Blasphemy Laws on Human Rights* <http://freedomhouse.org/template.cfm?page=383&report=95>

³⁵ <http://news.bbc.co.uk/1/hi/entertainment/4170297.stm>

³⁶ http://en.wikipedia.org/wiki/Jerry_Springer:_The_Opera

³⁷ <http://www.guardian.co.uk/commentisfree/2006/may/28/arts.comment>

³⁸ <http://www.indexoncensorship.org/2010/06/hardeep-singh-libel-holy-many/#more-12696>

³⁹ <http://www.iheu.org/speaking-freely-about-religion-religious-freedom-defamation-and-blasphemy>

6. In 2008, a national chain of bookshops was threatened by a homophobic preacher and as a consequence cancelled a reading at a Cardiff branch by Welsh poet Patrick Jones⁴⁰.

7. In 2008, statue by the artist Terrence Koh at the Baltic Centre for Contemporary Art in Gateshead provoked condemnation by Christians who attempted to get it banned⁴¹.

8. In 2008, three adverts for GHD⁴² hair products were banned by the ASA after 23 complaints because they were said to give offence to Christians.

9. In 2010, ice cream company Antonio Federici had three adverts banned by the Advertising Standards Authority (ASA) for being offensive to Catholics⁴³. The Committee of Advertising Practice (CAP) Code states that ads "should contain nothing that is likely to cause serious or widespread offence. Particular care should be taken to avoid causing offence on the grounds of race, religion, sex, sexual orientation or disability. Compliance with the Code will be judged on the context, medium, audience, product and prevailing standards of decency".

However, only 10 people had complained about the advert showing a pregnant nun, six about the one showing two priests apparently about to kiss and ten about one with a priest and a nun.

10. In March/April 2011, Pastor Jim Jones burnt a Koran in Florida, a highly publicized event leading to his widespread condemnation when protestors killed three UN staff members and four Nepalese guards in a UN compound in Mazar-i-Sharif in Afghanistan followed by two US soldiers being killed inside a military compound in Maymana.

11. In April 2011, after only seven complaints, the ASA banned an advert by the Sandown Free Presbyterian Church timed to coincide with Belfast gay pride, stating their beliefs that homosexuality is sinful. The ruling was that the advert had caused 'serious offence'. However, this ruling was overturned by Belfast High Court in 2011 on the grounds that it violated the Church's right to freedom of expression⁴⁴. Presiding judge Mr Justice Treacy concluded that 'the adjudication constituted a disproportionate interference with the applicant's rights under Art 10 of the European Convention on Human Rights and must, on that basis, be quashed'. It is important that any freedom installed in law is given to everyone, not just people we agree with.

12. In April 2011, a poster promoting a play about incest was replaced after complaints by the Roman Catholic Diocese of Leeds about its use of religious imagery. West Yorkshire Playhouse's advert for its new production of the 17th Century play *Tis Pity She's a Whore* featured an image of Christ and the Virgin Mary⁴⁵.

13. In May 2011, Lars Hedegaard, President of the Danish Free Press Society and The International Free Press Society, was found guilty of hate speech under the Danish penal code. His crime was to draw attention to child abuse and violence against women in Muslim culture. The trial was a show trial in which Hedegaard was unable to mount a defence, because under the Danish legal system he was in effect convicted before his trial took place⁴⁶.

14. In May 2011, a swimsuit featuring Indian goddess Lakshmi worn at Australian Fashion

⁴⁰ <http://news.bbc.co.uk/1/hi/wales/7725790.stm>

⁴¹ <http://www.dailymail.co.uk/news/article-505880/Controversial-statue-Jesus-erection-offends-gallery-visitors.html>

⁴² <http://pinewooddesign.co.uk/2008/04/19/ghd-beauty-ad-banned-after-christian-outcry/>

⁴³ http://www.asa.org.uk/Asa-Action/Adjudications/2010/9/Antonio-Federici/TF_ADJ_49041.aspx and http://www.asa.org.uk/Asa-Action/Adjudications/2010/10/Antonio-Federici/TF_ADJ_49253.aspx

and http://www.asa.org.uk/ASA-action/Adjudications/2009/7/Antonio-Federici/TF_ADJ_46491.aspx

⁴⁴ Ruling: http://www.courtsni.gov.uk/NR/rdonlyres/FF0EBF40-C7A7-42D6-9CF8-062D0BFF0D66/0/j_i_TRE8133Final.htm

And news report: <http://www.bbc.co.uk/news/uk-northern-ireland-12818480>

⁴⁵ <http://www.bbc.co.uk/news/uk-england-leeds-13142590>

⁴⁶ <http://www.spectator.co.uk/melaniephillips/6916904/free-speech-dies-in-denmark.thtml>

Week caused protests across India with photographs of the design and the Australian national flag burned. The designer apologised and withdrew the design⁴⁷.

15. Following the previous story, a fashion label removed the leggings, harem-pants and skirts depicting the image of Lord Shiva in Nataraja form from its website, which protesting Hindus had termed repugnant⁴⁸.

16. 2011. H&M bikini adverts were vandalised with spray-on burkas across the country⁴⁹.

17. Pakistan currently provides some of the most serious examples of the consequences of blasphemy law. It is used to oppress religious minorities, incarcerate opponents - for example in disputes over property⁵⁰ - in village or tribal vendettas⁵¹ and between political rivals.⁵² The accused are unlikely to receive a fair trial. These are concerns echoed at the UN by the Association for World Education⁵³.

In 2010, Salman Taseer, the governor of Punjab, said Pakistan's blasphemy laws were being misused to persecute religious minorities. He also called for the release of Asia Bibi, a Pakistani Christian woman who he claimed was wrongly convicted and sentenced to death for violating the blasphemy laws. Taseer was assassinated in January 2011.

The publicity surrounding the case and the ensuing debate over the laws sparked a fierce backlash by hard-line religious groups. Thousands protested in Pakistan's major cities and warned the government not to pardon Bibi or amend the laws. Pakistan's religious right praised the killer and called him a hero. Pakistan's prime minister pledged the government will not change the country's controversial blasphemy laws. The consequences of the law are starting to accumulate with many more accusations, attacks and death sentences.⁵⁴

18. 2011. An exhibition at University College Cork showing the Virgin of Guadalupe in a bikini was accused of being blasphemous before it had even opened⁵⁵.

19. 2011. The author of *Behzti* wrote *Behud*, a play about her experiences with the protests against *Behzti*, sparking further criticism from parts of the Sikh community and attempts to ban it⁵⁶.

20. 2011. Cartoonist Ömer Bahadır Baruter was jailed in Turkey for a cartoon with the words "There is no God and Religion is a lie" on the pillar of a mosque. His crime was "Openly humiliating the religious values that are adopted by a section of society" – even though Turkey is nominally a secular state⁵⁷.

21. 2011. Offices of French newspaper Charlie Hebdo bombed after featuring a cartoon of Mohammed on the front page⁵⁸.

22. In early 2012 there were several incidents of Islamist groups and individuals trying to prevent freedom of expression. At University College London, a Muslim student tried to force the Atheist, Humanist and Secular group to remove a Jesus and Mo cartoon from a Facebook event page⁵⁹. Welsh student Rhys Morgan was subject to a series of threats on his blog after posting the same cartoon in support⁶⁰. He was called into a meeting with his head of year at his sixth form college, about the *Jesus and Mo* cartoon. He reports being harassed at school and being ostracized for

⁴⁷ <http://www.cnn.com/sydney/shop/beauty-or-blasphemy-fashion-week-depiction-lakishma-sparks-indian-outrage-014626#ixzz1LwfEu8XL>

⁴⁸ <http://www.scoop.co.nz/stories/WO1105/S00743/fashion-labels-apologise-to-hindus-for-desecrating-legwear.htm>

⁴⁹ <http://www.thisisderbyshire.co.uk/news/Burka-covers-bikini-advert-firms-urged-sensitive/article-3573708-detail/article.html>

⁵⁰ http://www.economist.com/node/15833005?story_id=15833005

⁵¹ http://news.bbc.co.uk/1/hi/world/south_asia/3265127.stm

⁵² <http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=&contentId=A36108-2002May17¬Found=true>

⁵³ <http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/7531e0f1f0b77ce4802566570035e7f5?Opendocument>

⁵⁴ For example <http://www.energypublisher.com/article.asp?id=46874> and <http://www.digitaljournal.com/article/303170>

⁵⁵ http://www.irishcentral.com/story/news/danny_boy/blasphemous-exhibit-sparks-international-outrage-before-its-even-begun-124376018.html

⁵⁶ <http://www.guardian.co.uk/stage/theatreblog/2011/jul/06/behzti-free-speech-theatre>

⁵⁷ <http://www.radikal.com.tr/Radikal.aspx?aType=RadikalDetayV3&ArticleID=1064690&Date=28.09.2011&CategoryID=77>

⁵⁸ <http://www.bbc.co.uk/news/world-europe-15550350>

⁵⁹ <http://www.secularism.org.uk/news/2012/01/students-defend-freedom-of-expression-at-university-college-london>

⁶⁰ <http://rhysmorgan.co/2012/01/intolerant-islam/>

posting the cartoon. He was later called in again to be told that they were considering expelling him if he didn't take the cartoon down⁶¹.

At Queen Mary College, University of London, a talk by NSS council member Anne Marie Waters had to be cancelled when a Muslim man filmed the audience and threatened to kill them if they said anything critical of the Prophet⁶².

The Atheist Secularist and Humanist Society (ASH) at the London School of Economics has been told by the Students Union that unless it removes a Jesus and Mo cartoon from its Facebook page it could be expelled from the Union, which claimed the cartoon was in breach of Students' Union policy on inclusion⁶³.

⁶¹ <http://rhysmorgan.co/2012/01/intolerant-islam/>

⁶² <http://www.secularism.org.uk/news/2012/01/islamist-stops-university-debate-with-threats-of-violence>

⁶³ <http://www.secularism.org.uk/news/2012/01/lse-students-union-being-manipulated-by-determined-activists-over-mohammed-cartoon>