

Stephen Evans - Exploring religious freedom episode 01

Video available at: <https://www.youtube.com/watch?v=Onfla04oFu8&>

0:00:02.665,0:00:04.945

(Alastair Lichten) Well, hello and welcome to a new podcast series of discussions from the National Secular Society

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Exploring Religious Freedom.

0:00:07.885,0:00:09.475

I'm Alastair Lichten, Head of Education at the NSS,

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and over the coming months

0:00:12.895,0:00:15.885

I'll be speaking to a variety of activists

0:00:15.885,0:00:18.975

and experts about religious freedom. What does

0:00:18.975,0:00:22.005

it mean? What does it protect? What are its limits?

0:00:22.005,0:00:23.515

And how might it be abused? We'll discuss

0:00:23.835,0:00:26.685

how religious freedom expressed as theocratic and authoritarian

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regimes and also more liberal, otherwise more

0:00:29.735,0:00:32.685

secular, democracies. For our inaugural episode

0:00:32.685,0:00:35.775

I am joined by our Chief Executive,

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Stephen Evans. Stephen leads the National Secular Society,

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which works for the separation of religion and

0:00:41.895,0:00:44.365

state, and equal respect for everyone's human rights,

0:00:44.365,0:00:47.225

so that no one is either advantaged or disadvantaged on account of their beliefs.

0:00:49.755,0:00:52.665

So, welcome, Stephen.

0:00:52.765,0:00:53.765

(Stephen Evans) Hello.

0:00:53.945,0:00:56.075

(AL) I thought we'd start with the basics then. What is religious freedom?

0:00:56.075,0:00:58.835

(SE) Well, religious freedom is a principle.

0:00:59.095,0:01:02.195

It's a basic, fundamental right, which

0:01:02.195,0:01:05.265

gives us the freedom to think, to

0:01:05.265,0:01:08.325

express and to act upon whatever it is that we believe.

0:01:08.325,0:01:11.325

So, it includes the right to practice a religion,

0:01:11.325,0:01:14.215

through worship and observance or whatever, but

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it also includes the freedom to change your

0:01:17.165,0:01:20.045

religion, not to follow a religion at all.

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Or, to have someone else's religion imposed

0:01:22.545,0:01:25.565

upon you, so for me it's a good thing.

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It's something that's for everyone, it provides

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the framework for a society in which people

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of different faiths and beliefs can live together,

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when minority faiths and beliefs are tolerated,

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and no one is persecuted on account of

0:01:40.965,0:01:43.795

whatever it is that they believe.

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It's a principle that's given legal force by being

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part of the European Convention of Human Rights,

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which means that anyone who feels that his or

0:01:52.755,0:01:55.805

her rights have been violated, by the state,

0:01:55.805,0:01:58.165

can have a case heard before the court.

0:01:58.165,0:02:01.265

As many people have. And in doing so,

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have carved out an understanding of what religious freedom means,

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and where its limits lie.

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So, I think one of the key things

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to understand is that while freedom of belief is absolute,

0:02:11.995,0:02:14.695

you can believe whatever it is you want,

0:02:14.695,0:02:17.875

the freedom to manifest your belief is qualified,

0:02:18.265,0:02:21.565

which means it can be set aside in

0:02:21.795,0:02:25.055

certain circumstances.

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(AL) OK. That's a word that's not maybe familiar to everyone.

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What does it mean for it to be "qualified" or "could be set aside"?

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(SE) Well, religious freedom isn't a licence

0:02:34.075,0:02:36.975

for religion to run amok in the

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public square. You know, there has to be

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some limits. So Article 9 of the convention

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comes in two parts:

0:02:45.915,0:02:48.745

Part 1 gives everyone the right to freedom

0:02:48.745,0:02:51.785

of thought, conscience and religion, but

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the second part qualifies that. And I'll read you what it states:

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"Freedom to manifest ones' religion or beliefs should

0:02:57.665,0:02:58.775

be subject only to such limitations as a

0:02:59.175,0:03:01.985

prescribed by law and are necessary in a

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democratic society, in the interests of public safety,

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for the protection of public order, health,

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morals, or the protection of the rights and

0:03:08.795,0:03:11.835

freedoms of others."

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So, there you can see, straight away,

0:03:14.865,0:03:17.795

that there are plenty of circumstances where it

0:03:17.795,0:03:20.835

may be legitimate to override someone's wish to manifest their beliefs.

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And when we have a clash of rights,

0:03:24.045,0:03:26.595

we need to determine when it's reasonable

0:03:26.965,0:03:29.985

to interfere with someone's freedom. And

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I'll give one very clear example, which I think most of us will agree on.

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(AL) Hopefully (SE) Well, not necessarily, actually.

0:03:35.715,0:03:37.325

Consider the scenario of Jehovah's Witnesses, refusing

0:03:37.325,0:03:40.465

to allow their child to receive a blood transfusion,

0:03:40.615,0:03:43.435

which would save their life. And they do that,

0:03:43.435,0:03:46.385

of course, in the name of their religious freedom

0:03:46.385,0:03:49.255

and their parental rights. (AL) Yeah.

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(SE) So, I'm not making this up.

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This is an example that has come up numerous times,

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and the courts have had to decide whether

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the child's right to life outweighs the parents'

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right to manifest their religion. And, understandably,

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I think, the life of the child has taken precedence,

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because it's so obviously is an infringement of

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another person's rights, that the parents' rights can

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be set aside at this circumstance. And it's

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not even a major infringement, I would argue,

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because parents aren't required to renounce their religion.

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They can still follow it. But this particular

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manifestation of their religion, the courts have decided,

0:04:26.455,0:04:28.265

can be restricted, because of the harm it causes.

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So that's quite a clear example of the limit.

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(AL) To be clear, this use

0:04:33.655,0:04:35.505

of the term "manifestation", the manifestation here is

0:04:36.035,0:04:38.545

they're making the choice for the child, it's not...

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We might have our own opinions,

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but an adult wants to do something to

0:04:43.535,0:04:46.405

themselves that maybe, to people who don't

0:04:46.405,0:04:49.325

share that religion, would look at and just

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completely could not understand.

0:04:52.015,0:04:53.725

The state forcing an adult to have a

0:04:54.265,0:04:57.275

blood transfusion they didn't want, that would seem

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to be an unreasonable imposition on religious freedom.

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(SE) Yeah. I think it's one thing to

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take away your own right to life,

0:05:06.765,0:05:09.475

your own life, that's one thing.

0:05:09.475,0:05:11.315

To take away someone else's life,

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well, that's another thing altogether.

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Sometimes it's not so clear cut, you know.

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Religious practices can sometimes conflict with secular law,

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or secular morality, should we say, and this

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does create friction points, which in turn creates

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debate that we see around religious freedom.

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The issue of the religious slaughter of animals

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springs to mind, debates around burger vans, and

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so on. Sometimes these are complex debates, and

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reasonable people can disagree on where we draw

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the line and where the limits lie. But,

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there clearly are circumstances where it seems reasonable

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to say to someone "Sorry, you can't do

0:05:45.595,0:05:48.715

that, even if your religion mandates it." And

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I think this is where the narrative has

0:05:51.305,0:05:54.085

gone astray a little bit. Because some religious

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groups like to push the idea that religious

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freedom is absolute. And, well, yes. The freedom

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to believe whatever you like is absolute. But

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the freedom to manifest that belief certainly isn't.

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And I've long been concerned that the concept

0:06:08.325,0:06:10.305

of religious freedom has been distorted by some

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people who wish to impose their religion, or

0:06:12.855,0:06:15.855

their religious values, on others. So, as you'll

0:06:15.855,0:06:18.805
be aware, the phrase “religious freedom” and “religious

0:06:18.895,0:06:20.775
liberty” have, I think, been hijacked by the

0:06:20.775,0:06:23.405
religious right, and twisted from, what I think

0:06:23.405,0:06:26.475
was its original meaning, into some disingenuous code

0:06:26.475,0:06:28.945
words, referring to a licence to discriminate and

0:06:28.945,0:06:31.955
control the lives of others. And we’re seeing

0:06:31.955,0:06:34.745
discrimination, particularly against gay people, actually, sometimes justified

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on the basis of religious freedom. But that’s

0:06:37.855,0:06:40.955
not what it’s about. Religious freedom isn’t about

0:06:41.085,0:06:42.475
imposing your beliefs and values on others, particularly

0:06:42.825,0:06:43.855
in ways that cause harm and restrict the

0:06:44.175,0:06:47.595
rights of others. (AL) It does seem, then,

0:06:47.815,0:06:50.735
that there is confusion about what, exactly, religious

0:06:50.735,0:06:54.005
freedom means. And there are also, as you

0:06:54.445,0:06:57.555
suggest people who are actively trying to misuse

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this phrase. There are areas, grey areas, where

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reasonable people can disagree, so, how, when you've

0:07:03.555,0:07:06.315

got two different people, with different understandings of

0:07:06.315,0:07:08.765

religious freedom, how can they come together and

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try and either reach agreement, or at least

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move things along? (SE) Well, in civil society

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we need civil debate, we need discussion. But

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if all else fails, we have the legislative

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process where you can argue your case. So,

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if the government wants to bring about a

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new law, then both sides can bring their

0:07:28.975,0:07:32.235

case, and, hopefully, the government will say "Well,

0:07:32.235,0:07:35.125

OK. We've heard both sides, but this is

0:07:35.125,0:07:38.295

the side we're coming down on." If all

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else fails, that's when it ends up in

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the courts, as these cases so often do.

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(AL) So, Stephen, what would you say are

0:07:46.135,0:07:47.135

the biggest challenges to religious freedom in the

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UK? (SE) Well, right from the off, I

0:07:50.395,0:07:53.435

would say that the most egregious restrictions on

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religious freedom, the worst violations, are happening outside

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the UK. I think we have a somewhat

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secularish outlook in the UK, which prevents the

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worst kind of violations, that we see in

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countries with a more theocratic bent, shall we

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say, typically Islamic nations, where there is a

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great deal of persecution going on. But also,

0:08:12.765,0:08:15.885

authoritarian states, such as China and North Korea,

0:08:15.885,0:08:18.715

where we've seen terrible religious freedom violations. Whenever

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politicians take a particular view of religion, and

0:08:21.645,0:08:24.325

that can be an atheistic world view too,

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and enact that into law, they begin to

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fundamentally undermine religious freedom. So where we have

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sharia law, apostasy codes, blasphemy laws, the religious

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freedoms of millions of people are being harmed.

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But, that said, there are, certainly, plenty of

0:08:34.585,0:08:37.625

barriers to religious freedom being fully realised in

0:08:37.625,0:08:39.505

the UK, too. For starters, we have a

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state church. The head of state, the monarch,

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is actually required to be an Anglican. So,

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you know, what kind of message does that

0:08:48.735,0:08:51.405

send out, when your head of state isn't

0:08:51.405,0:08:54.405

even afforded religious freedom? And, you know what?

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All that trickles down. We have laws regarding

0:08:56.225,0:08:58.665

worship in schools, all schools, not just faith

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schools. About a third of our schools are,

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in fact, faith schools, which means that pupils'

0:09:04.665,0:09:07.365

and parents' religious freedom are being frequently undermined,

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particularly where they have no option other than

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a faith school. A new report, published by

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the National Secular Society just this month, shows

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that almost 3 in 10 families across England

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live in areas where most or all of

0:09:21.225,0:09:24.625

the closest primary schools are faith schools, and

0:09:24.665,0:09:27.485

we know that over half the primary schools

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in rural areas are faith based. So the

0:09:30.425,0:09:33.325

system is actually forcing children into faith schools.

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And that's not a good place to be,

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from a religious freedom perspective. (AL) It's interesting,

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because, from our point of view, perhaps incorrectly,

0:09:41.115,0:09:43.985

faith schools are often justified in terms of

0:09:43.985,0:09:46.785

being about religious freedom. (SE) Well, this is

0:09:46.785,0:09:49.735

one of the examples where you give religious

0:09:49.735,0:09:51.595

freedom to one group. You know, you extend

0:09:51.595,0:09:54.425

the right of faith groups to have their

0:09:54.425,0:09:57.205

own schools, it starts to encroach on the

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rights and freedoms of other people. So, the

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scenario that I've given you, if your local

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school is faith school, and you have little

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option but to send your child to that

0:10:08.355,0:10:11.325

school, and that starts to encroach on your

0:10:11.325,0:10:14.405

rights. So, if we have inclusive secular schools

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for all, I don't think that, in any

0:10:17.715,0:10:20.115

way, impedes anyone's religious freedom. OK, you might

0:10:20.115,0:10:22.815

not have the chance for your child to

0:10:22.815,0:10:25.895

go to a school of your faith choosing,

0:10:25.895,0:10:28.875

but the school isn't going to undermine your

0:10:28.875,0:10:31.425

faith. You can still practice it in private,

0:10:31.425,0:10:34.305

at home, in the place of worship, it's

0:10:34.305,0:10:37.405

just that school isn't seen as an extension

0:10:37.405,0:10:40.275

of that religious community. For me, the fairest

0:10:40.275,0:10:43.145

way to balance everyone's rights is just to

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have secular inclusive schools, certainly not atheistic schools,

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just secular schools, where everyone's freedom of beliefs

0:10:48.815,0:10:51.305

are respected. And that's as far as the

0:10:51.305,0:10:53.985

state needs to go, in terms of honouring

0:10:53.985,0:10:56.325

people's religious freedom. It's just, you don't undermine

0:10:56.325,0:10:59.385

their freedom, you certainly don't have to say

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"Yes" to every demand they come up with.

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(AL) It's interesting, the point you made there

0:11:04.275,0:11:07.625
about certain violations of religious freedom that can

0:11:07.825,0:11:10.825
be seen as symbolic, or quite theoretical, trickling

0:11:10.825,0:11:14.075
down to practical implications on religious freedom. What

0:11:14.075,0:11:17.225
is the National Secular Society doing to reclaim

0:11:17.225,0:11:18.995
religious freedom? (SE) Right from the get-go, we've

0:11:19.755,0:11:21.665
been about ensuring that religious freedom is something

0:11:21.665,0:11:25.075
that everyone can enjoy. Our founder, Charles Bradlaugh

0:11:25.415,0:11:27.735
MP, was denied his right to a seat

0:11:27.735,0:11:30.365
in parliament on account of his beliefs. He

0:11:30.365,0:11:33.435
worked to ensure that elected representatives that the

0:11:33.435,0:11:36.455
right to affirm, rather than swear a religious

0:11:36.455,0:11:39.265
oath. His Oaths Act, in 1888, made this

0:11:39.275,0:11:41.715
possible. We're still at it today. Today we're

0:11:41.715,0:11:44.295
still challenging the religious privileges that result in

0:11:44.295,0:11:46.795
erosions of other peoples' freedoms. It's sometimes said

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that, for every religious privilege, there's a victim.

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And I think that's right. I think we

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have lots of problems in the UK with

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respect to minority faith communities, where individual freedoms

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have been lost or subsumed by group rights.

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Take, for example, sharia courts. Yes, tolerating them

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is tolerating manifestations of religion. It's granting people

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religious freedom. But what we don't think about

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is the rights of the vulnerable, minority women,

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within those communities. Are their religious freedoms being

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respected? Are their human rights being respected? So,

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we've got to be careful when religious fundamentalists

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masquerade as guardians of religious freedom. They're usually

0:12:23.095,0:12:26.135

talking about their own religious freedom, and not

0:12:26.135,0:12:29.235

necessarily the freedoms of everyone within that group,

0:12:29.235,0:12:31.385

who they wish to control. I think the

0:12:31.385,0:12:33.015

NSS is doing an important job in calling

0:12:33.695,0:12:36.975

that out. We campaign for faith schools to

0:12:36.975,0:12:40.035

be replaced by inclusive schools. We campaign for

0:12:40.035,0:12:42.615

an end to collective worship being imposed where

0:12:42.615,0:12:44.205

it's not wanted in schools, and other places,

0:12:44.245,0:12:45.885

such as work places, council chambers, even the

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mother of all parliaments, which, for some bizarre

0:12:49.645,0:12:52.625

reason, starts every session, still, with Anglican prayers.

0:12:52.765,0:12:55.725

So, we campaign for everyone's rights and freedoms

0:12:55.725,0:12:57.745

to be properly balanced. And we are constantly

0:12:57.745,0:13:00.865

making the case that, yes, you have the

0:13:00.865,0:13:03.935

right to your religion, but you don't have

0:13:03.935,0:13:06.385

the right to impose that on others. And

0:13:06.385,0:13:09.595

you don't necessarily have the right to have

0:13:09.595,0:13:12.665
exemptions from laws designed to protect other people,

0:13:12.665,0:13:15.455
or the welfare of animals, for that matter.

0:13:15.455,0:13:18.375
So often what we see is those seeking

0:13:18.655,0:13:21.685
to defend religious freedom are only really talking

0:13:21.685,0:13:24.695
about their own interests. But I'd like to

0:13:24.695,0:13:27.695
think that secularists are more concerned about everyone's

0:13:27.695,0:13:30.325
religious freedom, and ensuring that we have this

0:13:30.325,0:13:33.345
kind of, this balancing of rights that needs

0:13:33.345,0:13:36.165
to occur to make sure that everyone's freedoms

0:13:36.165,0:13:38.455
are respected. And that does sometimes mean us

0:13:38.455,0:13:41.465
saying "No" to religious groups. And that doesn't

0:13:41.465,0:13:44.605
make us popular, sometimes. But we are acting

0:13:44.605,0:13:47.175
in the interests of freedom and fairness. But

0:13:47.175,0:13:50.175
a significant focus for us, right now, is

0:13:50.175,0:13:53.095
to correct some of these misconceptions, around religious

0:13:53.215,0:13:55.325

freedom, that have been allowed to develop. So

0:13:55.325,0:13:57.835

you ask what the NSS is doing. Well,

0:13:57.835,0:14:00.065

we've got a major conference coming up in

0:14:00.065,0:14:03.195

London next May, where we'll be getting religious

0:14:03.195,0:14:06.325

freedom defenders together, to make the point that

0:14:06.505,0:14:09.635

religious freedom is a right that belongs to

0:14:09.635,0:14:12.475

everyone. (AL) OK. And what could the ordinary

0:14:12.475,0:14:15.465

person do to reclaim or to protect religious

0:14:15.465,0:14:16.895

freedom, or even just to understand it better?

0:14:17.295,0:14:19.145

(SE) Well, our work is made possible by

0:14:19.145,0:14:22.165

members' and supporters' contributions. So, I'd say, if

0:14:22.165,0:14:24.725

this is something you're interested in, please do

0:14:24.725,0:14:27.735

join the NSS, be part of the movement

0:14:27.735,0:14:30.725

that is seeking to create a secular Britain,

0:14:30.725,0:14:33.625

where everyone's rights are properly balanced, it's not

0:14:33.625,0:14:36.435

just the case of enabling the work that

0:14:36.435,0:14:39.255

we do. I think people everywhere need to

0:14:39.255,0:14:42.325

become, maybe, a little bit more vocal about

0:14:42.325,0:14:45.395

asserting their rights, and also standing up for

0:14:45.395,0:14:48.355

the rights and freedoms of others. So where

0:14:48.355,0:14:51.095

you see someone else's religion imposing on your

0:14:51.095,0:14:52.965

freedom, make a stand and say so. But

0:14:53.465,0:14:56.635

be just as vocal when other people's rights

0:14:56.635,0:14:58.585

are being unfairly restricted. (AL) OK. I think

0:14:59.085,0:15:01.985

that's kind of good advice for just trying

0:15:01.985,0:15:04.935

to get along better together. Well, finally, we'd

0:15:04.935,0:15:07.725

like to leave our listeners with some recommendations.

0:15:07.725,0:15:10.035

Stephen, are there any books or films that

0:15:10.045,0:15:12.495

you think do a good job exploring religious

0:15:12.575,0:15:15.975

freedom, that you'd like to share? (SE) Well,

0:15:15.975,0:15:19.155

two films, that I've watched recently, come to

0:15:19.155,0:15:22.135

mind, in that they take the abstract concept

0:15:22.135,0:15:25.175

of religious freedom, and show what the lived

0:15:25.215,0:15:28.335

reality of religious freedom being restricted actively looks

0:15:28.335,0:15:30.035

like. So the first film is Apostasy. It's

0:15:30.345,0:15:33.435

a film by a British filmmaker, called Daniel

0:15:33.435,0:15:34.605

Kokotajlo - I think it's brilliant - which

0:15:34.605,0:15:37.415

sheds light on the rarely seen internal workings

0:15:37.415,0:15:40.415

of the Jehovah's Witnesses, and gives an idea

0:15:40.415,0:15:41.685

of what being a witness is maybe like.

0:15:41.685,0:15:43.895

And how stifling it must be, particularly when

0:15:43.895,0:15:46.645

you lose the faith, and find yourself on

0:15:46.645,0:15:49.015

the receiving end of their shunning policies. The

0:15:49.755,0:15:52.545

second film, which I saw just last week,

0:15:52.545,0:15:55.275

actually, is called Disobedience. That's a film about

0:15:55.575,0:15:58.405

forbidden love, which happens to be lesbian love,

0:15:58.405,0:16:01.565

in London's Jewish orthodox community. And I suppose

0:16:01.565,0:16:03.175

both of those films are really about how

0:16:03.175,0:16:05.855

individual human rights and religious freedoms can be

0:16:05.855,0:16:08.775

restricted, not by the state, in these cases,

0:16:08.775,0:16:10.725

but by insular communities. And I think we

0:16:10.725,0:16:13.815

need to be much more mindful about this.

0:16:13.815,0:16:16.645

So when religious groups are pushing for group

0:16:16.645,0:16:19.115

rights, we need to be thinking about the

0:16:19.115,0:16:21.835

human rights of people within those groups. And

0:16:21.835,0:16:24.565

I think those two films really do provide

0:16:24.695,0:16:27.345

an illustration of that. In terms of recommended

0:16:27.345,0:16:29.905

reading, I'd probably suggest Jacques Berlinerblau's "How to

0:16:29.905,0:16:32.715

Be Secular: A Call to Arms for Religious

0:16:32.715,0:16:35.685

Freedom". I think that book, for me, more

0:16:35.685,0:16:38.725

than any book of late, probably, crystalized my

0:16:38.725,0:16:41.665

thinking around religious freedom, and the fact that

0:16:41.665,0:16:44.715

secularism is probably the world's best defender of

0:16:44.715,0:16:46.355

it. If you don't have time to read

0:16:46.835,0:16:48.575

the book, I think there's a great video

0:16:48.575,0:16:51.595

of him speaking at an NSS conference a

0:16:51.595,0:16:54.675

couple of years back, in which he presents

0:16:54.675,0:16:57.945

the key themes of his book. So you

0:16:57.945,0:17:00.895

can check that out. But I'd definitely recommend

0:17:00.895,0:17:03.035

the book. (AL) OK. Well, Stephen, thanks so

0:17:03.665,0:17:05.675

much for your time. And we'll put those

0:17:09.225,0:17:11.955

links in the show notes. (SE) Brilliant. Thanks

0:17:11.955,0:17:14.965

a lot. Cheers. (AL) Before I go, I

0:17:14.965,0:17:17.615

wanted to thank Stephen and listeners for joining

0:17:17.615,0:17:20.585

me for this conversation. We've had a broad

0:17:20.585,0:17:23.345
overview of religious freedom, but there are lots

0:17:23.345,0:17:26.335
of different avenues and aspects that we can

0:17:26.335,0:17:29.745
look at. And I look forward to discussing

0:17:29.745,0:17:32.625
these with my guests over the coming months.

0:17:32.625,0:17:33.925
You can find the show notes for this

0:17:34.235,0:17:37.285
episode, including links to the films that Stephen

0:17:37.285,0:17:40.665
mentioned, either subscribe to this podcast on various

0:17:40.665,0:17:43.715
platforms at secularism.org.uk/podcasts You'll find the link to

0:17:43.715,0:17:46.465
this episode's Facebook post, which will be at

0:17:46.995,0:17:49.845
facebook.com/nationalsecularsociety where I encourage you to join in

0:17:49.845,0:17:52.415
the discussion, whatever your views. As mentioned, we

0:17:52.415,0:17:55.905
are leading up to a pretty major conference

0:17:56.015,0:17:59.045
at Secularism 2019 Reclaiming Religious Freedom. And that

0:17:59.045,0:18:01.535
will be in Central London, this May. You

0:18:02.005,0:18:03.005
can find details and book your tickets at secularism.org.uk/2019 All that's left to say is that

0:18:03.335,0:18:06.435

I hope I'll see you there and that you'll join us for the next episode.