

Bulletin

national
secular
society

Issue 59 **Spring 2015**

challenging religious privilege



Page 4: Following the atrocity in Paris millions marched for secularism and free expression. NSS president Terry Sanderson on the need to reconsider our own restrictions on free speech



Page 2: Challenging the Government's latest bid to bring back prayers at local government meetings



Page 3: The NSS calls for a rethink in RE, provokes examination of controversial religious school and advocates secular education

secularist
of the year **2015**

Saturday 28 March 2015
Central London

TICKETS NOW ONLINE
NON-MEMBERS: £50
MEMBERS: £40
Book before 20 March

Government bid to bring back Council prayers

We have been encouraging challenges to a Private Members Bill introduced by Conservative MP and committed Christian Jake Berry, which would allow for “prayers or other religious observance” to be part of the official business of the meetings of local authorities in England.

The Local Government (Religious etc. Observances) Bill seeks to overturn a High Court ruling obtained by the NSS in 2012 that it was unlawful for prayers to be included in council business.

Most private members’ bills fail to proceed because the Government does not allocate them time, but this Bill is being rushed through Parliament minimising the opportunities for debate. There was no debate at second reading, and the third reading and report stage were combined. They were scheduled for a Friday when most MPs are in their constituencies, so that just a handful of MPs were in the chamber to complete the Bill’s passage through the House of Commons. Had a division been called it would almost certainly have failed to reach a quorum.

The Government is ushering the Bill through at top speed – treating it as top priority, most unusually for a private members’ bill. Civil servants even helped draft it; they were from the DCLG (Eric Pickles’ department).

The opposition has also given the Bill its full support.

Several amendments were tabled by Conservative MPs that would



have made the Bill even worse, but fortunately, none succeeded. One, by Philip Davies, would have made prayers compulsory at the start of local authority meetings. However, as it stands, the Bill would still enable local authorities to impose acts of worship on councillors and other public servants, and so will, in effect, enable religious worship to be imposed by ‘tyranny of the majority’.

Despite our extensive briefing of MPs, the only parliamentary opposition to the Bill so far has come from Conservative MP James Arbuthnot, who, after receiving a briefing from the NSS, tabled a number of amendments designed to preserve as much religious liberty as possible. During the

debate Mr Arbuthnot came out as an atheist, revealing that Tory MPs are under pressure to pretend they are religious. Mr Arbuthnot likened concealing his religion to the pressure associated with “keeping quiet about being gay” and said he could only now ‘confess’ that he was an atheist because he was standing down at the next election.

Putting the secular perspective, Mr Arbuthnot thanked the NSS for bringing the issue to his attention, and told MPs that the NSS “had a point”. He argued that the absence of prayers from the formal business of local authority meetings didn’t impede the religious freedoms of believers or deny anybody the right to pray. He rightly pointed out that if councillors wish to meet for prayers before the meeting, they can do so now, without any change in the law.

With just a handful of MPs in the chamber, all but one supportive of the Bill, the legislation cleared the Commons without a vote.

We will continue to do what we can to challenge this Bill in the Lords as it continues on its passage to becoming law. At least the Bill is only permissive and we believe that, as a result of our High Court action, fewer and fewer councils are now including prayers as part of their formal business.

We would be surprised if this legislation gave rise to any significant increase in the number of councils doing so.



Clive Bone

We are sorry to report that Clive Bone, the former Bideford Town councillor with whom we successfully challenged the inclusion of prayers in council meetings, has died at the age of 71.

Clive believed passionately that local government should be as open and welcoming to all sections of society as possible, regardless of their personal religious beliefs. Clive regarded acts of worship as an unnecessary barrier to this. We pay tribute to his courage and determination to take his challenge successfully to the High Court.

NSS calls for RE rethink

We have again called for the Government to rethink the provision of Religious Education in schools in England, this time in our written response to a Department for Education consultation. The Department was seeking opinions on the proposed subject content for its new religious studies GCSE and A-Level courses, which will be introduced from September 2016.

The new subject content places greater emphasis on theology, less on philosophy and ethics, and omits an annex on humanism – despite a campaign for its inclusion being supported by many RE professionals. GCSE students will now need to study two religions, rather than just focussing on one, but schools will still be able to offer RE dominated by a single religion. Even the Government admits that the new GCSE will do nothing to reduce the emphasis that faith schools place on their individual teachings.

Our submission called for the inclusion of the systematic study of non-religious worldviews and secular ethics as a comparative framework. We're keen to see religious studies replaced in the longer term with a new National Curriculum subject for all pupils

that covers a broader spectrum of human ideas and thought – encompassing both religious and non-religious worldviews.

In February our campaigns manager, Stephen Evans, joined students, teachers and subject experts in Birmingham for a RE consultation event focussing on the changes necessary to make RE relevant to young people growing up in this country in the 21st century.

Encouragingly, faith school students made clear their desire to learn about the broad diversity of belief and Church of England school students also voiced their opposition to being compelled to pray whilst at school. Both the Government and the Church of England should take note.

It was also encouraging to see many RE teachers increasingly acknowledging that the subject needs serious reform, particularly to move away from 'local determination' that has allowed religious groups to unduly influence the way religion and belief is taught in schools.

Despite so few agreeing with their stance, this Government remains doggedly determined not to seriously review RE.

Religious schooling under scrutiny

The role of religion in schools has remained the subject of much debate following the 'Trojan Horse' affair and the withdrawal of funding from a number of Christian and Muslim free schools.

In December we briefed peers ahead of a House of Lords debate on "religion in public life" in which a number of our honorary associate peers raised concerns over religious influence in schools. Baroness Falkner told peers that whilst parents' religious and philosophical convictions should be respected in state schools, the demand for religious education that was wholly on parents' terms, was an "unreasonable and potentially divisive demand which must be resisted".



The Baroness said that "rather than facilitating the segregation of pupils along religious lines, we should be doing everything we can to ensure that children of all faiths and none are educated together in a respectful and inclusive environment."

She also criticised the requirement for a daily act of "broadly Christian" collective worship in schools, and the law on the grounds that it "seriously undermines parents' abilities to raise their children in accordance with their own beliefs."

Meanwhile, our petition to end compulsory worship in schools has passed 10,000 signatures. In December, our campaigns team raised the issue with the shadow schools minister, but he made it clear that removing the requirement on schools to worship would not be a priority for a Labour Government.

NSS intervention prompts schools minister to seek reassurances from controversial faith school

The NSS has raised fresh concerns that Yesodey Hatorah, an Orthodox Jewish school in east London, is failing to teach the National Curriculum in full. This follows revelations that the school was now instructing students not to answer "sensitive" exam questions on human reproduction and evolution, as their previous practice of redacting them has been banned, following previous NSS campaigning.

In a letter to the NSS, the schools minister for England, David Laws, said that the state-funded

school had previously assured the department that it will teach the complete National Curriculum. Following our intervention, Mr Laws told the NSS he had written to the school's principal, Rabbi Pinter, "seeking reassurance that his school remains committed to teaching the full National Curriculum, as well as important non-curricular subjects like PHSE and SRE." The Minister also asked him whether pupils would be advised not to answer certain questions that may arise during next summer's examinations.



Charlie Hebdo should prompt us to reconsider our own restrictions on free speech

by Terry Sanderson

Now that the blood has been cleaned from the pavements and the office walls, the *Charlie Hebdo* horror is fading, like the long list of other atrocities perpetrated by Islamist fanatics, into our collective memory. The initial shock has passed and we move on – until the next outrage.

The attack sparked a wave of revulsion around the world, but also a determination – at least among the French – to defend at all costs the precious right to free expression and secularism. Huge demonstrations in Paris and, indeed, around the world, showed that many of us realise the importance of retaining and defending the right to argue vigorously and sometimes humorously against the ludicrous self-importance with which religion regards itself.

On the other hand, in many parts of the Muslim world there were demonstrations by those who think that anyone who laughs at their

beliefs, or even questions them, deserves to die.

And too many liberals, caught in the middle of this ideological tug-of-war, try to make arguments for restraints on free expression to protect religious sensitivities. They seem not to realise that they are, in effect, asking for a blasphemy law. They constantly conflate race and religion and are desperate that they should not be regarded as racist.

None of us want that, but if we are to truly defend the precious heritage of free inquiry and debate we must be ready to take the bull by the horns and accept that Islamism and indeed Islam is not a racial characteristic but an ideological standpoint. While some Muslims may be victims of racism or prejudice, it is perfectly possible to challenge Islamism without attracting a baseless accusation of racism, but doing so takes courage and integrity.

There should be no punishment for speaking out against any idea, whether religious, political or personal. The only restraint – as most would agree – should be on incitement to violence.

In England and Wales, public order offences, even those with a very low prosecution threshold, can now be deemed to be “religiously aggravated”, i.e. with a religious motivation, and could result in a jail sentence of up to seven years.

The NSS has argued for free



“All is forgiven” cover of Charlie Hebo published after the Paris attack

expression to be unconstrained by reference to people’s sensitivities – of any kind. We have argued, for example, that street preachers have a perfect right to stand on a soap box and declare that homosexuality is condemned in the Bible and homosexuals will go to hell. We also have a perfect right to argue back if we don’t agree, so long as we do so without threats and menaces.

We need to encourage debate, or even loud arguments, not demand that our opponents are silenced by law. Once the principle of “you-can’t-say-that-because-I-don’t-like-it” is established, it poisons freedom of



We need to encourage debate, or even loud arguments, not demand that our opponents are silenced by law.



European Commission fails to tackle faith schools teacher discrimination

The European Commission is to take no action against the UK Government over complaints by the NSS that alleged that legislation throughout the UK relating to state funded faith schools breaches a European Employment Directive on equal treatment.

Our complaints mostly related to laws discriminating in favour of religious teachers, and against those not of the faith of the relevant schools. Discrimination on grounds of religion and belief is not permitted in any schools without a religious character.

Honorary Associates and MEPs Sophie in 't Veld and Michael Cashman endorsed our complaints and Michael pressed them at the highest levels within the Commission. The Commission ruled that member states simply needed to interpret the laws bearing in mind the provisions of the Directive. It is not prepared to require them to conform. It is

telling, but sadly not surprising, that the Government cynically resists revising such religiously privileged legislation to make it unambiguously Directive-compliant.

We appealed against the decision, asking how discrimination could be justified for all staff in some religious schools in order to maintain the ethos of these schools while this was clearly achieved in other religious schools that are permitted by UK law to discriminate in only a third of posts. This seemingly logically unassailable objection was summarily dismissed without explanation.

We'll continue to campaign for an end to all opt-outs from equality legislation to ensure that no staff can be discriminated against on religious grounds in any publicly funded schools, whether in seeking employment or during employment.

expression.

The Equality and Human Rights Commission recently issued a report trying to set out the law on free expression, and how it imagines it should be interpreted. The report was directed at those who think they have the right to say whatever they like to whomever they like, as well as those who imagine their opinions deserve special protection from contradiction or mockery.

It did its best to explain what is and isn't allowed under the banner of "free expression", but revealed the patchwork of vague, poorly drafted laws that are potentially hugely damaging to freedom of expression.

The blasphemy law for England was abolished in 2008, and we worked hard to secure that, but the religiously aggravated offence is worse, as prosecutions are much easier to secure.

Only in the Racial and Religious Hatred Act 2006, is freedom of expression specifically cited as a valid defence, and tellingly there have been no prosecutions under it. And I am proud that the NSS played a leading role in introducing this defence.

A new approach to free speech legislation that reinforces its value rather than restricting it would be the best epitaph for those who died in Paris. And the best riposte to the never-ending demands of extremists of all stripes. If, as the Prime Minister claimed after the *Charlie Hebdo* massacre, he strongly supports freedom of expression, he should order a full review of Britain's "hate speech" laws.

Should Britain have a written constitution?

In December we hosted an event with Graham Allen MP, chair of the Parliamentary Political and Constitutional Reform Select Committee, and Bob Morris, from the UCL Constitution Unit, to discuss whether the UK needed a codified constitution – a "New Magna Carta".

The NSS remains neutral on whether the UK should have a codified constitution. Nevertheless we responded to the Select Committee's consultation in order to call for secular principles to underpin any hypothetical new constitution and raise concerns about the fundamental secular deficiencies inherent in the UK's existing unwritten constitution.

We drew particular attention in our response to: the presence by right of bishops in the House of Lords; the role of religion in the coronation ceremony; the



Monarch's role as head of the Church of England; and the religious responsibilities that are delegated by the Monarch to the Prime Minister. He is "constitutionally responsible" for tendering advice on Church of England appointments to the Monarch.

The consultation provided a good opportunity to advance the Secular Charter, and to consider how secular principles might be applied to foster a fairer, freer system of government, regardless of whether that is done within our existing constitutional system or through a written one.

Pressure grows to abolish Chancel Repair Liability

As reported in the previous *Bulletin*, a Bill to abolish Chancel Repair Liability (CRL) in England has been introduced by honorary associate Lord Avebury into Parliament, with assistance from the NSS.

This mediaeval ecclesiastical liability is still extant, making landowners (regardless of religious affiliation) responsible for certain repairs to ancient Anglican churches in England, but not since disestablishment in Wales.

In the first debate on CRL, on 15 January, Lord Avebury summarised the main arguments for abolition. Powerful supportive speeches were made by honorary associates Lord Cashman and Lord Taverne, as well as Lord Rooker and the Earl of Lytton, who is a chartered surveyor.

Baroness Wilcox, who chairs the London Diocesan Advisory Committee, and the Bishop of Derby were more concerned about Church finances than this imposition on property owners. They would contemplate abolition of CRL only if the Church was compensated, presumably by the tax-payers.

Only two cases are known of individuals being sued for CRL since 1930. CRL was practically a dead letter until its revival was contrived about ten years ago.

CRL has caused considerable stress to those affected; there have even been threats of suicide and violence. Despite at least 9,000 properties – and potentially twice that number – being directly affected, much more evidence of hardship would, it seems, be needed to convince the Government to act.

The Government referred in the debate to discussions that had already taken place between the Church and the NSS and offered to join them in future.

Until total abolition can be achieved, we will press for an accessible method of buying out the liability at minimal cost.

An NSS member, Helen Bailey, is one of the very few who have succeeded in doing this, but it has been a traumatic process. Partly with our help, and that of a public-spirited rector interested in assisting CRL victims, she eventually managed to



The Independent published a comprehensive article on CRL, featuring Helen's case

buy out her CRL from the diocese.

This cost only £45, but it substantially increased the value of her house, demonstrating how CRL drastically reduces property values, often with minimal benefit for the Church.

Others have been less fortunate than Helen, having to pay a five-digit sum to achieve the same result. Most have not managed any buy-out, and remain with this threat in perpetuity.

Success as Law Society withdraws 'sharia guidance'

We're pleased to report that, following a number of complaints, the Law Society has withdrawn its controversial guidance on drafting sharia-compliant wills in England and Wales.

As reported in our autumn 2014 *Bulletin*, our campaigns team met the Law Society to express our concern about the essentially theological guidance it had issued. While acknowledging that in English law testators have almost

unfettered freedom to make discriminatory provisions in their wills and solicitors have a duty to act as instructed, we described this guidance as inappropriate, discriminatory, and sitting uneasily with the Law Society's commitment to equality. It also normalised and almost encouraged discriminatory provisions.

During the constructive meeting the Law Society endeavoured to defend their guidance; nevertheless they indicated that they might consider withdrawing it.

A few months later, however, we were delighted, and frankly surprised, to learn that the guidance had been withdrawn after all. The withdrawal was confirmed in a warm letter from the Law Society containing an almost unprecedented apology. The Law Society said it had found our comments and insight "constructive".

We believe the *volte face* to be the work of the new president Andrew Caplen, and that it may have been influenced by a refreshing, if long overdue, change of attitude in the Ministry of Justice where the need to uphold UK law and universal (or as the Government describes them, British) values is being emphasised.

The letter concluded by hoping we would "continue to engage with the Society and its work in the future". Indeed, we have since had a productive further meeting with a view to longer term cooperation on the rule of law, access to justice, Chancel Repairs and related matters.



Protestors outside the Law Society

NSS raise awareness of 'religious only' marriages

We have been raising awareness of Muslim women being disadvantaged by not having their religious marriage registered legally in England and Wales. We raised the issue with both the Law Society and the Department for Communities, and in December, we welcomed a report from the Human Rights group AURAT, which confirmed our suspicions that few Muslim women are aware of their legal rights, particularly relating to marriage.

The majority of Muslim marriages in the UK are reportedly "religious only" and not civilly registered, leaving abandoned wives without any legal or financial redress. The proportion of civilly unregistered marriages appears to be much higher among Muslims than those of other minority religions.

Divorce in Muslim religious marriages is much easier for men than for women, and it is not unknown for women to be married unaware that they are not the sole spouse, or for the husband to marry further wives in a religious ceremony without the consent of an existing spouse. Under the Marriage Act it is unlawful for anyone to be civilly married to more than one person.

Opposition to non-stun slaughter gathers momentum

A petition by the British Veterinary Association (BVA) – backed by the NSS – to outlaw the slaughter of farm animals without prior stunning has amassed over 100,000 signatures, requiring the Backbench Business Committee consider it for a debate in the House of Commons.

In December our campaigns manager, Stephen Evans, set out the secularist case for ending religious exemptions from animal welfare laws at a Westminster Policy Briefing event attended by key industry stakeholders and the former head of the Farm Animal Welfare Council.

Speaking alongside Stephen at the event was Nizar Boga, chief executive officer of the Universal Halal Agency (which supports pre-stunning) and Kate Fowler of Animal Aid. Her undercover footage from a halal abattoir led to four slaughtermen facing criminal sanctions after they

were seen apparently hacking and sawing at animals' throats.

Worryingly, there has been a sharp rise in the number of animals killed in abattoirs without first being stunned, largely due to some Muslim groups calling on British Muslims to insist upon the adoption of more 'traditional' practices.

Whilst we continue to campaign for an end to religious exemptions to animal welfare laws, we also remain committed to our long-standing campaign to ensure that all animals slaughtered under the existing religious exemption are labelled as such on meat packaging.

The news on this front is more positive, with the environment minister George Eustice giving the clearest signal yet that the Government is considering introducing compulsory labelling of meat from 'unstunned' animals.

Visit of the Pope to European institutions in Strasbourg

The Pope was invited to address members of both the European Parliament and the Council of Europe at the end of November. The Pope told them that "man's forgetfulness of God, and his failure to give him glory ... gives rise to violence", and pressed for more dialogue with his church.

As far as we can establish, only three people, all connected with the European Parliament's secular platform, were publicly quoted criticising him being invited to lecture the politicians.

Keith Porteous Wood was quoted in the *European Parliament Magazine*: "It is inappropriate for any unelected religious leader to be invited into a democratically elected Parliament to lecture parliamentarians on policy."

He was supporting honorary associate and MEP Sophie in 't Veld and fellow member of the Parliamentary secular platform, newly elected French MEP Virginie Roziere. They wrote an open letter to Parliament President Martin Schulz criticising the invitation on the grounds that "the EU was designed strictly as a secular project. EU institutions were never connected to a particular religion, but they serve all citizens equally."

Much more concerning than the invitation itself was that the Pope was in each case given the floor, rather than be questioned in debate.



BBC Trust upholds NSS complaint over faith school reporting

We were pleased to have a complaint to the BBC Trust upheld over the BBC Asian Network misrepresenting parents' objections to their child being allocated to a new Sikh faith school as an issue of race, rather than one of religious freedom.

In April 2014 the BBC ran a story about children of non-Sikh parents being allocated, against their wishes,

places at the Khalsa Secondary Academy, a Sikh faith school. In the piece, several non-Sikh parents expressed their unhappiness about their children being allocated places at the school. When introducing the piece, the BBC Asian Network repeatedly referred, even after we had voiced our initial complaint, to the non-Sikh parents as "white parents".

We lodged a formal complaint about the way the story was presented, and the BBC Trust upheld the appeal, admitting that "it was implied that the parents' objections to faith education were on the grounds of race."

Regrettably, the intentional conflation of race and religion is often used to stifle reasonable debate about religion.

New honorary associate: Caroline Fourest

We are delighted to add Caroline Fourest to our distinguished list of honorary associates. Caroline is a writer, columnist and journalist who writes about the far right, Islamist fundamentalism, secularism and multiculturalism.

Caroline has been a contributor to *Charlie Hebdo* and was guest editor compiling the post-Paris atrocity issue. Previously, she received terror threats from Islamists after she chose to re-print the Danish cartoons of Mohammed.

Speaking in October 2014 at the International Conference on the Religious-Right, Secularism and Civil Rights in London, Caroline defended the rights of satirists and journalists, and decried the "major threat" of moral relativism.



NSS call on NHS to secularise Chaplaincy services

In a joint submission to an NHS England consultation, the NSS and the Secular Medical Forum called for chaplaincy and other pastoral support services, currently provided in a uniquely religious framework, to be provided in a non-discriminatory and religiously neutral manner.

Our submission recommended that, where health providers and patients deem pastoral care valuable, such support should be provided in a secular context. We also called for greater recognition of the needs of patients who do not identify with a religious faith and objected to calls for chaplains to have greater formal involvement in other areas of hospital care.

Our submission criticised new draft NHS England chaplaincy guidelines for being too focussed on religious care rather than providing an inclusive service that benefits all patients and NHS staff.

We were also critical of the consultation process in which the views of existing religious chaplains was widely sought, but little attempt was made to engage with patients and the wider public.

Norman Bonney 1944 – 2015

We are sad to report the death of Prof. Norman Bonney on 13 February after a long illness, which caused him to resign last year from the NSS Council after four years' service.

He was the founder and leading voice of the Edinburgh Secular Society and did more than anyone to raise the profile of secularism in Scotland. This will be his enduring legacy, as will the fruits of his distinguished academic career; he was Emeritus professor at Edinburgh Napier University. Recent publications include a book *Monarchy, Religion and the State: Civil Religion in the United Kingdom, Canada, Australia and the Commonwealth* and *The*

Cenotaph: A consensual and contested monument of remembrance.

He will be greatly missed.



Thanks

Claudine Baxter for her help with membership administration and at the AGM.

Bradley Davis of WhiteLight for graphic design.

Bob Baxter, Alison Meek, Tony Loraine, Paul Orton and **Alice Suttle** for their help at the 2014 AGM.

secularist of the year 2015

Saturday 28 March 2015
12.30–16.00

TICKETS NOW ONLINE
MEMBERS: £40
NON-MEMBERS: £50
Book before 20 March

Join us for Secularist of the Year 2015

We've received a record number of nominations for this year's Secularist of the Year prize. We've had recommendations from all over the world for all kinds of people – activists, writers, broadcasters and journalists.

All of them are worthy of the prize, but one sticks out a mile as being the inevitable winner. Join us at the awards ceremony to find that out who that is.

Secularist of the Year is one of the most inspiring events in the secular calendar; it never fails to gladden the heart to hear the stories of courage and determination that our prize-winners relate.

It's also a great social occasion – at a first-class London venue. A welcome Mojito (or non-alcoholic equivalent) on arrival will be followed by a slap-up three course meal. It's a very special occasion indeed and we hope you'll join us, together with some of our famous honorary associates, to honour our winner. You can book online at <http://tinyurl.com/Secularist2015> or send a cheque to NSS, 25 Red Lion Square, London WC1R 4RL, making sure you tell us if you have any special dietary requirements.

national
secular society **Bulletin**

Issue 59 | Spring 2015

National Secular Society
25 Red Lion Square,
London WC1R 4RL
Registered Company No. 1418145

Telephone: (020) 7404 3126
Email: enquiries@secularism.org.uk
Twitter: @NatSecSoc