

THE RELIGIOUS OFFENCES BILL 2002

A RESPONSE

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F·A·I·R

FORUM AGAINST ISLAMOPHOBIA & RACISM

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1. EXECUTIVE SUMMARY

This response is essentially in three parts. The first part briefly outlines the Muslim position on the issue of legislative protection against blasphemy. The second part makes a case for, and provides evidence to support, the introduction of new legislation to outlaw incitement to religious hatred. The final part of the response focuses on some other issues that have loosely been placed under the heading of ‘other religious offences’.

Blasphemy

The Muslim communities remain divided on the issue of blasphemy. Whilst there is a strong voice calling for the extension of the current blasphemy laws to other faiths—and where this is deemed inappropriate to introduce legislation against vilification—to provide protection to all faiths equally, this is no longer the only dominant position in Muslim communities. There are, in fact, two further distinct views in the Muslim community.

The first view relies on the argument that the current blasphemy laws are unreliable even for Anglicans, that extending them would not work in a multi-faith society where the core of one faith is blasphemy to another, and that protection should be shifted from protection of religions to protection of individuals – ‘neither God requires protection, nor His religion from mere mortals’. Proponents of this view argue that current blasphemy laws should, thus, be abolished altogether.

The second view, and one initially favoured by FAIR, argues that if extension is not possible for practical reasons, then it does not necessarily follow that Muslims should argue for the blasphemy laws to be abolished altogether. From a Muslim perspective, it is better for the law to protect at least one religious denomination from blasphemy, the Church of England, than no religion at all. After all, Muslims share the same unitary God of all the Abrahamic faiths, believe in the Psalms, the Old Testament and the New Testament as divine revelations from this unitary God, and believe in Jesus and the Old Testament Prophets as Prophets of God—and if blasphemy against these articles of the Muslim faith can be prevented through protection of the Anglican faith from blasphemy, then this is better for Muslims than no protection from blasphemy at all.

In the absence of sufficient time to discuss and debate the matter further in the Muslim community, FAIR’s official position on the issue of blasphemy currently remains undecided.

Incitement to Religious Hatred

There is currently an iniquitous anomaly in the law producing a hierarchy of protected faith communities. Mono-ethnic faith communities, like the Sikh and Jewish communities, are protected from discrimination, benefit from a positive duty on public authorities to promote equality, and protected from the aggravated offences of harassment, violence and criminal damage motivated by racial hatred, as well as the incitement of such hatred. Non-ethnic or multi-ethnic minority religious groups, like Muslims, do not on the whole benefit from such protection or provisions, unless it could be shown that the treatment, behaviour or circumstance was indirectly racial. And finally, non-ethnic or multi-ethnic majority religious groups, like Christians, are not covered at all.

Two separate initiatives have sought to address these anomalies. In the area of civil anti-discrimination legislation, the EU Employment Directive requires Member States to introduce

legislation by December 2003 to outlaw religious discrimination in employment and occupation. Unfortunately, the Directive does not extend to discrimination in the delivery of goods, facilities and services and falls far short of the positive duty standard introduced by the Race Relations (Amendment) Act, and will not, therefore, address the civil law anomaly comprehensively. In the area of criminal law, the Anti-Terrorism, Crime and Security Bill 2001, in the wake of the backlash against the Muslim community following the events of 11th September, sought to address the anomaly more comprehensively. The final Act, however, was only successful in retaining provisions of protection against harassment, violence and criminal damage to property motivated by religious hatred but unsuccessful in retaining the provisions on incitement. Thus, the current laws, as they stand, means that whilst the anomalies may have been narrowed, they have certainly not been eliminated in either civil or criminal law.

The second part of the Religious Offences Bill is an attempt to eliminate the remaining anomaly in the criminal law. It is our view that an offence of incitement to religious hatred is not only necessary to provide equality of protection from incitement across religious groups but critical to avoid 'the shifting focus of bigotry' we have witnessed in the UK from race to religion. In this shifting focus, the target remains the same, only the marker changes – 'not because he is Pakistani but because he is Muslim' or 'not because she is Chinese but because she is Buddhist'. Unless the new offence of incitement to religious hatred is introduced, in our view, it leaves a loophole in the law that could potentially make a mockery of the current offence of incitement to racial hatred.

The current loophole in the law, and the idea of 'the shifting focus of bigotry', has affected one particular community in Britain, the Muslim community. Throughout the 70s and 80s the Muslim community in Britain, along with other minority communities, suffered from the activities of far right organisations on the basis of their race affiliations. Since the 90s, however, such suffering has significantly intensified as the activities of far right organisations have become noticeably more weighted against Muslim communities, only this time, on the basis of religion.

It is clear from the publications and activities of far right and neo-Nazi organisations, like the BNP and the NF, that their campaigns against Islam and Muslims is deliberate and pre-meditated; campaigns that have been devised to sit within existing laws. The existing legal framework, thus, leaves Muslim communities, and indeed other non-ethnically defined religious communities, without the same levels of protection afforded to other ethnic minority groups. Consequently, despite the new legislation introduced by the Anti-Terrorism, Crime and Security Act 2001 for the greater protection of religious communities, in the absence of protection against incitement of religious hatred, the result is a significant increase in the number of cases of discrimination, harassment, violence and criminal damage against Muslims and other religious groups not easily definable by race. This is primarily because, whilst the law currently proscribes harassment, violence and criminal damage motivated by religious hatred, it is completely silent against those that incite such hatred. The law needs to address the problem at its roots, and the second part of the Religious Offences Bill suggests a good start.

The primary concern of those opposed to a criminal offence of incitement to religious hatred is that such legislation would constitute an infringement of 'free speech'. In as much as 'free speech' can never be an absolute right, the Government has, however, already provided assurances to allay such concerns, utilising similar logic used to counter other campaigns against the infringement or restriction of the right to free speech. As reported in the press: "Mr Blunkett said none of the new powers was intended to 'stifle free speech'. He added: 'Fair comment is not at risk, only the incitement to hate [and harm others].'" A Home Office

spokesman said the new powers were not ‘intended to stop people arguing and debating particular views’”. It is imperative that when arguing for free speech we keep the harm principle in mind, particularly harm towards the more vulnerable members of our society.

Another concern that is often raised by those opposed to legislation against incitement of religious hatred is the difficulty involved in defining religion. In our view, however, the issue of defining religion need not be seen as being so critical a precondition to introducing legislation for the protection of religious groups. There is already an existing body of legislation in the UK on religion, touching on fields as diverse as education, family matters, human rights and protection against harassment, violence and criminal damage. This body of law, to be extended to protection against religious discrimination in employment by December 2003, currently exists without a statutory or common law definition of religion.

If, however, for whatever reasons, it is felt that some form of definition of religion is an absolute pre-requisite to legislation against the incitement of religious hatred, then a report commissioned and published by the Home Office, entitled *‘Tackling Religious Discrimination – Practical Implications for Policy-Makers and Legislators’*, provides us with some alternatives. Such a definition, to be included in the legislation itself or an accompanying statutory code of practice, could be based on any one or combination of the following sources:

- academia - for example, Emile Durkheim’s definitions of religion
- dictionaries - for example, the Oxford English Dictionary
- other jurisdictions, for example, the Ontario Human Rights Commission

An alternative to the definitional approach, as discussed in the Home Office report, is the list approach, which would involve formulating a list of recognised religions by a defined criteria and process. There is already some experience of official listing of religions in the UK. The prison chaplaincy service, for example, currently compiles an Annual Religious Census that differentiates between ‘permitted’ and ‘non-permitted’ religions.

Where it is argued that any new legislation on religion should also cover belief, so that those who do not subscribe to a recognised religion but nonetheless partake in communities that centre around an articulated set of values and practices are also covered, for example, atheists and humanists, a related concern is the problem of defining ‘belief’. The major problem here is one of distinguishing between philosophical and political beliefs, the latter possibly falling outside the intended scope of the Bill presently under consideration. Our view again is that such definitional matters are best left to the courts, particularly where the courts have already had some experience of dealing with such matters in the past. Under Article 9 of the ECHR, for example, the European Court of Human Rights has already determined that ‘belief’, for the purposes of this Article, be extended to include Druidism, Pacifism, Veganism, the Divine Light Zentrum and the Church of Scientology.

Another ground often used to argue the case against legislation on incitement to religious hatred is the notion that whilst one cannot choose one’s race, it is possible to choose one’s religion or belief. The implicit suggestion is that where such a choice can be made, it should be open to criticism, whether that criticism is well intentioned or hostile. Our response to this is no different to our response to concerns raised in relation to free speech and addressed above – in the words of the Home Secretary, such legislation does not mean that ‘fair comment is ... at risk, [but] only the incitement to hate [and harm others]’.

We appreciate that to enable the proposed legislation to work sufficient discretion will need to be vested in the law enforcement agencies, namely the Police and the Crime Prosecution Service, and the office of the Attorney General. However, both the Police and the Crime Prosecution Service have been found to be institutionally racist and could well be institutionally Islamophobic, and the office of the Attorney General, being a part of the executive branch of Government, could take decisions which are, in part at least, 'politically' influenced rather than purely legal and objective. To ensure that the necessary exercise of discretion by the law enforcement agencies and the Attorney General does not disproportionately impact particular groups without legitimate and evident justifications, we would recommend the following safeguards:

- Legislation should include a Note of Guidance setting out the criteria for the exercise of the Attorney General's discretion.
- The exercise of the discretion by the Attorney General be subject to scrutiny via Parliament via the presentation of an annual report to the Home Affairs Select Committee and the Joint Committee on Human Rights. The annual report should include such information as, the facts of those cases that he has considered; a break down of relevant factors by gender, ethnicity and religion; and his reasons for proceeding/not proceeding with any prosecution.
- The Joint Committee on Human Rights be asked to give an opinion and publish an annual report on the practical enforcement of incitement legislation and its compliance with the European Convention on Human Rights, especially Art 10.
- Law enforcement agencies are trained, supervised, monitored and held accountable for the way in which they enforce incitement legislation.
- An independent 'Ombudsman' be appointed to monitor the implementation of this legislation. He or she should be asked to publish an annual report that is submitted to the Home Affairs Select Committee and the Joint Committee on Human Rights.

Other Religious Offences

In addition to blasphemy, the Religious Offences Bill also seeks to abolish a number of other religious offences. Clause (1)(b) of the Bill seeks to abolish "any distinct offence of disturbing a religious service or religious devotions" and Clause (1)(c) sets out to abolish "any religious offence of striking a person in a church or churchyard". We do not see any reason as to why these offences should be abolished. We would recommend instead that the existing offences be extended to cover other religions, as at present they only cover the Church of England. The offences cover potential loopholes in the law that are neither covered by the aggravated offences of religiously motivated harassment, violence and criminal damage introduced by the Anti-Terrorism, Crime & Security Act 2001 nor by the proposed legislation on incitement to religious hatred.

We would also recommend that there be a specific offence of religiously motivated desecration of cemeteries, burial grounds or graves, and that this covers all religions. This is particularly important for minority faith communities who have seen the sanctity of the graves of their loved ones violated in recent years as a direct result of the rise in far right activities.

2. INTRODUCTION

In January this year, Lord Avebury introduced the Religious Offences Bill in the House of Lords. The Bill seeks to abolish several existing religious offences, most notably the offence of blasphemy, and create a new offence of incitement to religious hatred, along the lines suggested in the Anti-Terrorism, Crime and Security Bill 2001. Lord Avebury's Bill is presently being considered by the House of Lords Select Committee on Religious Offences. The Committee has called for evidence from interested parties, including Muslim and other faith groups. This document is a direct response to this call.

This response is essentially in three parts. The first part briefly outlines the Muslim position on the issue of legislative protection against blasphemy. The second part makes a case for, and provides evidence to support, the introduction of new legislation to outlaw incitement to religious hatred. The final part of the response focuses on some other issues that have loosely been placed under the heading of 'other religious offences'.

This response has been prepared by the Forum Against Islamophobia & Racism (FAIR), a Muslim advocacy group, established in 2001, that is committed to tackling Islamophobia and racism and promoting a tolerant multi-faith and multicultural society. Our projects include awareness raising, media monitoring, victim-centred casework, monitoring institutional discrimination and policy research.

3. BLASPHEMY

The first part of Lord Avebury's Religious Offences Bill 2002 sets out to abolish the present blasphemy laws, and the associated legislative provisions against blasphemous libel. Both blasphemy and blasphemous libel are common-law offences punishable by fine or imprisonment. Blasphemy consists of speaking and blasphemous libel of publishing blasphemous matter. Although libel would usually involve publication in a permanent form, it may also extend to other audio-visual forms, for example, moving pictures.

Blasphemy has no precise legal definition. Consequently, there is some disagreement and uncertainty as to its exact meaning and scope, resulting in a number of different descriptions of the offence. A House of Lords report in 1978 described blasphemy as:

"any writing about God or Christ or Christian religion, or some sacred subject in words which are so scurrilous or abusive or offensive that if they are published they would tend to vilify the Christian religion and lead to a breach of the peace"¹

However, in the last reported case of a successful prosecution,² blasphemy was described as:

"any contemptuous, reviling, scurrilous or ludicrous matter relating to God, Jesus Christ or the Bible, or the formularies of the Church of England as by law established. It is not blasphemous to speak or publish opinions hostile to the Christian religion, or to deny the existence of God, if the publication is couched in decent and temperate language. The test to be applied is as to the manner in which the doctrines are advocated and not to the substance of the doctrines themselves."³

The law of blasphemy, thus, only protects the Christian religion, and more specifically, the established Anglican tradition. The protection also focuses more on the religion and its beliefs and institutions rather than its adherents. Anglicans are protected only so far as the wounding of their feelings, resulting from an attack on their religion. The protection does not extend to direct attacks on their person or property on the basis of their religion.

The law against blasphemous libel was last invoked in the *Gay News* trial in 1977. The prosecution centred on a poem which described a homosexual fantasy about Jesus, and an alleged homosexual relationship involving Jesus and John, one of his apostles. The prosecution was brought by the late Mary Whitehouse and then taken up by the Crown. The defendants were found guilty. The matter could not have been covered by Section 5 of the Public Order Act 1986, which refers to the use of "threatening, abusive or insulting words or behaviour" or the "display of any writing sign or visible representation," in "a public place". Blasphemy, and more specifically, the associated offence of blasphemous libel, was the only legal ground available to successfully prosecute *Gay News Ltd*.

As for the Muslim communities in Britain, the issue of blasphemy gained prominence following the publication of Salman Rushdie's "*The Satanic Verses*". Whilst a number of prominent Muslim organisations and individuals called for the law of blasphemy to be extended to all faiths, so as to provide protection against such deeply felt offence, on this occasion by Muslims,

¹ Official Report of the House of Lords, 23rd February 1978, Col. 302.

² *Whitehouse v. Gay News Ltd and Lemon* [1979], Appeal Cases, 617 at 665.

³ As formulated in Article 214 of *Stephen's Digest of the Criminal Law*, 9th Edition (1950)

there was actually very little consensual agreement across the spectrum of Muslim communities in the UK⁴.

Despite the Rushdie Affair, and demands for the extension of existing blasphemy laws in some Muslim quarters, the Anglican focus of the existing law was confirmed by the Divisional Court in 1991. Ruling on an application for judicial review of a magistrate's refusal to issue a summons for blasphemy against Rushdie and his publishers, Lord Watkins stated:

“We have no doubt that as the law now stands it does not extend to religions other than Christianity...we think it right to say that, were it open to us to extend the law to cover religions other than Christianity, we should refrain from doing so.”⁵

More than ten years on from the Rushdie Affair, it is important to clarify a few misconceptions in some quarters about the current position of Muslim communities on the issue of blasphemy. Whilst there is still a strong voice calling for the extension of the current blasphemy laws to other faiths—and where this is deemed inappropriate to introduce legislation against vilification—to provide protection to all faiths equally, this is no longer the only dominant position in Muslim communities. There is a growing realisation in the Muslim communities that such extension of the blasphemy laws ought not to be pursued for many practical reasons. This realisation has led to two further distinct views in the Muslim community.

The first view relies on the argument that the current blasphemy laws are unreliable even for Anglicans,⁶ that extending them would not work in a multi-faith society where the core of one faith is blasphemy to another, and that protection should be shifted from protection of religions to protection of individuals – ‘neither God requires protection, nor His religion from mere mortals’. Proponents of this view argue that current blasphemy laws should, thus, be abolished altogether.

The second view argues that if extension is not possible for practical reasons, then it does not necessarily follow that Muslims should argue for the blasphemy laws to be abolished altogether. From a Muslim perspective, it is better for the law to protect at least one religious denomination from blasphemy, the Church of England, than no religion at all. After all, Muslims share the same unitary God of all the Abrahamic faiths, believe in the Psalms, the Old Testament and the New Testament as divine revelations from this unitary God, and believe in Jesus and the Old Testament Prophets as Prophets of God—and if blasphemy against these articles of the Muslim faith can be prevented through protection of the Anglican faith from blasphemy, then this is better for Muslims than no protection from blasphemy at all. They further argue that Muslims also share with people of other faiths respect for sacred literature, respect for the feelings of believers, and common values of morality and ethics. If such respect can be maintained in society through the protection of the Anglican faith from blasphemy, then this is better from the Muslim perspective than no protection of these standards at all.

Thus, more than ever before, the Muslim communities remain divided on the issue of blasphemy between extension, retention and abolition, and, in the absence of sufficient time to discuss and debate the matter further, FAIR's official position on the issue of blasphemy currently remains undecided.

⁴ For a detailed exposition of the arguments that were aired at this time, see Ahsan & Kidwai, *Sacrilege versus Civility: Muslim Perspectives on the Satanic Verses Affair*, Leicester: Islamic Foundation, 1991.

⁵ *R. v. Chief Metropolitan Stipendiary Magistrate, ex parte Choudhury* [1991], 1 All ER, 306 at 318.

⁶ See statement of Mr John Patten in a letter to Muslim leaders, as noted in *Wingrove v. United Kingdom*, European Court of Human Rights, Strasbourg, 25 November 1996, 24 EHRR1: “the Christian faith, no longer relies on it, preferring to recognise that the strength of their own belief is the best armour against mockers and blasphemers”.

4. INCITEMENT TO RELIGIOUS HATRED

The second part of the Avebury Bill, and the primary focus of this submission of evidence, seeks to create a new offence of incitement to religious hatred. In response to this part of the Avebury Bill, this submission will first outline the current position of faith communities in the law; secondly, it will provide evidence (including a case study) in support of the necessity of such new legislation; thirdly, it will seek to address, and where appropriate, rebut some of the arguments that have been presented against such legislation; and finally, it will recommend safeguards to ensure protection against the misuse of such new legislation.

Current Position of Faith Communities in the Law

Whilst, as already mentioned, the Church of England currently enjoys protection from the law from blasphemy, some other religious groups in the UK enjoy protection from the law in other significant areas. The Race Relations Act 1976 (RRA 76), provides protection against discrimination on the grounds of the statutory definition of 'racial group'. 'Racial group' is defined by markers including race, colour, nationality and national or ethnic origin, but not religion or belief. The definition of 'racial group' was, however, extended in the early 80s to include mono-ethnic religious groups, like Sikhs and Jews, and possibly Hindus, but not non-ethnic or multi-ethnic religious groups like Muslims and Christians.

This definition of 'racial group', developed in civil anti-discrimination legislation, was adopted wholesale in the criminal law when the Public Order Act 1986 first introduced the criminal offence of incitement to racial hatred. The same definition was subsequently also adopted for the aggravated offences of harassment, violence and criminal damage motivated by racial hatred, as introduced by the Crime & Disorder Act 1998, and for the purposes of the Race Relations (Amendment) Act 2000.

The result was an iniquitous anomaly in the law producing a hierarchy of protected faith communities. Mono-ethnic faith communities, like the Sikh and Jewish communities, were protected from discrimination, benefited from a positive duty on public authorities to promote equality, and protected from the aggravated offences of harassment, violence and criminal damage motivated by racial hatred, as well as the incitement of such hatred. Non-ethnic or multi-ethnic minority religious groups, like Muslims, did not on the whole benefit from such protection or provisions, unless it could be shown that the treatment, behaviour or circumstance was indirectly racial. And finally, non-ethnic or multi-ethnic majority religious groups, like Christians, were not covered at all.

Two separate initiatives have sought to address these anomalies. In the area of civil anti-discrimination legislation, the EU Employment Directive requires Member States to introduce legislation by December 2003 to outlaw religious discrimination in employment and occupation. Unfortunately, the Directive does not extend to discrimination in the delivery of goods, facilities and services and falls far short of the positive duty standard introduced by the Race Relations (Amendment) Act, and will not, therefore, address the civil law anomaly comprehensively. In the area of criminal law, the Anti-Terrorism, Crime and Security Bill 2001, in the wake of the backlash against the Muslim community following the events of 11th September, sought to address the anomaly more comprehensively. The final Act, however, was only successful in retaining provisions of protection against harassment, violence and criminal damage to property motivated by religious hatred but unsuccessful in retaining the provisions on incitement. Thus, the current laws, as they stand, means that whilst the anomalies may have been narrowed, they have certainly not been eliminated in either civil or criminal law.

The second part of the Avebury Bill is an attempt to eliminate the remaining anomaly in the criminal law. It is our view that an offence of incitement to religious hatred is not only necessary to provide equality of protection from incitement across religious groups but critical to avoid 'the shifting focus of bigotry' we have witnessed in the UK from race to religion. In this shifting focus, the target remains the same, only the marker changes – 'not because he is Pakistani but because he is Muslim' or 'not because she is Chinese but because she is Buddhist'. Unless the new offence of incitement to religious hatred is introduced, in our view, it leaves a loophole in the law that could potentially make a mockery of the current offence of incitement to racial hatred.

The table below summarises the current position of religious groups in the law.

TABLE: RELIGIOUS OFFENCES
A Summary of Existing and Proposed Legislation

Law	Type of Offence	Group(s) Protected	Sentence	Remarks
Criminal Libel Act 1819	Blasphemy—the publication of contemptuous, reviling, scurrilous or ludicrous matter relating to God as defined by the Christian religion, Jesus, the Bible or the Book of Common Prayer, intending to wound the feelings of Christians or to excite contempt and hatred against the Church of England or to promote immorality.	The Anglican Church—and its adherents, but only so far as wounding of feelings is concerned. The protection is focused more on the religion rather than the individual follower of the religion.	Possible prison sentence if found guilty.	Blasphemy laws do not protect the non-Anglican Christian denominations or any of the other faiths communities in Britain. Nor do they protect against incitement of religious hatred directed at individuals (including Anglicans) or against harassment, violence and/or criminal damage to property resulting from such incitement.
Public Order Act 1986	Incitement of Racial Hatred—to behave in such manner or to use or publish insulting or abusive words with the intent to stir up racial hatred or, in the circumstances, racial hatred is likely to be stirred up as a result of the action.	‘Racial groups’ as defined by reference to colour, race, nationality or ethnic or national origin (Race Relations Act 1976). The definition of ‘racial group’ is extended by case law to include mono-ethnic religious communities, like Jews and Sikhs.	Maximum of seven years imprisonment.	Although Jews and Sikhs rightly enjoy protection from this offence, the protection is not extended to multi-ethnic religious communities. Thus, Christians, Muslims and most other faith communities in Britain remain unprotected from this offence.
Crime & Disorder Act 1998	Racially Aggravated Offences— harassment, violence and/or criminal damage to property motivated by racial hatred or where there is any aggravating evidence of racial hostility in connection with the offence.	‘Racial groups’ as defined by reference to colour, race, nationality or ethnic or national origin (Race Relations Act 1976). The definition of ‘racial group’ is extended by case law to include mono-ethnic religious communities, like Jews and Sikhs.	Courts may give higher penalties for main offence to reflect the racial aspect to the crime.	Although Jews and Sikhs enjoy protection from this offence, the protection is not extended to multi-ethnic religious communities. Thus, Christians, Muslims and most other faith communities in Britain remain unprotected from this offence.
Anti-Terrorism, Crime & Security Act 2001	Religiously Aggravated Offences— harassment, violence and/or criminal damage to property motivated by religious hatred or where there is any aggravating evidence of religious hostility in connection with the offence.	The protection extends to adherents of all ‘religious groups’. ‘Religious group’ has not been defined, but left to the Courts to define should the occasion arise for such a definition.	Courts may give higher penalties for main offence to reflect the religious aspect to the crime.	The Act extends the provisions entailed in the Crime & Disorder Act 1998 to multi-ethnic religious communities, and thereby closes a lacuna in the law creating a hierarchy of protection for different faith groups.
Lord Avebury’s Religious Offences Bill 2002	<u>Incitement of Religious Hatred</u> —to behave in such manner or to use or publish insulting or abusive words with the intent to stir up religious hatred or, in the circumstances, religious hatred is likely to be stirred up as a result of the action.	The protection will extend to the adherents of all ‘religious groups’. ‘Religious group’ may be left to the Courts to define should there arise a need for such a definition.	Maximum of seven years imprisonment.	The Avebury Bill seeks to extend the provisions of the Public Disorder Act 1986 to ALL faith communities, including Anglicans, other Christian denominations, Muslims and other faith communities in Britain presently not protected from incitement of hatred against them.

Evidence of Incitement to Religious Hatred

In this part of this response we seek to illustrate how, since the introduction of the offence of incitement to racial hatred through the Public Order Act 1986, and in the absence of an offence of incitement to religious hatred, the markers of bigotry have shifted although the target has remained the same. To illustrate our point, we focus on one particular community in Britain and detail what the reality on the ground is for this community, the Muslim community.

Throughout the 70s and 80s the Muslim community in Britain, along with other minority communities, suffered from the activities of far right organisations on the basis of their race affiliations. Since the 90s, however, such suffering has significantly intensified as the activities of far right organisations have become noticeably more weighted against Muslim communities, only this time, on the basis of religion. This shift of activities by the far right in part contributed to the northern cities riots in early summer 2001.

Since the events of 11th September 2001, however, anti-Muslim rhetoric and activities throughout Europe have reached new heights, and worryingly, far-right political parties and organisations are increasingly finding a resonance both at a legitimised level of mainstream politics as well as the more grass-roots. A recent report commissioned by the European Union Monitoring Centre for Racism and Xenophobia (EUMC), that set out to monitor any significant changes in attitude towards Muslims and/or a proliferation of Islamophobia, stated that, “a greater receptivity towards anti-Muslim and other xenophobic ideas and sentiments has, and may well continue to, become tolerated”⁷.

Below we highlight how some far-right groups have exploited the window of opportunity that exists in current legislation to deliberately incite hatred towards Islam and Muslims. It should be noted that whilst a number of examples are presented here, these are largely from publications and literature that these far-right organisations openly promote. There is evidence from a range of other sources⁸ that suggest that a much more virulent and hateful body of literature is being simultaneously produced and distributed on a much more localised grassroots level. Whilst this parallel body of literature is attributed to these same groups, the leadership, particularly of the BNP, have sought to disassociate and distance themselves from such publications as and when they have found their way into the wider public domain.

The British National Party (BNP)

The BNP has produced a very wide range of materials and resources that have subsequently been promoted, publicised and distributed as part of its recent campaigns for both the General Election in 2001 and the Local Elections in 2002. Much of the literature is extremely inciting, in that it publishes or encourages insulting, provocative or abusive rhetoric and images with the deliberate intent of initiating and stirring up religious hatred or, in the circumstances, religious hatred is likely to be stirred up as a result of such publications.

In order to differentiate and stress that this is incitement to religious hatred rather than incitement to racial hatred, the BNP itself declares on one of its more web-based projects, “Oldham Harmony”⁹, that “the problem is mainly Muslim-on-white”¹⁰, before proceeding to

⁷ Allen & Nielsen, *Summary Report on Islamophobia in the EU after 11th September 2001*, Vienna: European Monitoring Centre for Racism and Xenophobia, 2002, p. 43

⁸ Ahmed, Bodi, Kazim & Shadjereh, *The Oldham Riots: Discrimination, Deprivation and Communal Tensions in the United Kingdom*, London: Islamic Human Rights Commission, 2001.

⁹ Oldham Harmony is funded and maintained by the BNP. The site can be visited at: www.oldhamharmony.org.

¹⁰ See: www.oldhamharmony.org/1.htm.

explain “how Muslims are attacking the very heart of Oldham’s white community”.¹¹ In another of their publications that call for whites to boycott local businesses, the leaflet explains how ‘whites’ should not boycott businesses “owned by Chinese or Hindus, only Muslims as it’s their community we need to pressure”¹². It is clear that the differentiation used by the BNP is one that sets Muslims as clearly distinct from those groups that might be protected under existing race relations legislation.

Publications

The BNP have two regular publications: ‘*Identity*’, which is a magazine, and ‘*Freedom*’, which is a newsletter. Circulation figures are not available, although it might be assumed that these are distributed not only amongst party members, activists and supporters, but also those that sympathise with the BNP’s objectives and policies. Another strategy of the BNP is to sell these publications as widely as possible in areas where they are currently active, which also tend to be areas where community tensions have been identified, irrespective of whether these tensions have been determined along racial or religious lines of differentiation. However, these two publications are again merely a snapshot of the sheer wealth of ‘official’ material that the BNP have in circulation.

Inciting hatred towards Muslims has been a recurrent feature of both of these publications. In the December 2001 edition of *Identity*,¹³ numerous mentions were made with regards to the Muslim community, where it complained that a poster that it had previously been using in densely populated Muslim localities, emblazoned with the slogan “Islam out of Britain”,¹⁴ would be outlawed under the new legislation proposed in the Anti-Terrorism, Crime and Security Bill 2001. This example illustrates two significant points: firstly, that the BNP is fully aware of the legislative framework in which it operates and foresees the impact that legislation that makes the incitement to religious hatred illegal would have on their campaigns and approach, and secondly, in view of their continued anti-Muslim activities, their awareness that despite recent legislative changes to protect religious groups, such legislation fails to create any significant impediment to the current campaigns of the BNP and other far-right organisations.

In support of the “Islam out of Britain” poster, the December edition also, inappropriately and inaccurately, used explicitly derogatory language and terminology to indiscriminately describe Muslims. Throughout the publication, there are numerous references to ‘Islamic fundamentalists’, ‘Islamic hot-heads’ and ‘Muslim terrorists’, and there is a clear attempt to establish linkages between internationally significant events, such as September 11th and the possible involvement of Muslims, and the nationally contextualised stories that the BNP cover in a much more localised and sensational basis.

The leaflet, CD and tape pack, “Islam: a threat to us all”,¹⁵ accompanying the December edition was a venture that the BNP had undertaken in conjunction with two Sikh and Hindu organisations in order to illustrate the alleged truth behind the religion of Islam. Here again very specific language was used to separate Muslims from other ‘racial groups’. The pack seeks to set out the specifically ‘religious’ differentiable context of Islam and Muslims as separate and ‘other’. The “Green Menace” that the leaflet refers to is one that is entirely religious rather than racial, and thereby incites hatred towards a *religious* group rather than a *racial* one. By doing so,

¹¹ See: www.oldhamharmony.org/pubs.htm.

¹² Ahmed, Bodi, Kazim & Shadjereh, *The Oldham Riots: Discrimination, Deprivation and Communal Tensions in the United Kingdom*, London: Islamic Human Rights Commission, 2001, p. 13,

¹³ A copy of this publication is available to download in pdf format from the BNP’s website at: www.bnp.org.uk.

¹⁴ See Appendix 1.

¹⁵ See Appendix 2 & 3.

the BNP succeeds in not only dividing respective communities along the lines of racial identification, but simultaneously, inciting hatred and agitation between different religious communities.

This point is extremely important, as inter-religious tension and conflict can become extremely serious. As noted by Paul Crofts, the Director of the Wellingborough Racial Equality Council, “anti-Muslim feeling within the Hindu and Sikh communities in the UK is a potentially rich vein for the BNP and others to exploit”.¹⁶ As such, inciting religious hatred should not just be seen to be a ‘binary opposition’ problem,¹⁷ where ‘Muslim’ is on one side, and ‘white’ on the other. This is also a significant development from traditional far-right ideology, where it would have been much more typical for ‘white’ to be posited opposite to ‘black’ and all that such racial labels entail.

Subsequent, and indeed earlier, editions of this magazine have repeatedly covered many of the same topics, using the same explicitly derogatory and inciting language, in order to perpetuate its own brand of hatred towards Muslim communities. In the April 2002 edition of *Identity*, the BNP introduces its new “Islam out of Britain”¹⁸ leaflet, which it had re-written in order to remain within the new legal framework, that on the one hand allows such incitement to religious hatred materials being published, whilst simultaneously increasing the penalty for those engaged in religious hate motivated harassment, violence and criminal damage as a result of such incitement. The awareness of the law by the BNP, in conducting its campaigns and activities, is again to be noted.

The BNP’s newsletter, *Freedom*,¹⁹ tends to cover ‘news’ stories that might be of relevance to the BNP and its supporters (irrespective of actual involvement with the organisation). However, the demonisation of the Muslim community in this publication is just as strong. In the November 2001 edition, a number of deliberately sensationalist articles were included in the newsletter to inflame already existing tensions between ‘whites’ and ‘Muslims’. One particular article entitled, “Police seize Bradford mosque guns”, wrote quite indiscriminately that “‘British’ Muslims are storing weapons and training to use illegal firearms in mosques ... evidence is mounting daily that a very significant number of Muslims living in Britain form a potentially deadly fifth column in our midst”.²⁰ Another article that complemented this was entitled, “Osama Bin Laden thugs in Britain”, and set out to highlight a “growing” number of instances where Muslims and non-Muslims have and indeed continue to come into conflict. Through these articles, not only were the BNP actively seeking to create further agitation and mischief in already tense locales, but were also attempting to indiscriminately attribute the qualities - perceived or real - of Osama Bin Laden onto ordinary, and indeed ALL, Muslims in this country. Such practices would not be tolerated under existing legislation against any other minority community in this country.

In the December 2001 edition of *Freedom*, the BNP openly explain the loophole in the law that they continue to exploit in order to maintain their direct campaign against Muslims. In an article entitled, “Police drop a clanger”,²¹ they point out that a supporter who repeatedly displayed a copy of its “Islam out of Britain” poster in his window, “was then arrested and questioned, and then charged with ‘incitement to racial hatred’ ... The snag for the police,

¹⁶ Crofts, ‘BNP collaborator who would exterminate all Muslims’, *Searchlight International*, May 2002, p. 13.

¹⁷ Allen, *Islamophobia in an Ideological Framework*, Unpublished research paper: University of Wolverhampton, 13 February 2002 (can be viewed at: www.christopherallen-online.moonfruit.com).

¹⁸ See Appendix 4.

¹⁹ As with *Identity* magazine, pdf versions of *Freedom* can be downloaded from the BNP website at: www.bnp.org.uk.

²⁰ *Freedom*, November 2001, p. 2; See also Appendix 5.

²¹ See Appendix 6.

however, is that Islam is not covered by the anti-free speech Race Law ... it's legal to say anything you want about Islam, even far more extreme things".²² This affirmation of the BNP's legal right to denigrate and incite hatred towards Muslims speaks volumes. Until such a loophole is closed, the BNP's bigotry and campaigns will, many commentators fear, not only continue but become more vicious, and indeed, more popular, causing more suffering by Muslims.

In another article in the December 2001 edition, entitled "Denmark shows the way", the BNP congratulates the Danish People's Party on its success in the Danish General Elections, following "an energetic campaign, warning of the danger that Islam presents to Denmark and the West, and calling for a halt to any further immigration".²³ This was supplemented with a further article, "Bangladesh: election bloodbath",²⁴ that repeatedly used phrases such as 'Muslim zealots' and 'Muslim fanatics' and concluded with a note on "the anti-democratic doctrines of Islam". A final article complementing this selection of highly Islamophobic material, was entitled "Mosque from Hell".²⁵

It ought also to be noted that, whilst on occasions the language and terminology employed by the BNP may not be Islamophobic in themselves, their repeated usage in derogatory and inappropriate ways 'normalises' certain prejudices and attitudes towards Islam and Muslims. Such processes, that are now commonplace in the BNP's literature, then has the possibility of transcending into other sections and sectors of society, where the reality of Islamophobia gradually permeates into the norms of the breadth of the wider society.

Campaigns & Associated Campaign Materials

Beyond the production of anti-Muslim literature, Islamophobia has also been an integral and core part of the BNP's recent General and Local Election campaigns. Its campaign entitled "Islam out of Britain" sought explicitly to raise awareness of 'the threat Islam and Muslims pose to Britain and British society'; the only real solution being to remove Muslims from the shores of Britain. Under current legislation, it would be extremely difficult to wage a similar campaign against any other minority racial or religious community. It would not, for example, be possible to openly garner support on the back of a political campaign entitled "Judaism out of Britain" or "No to Sikhism". In a multi-cultural, multi-faith society, it should also not be possible to run such campaigns against Muslims.

Unfortunately, however, such campaigns against Muslims are possible and a reality in Britain today. Perhaps the most explicit use of this approach is to be found in the leaflet entitled "The truth about ISLAM", where Islam is used as an acronym for **I**ntolerance, **S**laughter, **L**ooting, **A**rson and **M**olestation of women".²⁶ Widely distributed, this leaflet sets out a range of highly inflammatory reasons for hating Islam. It suggests that "to find out what Islam really stands for, all you have to do is look at a copy of the Koran, and see for yourself ... Islam really does stand for Intolerance, Slaughter, Looting, Arson and Molestation of Women".²⁷ By selectively misquoting the Qur'an out of context and taking the most extreme interpretations of these selected verses to justify the BNP's very twisted reading of Islam, the article paints the most despicable picture of the Muslim faith possible. It then goes on to say that, "no-one dares to tell the truth

²² *Freedom*, December 2001, p. 2.

²³ *Ibid*, p. 9.

²⁴ *Ibid*, p. 9.

²⁵ *Ibid*, p. 9.

²⁶ See Appendix 7.

²⁷ *The truth about ISLAM: Intolerance, Slaughter, Looting, Arson & Molestation of women*, p. 1.

about Islam and the way that it threatens our democracy, traditional freedoms and identity"²⁸, the strong implicit suggestion being that to save Britain we must drive out Islam and Muslims as a matter of urgency. But the venom of the diatribe, in no uncertain terms, comes in the second part of the leaflet where it states that "the Koran recommends it [hatred] in the highly practical form of ethno-religious cleansing"²⁹ and that "an understanding of what the Koran really says ... should lead anyone with an ounce of commonsense to realise that a growing Muslim population is a recipe for communal strife"³⁰, and therefore, that Muslims should "mend your ways, cut your birth rate and keep yourselves to yourselves - or get out!"³¹.

Another leaflet widely used by the BNP as part of its "Islam out of Britain" campaign was entitled "An Islamic Britain: a cross to bear?".³² In this leaflet, the BNP are much more explicit with their references to Islam as a threat to Christianity. It states that "it won't be long before Christianity is dead and buried and Britain becomes an Islamic dictatorship". The leaflet also carries a highly sophisticated illustration that draws heavily on Christian iconography in order to portray Islam as a religion of Satanic origin. Islam is presented as being symbolically crucified on the cross of Christianity - where Islam is represented by the crescent and star - whilst also being represented by probably the most explicit of Christian derived Satanic iconography, the numerological representation of '666'. The leaflet carries an overtly religious message: 'save our Christian country from demonic Islam and Muslims'. Any hatred that is incited by such literature can be only accommodated within legislation that affords protection on the basis of religious hatred. As this is not currently the situation, the BNP can and will perpetuate such images and fabrications without any legal redress, and Muslims and their respective communities will become increasingly more targeted for hatred.

Website

The BNP's website is equally littered with articles and information that seek to incite hatred against Muslims solely on the basis of religion. Most of the examples set out here can be accessed and downloaded from the BNP's easy to access website. The site is home to a vast array of articles that have been written or commissioned by the BNP in order to justify hatred of Islam and Muslims. Whilst some of the articles are written by pseudo-academics, many are written by members of the BNP political hierarchy, including its leader, Nick Griffin. With such titles as "The enemy within", "The real face of Islam", "The choice: Islam or the West?", "Islam, the bloody track record" and "What if Islam ruled Britain?",³³ many of the articles, however, are no more than re-workings of the party publications and campaign literature that have already been considered above.

The publications and campaigns of the BNP, thus, highlight the loophole that exists in present legislation, whereby a religious minority community in Britain can overtly and legally be targeted for hatred through incitement. It ought also to be noted that so long as the lies and untruths that the BNP propagate and perpetuate about Islam and Muslims helps them to gain a greater foothold in the political landscape of the UK, whether through the local or national level, the BNP will continue their campaign against the Muslim community, only, over time, the campaign will become more extreme, more inciting and more oppressive on Muslims. Only legislation that affords protection to Muslims on the basis of their religion will bring about an end to such hate campaigns.

²⁸ *Ibid*, p. 1.

²⁹ *Ibid*, p. 2.

³⁰ *Ibid*, p. 3.

³¹ *Ibid*, p. 3.

³² See Appendix 8 & 9.

³³ Transcripts of these and many other articles can be downloaded from the BNP website at: www.bnp.org.uk.

The National Front (NF)

The National Front has undertaken similar campaigns to the BNP against Muslim communities. However, as the NF does not have the same strength of organisational structures as the BNP, its activities are less well co-ordinated. But this also means that the NF's activities are more localised and 'grass-roots', its literature less sophisticated and more crude, and the resulting incitement more intense.

The localised nature of the NF's activities make them more difficult to monitor, and literature originating from the NF more difficult to locate. In a leaflet distributed by the North East Branch of the NF, however, it highlights a local campaign against the proposed Fenham Mosque.³⁴ Whilst such campaigns are entirely legitimate—and indeed it is the right of British citizens to be able to campaign against new building projects—this particular campaign leaflet seeks to clearly differentiate between the “white” and “non-white Muslim” populations. The message of the leaflet, which was subsequently supported by a much wider and more indiscriminate campaign against “all mosques and temples”, was that Muslims are “swamping” white communities and that mosques had “been proved to harbour and support international terrorists”.

The approach adopted by the NF towards Muslims, therefore, is little different from the BNP, and in fact, there is some evidence to suggest that on occasions the NF, the BNP and other far-right organisations combine forces to maximum effect, particularly in localities where 'Muslim-white' community tensions have been most prominent.³⁵

Other Far-Right & Neo-Nazi Organisations

Whilst it has been difficult to locate published evidence to illustrate the involvement of other groups in the incitement of religious hatred against Muslims, there is a significant body of anecdotal evidence that suggests that the BNP and NF are not the only groups to participate in such campaigns. One way of describing the other groups would be to refer to them as participating in 'street politics'—politics which remains outside the mainstream political arena, not only because of the size of such groups but also because of the typical extremities of their ideologies and their ways of promoting their ideas.

A number of sources, including the Black Racial Attacks Independent Network (BRAIN), suggest that groups such as Combat 18 were actively involved in supporting organisations like the NF in places like Oldham to initiate unrest on the basis of religious hate prior to the disturbances that occurred last year.³⁶ These sources suggest that, through their links with various circles of football hooligans, these smaller right wing organisations made Oldham a focus point for anti-Muslim activity for many visiting supporters to Oldham Athletic Football Club throughout the 2000/2001 season.

Combat 18 has also been identified as undertaking a grass-roots campaign that brutally targets converts to Islam from the indigenous 'white' British population. The campaign consists of systematic abuse, harassment and violence.³⁷ From the perspective of Combat 18, such converts are seen to be 'traitors' to Britain, and therefore, deserving the most severe punishment for their

³⁴ See Appendix 10.

³⁵ See for example, Ahmed, Bodi, Kazim & Shadjereh, *The Oldham Riots: Discrimination, Deprivation and Communal Tensions in the United Kingdom*, London: Islamic Human Rights Commission, 2001 and Tarafder, *The Oldham Riots: Shattering the Myths*, London: Black Racial Attacks Independent Network, 2001.

³⁶ Tarafder, *The Oldham Riots: Shattering the Myths*, London: Black Racial Attacks Independent Network, 2001.

³⁷ See FAIR Annual Report 2001-2

betrayal. A number of such cases have been identified carrying the hallmark of Combat 18. What is most worrying about these cases is that they are not always solely confined to Combat 18, but occasionally also involve supporters, including neighbours and community members living around the converts.

Other far-right and neo-Nazi organisations identified as participating in incite hatred towards Muslims include the White Wolves, the Ku Klux Klan, the Third Way, White Pride, the League of St George and various fluidly defined football hooligan groups.³⁸

It is clear from the publications and activities of far right and neo-Nazi organisations, like the BNP and the NF, that their campaigns against Islam and Muslims is deliberate and pre-meditated; campaigns that have been devised to sit within existing laws. The existing legal framework, thus, leaves Muslim communities, and indeed other non-ethnically defined religious communities, without the same levels of protection afforded to other ethnic minority groups. Consequently, despite the new legislation introduced by the Anti-Terrorism, Crime and Security Act 2001 for the greater protection of religious communities, in the absence of protection against incitement of religious hatred, the result is a significant increase in the number of cases of discrimination, harassment, violence and criminal damage against Muslims and other religious groups not easily definable by race.³⁹ This is primarily because, whilst the law currently proscribes harassment, violence and criminal damage motivated by religious hatred, it is completely silent against those that incite such hatred. The law needs to address the problem at its roots, and the second part of the Avebury Bill suggests a good start.

³⁸ Interview with Mike Love of the Anti-Nazi League, based in Oldham.

³⁹ Sheridan et al, *Effects of the Events of 11 September 2001 on Discrimination and Implicit Racism in Five Religions and Seven Ethnic Groups*, Leicester: University of Leicester, August 2002.

BOX: A CASE STUDY ON OLDHAM

The classic example of the nature and impact of far right activities against the Muslim community is provided by the northern city of Oldham. The upsurge in the level of activities by far-right organisations in this city, including the BNP and the NF, are at least partly the catalyst for the civil unrest witnessed there in the early summer of 2001. Two reports seek to illustrate the socially divisive and disruptive role played in this city by far right organisations.

The first report, produced by the Black Racial Attacks Independent Network, entitled *'The Oldham Riots—Shattering the Myths'*, states:

"... the result of years of ... institutional attitudes combined with media hysteria has given legitimacy and created a climate for the racists and the BNP to gain a foothold to propagate and stir hatred ... It is important to note the BNP's strategy of blaming Muslim communities for the problems in the northern towns. Articles have appeared on BNP websites and literature, with titles such as "The Situation in Oldham: Ethnic Cleansing Muslim Style", calling for a boycott of Muslim businesses, but not Chinese or Hindu. On the BBC's Newsnight programme, in an interview by Jeremy Paxman with Nick Griffin, Griffin stated that "It's not an Asian or black problem but a Muslim one". The existence of Islamophobia in society endorsed by Government policies on refugees, asylum, terrorism ... etc., in conjunction with the media's subsequent portrayal [of these people] further adds to Islamophobic attitudes which the BNP turn into political gain by claiming to disillusioned whites that these fundamentalist Muslims live only up the road from them ...".

The second report, produced by the Islamic Human Rights Commission, entitled *'The Oldham Riots—Discrimination, Deprivation and Communal Tension in the United Kingdom'*, offers similar insights:

"Political leaders in the town have admitted that the riots had been stirred up by right-wing white extremists. Both the Police and the Prime Minister concurred ... Even Chief Superintendent Hewitt highlighted the particular role of the National Front (NF) and British National Party (BNP) ...

... Statements by right-wing groups reveal that their efforts were primarily directed against Oldham's Muslim community. An article on the race riots on the BNP's website commented that 'this is how extremists within the Muslim community in Oldham are repaying the hospitality of the people who built the town and allowed them to settle there by the tens of thousands.' Another BNP article remarked on how the Party has been able to use the riots to further exacerbate racist and Islamophobic sentiment to thereby recruit members: 'Media coverage and the personal experience of scores of thousands of white people every year are combining to make gangs of Muslim thugs the best recruiting sergeant the British National Party has ever had ... it is a perceived distinction ... and one which indicts the current state of anti-discriminatory legislation in the UK".

What we see here is a situation where inciting religious hatred becomes a self-fulfilling prophecy. In this instance, as hatred against Muslims rises, so too the hatred within the Muslim community itself against the initial perpetrators. The result is an outburst of tensions into confrontation. This then is identified as another reason for inciting hatred towards the said groups, where the tension and hatred continues to escalate until it is beyond control. Thus, encouraging religious hatred evolves into a situation where the cause becomes the catalyst, and where the catalyst eventually becomes the cause again. In order to cap the proliferation of Muslim against non-Muslim tensions, irrespective of the differentiable racial element that might exist within this equation, the cycle must in some way be broken. The only way to do this is to remove the catalyst, namely the initial opportunity to incite hatred towards a particular group, and to do this, in this instance, new legislation is required against incitement of religious hatred.

Opposition to Legislation against Incitement to Religious Hatred

Whilst we strongly recommend that legislation against the incitement of religious hatred be introduced, we also recognise that there may be strong opposition to such legislation. We seek to address here some of the concerns expressed by those opposed to such legislation.

It ought to be pointed out that there was some considerable opposition to such legislation recently from the Muslim community. However, it ought also to be clarified that the opposition was not in relation to the idea of a criminal offence of incitement to religious hatred *per se* – this has always been welcomed and actively campaigned for by the Muslim community. The opposition was rather centred around the context in which the legislation was proposed and the perceived purpose of such legislation.

Coming as part of the Anti-Terrorism, Crime and Security Bill 2001, in the immediate aftermath of 11th September, many felt it was an inappropriate vehicle for the kind of legislation—giving the kind of signals, Muslims had thus far sought in their campaigns. The fact that the proposed legislation was placed in the wider context of incitement and conspiracy outside the UK, in the context of the evolving international ‘war on terrorism’ partly led by Britain, also raised concerns that instead of such legislation benefiting ordinary British Muslims suffering from incitement to religious hatred it may be used to the detriment of the Muslim communities because of some extremists amongst them who may not even be rooted British citizens. These concerns were strongly and jointly expressed by nine prominent Muslim organisations that flatly rejected what the Anti-terrorism, Crime and Security Bill 2001 had to offer. In a document submitted to the Select Committee on Home Affairs in November 2001,⁴⁰ it was stated:

“We have grave reservations about the introduction of [this] legislation at this particular time ... the extension of the legislation to cover incitement and conspiracy outside the UK specifically targets extremist Muslim groups. Investigation and detection will require law enforcement agencies (the police in particular) to cast their net wider which may have two significant consequences: heavier policing and investigation of the whole of the Muslim community—particularly visible Muslims—to detect/investigate suspected incitement offences and a deterrent and “chilling” effect on the legitimate free speech of all Muslims who react defensively to uncertainty about which speech is legitimate (and unregulated) and which speech falls within the new legislation (and subject to up to a seven year criminal penalty).”

The opposition then focused more on the appropriateness of the vehicle and timing of the new legislation, the political motives that might have been underlying it and the possible misuse of the legislation by law enforcement agencies, rather than the idea of the legislation itself.

The primary concern of those opposed to a criminal offence of incitement to religious hatred is that such legislation would constitute an infringement of ‘free speech’. In as much as ‘free speech’ can never be an absolute right, the Government has, however, already provided assurances to allay such concerns, utilising similar logic used to counter other campaigns against the infringement or restriction of the right to free speech. As reported in the press: “Mr Blunkett said none of the new powers was intended to ‘stifle free speech’. He added: ‘Fair

⁴⁰ This document was signed by Dr Zaki Badawi (The Muslim College), Yousuf Bhailok (Muslim Council of Britain), Yousif Al-Khoei (Al-Khoei Foundation), Yusuf Islam (Association of Muslim Schools), Mohammed Abdul Aziz (FAIR), Sarah Sheriff (Muslim Women’s Helpline), Dr Ghayasuddin Siddiqui (The Muslim Parliament), Fuad Nahdi (Centre for Muslim Policy Research) and Dr Syed Aziz Pasha (Union of Muslim Organisations). A transcript of this document can be located on the UK Parliament website at: www.parliament.the-stationery-office.co.uk/pa/cm200102/cmselect/cmhaff/351/351ap16.htm.

comment is not at risk, only the incitement to hate [and harm others].’ A Home Office spokesman said the new powers were not ‘intended to stop people arguing and debating particular views’.”⁴¹ It is imperative that when arguing for free speech we keep the harm principle in mind, particularly harm towards the more vulnerable members of our society.

Another concern that is often raised by those opposed to legislation against incitement of religious hatred is the difficulty involved in defining religion. According to the Anti-Terrorism, Crime and Security Bill 2001, ‘religious hatred’ means ‘hatred against a group of persons defined by reference to religious belief or lack of religious belief’.⁴² This definition was seen to be too vague and open to abuse by extreme groups and fringe cults.⁴³ In response to this criticism, any attempt to define religion was dropped from the Bill altogether.

In our view, however, the issue of defining religion need not be seen as being so critical a precondition to introducing legislation for the protection of religious groups. There is already an existing body of legislation in the UK on religion, touching on fields as diverse as education, family matters, human rights and protection against harassment, violence and criminal damage. This body of law, to be extended to protection against religious discrimination in employment by December 2003, currently exists without a statutory or common law definition of religion. Note also that the term ‘religion’ is centrally placed in a number of sections of the Northern Ireland Act 1998, without being supplemented by a definition. To date, on each occasion that religion has had to be covered by law, its definition has been left to the courts – and this is accepted as perfectly legitimate, as it is also in other jurisdictions like Australia, Canada and the US.

If, however, for whatever reasons, it is felt that some form of definition of religion is an absolute pre-requisite to legislation against the incitement of religious hatred, then a report commissioned and published by the Home Office, entitled *‘Tackling Religious Discrimination – Practical Implications for Policy-Makers and Legislators’*,⁴⁴ provides us with some alternatives. Such a definition, to be included in the legislation itself or an accompanying statutory code of practice, could be based on any one or combination of the following sources:

- academia - for example, Emile Durkheim’s definitions of religion
- dictionaries - for example, the Oxford English Dictionary
- other jurisdictions, for example, the Ontario Human Rights Commission⁴⁵

An alternative to the definitional approach, as discussed in the Home Office report, is the list approach, which would involve formulating a list of recognised religions by a defined criteria and process. Such a system is used in Germany where certain religions are given the status of a legal person in public law.⁴⁶ However, it should be added that under this system in Germany, neither Muslims nor a number of other faith traditions that would ordinarily be classified as religions have been recognised. On the other hand, there is already some experience of official listing of religions in the UK. The prison chaplaincy service, for example, currently compiles an Annual Religious Census that differentiates between ‘permitted’ and ‘non-permitted’ religions.

⁴¹ Allison, R., ‘Comic alarmed by religious joke limit’, *The Guardian*, 17 October 2001.

⁴² Anti-Terrorism, Crime and Security Bill 2001, s. 39.

⁴³ The Christian Institute, *Why a religious hatred law would harm religious liberty and freedom of speech*, briefing document viewable at: www.christian.org.uk.

⁴⁴ Hepple & Choudhury, *Tackling Religious Discrimination: Practical Implications for Policy-Makers and Legislators*, London: HMSO, 2001, Section 4.1-4.8, p. 25-8.

⁴⁵ See the Ontario Human Rights Code, available on their website at: www.ohrc.on.ca.

⁴⁶ This becomes possible through procedures in force under Article 140 of the Constitution.

Where it is argued that any new legislation on religion should also cover belief, so that those who do not subscribe to a recognised religion but nonetheless partake in communities that centre around an articulated set of values and practices are also covered, for example, atheists and humanists, a related concern is the problem of defining ‘belief’. The major problem here is one of distinguishing between philosophical and political beliefs,⁴⁷ the latter possibly falling outside the intended scope of the Bill presently under consideration.

Our view again is that such definitional matters are best left to the courts, particularly where the courts have already had some experience of dealing with such matters in the past. Under Article 9 of the ECHR, for example, the European Court of Human Rights has already determined that ‘belief’, for the purposes of this Article, be extended to include Druidism, Pacifism, Veganism, the Divine Light Zentrum and the Church of Scientology. The Court has done so, stating that Article 9 is a “precious asset for atheists, agnostics, sceptics and the unconcerned” alike, and not just the religious.⁴⁸ Thus, whilst definitions may cause problems, they need not be seen as insurmountable in the introduction of new legislation against the incitement of religious hatred.

Another ground often used to argue the case against legislation on incitement to religious hatred is the notion that whilst one cannot choose one's race, it is possible to choose one's religion or belief. The implicit suggestion is that where such a choice can be made, it should be open to criticism, whether that criticism is well intentioned or hostile. Our response to this is no different to our response to concerns raised in relation to free speech and addressed above – in the words of the Home Secretary, such legislation does not mean that ‘fair comment is ... at risk, [but] only the incitement to hate [and harm others]’. However, perhaps a few words may be said here about the fallibility of the notion around which this argument is constructed.

Whilst it could indeed be argued that religion is a matter of choice, research indicates that few in Britain actually exercise that choice⁴⁹ – most will live out their lives in the religion of their birth, even if affiliation to that religion is only nominal.⁵⁰ This may be because, for most of us at least, religion is not simply about matters of faith, but also about ethnic and cultural identity, which to a large extent is defined by birth and upbringing, and therefore, not really open to unfettered choice. It is perhaps in this vein that Brierley so categorically states: “your religious community is normally considered [to be] the one into which you were born or baptised; in other words, you had *no choice* in the matter” (italics added).⁵¹

The notion in question ought perhaps to make a distinction between religion and ‘religiosity’, which is, of course, to a far greater degree a matter of choice. However, in making such a distinction, two points ought to be noted. Firstly, those that incite religious hatred rarely make this distinction. The BNP's campaigns, for example, are not only targeted at ‘religious’ Muslims, but Muslims across the board. To take the notion seriously would be to suggest that nominal/cultural Muslims should perhaps change their religion to escape such incitement of hatred – this is not only a preposterous suggestion but runs diametrically opposite to the spirit

⁴⁷ Hepple & Choudhury, *Tackling Religious Discrimination: Practical Implications for Policy-Makers and Legislators*, London: HMSO, 2001, p. 31.

⁴⁸ *Kokkinakis v Greece* (1994), 17 EHHR 397, at para. 31.

⁴⁹ Bruce, *Religion in Modern Britain*, Oxford: Oxford University Press, 1995, p.102: “It is obvious that only a minute proportion of those who are free to do so have taken the opportunity to explore radically different forms of spirituality”.

⁵⁰ In the UK, whilst 63% of the adult population identify themselves as being Christian, only 8% of the same population actually attend church, even though 49% of all new born babies are baptised into the Christian faith in a church. See Brierley, *Steps to the Future: Issues Facing the Church in the New Millennium*, London: Scripture Union, 2000, p. 13-9.

⁵¹ Brierley, *Steps to the Future: Issues Facing the Church in the New Millennium*, London: Scripture Union, 2000, p. 10.

of Article 9 of the Human Rights Act 1998 which guarantees a right to religion. Even if they were to change their religion, however, there is no guarantee that they would thereby escape the impact of incitement to hatred against Muslims—indeed, the impact extends to those that have never been a part of the Muslim faith community but are perceived to be so by virtue of their appearance – for example, Sikhs.⁵² Secondly, to suggest that such incitement of hatred should be lawful towards the ‘religious’ amounts to the suggestion that those making lifestyle choices in other areas of life, for example, homosexuals, should also be open to such incitement of hatred. This again is not only unhelpful, but runs completely counter to Britain’s urgent need for and the Government’s new drive towards greater community and social cohesion.

BOX: INCITEMENT LEGISLATION IN OTHER JURISDICTIONS

Australia

Article 20 of the Federal Racial Hatred Act 1995 states that “any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law”.

Canada

Canadian Law Section 319 comprises of two significant elements. The first states that under this law, “everyone who, by communicating statements in a public place, incites hatred against any identifiable group, where such incitement is likely to lead to a breach of the peace, is guilty of:

- (a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or
- (b) an offence punishable on summary conviction.”

The second states that “everyone who, by communicating statements, other than in private conversation, willfully promotes hatred against an identifiable group is guilty of:

- (a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or
- (b) an offence punishable on summary conviction.”

Canadian Law Section 318 states that “identifiable group means any section of the public distinguished by colour, race, religion or ethnic origin”.

South Africa

Section 16(2)(c) of the Constitution provides that the right to freedom of expression does not extend to advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.

Section 29 of the Films and Publications Act of 1996 creates an offence of publishing, distributing, broadcasting or presenting material which, judged within the context, amounts to propaganda for war, incites to imminent violence or advocates hatred that is based on race, ethnicity, gender or religion, and which constitutes incitement to cause harm. Bona fide discussion, argument or opinion on such issues is excluded from the scope of these offences, where legitimate discussion and free speech is maintained.

Section 56 of the Independent Broadcasting Authority Act (No. 153 of 1993) requires all broadcasting licensees to adhere to a Code of Conduct. Paragraph 2(1) of the Code provides that “broadcasting licensees shall not broadcast any material which is indecent or obscene or offensive to public morals or offensive to the religious convictions or feelings of any section of the population or likely to prejudice the safety of the State or the public order or relations between sections of the population”.

⁵² An EUMC report on Islamophobia notes that: “behind the vast majority of attacks and infringements upon specific communities and individuals was the fact that they were identified as Muslims, whether in fact they were or not”. See Allen & Nielsen, *Summary Report on Islamophobia in the EU after 11th September 2001*, Vienna: European Monitoring Centre for Racism and Xenophobia, 2002, p. 34.

Safeguards against Abuse of Legislation

Whilst we welcome new legislation against incitement of religious hatred we urge that sufficient safeguards be put in place to avoid the misuse of such legislation. We also recommend that the operation of these safeguards is transparent and accountable to public scrutiny to avoid abuse of the safeguards themselves. Our concerns arise primarily from the discretion that will need to be vested in the law enforcement agencies, namely the Police and the Crime Prosecution Service, and the Attorney General in order to make the legislation work.

Both the Police and the Crime Prosecution Service have been found to be institutionally racist and could well be institutionally Islamophobic. Where significant discretion is available to these agencies, this could, of course, result in heavier policing and prosecution of some minority ethnic and/or faith communities, particularly Muslim communities. Where the net is cast wide, perhaps after some international or national event, such communities would then suffer disproportionately and some of its members completely unjustly.

It is to check and balance this discretion vested in law enforcement agencies that power would need to be vested in the Attorney General to approve each prosecution under the new legislation separately. However, the office of the Attorney General is a part of the executive branch of Government, and decisions taken by him could in part be 'politically' influenced rather than purely legal and objective. The concern is that, following major international and/or national events, e.g., September 11th or northern cities disturbances, due to certain biases in political and media discourses, where this influences and shapes a particular perception against a particular religious community, this could place specific pressures on the office of the Attorney General and thereby politicise his decisions. Indeed, the office of the Attorney General may face similar pressures even in the absence of such high profiled events, where it is targeted by a particularly powerful group or lobby.

To ensure that the necessary exercise of discretion by the law enforcement agencies and the Attorney General does not disproportionately impact particular groups without legitimate and evident justifications, we would recommend the following safeguards:

- Legislation should include a Note of Guidance setting out the criteria for the exercise of the Attorney General's discretion.
- The exercise of the discretion by the Attorney General be subject to scrutiny via Parliament via the presentation of an annual report to the Home Affairs Select Committee and the Joint Committee on Human Rights. The annual report should include such information as, the facts of those cases that he has considered; a break down of relevant factors by gender, ethnicity and religion; and his reasons for proceeding/not proceeding with any prosecution.
- The Joint Committee on Human Rights be asked to give an opinion and publish an annual report on the practical enforcement of incitement legislation and its compliance with the European Convention on Human Rights, especially Art 10.
- Law enforcement agencies are trained, supervised, monitored and held accountable for the way in which they enforce incitement legislation.

- An independent 'Ombudsman' be appointed to monitor the implementation of this legislation. He or she should be asked to publish an annual report that is submitted to the Home Affairs Select Committee and the Joint Committee on Human Rights.

Following these recommendations would allow legitimate free speech and the dissemination of ideas to be kept unregulated and unhindered, whilst perpetrators of speech and ideas that fall within the new legislation are appropriately prosecuted. We ought never to allow a situation to arise where the criminal offence of incitement to religious hatred stifles legitimate political, religious and philosophical debates.

BOX: OTHER VOICES OF SUPPORT FOR LEGISLATION

Support for legislation against incitement to religious hatred has come from many diverse quarters. This includes the individuals and organisations below, who have broadly supported the proposed legislation.

The Commissioner of the Metropolitan Police, Sir John Stevens, has recognised the need for new legislation to cover the incitement of religious hatred. Speaking shortly after 11th September 2001, he noted that a significant number of Muslims had received inciting and hate-filled e-mails following the attacks in the US. Despite intensive liaison with the Crown Prosecution Service, no prosecutions were made due to a distinct lack of legislation covering such acts. Commissioner Stevens said that he accepted that there was a need for new legislation to outlaw incitement to religious hatred. (Muslim News, 29 September 2001).

The Commission for Racial Equality (CRE) has also added its weight by approving the extension of current legislation to outlaw incitement to religious hatred. In a statement released by the former Chair of the CRE, Gurbux Singh, it stated:

“This is an important step forward that will be welcomed by all those of faiths and none. The recent attacks on Muslims, and also those who are perceived to be Muslims, is a serious reminder of the vulnerability and fear that many members of religious and ethnic minority communities face on a day to day basis. This was brought home to me vividly during a meeting I had with Muslim leaders this week. We hope the Government will use the introduction of this legislation to make the existing law more effective. Our experience with the law on incitement to racial hatred over 25 years, is that it has not been effective in dealing with the problems as it only catches the most extreme of the extremists.” (Press Release, 3 October 2001).

The Church of England’s Gazette has also offered support to extending current legislation to include incitement to religious hatred. It noted that “the Archbishop’s Council supports the Government’s decision to amend the law by introducing new offences of incitement to religious hatred and aggravated religious offence. The effects that religious hatred can have are all too clear”. It went on to add that “what is important to us is that any legislation in this area should protect the legitimate sensibilities of people of all religions and strike an appropriate balance between freedom of religion and freedom of speech. If legislation is to achieve its objectives it has to be just, clear, understandable, enforceable, and enforced”. (Church of England Gazette, Volume 2, Issue 1, 2002)

The Board of Deputies of British Jews has also repeatedly recognised the need for new legislation against incitement to religious hatred. On Sunday 16th December 2001, Deputies voted overwhelmingly in favour of legislation to combat incitement to religious and racial hatred (Press Release, 18 December 2001). This was in addition to an earlier statement by the Board’s Executive Director, Neville Nagler: “The Board has made clear its support for ... the proposed new powers to outlaw incitement to religious hatred. The Jewish community has been covered by the existing laws against incitement to racial hatred, and it seems only right that other faith communities should receive comparable protection from the law” (Press Release, 29 November 2001).

Support for legislation against incitement to religious hatred has also come from the British Humanist Association. In its official statement on the issue, it states:

“We accept that in an open and inclusive society the government has a duty to protect groups and individuals that are subject to hatred and violent attack. Incitement to violence is of course already illegal, but hatred stopping just short of violence is inimical to the values of a civilised society and the principles of reciprocal tolerance and cooperation, and can be devastating to the lives of individuals and communities. We see the recent campaigns by racist groups such as the British National Party, which attack Muslims as a surrogate and currently legal method of targeting their racial hatred, as justification for a suitable amendment of the law to protect their victims. Thus, the BHA accepts in principle the proposal for a new criminal offence of “incitement to religious hatred”. The case for the law is reinforced by the inequity of the present state of the law, which anomalously protects Sikhs and Jews under the Race Relations Acts but offers no protection to other belief-groups.” (Submission to House of Lords Select Committee on Religious Offences, British Humanist Association, June 2002)

5. OTHER RELIGIOUS OFFENCES

In addition to blasphemy, the Avebury Bill also seeks to abolish a number of other religious offences. Clause (1)(b) of the Bill seeks to abolish “any distinct offence of disturbing a religious service or religious devotions”. Existing legislation in this area only affords protection to those places of religious worship that belong to the Church of England. Section 2 of the Ecclesiastical Courts Jurisdiction Act 1860 stipulates that it is an offence to conduct “riotous, violent or indecent behaviour” in a church at any time. This piece of legislation was last successfully applied in 1998 when a gay rights activist, Peter Tatchell, for his behaviour at Canterbury Cathedral.

We do not see any reason as to why this piece of legislation should be abolished. We would recommend instead that the existing offence be extended to cover other religions. The offence covers a potential loophole in the law that is neither covered by the aggravated offences of religiously motivated harassment, violence and criminal damage introduced by the Anti-Terrorism, Crime & Security Act 2001 nor by the proposed legislation on incitement to religious hatred.

Clause (1)(c) of the Bill sets out to abolish “any religious offence of striking a person in a church or churchyard”. It could be argued that this offence is now covered under the Anti-Terrorism, Crime & Security Act 2001. The difference between the provisions, however, is that the latter requires a religious motive whilst such a motive is perhaps unnecessary for the former. It could be argued that the value of the former is that it is a strict liability offence and that this gives recognition to the special significance of the sacredness of religious premises. Our recommendation again is that if such an offence is to be retained it should be extended to all religions.

We would also recommend that there be a specific offence of religiously motivated desecration of cemeteries, burial grounds or graves, and that this covers all religions. This is particularly important for minority faith communities who have seen the sanctity of the graves of their loved ones violated in recent years as a direct result of the rise in far right activities.

6. SUPPLEMENTARY INFORMATION - APPENDICES

Appendix 1

Identity magazine, December 2001

The old "Islam out of Britain" poster

**BNP LAUNCHES NEW
POSTER CAMPAIGN**



**ISLAM OUT
OF BRITAIN!**

**PROTECT THE
BRITISH PEOPLE**

0700 900 2671 • www.bnp.org.uk
4p 14 Box 207, Waltham Cross, Beds, MK8 2QJ

Just before the new anti-free-speech Heresy Laws came into effect, the BNP launched a poster drive to be the culmination of our Campaign Against Islam. We reproduce the poster above, unfortunately it has to be censored to comply with the new 'law'.

Appendix 2

Identity magazine, December 2001

“Islam: a threat to us all” leaflet from pack accompanying the magazine



The quality of this leaflet is poor due to being scanned from an already poor quality pdf file.

Appendix 3

This is a transcript of the press release that was distributed to BNP supporters concerning the leaflet, tape and CD pack, "Islam - a threat to us all!".

"BNP launches joint anti-Islam campaign with Sikhs and Hindus

The joint audio recording between the BNP's Chairman, Nick Griffin, a long-time Sikh activist and a Hindu who has made a personal in-depth study of Islam, is now out on professionally-wound cassette. Organised by the BNP's Ethnic Liaison Committee, the recording is more than 70 minutes long, and is almost certainly the most detailed audio expose of the 'Green Menace' ever produced.

Copies are today being posted to large numbers of Sikh and Hindu organisations in Britain, with an address list provided by a group of young Sikh activists in West London. Major British media outlets will also be sent copies. From next week, local BNP branches all over the country will be distributing large numbers of copies of taped or CD versions of this remarkable document to ordinary, concerned British citizens in their own areas.

The Politically Correct lie, put about by the likes of Tony Blair, Iain Duncan-Smith and the BBC, that Islam is a religion of 'peace' is shattered into a thousand pieces by the facts exposed by this project. You can either hear it for yourself on our multi-media section, or send a minimum donation of £7, payable to 'Trafalgar Club', PO Box 14, Welshpool, Powys, SY21 0WE, for a copy of the cassette.

This project - bringing together white Britons, Sikhs and Hindus, in a common effort to expose and resist the innate aggression of the imperialistic ideology of Islam - is a truly historic 'first' for the British National Party. Yet again, we give the lie to those who falsely claim that we are 'racists' or 'haters'. We sympathise and identify with every people in the world who want to secure or preserve a homeland for themselves, their traditions and their posterity. And we demand and strive for that same basic human right for the native English, Scots, Welsh, Irish and Ulster folk who together make up the British."

Appendix 4

Identity magazine, April 2002

Reads: “‘No’ to Muslim extremism, ‘Yes’ to a British Britain with the British National Party ...
Islam out of Britain”



POLICE SEIZE BRADFORD MOSQUE GUNS

'British' Muslims are storing weapons and training to use illegal firearms in mosques – and the police and the Labour government are conspiring to cover it up!

For several weeks now, the British National Party has been receiving reports from concerned members of the public of young Muslims taking part in paramilitary training exercises in woods outside Burnley and near to Slough.

The information from Burnley is particularly alarming, because eyewitnesses speak of seeing the law-breakers carrying "assault rifles."

It is, of course, possible that these are only replicas, but even these are generally identical to the real thing and can be used to train people in stripping down, cleaning and reassembling genuine AK-47s.

Meanwhile, police officers have visited a number of Gun Clubs and warned them to beware of Muslims asking if they can join. Club secretaries have been advised to tell would-be Muslim recruits that they are "full up at present," so as to fob them off without falling foul of the anti-discrimination laws.

Worst of all, a reliable police source has told *Freedom* of a raid on a mosque in Bradford, which led to the discovery of a complete firing range in the converted building's large basement.

Seven illegal handguns were confiscated, together with ammunition, but it seems that no further action is to be taken, and the officers who carried out the raid have been ordered not to tell anyone about it.

But the cover-up – which involves the Labour government as well as senior West Yorkshire police officers – has so angered some of the rank-and-file cops involved that they decided to leak



A Muslim extremist on a training exercise in the woods of Britain

the story. They want a widespread search of properties which they believe could take a very significant number of illegal firearms out of circulation before they are used in fundamentalist terror attacks in Britain.

But without media coverage of the Bradford find, Political Correctness will stop any more searches being made and allow this dangerous episode to continue. Evidence is mounting daily that a very significant

number of Muslims living in Britain form a potentially deadly fifth column in our midst. Tony Blair must face up to this fact, and do something about it, or carry the blame when things go horribly wrong.

THE BNP AND IMMIGRATION

The BNP is best known for its policy on immigration. The BNP opposes immigration into the UK because, according to Britain's leading population experts, the native British people will be a minority in this country in just a few short decades.

To avoid this, we will halt all further immigration and asylum seeking, and introduce a system of *voluntary* resettlement whereby immigrants resident in Britain will be *encouraged*, but not *forced*, to return to their lands of native origin.

Should they choose to return home, the government would provide all the necessary funds, and should some choose to stay, they can, and will be provided the full protection of the law.

The British National Party is opposed to 'multiculturalism', and the massive conflict and hatred it causes.

We feel that all forms of life on this planet are sacred and should be preserved, but the BNP specifically wishes to preserve those ethnic differences which make up the rich tapestry of mankind. We oppose those who are determined to destroy all

cultures and all races to achieve a multi-racial mish-mash. We believe firmly in ethnic and national identity.

To protect and preserve the ethnic and cultural integrity of the British people – and of others too, the party believes that all races and peoples have a right to a homeland.

All peoples need a homeland. The British too need a homeland. Yet very soon we will lose ours, because we cannot bring ourselves to say 'no' to immigration. In short, Britain is being colonised.

The British people were never given the chance to vote on whether they wanted Britain to become a 'multicultural' society. It was forced on us by the politicians against the clear wishes of the people.

To sum up, the British National Party is fighting for the very right to exist of not just the British people, but of all peoples and cultures around the world against those who seek to destroy all forms of identity.

POLICE DROP A CLANGER!

Over-zealous Thought Police in Leeds have made a terrible blunder by arresting, manhandling and prosecuting 62-year-old Dick Warrington for a ‘crime’ that doesn’t even exist!

Dick put a copy of the BNP’s “Islam Out of Britain” poster in his front window, and was promptly visited by ‘Community Relations’ Thought Police who tore it down.

Undeterred, he got another one and put it back. The very next day, a whole vanload of PC PCs turned up and broke into Dick’s house. The poster was again ripped down and Mr. Warrington was attacked, pushed to the floor and forcibly held down while having his hands cuffed behind

his back.

He was then arrested and questioned, and has since been charged with “incitement to racial hatred” over the poster. The snag for the police, however, is that Islam is not covered by the anti-free speech Race Law. Unless or until Blunkett’s new Heresy Law goes through parliament, it’s legal to say anything you want about Islam, even far more extreme things than the very moderate message on the poster.

This little caper, which clearly involves assault, ABH, wrongful arrest, false imprisonment and malicious prosecution, is going to cost the local Constabulary thousands of pounds. Couldn’t happen to a nicer bunch of anti-white bigots!

THE TRUTH ABOUT ISLAM
www.bnp.org.uk - 0700 900 2671

Intolerance

Slaughter

Looting

Arson



Molestation of women

Tony Blair, Iain Duncan-Smith, the BBC and various top church leaders have all told us in recent weeks that Islam is a ‘peaceful’ religion - just Christianity with a towel on its head. Well, they’re all LYING! To find out what Islam really stands for, all you have to do is to look at a copy of the *Koran*, and see for yourself that the shocking quotes from this supposedly ‘Holy’ Book, which are reproduced word-for-word in this leaflet, are all 100% accurate.

We’re not making anything up. All the proof you need is in the *Koran*; Islam really does stand for Intolerance, Slaughter, Looting, Arson and Molestation of Women. This isn’t the verdict of white ‘racists’, the acronym is widely used in India, where the genuinely peaceful Hindu community have been the victims of brutal Islamic rule and murderous ethnic cleansing attacks for centuries. That’s why, in Britain today, many Hindus and Sikhs (ordinary people, not their ‘community leaders’ who know they have to keep their mouths shut to get Lottery grants and knighthoods) are among those warning about the *fundamentally* aggressive nature of Islam.

Among the native British majority, no one dares to tell the truth about Islam and the way it threatens our democracy, traditional freedoms and identity - except for the British National Party. So angry are the old parties about our willingness to stand up and tell the truth that they are about to rush new repressive ‘laws’ through Parliament to make exposing the evils of Islam an imprisonable offence. The facts you are reading in this leaflet will soon be ‘illegal’ - so read on while you can.

“Muslim extremists plan to turn Britain into an Islamic Republic by 2025, using a combination of immigration, high birthrates and conversion. They must be stopped!”

Conclusion of a leaflet circulated by Hindu and Sikh activists in Southall, West London, warning of the threat posed to other communities by Islam

Appendix 8

BNP campaign leaflet

“An Islamic Britain: a cross to bear?”



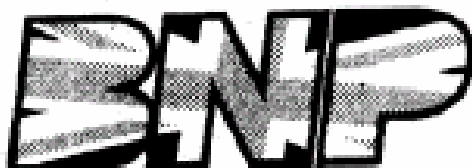
Christianity is dying a slow and lingering death! Make no mistake about it. With low white birth rates, multi-faith 'religious instruction' lessons in schools, and homosexual and neo-Marxist clergy, Christianity is a dying religion. Congregations are dwindling and the Faith of our forebears is fading away.

In contrast, however, **Islam is Britain's fastest growing religion.** There are already an estimated 2.5 million Muslims in Britain, with hundreds of thousands more among an estimated one million illegal immigrants. And with economic migrants pouring in from Muslim countries, the number is increasing daily. At this rate it won't be long before Christianity is dead and buried, and Britain becomes an Islamic dictatorship. After all, what can stop them? With continued immigration, high birthrates and conversions to Islam, Christianity is being crucified on the dark cross of Multiculturalism and Globalisation

Muslim fundamentalists such as HUT (*Hisb ut-Tahrir*) aim to make Britain an Islamic state by the year 2025. According to Government statistics, whites will be a minority in Britain by the year 2060. Whichever way you look at it - even without anthrax scares in cathedrals - unless we change things, **Christianity in Britain is going to die.**

And senior church leaders are queuing up to be the grave diggers. They've thrown away the Church of England's fortune on dodgy property deals and on the altars of Mammon on the Stock Market. They've burnt the books of traditional services, prayers and hymns, replacing them with trendy humanist drivel. They've 'legitimised' homosexuality, both in general terms and within the Church. And, in recent weeks, the Archbishop of York and the Bishop of Durham have launched vicious attacks against people who have dared to point out a few Politically Incorrect facts about Islam, and the threat it poses to British traditions in general and Christianity in particular.

Are these leftist Bishops right? Is Islam a "peaceful religion we can live with", or is it an aggressive menace that demands nothing less than a New Crusade if the West is to survive? If you want to make up your own mind, there are some quotes from the Koran overleaf.



P.O. Box 287, Waltham Cross,
Herts, EN8 8ZU www.bnp.org.uk
Tel. 0700 900 2671

Appendix 9

“An Islamic Britain: a cross to bear?” – reverse side

Iconographic illustration of the takeover of Christianity by Satanic Islam

Intolerance
Slaughter
Looting
Arson
Molestation of Women

“Intolerance. Slaughter. Looting. Arson. Molestation of women.” That’s what Sikhs and Hindus say ISLAM really stands for. If you wonder why, the word-for-word quotations from the *Koran* below might give you a clue, and show you why the peoples who know this religion the best fear it the most.

Surah 5. Ayat 51 O believers, do not take the Jews and the Christians as friends.

S.5.72 Those who say that Allah is the Messiah, son of Mary, are unbelievers.

S.48.20 Allah has promised you many spoils.

S.98.6 The unbelievers among the People of the Book and the idolaters shall be in the Fire of Hell, dwelling therein forever. They are the most vile of creatures.

S.80.4 Enmity and hatred have arisen between you and us (Christians and Muslims) forever, till you believe in Allah alone.

S.9.123 Fight those of the unbelievers who are near to you and let them see how harsh you can be.

S.2.217 Sedition (idolatriy and the corruption of Muslims) is worse than murder.

S.2.223 Your women are a tilage for you, so get to your tilage whenever you like.

Justifying terrorism, murdering unbelievers, raping their women, taking their countries. Despite what Blair and the Bishops say, it’s all in the *Koran*. Get a copy yourself, or learn more about the reality of Islam at: www.bnp.org.uk

Appendix 10

Sticker used as part of the National Front's campaign against the building of the Fenham Mosque



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