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## OUR FREEDOMS – RELIGIOUS AND OTHERWISE ARE UNDER ATTACK

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***Editors note: Neil Addison gave this talk to a Young Catholics Group at the London Oratory on May 20 this year. He is a barrister and Director of the Thomas More Legal Centre. Whilst the article relates to life in Britain the only difference with Australia is that we are only at the beginning of the same process and still have time to turn the tide.***

I begin by referring to a story that some of you may have heard. A couple of years ago a crematorium in Devon removed its crosses on the basis that they did not "want to cause offence" to non-Christians and in particular Muslims. The subject of this crematorium was subsequently discussed in the House of Lords during the debate on the 2006 Equality Bill, when various speakers discussed ways of making crematoriums "Muslim-friendly".

Two points are worthy of note during this debate. First, hardly anyone discussed the offence caused to Christians by the removal of the crosses. Second, absolutely nobody in the debate was aware or bothered to find out that Muslims do not use crematoriums because cremation is against their religion.

The moral of this story is that one should never underestimate the ignorance of public officials when dealing with religious issues. When actions are taken against Christianity and Christian symbols in the name of a multi-faith society, invariably these actions are taken in the name of minority religions, but they are not actually done at the request of those religions.

But let us look at some other stories in the media recently. A man who used to cut the grass outside his house has been told to stop because of "health and safety fears". A schoolgirl, who asked her teacher if she could move to another group of girls because all the girls in her group were talking to each other in Urdu ended up being arrested, yes arrested, for alleged "racism". Finally, a case I am sure you have all heard of: the nurse Caroline Petrie who was threatened with the sack for offering to pray for a patient.

In theory only one of those three stories involve religion, yet I would suggest that in fact they all demonstrate the same problem: petty-minded officiousness, obsession with rules, a tendency to take offence at simple conversations, a lack of any sense of proportion, a lack of any desire to live and let live and in general a lack of simple old-fashioned common sense.

And so the theme of this article is that the issue of religious freedom in this country cannot be considered in isolation from other issues of freedom in our society. I could regale you with tales of attacks on Christians and Christianity but to do so would, I believe, mask the real problem. The attacks on religious freedom are symptomatic of wider attacks on freedom and a lack of respect for the idea of freedom and so if we want to defend freedom of religion then we have to defend the idea of freedom itself. We are in a society that is increasingly intolerant, repressive, regulated and untrusting and in consequence we have officials who are dictatorial, interfering and untrustworthy.

One of the areas where I have become increasingly aware of this tendency is advising doctors, nurses and pharmacists who have conscientious objections to assisting in any way with abortion referrals or the giving out of the morning-after pill. Their right to moral conscientious objection is simply being dismissed as "imposing your morality on others", which ignores the fact that to make somebody do, or participate in, something they consider to be immoral is in itself to impose a view of morality. It is strange that during the Second World War, when our country was facing the danger of foreign invasion, we accepted the right of conscientious objection - yet today we are increasingly unwilling to permit conscientious objection.

The example of the marriage registrar Lillian Ladelle is a case in point. She did not want to participate in same-sex civil partnerships and so she made arrangements that ensured that others who had no moral objections dealt with those ceremonies while she carried out traditional marriages. It was agreed by her employers that no same-sex couple had ever been disadvantaged by her actions and no civil partnerships were cancelled or delayed because of her; nevertheless her employers refused to allow this pragmatic solution to continue. In simple terms they had no respect for her conscience and were not willing to show any tolerance or compassion towards her.

But this refusal to recognise the legitimacy of conscience and morality has consequences for our society that go far beyond the issues of abortion or homosexuality themselves. When we look at our current controversy over MPs' expenses the constant refrain that is coming back from so many MPs is that what they did was "in accordance with the rules". But what is missing in this response is that they never considered whether what they were doing was morally right or wrong and that, I suggest, epitomises a broader problem in our society. We are not showing respect for conscience and the desire not to do that which is morally wrong because we are no longer acknowledging the importance of morality itself and are instead fixated on mere legalism and rules.

As a lawyer I am constantly dealing with the efforts of government to legislate on everything and the consequence is that politicians are infantilising us as a society by removing our ability to think in moral terms. The result is that we have more criminal legislation than ever before and more crime, more financial regulation and more fraud, more interference by government officials in all aspects of life and more government failure and incompetence.

Contrary to what several Christian organisations are saying, I do not consider that we are in an era of anti-Christian persecution. Indeed, to suggest that we are demeans the word "persecution" and those many Christians who are suffering real persecution to the point of death. What we are in is an era of increasing government interference and regulation of what used to be regarded as private life and an increasing intolerance of those who disagree. We are in an increasingly authoritarian society and the Church is always the first victim of authoritarianism because the Church exists as an organisation that is, or should be, independent of the state, and which has a basis for its motivation and thinking which is independent of the state.

That does not, however, mean that the Church does not respect or obey the laws of the state. On the contrary, Christianity has always taught respect for the legitimacy of government and the civil authorities; "render unto Caesar that which is Caesars and unto God that which is God's" is both a political and a theological principle. It is, however, a principle which depends on mutual recognition of mutual rights. What we have today is a governmental system which does not acknowledge the right of religion to have its own sphere, nor does it respect the right of religious organisations to defend their own identity and to preserve their own integrity.

The new Equality Bill currently before Parliament epitomises this tendency. Nearly every form of discrimination is banned even for private associations and churches. Or, to put it another way, they are to lose the right to choose. Churches are to be banned from preferring Christians in their employment practices except in the employment of priests or religious teachers. They are not going to insist that employees live in accordance with the ideals or principles of the Church, and any employment or membership decision they take can be questioned and investigated by an unelected quango, the Equality and Human Rights Commission.

All of this is done in the name of equality and with the clarion call by politicians that religions must not be allowed to discriminate; however there is a gross hypocrisy at the heart of the non-discrimination agenda because politicians are not imposing on themselves the principles that they insist on imposing on others. In simple terms, it is perfectly legal to discriminate on the grounds of political opinion and political membership and political parties are free to discriminate in their recruitment policies. The Labour Party would not employ a member of the BNP in any capacity; the Conservative Party would not employ a card-carrying Communist. Why, then, should the churches be obliged to employ people whose religion or lifestyle is incompatible with the beliefs or principles of that church? I do not believe that political parties should be obliged to employ people whose political beliefs or activities are incompatible with their own. Political parties are entitled to preserve and defend their distinctive

identity. I just make the point that religious organisations should be entitled to the same freedom to preserve their identity.

As the Government's proposals stand I, as a Catholic, would be entitled to apply for the post of general secretary of the Muslim Council of Britain and to sue if I was not appointed. And a member of the National Secular Society would be entitled to apply for the post of general secretary of the Catholic Bishops' Conference of England and Wales. It is lunacy - and more than lunacy, it is dangerous to freedom and democracy, because democracy requires not just individual freedom but also freedom of association. We need to defend the principle of civil society in which associations and organisations, as well as individuals, have rights and are allowed the freedom to preserve their distinctive nature and contribution to society as a whole. It is no coincidence that the first thing that any totalitarian state does is to regulate and control association, organisations and churches. We need to be alert to this danger and we need to defend the rights of churches and other organisations, not simply in order to defend religious freedom but in order to preserve freedom itself.

In addition to defending freedom of association we also need to defend freedom of speech and in particular the freedom of private conversation. Some years ago I had the privilege of representing Joe and Helen Roberts, a retired couple in Fleetwood in Lancashire, who rang up their local council to complain about its decision to put gay-friendly literature in public buildings. Instead of the local council regarding this as a legitimate expression of opinion the diversity officer of the council reported Joe and Helen to the police, who sent two large police officers equipped with stab vests and handcuffs to lecture them for 80 minutes and to threaten them with prosecution for a non-existent "hate crime".

Recently there was the case of a social worker in a care home who was suspended following a private conversation about homosexuality and of course there was the well-known case of Carol Thatcher and her golliwog conversation. What happened to the idea of a private conversation? What happened to the idea that this is a free country where people are entitled to their own opinions?

As Christians, we cannot separate ourselves from the society in which we live - nor should we want to do so. Similarly, we cannot separate the defence of our religious freedom from the defence of freedom itself.

Nineteen Eighty-Four was, of course, written in 1948, just after the war, when people were aware of the price of freedom and the fact that freedom needed to be defended. In 1945 a film was released called A Matter of Life and Death; it starred David Niven as an RAF pilot who is supposed to die in his plane but who survives and subsequently has to argue with God for his right to continue to live.

Part of the film involves a trial in heaven with an argument about England and freedom. One of the main characters says: "In England a man can think and speak as he likes on religion and politics."

The film made at a time when British people were fighting and dying to defend an England where "a man can think and speak as he likes". This is a noble vision of England as a nation of free people but it is one that we are allowing to die. It is an England we need to defend because an England where freedom is protected and respected is an England worth fighting for.

**Source:** Australian Prayer Network