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## HOME AFFAIRS SELECT COMMITTEE ISLAMOPHOBIA INQUIRY

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**Response from Humanists UK and Faith to Faithless,  
January 2019**

### **ABOUT HUMANISTS UK AND FAITH TO FAITHLESS**

1. At Humanists UK, we want a tolerant world where rational thinking and kindness prevail. Since 1896, we have worked to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. We are trusted to promote humanism by over 70,000 members and supporters and over 100 members of the All Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.
2. Faith to Faithless is a community services programme of Humanists UK which works to raise awareness of the issues faced by those who leave high-control religious groups or cults, including ex-Muslims. Faith to Faithless was founded by two ex-Muslims. Deciding to leave a religion can often mean rejection from your family and community, with little understanding of where to turn next. 'Apostates', as these people are sometimes called, may end up homeless, isolated, and at risk of abuse.

### **EXECUTIVE SUMMARY**

- This submission focuses on the impact of the adoption of the definition of 'Islamophobia' put forward by the APPG on British Muslims in its recent report *Islamophobia Defined* as 'Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.'<sup>1</sup>
- Humanists UK works for freedom of religion or belief in the UK and globally. We are concerned by the evidence of increasing anti-Muslim discrimination and rhetoric.
- Discriminatory actions, incitement to violence, or hatred based upon a person's race or religion or belief should not be tolerated. However, all measures to address prejudice and discrimination must be in line with human rights principles, specifically the right to freedom of thought, conscience, religion, or belief (including the right to change your religion or belief), and the right to freedom of speech and expression.

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<sup>1</sup> All Party Parliamentary Group on British Muslims, *Islamophobia Defined*, <https://static1.squarespace.com/static/599c3d2febbd1a90cffdd8a9/t/5bfd1ea3352f531a6170cee/1543315109493/Islamophobia+Defined.pdf>

- We believe the currently proposed definition (particularly the five criteria that accompany it to assess whether or not criticism of Islam is legitimate) does not sufficiently differentiate between (i) prejudice and discriminatory actions against people who identify or are identified as Muslim, and (ii) criticism of the beliefs, ideas, and practices that might fall under the umbrella of Islam. It therefore poses a risk to freedom of speech and thought and religion or belief. It particularly fails to consider the impact upon former Muslims.
- We would prefer a definition focusing on discrimination and hate against Muslims or people perceived to be Muslims.

### **Freedom of speech is an essential consideration**

3. Freedom of speech is not a luxury that is being abused nor a weapon against the oppressed, but a fundamental right that belongs to all persons in our society, whether or not you agree with or like what others might have to say. It is not an optional or secondary consideration. Every person has the human right right to criticise Islam or the ideas, beliefs, and practises of those professing it (or any other religious or non-religious belief system). This freedom is protected by law through Article 10 of the Human Rights Act<sup>2</sup> and internationally by the Universal Declaration of Human Rights.<sup>3</sup> It is within this human rights framework that any definition of Islamophobia must be considered.

### **The difference between criticising religious beliefs and acts of anti-Muslim discrimination**

4. The UK Racial and Religious Hatred Act 2006 makes it an offense for a person to use 'threatening words or behaviour, or display any written material which is threatening... if he intends thereby to stir up religious hatred'.<sup>4</sup> Religious hatred is defined as 'hatred against a group of persons defined by reference to religious belief or lack of religious belief.' The Act lays out the minimum requirement for what should be considered religious hatred. In addition the Act provides a useful list of actions that ought not to be considered religious hatred:

'Nothing in this Part shall be read or given effect in a way which prohibits or restricts discussion, criticism or expressions of antipathy, dislike, ridicule, insult or abuse of particular religions or the beliefs or practices of their adherents, or of any other belief system or the beliefs or practices of its adherents, or proselytising or urging adherents of a different religion or belief system to cease practising their religion or belief system.'

5. Beyond this baseline, we agree that there may be lawful expression that is nonetheless prejudiced and undesirable and that might be officially discouraged, though it should not become unlawful. Even here, we maintain that the right to criticise Islamic beliefs and practices must be protected. The APPG report recognises this distinction in theory, but fails to reflect this in practice. It claims that the definition of 'Islamophobia is by no means conceptualised as an attempt to silence debates around Islam, but to understand the framework within which the debate can take place'<sup>5</sup>. We agree that the definition must be conceptualised

<sup>2</sup> <https://www.legislation.gov.uk/ukpga/1998/42/schedule/1>

<sup>3</sup> <http://www.un.org/en/universal-declaration-human-rights/>

<sup>4</sup> [http://www.legislation.gov.uk/ukpga/2006/1/pdfs/ukpga\\_20060001\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/1/pdfs/ukpga_20060001_en.pdf)

<sup>5</sup> All Party Parliamentary Group on British Muslims, *Islamophobia Defined*, p36

in this way. The report then sets out five criteria presented by Professor Tariq Modood by which criticisms can be branded as illegitimate. These suggested criteria for defining acceptable discussion of Islam do not establish the distinction sought. Ultimately they boil down to whether a Muslim person would like to hear such criticisms, and not whether they actually show prejudice against them because they identify as Muslim.

6. For example, the second and third criteria are 'is [the criticism] about Muslims or a dialogue with Muslims, which they would wish to join in?' and 'is mutual learning possible?' The principle of freedom of speech does not necessitate that expression must be a dialogue for it to be legitimate criticism. The fourth criteria is 'is the language civil and contextually appropriate?' The principle of freedom of speech does not necessitate that the language used has to be civil or that the speaker has to be well informed for it to be a legitimate criticism. These criteria are not about what is 'legitimate' criticism of Islam, but what a Muslim person might find to be offensive. This principle is perhaps best summarised by the quote often, though wrongly, attributed to Voltaire, 'I disapprove of what you said, but I will defend to the death your right to say it.'
  7. We are already seeing the chilling effects that such a definition would have. For example, Lancashire County Council recently voted for the third time in favour of ensuring that all meat provided in school meals in maintained schools in the county is produced in accordance with certain minimum animal welfare standards. This meant removing meat that was produced without the animal being stunned and excluded therefore some meat slaughtered in inhumane ways prescribed by some religious codes. The Council by proposing this policy was accused of racism and Islamophobia. This resulted in the policy, which had been democratically agreed, being delayed by over a year and largely shut down legitimate debate about both animal welfare and what it is legitimate for public services to sanction. If we compare this situation to Professor Modood's five tests, objectively the Council's policy was entirely legitimate (it didn't stereotype, it was a dialogue in which the language was civil, mutual learning was possible and a sincere motive was presented). Yet, nonetheless it was accused of being Islamophobic. The reason for this is that these criteria are subjective and open to abuse to close down discussion that one side does not wish to partake in. They are insufficient to protect freedom of speech. Ultimately, Lancashire County Council was branded Islamophobic, not because it had in any way been bigoted or prejudiced against Muslims, but because it disagreed with a specific Islamic practice and the accusation was seen as an easy means of closing down the discussion without having to critically engage with it.
  8. **'Expressions of Muslimness'**  
The term 'expressions of Muslimness' is vague and does not adequately differentiate between the criticising of religious beliefs and acts of prejudice against individuals. For example, a Muslim woman may choose to wear various forms of head covering as an expression of her Muslim identity and as a manifestation of her religious beliefs. We believe that it would be an unjustified interference with her right to freedom of religion or belief to attempt to prohibit her from doing so or to discriminate against her because she chooses to do so. In
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some contexts, such as calls by the far-right to 'ban the burka,' the intent of the criticism is to promote discrimination against Muslims in general and so should be seen as part and parcel of unacceptable prejudice.

9. However, although it is an 'expression of Muslimness', the concept of Islamic head coverings should be freely open to discussion and indeed criticism. Muslims and non-Muslims should be able to state that they do not like it or what they see it as symbolising without being pilloried as Islamophobic. Some objections arise from a feminist perspective, from the perspective that it gives justification to the forced wearing of head coverings in this and other countries, or that it simply does not fit in with that person's ethical worldview. These are valid objections to this aspect of Islamic expression without such criticism constituting prejudice or hate against Muslims. This distinction is lost in the definition as currently formulated, which is drafted so broadly as to encompass any expression of Islamic practice. It also ignores differences between Muslims and with ex-Muslims towards certain expressions of Muslimness.

#### 10. **The impact upon ex-Muslims**

In the case of apostates, those who have left Islam, being able to question, criticise, and openly oppose Quranic teachings and all expressions of Muslimness is an important aspect of their identity, can help them to come to terms with abuse they have experienced, and is a legitimate expression of their new religion or belief. It is an important part of their reconciliation process, akin to 'coming out' for an LGBT individual who was previously part of an anti-LGBT community. In 2017, there were calls by the East London Mosque to ban the Council of Ex-Muslims of Britain from partaking in London Pride because they criticised Islamic-inspired homophobia. This is an example of how the right to free speech and of apostates to express their beliefs can be unfairly chilled by accusations of Islamophobia.

11. To state views, such as the examples provided above, is not to subject Muslims to abusive or discriminatory treatment. Rather it is to express views that some Muslims might disagree with or find offensive. Muslims, and indeed all people, have the right to hold religious beliefs or not, and to live free from abuse, but to disagree and even to insult Islamic beliefs is not to be abusive or prejudiced towards Muslims or Islamophobic in itself. In this regard, the intent of the speaker and the context in which the criticism is made, rather than the perception of the recipient, should form the test and be specified in the definition of Islamophobia. This is similar to the way the Racial and Religious Hatred Act takes into account the intent of the speaker.

#### **This definition lends support to the abuse of human rights abroad**

12. The failure to recognise the distinction between criticising Islam and discrimination against Muslims has severe negative consequences for freedom of religion or belief internationally. There are 13 countries where leaving Islam (apostasy) or expressing a view contrary to the approved version of Islam (blasphemy) is a crime punishable by death.<sup>6</sup> This is a severe violation of human rights, that we and many other civil and human rights organisations have for many years strongly opposed. We are therefore concerned that the adoption of

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<sup>6</sup> Afghanistan, Iran, Malaysia, the Maldives, Mauritania, Nigeria, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, United Arab Emirates, and Yemen.

this definition will feed into the narrative that underpins the maintenance of apostasy and blasphemy laws abroad and their use to persecute not just religious and non-religious minorities, but those perceived to be the 'wrong' type of Muslims.

13. The harm from adopting a definition that does not make this distinction clear is significant and has negative impact beyond the UK. The Runnymede Trust's 1997 report *Islamophobia: a challenge for us all* states that 'the term Islamophobia refers to unfounded hostility towards Islam.' The wording of this definition echoes those put out by the Organisation of Islamic Cooperation (OIC), many members of which support capital and criminal sanctions for blasphemy and apostasy. In fact, the first OIC Observatory report on Islamophobia references the Runnymede definition.<sup>7</sup>
14. Therefore, we consider any definition that does not explicitly make this distinction adds legitimacy to its use by OIC countries, and others, to shut down criticism of Islam as a means of denying those holding other beliefs their right to freedom of religion or belief, and expression.

### **Islamophobia as a form of racial discrimination**

15. Although we are firmly opposed to discrimination on grounds of religion or belief and believe that victims should be given equal protection under the law to victims of racial discrimination, as is currently the case, this definition of Islamophobia as a type of racism is not in line with the definition of racial discrimination under the Equality Act or European Convention on Human Rights. It creates an inconsistency across definitions and risks privileging anti-Muslim prejudice above all other types of anti-religious prejudice and Muslims who share a particular ethnicity over those who do not. It is certainly the case that many Muslims in the UK share the same protected characteristic of ethnicity. Therefore, anti-Muslim discrimination can and is often also indirect racial discrimination. However, this is certainly not always the case and we think conceptualising Islamophobia in this way conflates two equal but separate forms of discrimination.

### **For more details, information and evidence, contact Humanists UK:**

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<sup>7</sup> Organisation for Islamic Cooperation, *First OIC Observatory Report on Islamophobia, 2007-2008*  
[http://ww1.oic-oci.org/uploads/file/Islamophobia/islamophobia\\_rep\\_may\\_07\\_08.pdf](http://ww1.oic-oci.org/uploads/file/Islamophobia/islamophobia_rep_may_07_08.pdf)