

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM REVD DR WILLIAM PHILIP

I write in response to the call for views on the proposed Hate Crime and Public Order (Scotland) Bill, as per the website

<https://www.parliament.scot/parliamentarybusiness/CurrentCommittees/115038.aspx>

I write as both an individual concerned for healthy legislation in our nation, and also as the Senior Minister with oversight of several church congregations in Glasgow. These are made up of a wide range of people from across different parts of our society - undergraduate and postgraduate students, professionals and business people, workers of all classes, differing nationalities, including asylum seekers and various minorities.

We are therefore acutely aware of differing cultural concerns, and have experience of many who have experienced personal attacks both verbal and physical on account of their difference or perceived difference from others. And let me be clear: as followers of the Lord Jesus Christ, we are against all forms of hatred, and every expression of it, except of course that which Christ himself taught - hatred of all that is evil, both without and within our own hearts.

The desire for society to protect the vulnerable from hatred is therefore to be greatly commended. However, there is also, I believe, danger in the proposed legislation of creating other vulnerable groups who may be stigmatised, and branded as 'hateful' simply because they are judged by others to have and hold intentions quite other than they do.

You will be aware of the 'Free to Disagree' campaign, and the breadth of the coalition of those who are supporting that cause surely is evidence of the concern at the form of the proposed legislation.

My chief concern, and I know that I speak for the leadership of our churches, is with the issue of the creation of a new offence of 'stirring up hatred', something which is so broad in definition, so nebulous in scope and so subjective in its perception that it risks criminalising expression of disagreement, and indeed, where that disagreement is over a matter of deeply held religious faith, criminalising the practice of religious faith itself.

For example, I can imagine that it would be possible very easily for someone so inclined, mischievously (and worse, maliciously) to interpret the preaching and teaching of parts of the Christian faith as 'stirring up hatred' towards other religions or those of other religions. We believe in truth and error, right and wrong, and on many issues this puts us at odds with those of other faiths, or none, who take a different view. To teach the Christian view is therefore offensive to some, threatening to their world-view, and undermining of their lifestyle.

This could be construed as 'stirring up hatred', when in fact it is simply articulating a Christian world view, and issues from a motive of great love, and a desire for the fullest of human flourishing. I can well imagine that many things I have preached, and will continue to preach, could be caught up in this - though I have never (and would never) say anything in a desire to 'stir up hatred'. The problem is, hatred is increasingly in the eye of the beholder.

Granted, regrettably, there have sometimes been preachers (including Christian ones) who have been thoroughly objectionable, and even downright rude in their manner. But a distasteful and even derogatory style is still a very different thing from threatening and abusive behaviour. This the current law currently recognises clearly, and sufficiently, and I cannot see that the new proposals are necessary, though they will carry great dangers.

We live in an age of increasingly shrill identity politics, and social media quickly can be used to mobilise outrage - often quite erroneously and with devastating effects. Issues like sexual expression, sexual identity etc are highly charged issues today, and there is a real risk that a law such as the one proposed will be hijacked for political ends, used by pressure groups to silence their opponents and demonise those who disagree with their particular agenda.

But we must be allowed to discuss things in public, and we must be allowed to disagree. Thoroughgoing controversy is not the same as threatening conduct.

I fear for freedom of religion, and I fear for freedom of expression and speech which will be terribly damaging to a free society, and will in fact be deeply counter-productive, itself resulting in a stirring up of the very hatred it seeks to prevent.

I urge the government and parliament to revisit the proposals, and ensure far stronger protection for freedom of expression on critical issues, such as religious faith and sexual identity.

yours sincerely

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