

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM STIRLING BAPTIST CHURCH

We very much appreciate the desire of the Scottish Parliament to address the issue of 'hate-crime'. However, we would also like to affirm that a basic prerequisite of a liberal democracy is the ability to enjoy freedom of speech. We recognise there is a precarious balance to be struck here. In a healthy society ideas can be exchanged and assessed, and debate can be fostered, leading to a vibrant society willing to consider new ideas and for traditional views to be challenged. Freedom of expression brings with it, of course, a responsibility to use that privilege with care, not to use it to be thoughtlessly threatening or to create a situation where there is a sense of fear or physical unease. However, in some of the public discussion of this bill there has been a fear expressed it could lead to a departure from these generally accepted norms of freedom of speech. Although we would not disagree with the intention, we are concerned about how it could limit freedom of expression and create divisions and suspicion within Scottish society.

The Baptist Perspective

One of the principles of Baptist belief is the separation of church and state. We believe churches should be free from external political influence and the Church, as part of civil society, should be free to criticise or commend government. One of the results of the close relationship between church and state in the past was the blasphemy law which in itself was a limitation on free speech, giving the Christian church privileged protection and priority. Abolishing blasphemy, as this bill will do, is something which we would very much endorse. The law is outdated and discriminatory. Yet our fear is that some of the proposals in the Hate Crime Bill would introduce the equivalent of a modern-day blasphemy law.

Faith and Freedom of Speech

Christians are accustomed to having their faith criticised, even lampooned, and increasingly so in our current society where secularism is becoming the predominant philosophical belief. We believe that having our beliefs put under scrutiny is healthy for us, but we also believe we should have the opportunity to be able to explain the basis of our faith to anyone who is sceptical, even if what we say may be in conflict with, or challenge, their personal beliefs and values. We would not presume that freedom of speech be used only to our own advantage; freedom of belief allows other religions the same freedoms as Christians believe are our right in a democracy.

How Free?

The threshold in the bill for defining what is hate crime has been considerably lowered from what has previously been the norm, and the wording of 'abusive behaviour likely to stir up hatred' lacks clear definition. The Christian faith has some strongly-held beliefs on areas of personal morality and lifestyle, and even although these opinions are rooted in Christian tradition and belief there appears to be the potential in this bill they could be suppressed or even prosecuted. There would seem

to be no protection in the bill for those who cannot agree with certain modern assumption, especially regarding the nature of men and women.

Conclusion

In the public sphere at present there is a definite spirit of intolerance. A liberal orthodoxy has developed, especially in relation to issues of personal morality, where disagreement with that orthodoxy frequently results in victimisation and shaming. Our fear is that this bill, with its focus on individual and group identities, will do nothing to address this regrettable trend. It is notable that many groups across Scottish society – police, newspaper editors, faith groups, lawyers – have expressed concern over the potential disharmony this legislation is likely to cause. We as a faith minority also share concerns over this trend in Scottish society, reflected in this bill, and ask that greater safeguards and definition are built into the bill.

Dr Alasdair Black
Senior Pastor

Stirling Baptist Church
25 July 2020