

12 June 2005

Dear Prime Minister,

I am a novelist living in London, and I count myself, in broad terms at least, a supporter of your government. I am impressed by your government's impulse to social justice, and its promotion of economic prosperity to fund improvements in public services. I congratulate you on your third term.

However, I am writing to express my deep concern about the government's recent tabling of the Incitement to Religious Hatred Bill, despite the Home Secretary's promise of a period of consultation and public debate. I believe this legislation is vaguely drafted, fundamentally illiberal, and likely to promote, rather than diminish, tensions between religious groups, and to exacerbate racial hatred.

It is a basic error to confuse or conflate religion with race. It is, of course, right that a person should be protected from racial attack, whether verbal or physical: one's race is not chosen, but is an inalienable part of one's selfhood. We already have laws in place which give that protection. One's religion, on the other hand, is an active choice. In an open, pluralistic society, the freedom to criticise, however strongly, a thought system should be well beyond the reach of the law. Religious groups are notoriously prone to claim insult and offence. The radical or fundamental wings of many religions regard themselves as the unique inheritors of incontrovertible truths, and regard non-believers as their enemies. If this legislation is passed, the devoutly religious could legally insist in response to sharp criticism, or mockery, or intellectual savaging, or even scepticism, that hatred was being 'stirred up' – a dangerously imprecise term. I note that one of your colleagues on the Labour backbenches has said that he would expect to bring a case against Salman Rushdie and *The Satanic Verses* if the bill is approved.

Religious conviction needs or deserves no special legal protection, any more than atheism or socialism do. In the kind of open society we value, we must all expect our convictions to be exposed to the rough and tumble of free debate. The fact that there are many religions with differing and sometimes

incompatible beliefs clearly demonstrates that no single religion can lay claim to irrefutable authority. Only the secular state, embracing Enlightenment values of tolerance and the free exchange of ideas can guarantee religious freedom; certainly no religion would grant for long such freedom to its rivals. Far better for Parliament to show an even hand and set about the abolition of our outdated blasphemy laws, and thus treat all religions equally.

As I am sure you are aware, a sensible way forward has already been suggested by the Liberal Democrat MP, Evan Harris. He proposes an amendment which would ban “reference to a religion as a pretext for stirring up racial hatred”. This would adequately prevent, for example, the BNP using ‘Muslim’ as substitute for race without compromising freedom of expression. The government is proposing to waste valuable energy and time bringing this matter forward, and will alienate many of its natural supporters. It will face ferocious opposition – in the Lords and in the country at large. As you are probably aware, the organisations committed to oppose this bill range from English PEN and Article 19, to the Islamic Commission on Human Rights.

Using the Parliament Act to force the bill through would surely be unwise, for what is at issue here is momentous - the fundamental human right to free speech. This legislation will create an atmosphere in which free expression will be weakened by nervousness and hedging, artistic timidity as well as widespread resentment. Religious groups will be encouraged to go after each other in the courts, as has happened in Australia where similar legislation has already been passed. Fundamentalist Christians expect to use the new law to prevent shows like Jerry Springer being broadcast; Sikhs, who last year closed down the play *Behzti*, will likewise see the legislation as a new blasphemy law and act to prevent ‘insults’ to their faith.

I can understand that the framing of the bill derives from a well-intentioned desire to promote tolerance of all creeds. However, as the government sets out to appease those whose views are decidedly intolerant, it is likely to achieve the opposite of what is intended; I note that the legislation has been strongly lobbied for by the Muslim Council of Britain. This group has advocated in its newspaper the death penalty for ‘apostates’ – that is, for those Muslims who deny their faith.

It is my great hope that you will take a second look at these proposals and consider the Harris amendment. You have much else that weighs on your time and attention, and this is a battle you surely do not need to join. Passing this bill in its current form would be a defeat for the high principles of free expression which I know, from your own past remarks, you value as much as any of us.

I look forward to hearing your views on the matter.

Yours sincerely,

Ian McEwan