

Laws shouldn't be used to shield religious sensitivities

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Stephen Evans warns that the conviction of a man for burning a Quran brings us perilously close to reinstating blasphemy laws.



A man who tore out pages from a Quran and set them alight was convicted this week after pleading guilty to a single charge of racially or religiously aggravated intentional harassment or alarm.

Martin Frost's protest was a low key, mundane and somewhat lamentable affair. The 47-year-old was filmed holding a flag of Israel before tearing out pages of the text and setting fire to it. He was apparently demonstrating solidarity with Salwan Momika, an Iraqi Christian refugee who was shot dead last week after burning Qurans in Sweden during public demonstrations in 2023.

The 'victim' of Frost's protest was Fahad Iqbal. In his victim impact statement, Iqbal said: "I was quite shocked, disgusted and offended. I'm a Muslim. I still can't believe someone would do this. When he began to burn the Quran, my heart was about to break out. This is the most emotion I have ever felt."

Manchester Magistrates' Court heard how Frost had publicised the event online beforehand, and that it was streamed on social media. The "trigger" for his actions was the death of his daughter in the Israeli conflict which had affected his mental health.

Clearly the act of desecrating a Quran is offensive to some, including our supposed 'victim' who told the court he was "shocked, disgusted and offended". But the right to freedom of expression, as provided for in Article 10 of the European Convention on Human Rights, protects not only expressions that are favourably received but also those that 'offend, shock or disturb'.

Public order offences are well intentioned laws introduced to maintain peace and safety in public spaces, but this conviction sets a dangerous precedent. The legislation is being repurposed as a proxy for blasphemy laws.

Public order laws are open to misuse when they are too loosely drafted, enabling them to be wielded as tools of censorship, stifling expression and dissent in the name of protecting feelings, rather than ensuring public safety. Frost's protest was a non-violent, symbolic act. Regrettably, it was carried out on the site where the Manchester Arena bombing victims' memorial is situated – supposedly a place for quiet reflection. While his actions were perhaps unwise and unquestionably grossly offensive to some, it's not clear that his actions posed an immediate threat to public safety. If desecrating a copy of the Quran is unlawful in this context, in what context is it still lawful?

To be clear: I'm against book burning. It is often itself a form of censorship. I just don't think it should be illegal when the book concerned is deemed sacred by some.

In passing sentence, Judge Margaret McCormack said: "The Koran is a sacred book to Muslims and treating it as you did is going to cause extreme distress. This is a tolerant country, but we just do not tolerate this behaviour."

This brings us perilously close to the situation in countries that impose Islamic law – under which intentionally damaging the Quran is considered blasphemous.

We need to seriously think about the threshold at which personal religious sensitivities trump collective human rights. If laws designed to curb violence and keep the peace are being used to punish individuals for offending religious feelings, then blasphemy laws have been reintroduced by the back door.

Last year there was widespread incredulousness when Labour backbencher Tahir Ali stood up in Parliament and called for "measures to prohibit the desecration of all religious texts and the prophets of the Abrahamic religions". Ali will be reassured to learn that the blasphemy codes he advocates for have already been introduced by stealth. The rest of us should be alarmed.

The conviction of Martin Frost serves as a cautionary tale about the dangers of repurposing public order offences into instruments of censorship. The right to critique and offend must remain sacrosanct. The erosion of freedoms is unlikely to have a positive

effect on community relations. Social cohesion is best achieved not through the curtailment of rights, but through the exercise of them.

The establishment of de facto blasphemy codes threatens the very fabric of liberal democracy, and it is time to resist these retrogressive impulses with a firm commitment to freedom of expression for all.

Media coverage:

Police force accused of risking safety of man who burnt Koran (The Telegraph)

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