

The Daniel Scot story

The example of what happened in Australia to Daniel Scot shows why we should be concerned about the religious hatred law proposed for England and Wales.

Daniel Scot is an ordained Christian minister and he is also the Director of Ibrahim Ministries International – an organisation that seeks to educate Christians about Islam and support Christians who live in Muslim nations.

In December 2001 the state of Victoria in Australia introduced a law banning ‘religious vilification’. This law is very similar to the law being proposed by our Government. When this offence was proposed in the State of Victoria many groups were worried that it would inhibit free speech – particularly the liberty to criticise other faiths. But the State Government of Victoria assured everyone, no the law will not operate that way. Many other faith groups welcomed the offence. However, there

was enough concern about the offence to make them introduce a protection in the offence. Any statements made by anyone acting reasonably and in good faith for any genuine academic, artistic, religious or scientific purpose; or any purpose that is in the public interest, such statements are exempt from the offence. And most people breathed a sigh of relief, believing that freedom of speech and liberty of religious debate was safe.

Yet, this law was used against Daniel Scot by a well-organised Muslim group after he criticised Islam in a church seminar for Christians.

Although his criticisms of Islam were calm, reasonable and based on his considerable knowledge and experience - and although these comments were made in the setting of a Christian religious meeting - he was found guilty of 'religious hatred'. If such laws can catch someone like Daniel Scot, then similar laws could catch anyone for criticism of religion.

On 9 March 2002 (just three months after the law was introduced) Daniel gave a seminar in a church in Melbourne. The aim was to help Christians understand the Muslim faith. He has done many such seminars in churches throughout Australia and throughout the world.

The reason that he speaks on this subject is because of his particular experience and knowledge. He was born in Pakistan in 1951. His parents were Christian. He grew up in Pakistan - a country which is predominantly Muslim and whose culture is Islamic. He was lecturing in Mathematics at the FC College under the University of Punjab. In fact, in order to get this job he had to study Islam and pass an independent exam. In 1986 Pakistani law changed and blasphemy against the prophet Mohammed became a criminal offence punishable by death or life imprisonment. Shortly after this new law was introduced he was summoned before his College Authorities and was pressured to convert to Islam. He explained that there was no assurance of salvation in Mohammed and salvation was only through Jesus Christ. As a result of this, a charge of blasphemy was brought against him. He also learned that – as a result of his comments which had been reported throughout the college – several thousand students were on the streets, looking for him and threatening to kill him. He went into hiding and eventually fled to Australia. He cannot go back to his homeland because of the capital charge against him.

So, when Daniel Scot gives seminars to Christians about the teaching of Islam and when he talks about the dangers of fundamentalist Islam and Sharia Law, he knows what he is talking about.

He also makes it clear in his seminars that not all Muslims know what Islam teaches. Most Muslims do not know in detail the full teaching of Islam and are peaceful friendly people. But Daniel believes it is important that people are aware of the implications of the full teaching of Islam. In his seminars he expresses criticism of Islamic teaching on jihad, on the treatment of women and other matters. These criticisms of Islam are not unique to Daniel Scot. They are mainstream international concerns.

On 9 March 2002 he was giving his usual seminar to a group of Christians in a church. Unknown to Daniel, three white Muslim converts were in the audience. They had been encouraged to attend by a Muslim who is a member of the Islamic Council of Victoria who also worked for the Equal Opportunity Commission of Victoria. The three white Muslim converts made notes of the seminar which formed the basis of a complaint that Daniel's seminar had vilified their faith.

He ended up in court. The initial case lasted from October 2003 until June 2004 and cost Daniel over 200,000 Australian dollars. The cost would have been higher but much of the legal work was done for free. During the case he was asked by the judge whether he believed Christians and Muslims worship the same God. Of course, Daniel answered 'no!' But can you believe that in a Western secular court, a judge thinks it appropriate to ask such a theological question? At the end of the case he was found guilty of "religious vilification". In the written judgement, the judge says that Daniel claimed that Muslims were demons. However, nowhere in the transcript of the seminar or the court hearing can such a statement be found. Daniel's lawyers believe the judge has made a serious error of fact. His lawyers have identified 113 other errors of fact in the judgement and have submitted legal papers complaining about them.

Daniel believes he is innocent of breaking the law. All he did was to state his well-founded beliefs about the dangers of fundamentalist Islam and Sharia Law. The case has caused him a great deal of alarm and distress. He is appealing against the judgement. The Supreme Court of Victoria has accepted his application but no date has yet been given for the appeal hearing. The cost of appealing the case stands at over 100,000 Australian

Dollars and will increase further. This is in addition to cost of over 200,000 Australian Dollars for the initial court case.

Under the law he was charged with, any statements made for any genuine religious purpose by a person acting reasonably and in good faith are exempt from the "vilification" offence. But, despite his extensive knowledge and experience of Islam and despite the fact that his seminar was for Christians in a church, the judge dismissed this exemption.

By the way, there is no such exemption planned by the UK Government for its "incitement to religious hatred" law.

In Australia, this law is a civil law with civil penalties. The court has ordered Daniel to place four advertisements in Victorian newspapers carrying a statement bearing his name but written by the Islamic Council of Victoria. The statement says, among other things, that he has vilified all Muslims. It says he “presented the seminar in a way that was essentially hostile, demeaning and derogatory of all Muslim people, their God, their prophet Mohammed and in general Muslim beliefs and practices”. The cost of placing the advertisements would be about 70,000 Australian dollars. The court has also ordered Daniel to give an

undertaking not to make any similar criticisms of fundamentalist Islam anywhere in Australia at any time in the future.

Daniel has said that if the court could show him where he has been inaccurate or untruthful, he would apologise for that. But everything he said was accurate. He believes that in all good conscience, he cannot apologise for telling the truth. Nor is he willing to keep silent about the teachings of fundamentalist Islam. He will not say he was wrong, when he believes he was right. He will not do – he cannot do – what the court is asking.

As a result of this, he is likely to be found in contempt of court. This offence carries a possible prison sentence. He does not want to go to prison, but that may be the price Daniel Scot has to pay. He will not stop speaking the truth about the dangers of fundamentalist Islam.

Whilst the appeal is waiting to be heard, the penalty of the court has been suspended – apart from the ban on Daniel making similar comments about Islam.

After facing a death sentence because he would not convert to Islam, after being forced to flee his homeland, and after being taken to court by an Australian Muslim group, you may think that Daniel is bitter towards Muslims. But nothing could be further from the truth. He is a gentle, quiet, humble man who has the deepest concern for Muslim people. During the court case, he sheltered two young destitute Muslims in his own home. He fed them and clothed them and cared for them as if they were his own children. His friends told him he was unwise to take them in. He had received seven death threats from Muslims since arriving in Australia. But Daniel said, ‘my life is not in any Muslim’s hand – or anyone else’s – it is in God’s hand.’ These Muslim youngsters needed help, so he helped them.

The offence proposed for England and Wales by the UK Government is to be a criminal offence punishable by a maximum sentence of seven years in prison. One barrister has said that if this law was in operation in the UK and if anyone gave a seminar identical to Daniel Scot’s, they could be prosecuted and could face a maximum seven-year prison sentence.

There are two things about the Daniel Scot case which people should worry about. First, people should worry that fair comment and criticism about religion can so easily lead to a legal action under such a law. Second, people should worry that a well-organised minority religious group who knows how the legal system works can bring litigation to silence any criticism of its beliefs.

There may be some people who do not agree with Daniel's criticisms of Islam (although there are many who do agree). But that is not the point here. The point is, people should be free to argue their views - and they should be particularly free to do so in a religious meeting. What if you want to criticise Islam? Or Christianity, or Judaism, or Hinduism? You should be free to do so. You should be free to do so without fear of being hauled before the courts.

Daniel Scot is a man who had to flee for his life from the effects of Islam. he has studied Islamic religious history and its holy books. He is an ordained Christian minister who spoke calmly and reasonably of his concerns about Islam to a Christian group in a Christian church. And in doing so, he has suffered a lengthy and costly legal action and been

found guilty of "vilifying Islam". He faces the possibility of going to prison. If it happened to him, it could happen to you.

Religious liberty is too precious to throw away in a misguided attempt to protect religion. An "incitement to religious hatred" offence will damage free speech and stir up religious groups to bring litigation against each other. If Daniel Scot's story says anything, it says drop the Religious Hatred Bill.