*[March 10, 2021](https://blogs.cuit.columbia.edu/rightsviews/2021/03/10/brexit-and-its-international-implications-on-religious-communities-in-the-united-kingdom/) by*[*Anna Miller*](https://blogs.cuit.columbia.edu/rightsviews/author/aem2289/)[*1 Comment*](https://blogs.cuit.columbia.edu/rightsviews/2021/03/10/brexit-and-its-international-implications-on-religious-communities-in-the-united-kingdom/#comments)

# BREXIT AND ITS INTERNATIONAL IMPLICATIONS ON RELIGIOUS COMMUNITIES IN THE UNITED KINGDOM

By guest contributor Dr. Ozgur H. Cinar.\*

The United Kingdom (UK) is frequently on the international agenda on account of Brexit. Finally, the European Union (EU)-UK Trade Agreement was signed on 31 December 2020. It came into force on 1 January 2021. Although the debate over the political, economic, social and cultural effects of Brexit continues to rage, its effects on the religious communities has not been explored. In particular, when considering the rise in hate crime following the EU Referendum of 23 June 2016, especially religious communities are wondering what is happening to the British lifestyle, traditionally founded as it is on tolerance and pluralism.

In a cosmopolitan country such as the UK where there are people of many different nations and beliefs, it is necessary for the state to take an active role in safeguarding. This freedom has a significant place in human rights in regard to the shaping of individual and social identity by enabling individuals to act in accordance with their consciences.

In the 16th century, England, realizing that religious tolerance led to prosperity, showed tolerance towards the Jewish minority, allowing them to contribute to the state’s economy. In 1647, the ‘Levellers’ (a group of English political activists) produced ‘An Agreement of the People’ in which they stated that liberty of conscience in the context of religion and the right to conscientious objection to military service must be protected. Moreover, in 1689, John Locke penned an important article, ‘A letter concerning Toleration’, emphasizing the necessity for equal state protection for all religious beliefs of whatever nature.

[A painting on a wall

Description automatically generated with low confidence](http://blogs.cuit.columbia.edu/rightsviews/files/2021/03/Banksy.jpg)

**Post-Brexit: Hate Crime**

Between April 2011 and March 2018, [Home Office data reports](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748598/hate-crime-1718-hosb2018.pdf) 27,432 incidents of religious hate crime, more than 14,000 of which have been reported since the EU Referendum showing a rapid increase. There is no doubt that recent terror attacks and refugee movements in the UK and the wider world have contributed to the rise in hate crimes. Particularly, the irresponsible statements made by politicians before the Referendum were problematic. For instance, UKIP published a poster showing Nigel Farage displaying a picture of Syrian migrants with the caption: ‘Breaking Point: The EU has failed us all’, as well as a poster regarding Turkey, which is predominantly Moslem, saying: ‘Turkey (a country of 76 million) is joining the EU: Vote Leave’.

Most recently, the Prime Minister, Boris Johnson, has been accused of Islamophobia after saying Muslim women wearing burkas “[look like letter boxes”](https://www.bbc.co.uk/news/uk-politics-45083275). Meanwhile, the main opposition party leader, [Jeremy Corbyn](https://www.bbc.co.uk/news/world-europe-47770959), has been personally accused of 11 acts of antisemitism. Tory MP [Jacob Rees-Mogg](https://www.independent.co.uk/topic/jacob-rees-mogg) also defended his tweet of a speech made by the co-leader of the far-right Alternative for Germany (AfD) party. Opposition [Labour MP for Tottenham David Lammy](https://www.bbc.co.uk/news/world-europe-47770959) said [Mr Rees-Mogg was “promoting Germany’s overtly racist party, AfD](https://www.bbc.co.uk/news/world-europe-47770959)“. All of these examples are clearly distressing for British public. As [Amnesty International](https://www.amnesty.org.uk/files/Against-Hate-Briefing-2.pdf) stated, “[h]ate crimes may cause lasting physical and emotional damage. They can evoke despair, anger, and anxiety in victims. They spread fear and mistrust in communities and weaken the social glue that binds a society together.“

**Recommended Solutions**

With the increase in such extremist ideas the respect and tolerance for other religions for which the UK has been renowned for centuries is under threat. Therefore, the Department of Education called on all schools to actively promote [‘Fundamental British Values’](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/380595/SMSC_Guidance_Maintained_Schools.pdf), including respect and tolerance for those with different faiths and beliefs. Emphasis is also laid on the rule of law, democracy and individual freedoms. The intention of emphasizing these values is to prevent the extremism of young people.

Such a campaign may in the long run have an effect in countering extremist currents. Nevertheless, there are other urgent matters that need to be addressed. For instance, the Government should make a serious commitment to deal with hate crime. Indeed, hate crimes must be investigated in an effective way and the necessary sentences handed down forthwith. It is also important for [state bodies to implement existing legislation and other protective mechanisms fairly and equally](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/316099/9781474104852_Web.pdf).

As [Amnesty International](https://www.amnesty.org.uk/files/Against-Hate-Briefing-2.pdf) also recommended, the Home Office and the Ministry of Justice should ensure that all police officers as well as the personnel of local governments and other relevant organizations receive adequate training to correctly identify hate crime, to respond to victims and to support them appropriately. Moreover, state bodies should also listen to the voice of community members. [Good communication and engagement between public bodies and community members will certainly increase awareness of this issue](https://blogs.cuit.columbia.edu/rightsviews/2021/03/10/brexit-and-its-international-implications-on-religious-communities-in-the-united-kingdom/blank). Furthermore, it is necessary for everyone including the media and politicians, to take care over the kind of language they use.

**How will Brexit impact religious freedom in the UK?**

When hate crimes are on the rise, the question is whether not being a member of the EU would be a real obstacle to the committing of hate crimes.

One the one hand, [James Standish](http://religiousliberty.tv/will-brexit-impact-religious-freedom-britain.html) claims that not being a member of the EU would not affect religious freedom, but that it will, instead, improve it. On the other hand, [the President of the Conference of European Rabbis, Pinchas Goldschmidt](https://www.thejc.com/news/world/top-rabbi-says-brexit-making-life-more-difficult-for-jews-in-europe-1.438955), noted that religious communities will face difficulties. [The Liberty](https://www.libertyhumanrights.org.uk/human-rights/human-rights-uk-after-brexit) also says that being a non-EU country will have adverse effects on the freedom of religion and belief and religious communities.

EU Law has had an influence on UK law, in particular in fi[A picture containing text

Description automatically generated](http://blogs.cuit.columbia.edu/rightsviews/files/2021/03/39450903710_69980dde29_b.jpg)elds such as data protection, equality rights, victims’ rights and workplace discrimination. Therefore, the UK Parliament has adopted laws such as the Equality Acts. Furthermore, Article 10 of the EU Charter of Fundamental Rights is a significant article as regards the safeguarding of the freedom of religion and belief. After Brexit, these sources will not be legal binding in the UK.

However, several other legal sources will continue to apply. For instance, Article 9 of the European Convention on Human Rights (the Convention) protects this freedom. Article 14 of the Convention also prohibits discrimination on the grounds of a person’s religious beliefs. Hence, mechanisms to protect the religious communities can be ensured through either the Human Rights Act or the Convention.

The [White Paper](https://www.gov.uk/government/publications/the-repeal-bill-white-paper) published by the Government on 30 March 2017 regarding the Great Repeal Bill (EU Withdrawal Bill) declared that the existing legal sources such as the Equality Acts of 2006 and 2010 would remain in force after Brexit. In this context, [it should be noted that the protection of the positive effects of the EU on domestic law is dependent on the Government’s obligations arising from being part of international law and the international community, rather than from membership of the EU](https://www.equalityhumanrights.com/en/our-human-rights-work/what-does-brexit-mean-equality-and-human-rights-uk).

In conclusion, when countries such as France, Austria, Belgium and Germany where the hijab has been banned, as we learn from the previous experience, religious tolerance could lead to prosperity. On completion of Brexit, the UK could be the only country in Europe where Muslims or other religious minorities could work without worrying about having to remove their religious garments or symbols. In other words, the UK could be the ideal destination for people whose religious freedom is at stake because of lack of implementation of EU instruments in the above-mentioned countries. Thus, it is the perfect time for the British Government to take a stand in favor of the relevant freedoms. This will certainly contribute to the UK to rebuild its reputation at international level as a tolerant and pluralist country.

\* Dr. Ozgur H. Cinar is an Associate Professor at the University of Greenwich, School of Law and Criminology.

Photos:

“Banksy does Brexit” by dullhunk is licensed under CC BY 2.0

“Stand Up To Islamophobia” by Tim Dennell is licensed under CC BY-NC 2.0