

**SUBMISSION TO THE HOUSE OF LORDS SELECT COMMITTEE
ON THE BBC CHARTER REVIEW
FROM THE BRITISH HUMANIST ASSOCIATION**

NB: this memorandum responds specifically to your request for submissions on religious broadcasting but overtakes & incorporates our earlier submission of May 2005.

Summary

We argue that the BBC should reflect society back to itself so as to aid its dialogue and help shape decisions and attitudes. It should as a public authority serving the nation as a whole maintain an impartial approach to matters of controversy, including religion and belief. At present, on the contrary, it acts as a promoter of religion, especially Christianity, by providing its proponents with extensive broadcasting time, including unchallenged platforms, and by deliberately refusing time for non-religious beliefs. It does this despite the clearest evidence that only a minority of the population holds any genuine religious beliefs while the number explicitly denying religious belief is rapidly growing. We suggest that this denial of a platform for the exposition and exploration of non-religious beliefs has left many people without convincing foundations for their morality and without a clear perception of their place in the universe. Such a lack of bearings can only be damaging both to the individuals concerned and to society as a whole.

Introduction

1. The British Humanist Association (BHA) is the principal organisation representing the interests of the large and growing population of ethically concerned but non-religious people living in the UK. It exists to promote Humanism and support and represent those who seek to live good lives without religious or superstitious beliefs. The census of 2001 showed that those with no religion were the second largest 'belief group' at 15.5%, two and-a-half times as large as all the non-Christian religions put together. Other surveys consistently report very much higher proportions of people without religious belief (see *para. 12*). By no means are all these people humanists, but our consistent experience is that the majority of people without religious beliefs, when they hear about Humanism, say that they have unknowingly long been humanists themselves¹ - a point of some relevance to your present enquiry, as we bring out below.

¹ This is true, for example, even of our President, the comedian Linda Smith, who had not heard of Humanism until we contacted her after she appeared on Radio 4's *Devout Sceptics*.

2. Believing as we do that this is the only life we have, we are particularly committed to maximising individual freedom to make the best of life and therefore to human rights and to the sort of society - a democratic open society with accountable institutions of government - best suited to preserve individual rights and freedom. On the basis of these commitments, we believe that government and all public bodies should exercise a policy of disinterested impartiality towards contending beliefs within society so long as their adherents conform to the laws and minimum conventions of the society. So far as concerns religion and corresponding non-religious beliefs, we maintain that this requires that such shared public institutions be secular, in the sense of neutral.

3. With this strong commitment to the open society the BHA does not seek any privilege in its promotion of the humanist life-stance, but correspondingly we object strongly to privileges accorded to the adherents of religion by virtue of their beliefs. There are two major institutional examples of such privilege being granted to religion: the education system and the BBC. Between them they cause immense damage to society. We therefore welcome the terms of your enquiry, especially as it explicitly covers no faith beliefs.

Duties of a public service broadcaster in an open society

4. The comparative uniformity of society in past times has probably been exaggerated, but it is undoubtedly true that the last half-century has seen an accelerating diversity of both views and interests. This has resulted from the end of social deference, the collapse of shared religious beliefs, the increase in the number and variety of people from different ethnic groups and cultures, and many other factors. This increasing diversity has been accompanied by faster and more numerous channels of communication, which in itself is potentially destabilising.

5. In this environment, the importance of public service broadcasting² in providing a forum for public discussion cannot be over-exaggerated. Society needs effective means to learn about itself, about changing circumstances and emerging challenges, and to communicate with itself and debate views and policies. Broadcasting offers by far the most important means whereby the members of a modern open society can communicate with each other and jointly address the challenges that face them.³ From the most trivial phone in to the profoundest of philosophical discussions it allows members of society to learn about each other and negotiate the terms on which they share their community. Public service broadcasting is vital to the fulfilment

² We do not intend in this memorandum to deal with the very many other functions of public service broadcasting (education, the arts, sport, etc) except to say that we recognise their great importance and the generally high achievement of the BBC in these areas.

³ We regard it as more important than the press because of the breadth of its audience and (in the case of the BBC) its mandated neutrality.

of this function, and the BBC is immeasurably more committed to meeting this need than any other broadcaster.⁴

6. Such broadcasting can be secured only if the BBC's independence is guaranteed. It requires a protected environment and cannot be expected to survive in an uninhibited marketplace. Independence is potentially threatened by over-commitment to commercial targets, by interference by government and by any over-identification with particular interest groups. In this memorandum we argue that the BBC has overwhelmingly identified itself with the interests of religion, especially the Christian religion, deliberately neglecting the legitimate expectations of a large part of its audience.

The BBC's Duty to Minorities

7. It has always been the duty of BBC to "inform, educate and entertain". A crucial part of that duty is to mirror the country back to itself so as to assist in society's dialogue with itself. The Green Paper on charter renewal referred to its role of "reflecting the UK, its Nations, regions and communities" and added that it should "provide programmes and services that reflect the UK's different regions and communities and that make the public aware of the different cultures and alternative viewpoints seen in the UK". It stated the principle that the BBC should "provide a range of programming reflecting different religions and other beliefs that is appropriate to multifaith Britain". The BBC in its own response accepted this, referring to the role of "serving different audiences and ... reflecting their diverse cultures to the whole UK". It later acknowledged the need to be "more reflective of the diversity of all audiences".

8. In its paper *Building Public Value* last year the BBC endorsed the principles of universality, fairness and equity, and accountability, referred to the need to "foster [...] greater audience understanding of cultural differences across the UK population" in areas including "faith", to "faithfully reflect [...] modern Britain's diversity in mainstream as well as specialist programmes", and to "listen [...] to [the] concerns and priorities [of the UK's minorities], and reflect [...] those concerns in the future development of services". It pledged to "make special efforts to connect with the UK's ... minorities and to encourage members of these minorities to offer their talent and energy to BBC programmes and services".

9. Such principles are admirable, but sadly they count for nothing when the BBC is asked to "connect with" the very large minority of non-religious people in the UK, to reflect their existence and to help them articulate their beliefs. Instead, the BBC marginalises and undermines respect for non-religious ways of life, it fails to make

⁴ We would add that the value for money it offers is off the scale when compared with the cost of cable and satellite offerings. This is not to say that the BBC is perfect: we share the widespread view that scheduling on both the principal BBC television channels is often depressingly unambitious (other than in terms of audience maximisation). But by contrast (for example) the offering of Radio 4 is incomparable.

clear to its audience that such ways of life are possible and satisfactory, and it unbalances discussion of political and social issues by largely ignoring the arguments and views of the explicitly non-religious. When challenged it responds variously (as we show in paras. 27 sqq.) by suggesting the non-religious cannot be expected to rise above soap operas and game shows, by asserting in the face of the evidence that it already caters for them, and by rejecting every constructive proposal put to it.

Nature and extent of non-religious beliefs

10. We wish initially to clarify some of the concepts we use in this memorandum. Both the Universal Declaration and the European Convention of Human Rights refer to 'religion or belief' and both have interpreted the phrase to apply equally to religious and non-religious beliefs. The Human Rights Act in section 6 requires public authorities (such as the BBC) not to discriminate on grounds covered by the Convention, including therefore discrimination between religious and non-religious 'lifestances' or 'world views' (the German version of the Convention uses the stronger, more expressive word *Weltanschauung* where the English version says 'belief').

11. Contrary to the implicit position of the BBC and much traditional discourse, a non-religious lifestance or belief is not merely the absence of religious belief but a positive set of beliefs and moral attitudes. Humanism is such a lifestance, drawing on a tradition that is as old as or older than all the major world religions. It is not a single centrally and authoritatively dictated set of beliefs - humanists are freethinkers who acknowledge no such central authority. Rather, the word serves as the label for a certain range of beliefs and ethical positions. At Annex I we give a broad description of the lifestance that would command wide assent among humanists and serves to show the core positive content of the lifestance.

12. We refer above to the finding of the census in 2001 that about 15.5% of the UK population said they had no religion. As we have argued elsewhere⁵, the census question in England and Wales ("What is your religion?"), asked in a context of questions about ethnicity, was heavily biased, explaining why its results were hugely at odds with all other surveys on the question⁶. At Annex II we quote a large number of such surveys and further details of the census.

13. It is significant that one such poll was commissioned by the BBC itself for its *Heaven and Earth Show* in September 2003. It showed 26% of atheists or agnostics and another 24% who were "spiritually inclined but don't really belong to an organised religion"⁷. Here we have half the population who have explicitly or implicitly

⁵ In a submission to the Office of National Statistics on the census in 2011.

⁶ This is borne out even by the census itself: a different question in Scotland produced a total of 27.6% with no religion, whereas in England with the question quoted here the figure was only 14.6%.

⁷ Evidence of this is found in the rapidly growing demand for non-religious ceremonies - baby-namings, weddings, and funerals.

rejected religion. Does the BBC assume that none of them has any interest in exploring what it means to live a life without religion? to find non-religious answers to the so-called 'ultimate questions'? to articulate a non-religious basis for morality? It would seem so from its failure to provide any platform for such exercises even while it continues to lavish time on religion⁸.

14. A recent paper for the BBC governors quoted Dr Colin Morris as saying: "In the 60s, radical theologians predicted that from the ruins of organised religion, a maturely secular world would emerge. Chance would be a fine thing. What emerged was a society riven by every conceivable form of religiosity." It is arguable that the fault lies less with the "mature secular" population, who have articulated the humanist viewpoint with compelling clarity, than with the major institutions of society: the education system, bound by law to teach the young religion but no alternative, and the BBC, stubbornly resisting for over 50 years requests by humanists and other freethinkers for access to the most important platform of all for public discussion even while they provide the churches with unmediated access to an often unwilling public (as with *Thought for the Day*) across the schedules.

Two types of programme

15. We think it useful to distinguish between two types of programme dealing with religion and belief –

(a) those that offer a commentary (news, magazine and discussion programmes) - see paras. 16-18

and

(b) those that are devoted to presenting a religion on its own terms, offering a service to its followers (such as religious services and homilies like *Prayer for the Day* and *Thought for the Day*) - see paras 19-21.

16. The role of commentary is unquestionably proper and desirable: such programmes fulfil in the area of fundamental values and beliefs and their related institutions the same role as news and current affairs programmes do for the more ephemeral area of politics. They inform their audience, they provide for debate about ideas that can then be accepted or rejected, and on balance they encourage moderation and cooperation between people of profoundly different beliefs.

17. To a small extent the BBC already covers matters of concern to the non-religious in such programmes, but largely only when we issue a criticism of some religious policy or initiative. For example, our criticisms of religious schools have been noticed - but our constructive alternative policy, prepared after wide consultation in the

⁸ Its statements of programme policy for 2004/05 proposed 80 hours of religious programming on BBC1, 20 hours on BBC2, over 150 hours on Radio 2 and at least 170 hours on Radio 4, as well as unquantified totals on other channels.

education world, has been ignored. Our influence in the reform of religious education in schools over many years and our current constructive role in helping forward the equality and human rights agenda have likewise been ignored.

18. Decisions over the content of such programmes as *Sunday* (Radio 4) and *The Heaven and Earth Show* (BBC1) are a complex of many considerations and in any particular case can doubtless be defended. What cannot be excused is the overall (but difficult to quantify) bias against considered explicit non-religious lifestyles.

19. The second category of programme is those in which a representative of a religion is given unmediated access to the audience. It would be possible to make a principled case against a public authority such as the BBC in an open society putting its resources at the disposal of a particular religion or belief – “why should a public institution do the churches work for them?”⁹ We do not take that line: it may be irrelevant that programmes such as Radio 4's daily service are sanctified by history, but they plainly provide a valued service to a number of people (principally the devout housebound).

20. But such provision must not be discriminatory. Its extent must reflect not the historical predominance of the Christian religion but the present state of belief in the UK. There are now many non-Christian religions and a far greater disparity within Christianity than Lord Reith could ever have dreamed of, let alone a popular renunciation of religion as a guiding force that would have alarmed him severely. The BBC needs to regain its balance and neutrality by extending its programming to ‘new’ religions and beliefs - including secular lifestyles such as Humanism.

21. The present situation is far from satisfactory. For example, Radio 4 broadcasts every week almost three-and-a-half hours of direct, unmediated broadcasting by believers to believers - mainly but not quite exclusively Christian¹⁰. This excludes the several magazine programmes dealing with religion. Nor are speakers on (for example) *Thought for the Day*, who are amazingly given access not just to those who choose to tune in but to a huge captive audience to Radio 4's *Today* programme,

⁹ We note that some countries are organised on a confessional basis with separate provision of broadcasting (and other services) by and for (for example) Roman Catholics, Lutherans and Humanists. A case in point is the Netherlands. Organisation of the state into such columns would be impossible to substitute for our profoundly different British system and anyway we object to it in principle as too limiting.

¹⁰ Typically:

Sat: Prayer for the Day (2 mins) + Thought for the Day (3 mins)

Sun: Something Understood (30 mins * 2) + Sunday Worship (38 mins)

Mon-Fri: Prayer for the Day (2 mins) + Thought for the Day (3 mins) + Daily Service (15 mins)

R4 total = 3 hours 23 mins / week direct committed pastoral religious broadcasting. At times of religious festivals, this provision is substantially expanded.

confined to anodyne if (to many) irritating religious reflections: they are even allowed to argue a case on matters of political controversy, as the Chief Rabbi did against physician assisted dying on the morning of the House of Lords debate on Lord Joffe's Bill within minutes of a balanced *Today* item on the subject. The position is similar but less marked on Radio 2 and on television. Though there is some very small provision of such unmediated time for non-Christian religions, there is absolutely no comparable provision for what is (according even to the census) the second largest group in the spectrum of religion or belief - namely those with a non-religious outlook, including humanists.

Amount of time

22. A serious problem is that such programming is potentially invasive of the schedules. If unfair discrimination cannot be supported and the schedules are not to be overrun by programming for small minorities, it suggests that whatever time is available be reallocated roughly in proportion to some combination of population and demand or appreciation. (The new digital channels will provide some help, with (on radio) the BBC's popular Asian Network well placed to provide some Hindu, Islamic and Sikh programmes.)

Legislation on Human Rights and Non-discrimination

23. There is growing recognition that, in line with the Human Rights Act and the European Convention on Human Rights, the entire spectrum of fundamental beliefs or lifestyles, embracing not just the various religions but also non-religious beliefs with a comparable function, should be treated without discrimination. This is what the Human Rights Act itself requires (see Annex III), as do (for example) the Employment Equality (Religion or Belief) Regulations 2003 and the current Equality Bill. The BHA at the invitation of Government departments is taking a constructive part in the steering group for the new Commission for Equality and Human Rights and in other aspects of the equality agenda.

24. Moreover, as the result of an amendment introduced by the Government itself, the Communications Act 2003 (at section 264(6)(f)) requires that public service broadcasters should provide programmes about "religion and other beliefs" (characterised as "collective belief[s] in, or other adherence to, a systemised set of ethical or philosophical principles or of mystical or transcendental doctrines" - section 264(13)). In introducing the amendment, Lord McIntosh of Haringey explicitly referred to Humanism:

The second [amendment] is to add a reference to other beliefs, which would include ethical systems or philosophies such as humanism or secularism.

Lords Hansard, 1 July 2003: Column 784

25. The BBC, the principal public service broadcaster, has never acknowledged that this legal change requires any action on its part. It has never referred to it in any of its policy statements in connection with charter renewal or otherwise. Its language in

policy documents remains exclusive, referring only to religion rather than inclusively to religions and beliefs.

26. What is more, an enquiry by the BHA under the Freedom of Information Act early in 2005 revealed that the BBC had generated not a single item referring to the new law. Despite this complete absence of consideration, it has numerous times asserted to us its confidence that it meets the requirements of the Act.

The BBC in its own words

27. We should like to illustrate the BBC's attitude by quotation from correspondence.

(1) In November 2002 the BBC's head of religion and ethics, Alan Bookbinder, was quoted in the *Church of England Newspaper* as saying:

All our licence payers are entitled to see their belief reflected back to them. Broadly we try to keep a balance according to the composition of the audience. It is not a direct mathematical formula, but we are aware of the make up of our audience as we try to reflect that.

A BHA member wrote to him, saying:

Given that about 30% of the population do not believe in God, and that a substantial proportion of them are Humanists and/or lead effectively humanist lives, would you please tell me what you are doing to reflect back our beliefs to us?

Bookbinder replied:

The 30% who don't believe in God and "lead effectively humanist lives" (whatever that means) have acres of TV and Radio time devoted to secular concerns.

We find this reply revealing, first, in its disdainful reference to humanism and secondly by its suggestion that people without religion need no programmes about their fundamental values but can be satisfied by the "acres of time" devoted to (presumably) game shows, comedies, sport and soaps.

(2): On 23 July 2003, a letter from Alan Bookbinder in the Daily Telegraph included the claim: "our recent success fighting off the atheist lobby demonstrates that [Radio 4's Thought for the Day] is still very much a religious slot". This followed an approach by about 100 distinguished persons coordinated by the BHA, the Rationalist Association and the National Secular Society asking that occasional comments from a non-religious viewpoint be included in *Thought for the Day* - a suggestion roundly rejected by the BBC even on appeal to the Governors.

(3): Greg Dyke as director-general summed up the BBC's position in a letter of 28 August 2003: "... demand for programmes [about Humanism] is ... met by items on programmes such as *The Heaven and Earth Show*, or radio programmes presented by humanist scientists". The appearance of humanist scientists in programmes is unsurprising, given that so many eminent scientists (not to speak of writers, philosophers and other public figures) are humanists, but it is irrelevant to our demands since they do not appear as humanists but as scientists etc. And while it is true that the non-religious are sometimes asked to appear in religious magazine programmes, they are almost invariably asked to respond to religious speakers on a religious agenda, so that they are positioned as foils to the religious, and can explain their views only in the context of religious belief. Not only that, but of course humanists can have little idea when such items will appear, so that the BBC apparently expects them to listen or watch in hope through hours of religious material in order to hear the odd contested word supporting their own views.

(4): When the Communications Act was passed in 2003, we wrote to the then Director-General, Greg Dyke, saying: "We believe we can be helpful and constructive in assisting you meet this new public service obligation and we look forward to a productive dialogue". The offer was rejected as was the suggestion that any change of policy by the BBC was necessary following the Act. The correspondence is reproduced in Annex IV.

(5): When we wrote to him when he became Director-General, saying: "what is lacking is even the slightest parallel to the unmediated presentation of religion that is so pervasive in the BBC's output", Mark Thompson asserted in reply (16 August 2004) without quoting any evidence: "the BBC's programming schedule meets all public service requirements with regard to religion and other beliefs imposed on the BBC by the Communications Act". In a later letter (15 October 2004) he stated "Our Religion and Ethics department regularly meets representatives of a wide variety of faiths and belief systems specifically to ensure that such views are appropriately represented". There are no such regular meetings with us or any other body representing non-religious lifestyles. The head of religion and ethics has met us once, at our request, in January 2004, when we put forward a list of ideas for programmes to which, after much prompting, he responded the following October by rejecting them one and all.

(6): A BHA member received in May this year the following response to a complaint:

As a public service broadcaster the BBC has a responsibility to meet the needs of all audiences. Over 75% of the adult audience claim some religious allegiance (2001 census).

Much of the BBC's output approaches the world from a secular, non-religious point of view. A minority of the BBC's output has specifically religious content - some of it celebratory and affirming, some of it journalistic and scrutinising - while other programmes, such as Jonathan Miller's *Brief History of Disbelief*, have addressed atheism directly.

On Friday 13 May the BBC Governors held a seminar, attended by Mark Thompson, senior executives and a panel of invited experts, to discuss the BBC's religious and belief programming. The BBC has a public service responsibility to provide religious programming. The purpose of this seminar was not to find ways of increasing religious output, but to discuss how the BBC can best meet this commitment by providing programmes of the highest quality. The seminar also explored how different faiths and beliefs could be reflected across a range of genres. If you would like to read more about the seminar please go to:

http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/09_05_05_religious_output.pdf

This response, typical of many, is worth some comment.

A: "Over 75% of the adult audience claim some religious allegiance (2001 census)" - but (i) no-one is questioning the need for some religious programmes; (ii) the BBC implicitly admits that there is another 25%: do they not deserve proper attention? (iii) the adherence of many in the 75% is in any case merely nominal - we have already quoted the BBC's own poll that found 26% of atheists or agnostics and another 24% who were spiritually inclined but don't really belong to an organised religion - Humanism might well be very attractive to them if they were allowed to hear about it.

B. "Much of the BBC's output approaches the world from a secular, non-religious point of view" - The suggestion here seems to be that those without a religious belief cannot be expected to rise above programmes about make-overs, sport and travel. Do those without religious beliefs, in other words, not have any serious philosophy of life that is worth examination? If the BBC's answer is that they do not, they are saying that the many serious thinkers who embrace Humanism have nothing to say that is at all worthy of attention. If on the other hand the BBC admits that positive non-religious beliefs are worth examination, why do they deliberately and consistently refuse to pay any attention to them whatever?

C. "Jonathan Miller's Brief History of Disbelief" was shown on BBC4 and has still not been scheduled for showing on a terrestrial channel. In any case it did not deal with positive non-religious world-views such as Humanism but only with the rejection of religion - i.e., good as it was, it was essentially negative, not suggesting any positive alternative to religion.

D. "On Friday 13 May the BBC Governors held a seminar". The British Humanist Association made a detailed submission to the Governors specifically for this review. It seems to have been ignored: there was no reference to it in the Governance Unit paper prepared for the meeting (to which their web link leads) or in the report on the seminar posted on the BBC website.

E. "The BBC has a public service responsibility to provide religious programming." This is a blatant distortion of the truth by omission: the duty as set

out in the Communications Act refers (as stated above) not to religion but to religion and other beliefs, including Humanism. The Act cannot be quoted as a defence for the BBC's failure to provide programmes about Humanism - it specifically requires them to do so.

28. We could multiply these quotations many times over: all show that the BBC persistently refuses to respond to our arguments other than by bland assertion of its own blamelessness and by arguments that carry no weight.

Broadcasting for the non-religious

29. At a time when religion is in decline, it should not be the role of a public service broadcaster in an open society artificially to sustain religious belief, whether by providing religion with a disproportionate amount of airtime or by excluding rival beliefs from the principal medium whereby groups in society can make themselves heard. Rather than provide a platform only for those who lament the alleged rootlessness and immorality of the present generation, or indeed the increasing secularisation of society, the BBC should also be helping those with constructive and coherent alternative life-stances and non-religious answers to 'ultimate questions' to test them on the public. If society is suffering from moral confusion and spiritual anomie as is often alleged then it is vital that alternatives to the failing tradition of supernatural religion be explored, not suppressed.

30. Religious programmes, and religious teaching in other contexts, often claim that only religion can provide the basis for morality. This not only insults the large number of people who lead ethical lives without religious beliefs, but also undermines the moral commitment of the large number of people who reject the religion they were brought up in. While the vast majority of non-believers find that they are perfectly capable of living moral lives without recourse to any external authority, there can be little doubt that programmes which explore non-religious lifestyles that base morality in our common humanity would help to ground people's moral values, and hence would also benefit society as a whole. If the BBC were to produce programmes of this kind, it would be an excellent example of public service broadcasting.

31. It may be useful to reiterate what we are seeking.

32. We want the BBC to cease discriminating against non-religious beliefs by recognising that they are part of the same spectrum as religion and should be treated on equal terms.

33. We therefore want programmes specifically for the non-religious, so flagged, recognising that much of the public will (owing to the prevailing religious bias of the school system and the media) have a confused and unarticulated world-view at best. After all, for several generations both religious education and broadcasting have set up religion as the preferred basis for life and implied that morality depends on it: when millions have rejected religion and but neither schools nor the mass media

have provided any coherent alternative, many end up confused and unsure about the basis of morality.

34. The programmes we seek would not be attacks on religion (any more than Christian programmes are attacks on Islam, for example) but reflections on the basis of secular morality and on particular moral issues, on a secular spirituality and living a non-religious life, drawing on the tradition of non-religious lifestyles (Confucianism, Epicureanism, Stoicism, the philosophy of the Locke, Hume, Mill, Russell, etc, etc) from ancient times down to present day.

35. Such programmes would help the large number of people who do not hold religious beliefs to explore what they do believe, and how those beliefs affect the way they lead their lives. They could be expected in a small way to yield a social dividend - to help social cohesion and commitment, to combat the moral anomie, cynicism and selfishness that some commentators perceive in modern society.

36. Given the immovably entrenched position the BBC has taken over decades in defending its bias towards religion, we believe that aspirations such as that in the Green Paper, at pp 40-1, which refers to a requirement to provide programmes about "different religions and other beliefs" are inadequate. An obligation should be firmly embedded within the Charter (and wherever else the aims of the BBC are to be expressed or monitored) that the BBC cater, without discrimination, for the different belief groups in our society, explicitly including such non-religious groups as humanists. Otherwise we cannot trust the BBC to turn bland general assurances into real programmes.

Governance

37. In keeping with our general views, we would oppose any religious (or humanist) representation on the BBC board of governors or any trust that might replace it, and likewise on any BBC regional or national boards.

38. The BBC has a Central Religious Advisory Council. We wrote to the BBC in 2004 pointing out its obligation under the Human Rights Act not to discriminate on grounds of religion or belief and asking that the terms of reference of CRAC be extended to cover non-religious lifestyles. This request was rejected by Mark Thompson, the Director-General, on the illogical grounds that the BBC was confident that its programming met all the requirements of the Communications Act to provide programmes about nonreligious beliefs. (If it needs advice on its religious programmes, why should it any less require advice on its alleged programmes on non-religious lifestyles?) We have been told subsequently that a review of all the advisory bodies is pending. We hold to the view that an advisory council limited to religion is discriminatory and that its terms of reference should be widened to cover all religious and non-religious beliefs and that its membership should include a representative of Humanism as the principal non-religious lifestyle in the UK.

39. We take this opportunity to point out that there is confusion about where any duty to enforce section 264 of the Communications Act lies. The BBC has consistently seen the duty as lying with Ofcom: for example, in a letter of 16 August 2004 Mark Thompson wrote to us: "Under Section 264 of the Act, Ofcom reports on the fulfilment of the BBC's obligations under section 264(6) and we remain confident that Ofcom will report favourably in this respect". On the other hand, Ofcom in its recent review of public service broadcasting ignored section 264 and in a letter to us of 8 March 2005 said: "The performance of the BBC in respect to its duties as defined by section 264(6)(g) is a matter for the Governors and, through the Charter Review process, the Government". The Act seems to us to place the obligation on Ofcom but the evident confusion is frustrating to ourselves and anyone else wishing to see the BBC held to account for the multiple obligations that Parliament plainly intended to impose on it as the principal public service broadcaster.

9 October 2005

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ANNEX I

Humanism

Humanism is an approach to life based on humanity and reason. For humanists it fulfils much the same function as a religion does for its believers.

Humanists recognise that it is simply human nature to have moral values but that when we make moral particular judgements we need to interpret those widely shared values by the use of knowledge, reason and experience. Faced with a difficult decision, we consider and assess the available evidence and the likely outcomes of alternative actions. We do not refer to any dogma, sacred text or fashionable but unsubstantiated theory.

Humanists find the best available explanations of life and the universe in the naturalistic and provisional answers provided by scientific enquiry and the use of reason. We think it folly to turn to other sources - such as religion or superstition - for answers to unanswered questions. Humanists are therefore atheists or agnostics - but Humanism is a philosophy in its own right, not just a negative response to religion.

Humanists believe that this is the only life we have and we see it as our responsibility to make life as good as possible, not only for ourselves but for everyone - including future generations. We strongly support individual human rights and freedoms - but believe equally in the importance of individual responsibility, social co-operation and mutual respect. We endorse the idea of an open society in which, despite fundamentally different beliefs and lifestyles people of good will live co-operatively together, with shared institutions, laws and government that are deliberately kept neutral as between different belief groups.

As Humanists we create meaning and purpose for ourselves by adopting worthwhile goals and endeavouring to live our lives to the full. We feel awe at the immensity of the universe and the intricate nature of its workings, we find inspiration in the richness of the natural world, in music, the arts, the achievements of the past and the possibilities of the future, we find fulfilment in worthwhile activity, in physical recreation and endeavour and in the pleasures of human interaction, affection and love.

ANNEX II

Polls and surveys on belief

1

Populus poll on churchgoing (Nov 2004)

More than weekly	2 %
Weekly	10%
Monthly	5%
A few times a year	36%
Never	47%

2

Young People in Britain: The Attitudes and Experiences of 12 to 19 Year Olds.
DfES Research Report RR564, National Centre for Social Research 2004 - ISBN 1 84478 291 3

Do you regard yourself as belonging to any particular religion?
IF YES: Which?

None	65 %
Christian	27%
Muslim	5%
Hindu	1%
Jewish	1%
Sikh	1%

3

Survey of 13,000 young people by Revd Professor Leslie Francis and Revd Dr William Kay, Trinity College Carmarthen (*Teenage Religion and Values*, Gracewing, 1995).

61% of 14-16 year olds described themselves as atheist or agnostic.

4

ICM poll for Guardian Weekend 27 November 2004 (510 16-year-olds)
Do you believe in God?

Yes	35 %
No	45 %
Don't know	20%

5

YouGov poll for Daily Telegraph (1981 adults aged 18+ throughout Britain online between 16th and 18th December 2004)

Do you believe in God?

Yes	44 %
No	35 %
Don't know	21 %

6

Marriages (ONS 4/2/2005)

	1991	2003
Religious	50.7%	32.2%
Civil	49.3% 6	67.8%

7

Mori poll (4,270 respondents) for The Tablet May 2005

Atheist or agnostic	24 %
aged 18-34	36%
aged 65+	11%

8

YouGov poll for Daily Telegraph (3505 adults aged 18+ throughout Britain online between 20th and 22nd July 2005)

Below is a list of phrases which might be used to describe or define Britain and what it is to be British. For each one, please indicate how important you think that word or phrase is in defining Britishness.

The Church of England

Very important	17 %
Fairly important	28 %
Not very important	29 %
Not at all important	23 %
Don't know	3 %

9

ICM poll for The Guardian 23 August 2005

Q9. The government is expanding the number of state funded faith schools, including Muslim schools. Which one of the following do you most agree with?

- 25% Faith schools are an important part of our education system and if there are Anglican and Jewish state-funded schools there should also be Muslim ones.
- 8% Faith schools are an important part of our education system but the government should not be funding Muslim schools.
- 64% Schools should be for everyone regardless of religion and the government should not be funding faith schools of any kind.
- 4% Don't know

10

Home Office Research Study 274: Religion in England and Wales: findings from the 2001 Home Office Citizenship Survey (March 2004)

Table 3.1: Which of the following things would say something important about you, if you were describing yourself?

Your religion 9th of 10 factors at 20%

Table 3.2: Top ten things that would say something important about the respondent - by ethnicity

White:	religion ranked	10th of 10 factors
Black:		3rd
Asian:		2nd
Mixed ethnicity:		7th

11

Poll for BBC Heaven & Earth Show (7 September 2003) of 1001 British adults, aged 16+

Q.1a From the following list, which two or three things, if any, have the most influence on your views or outlook on life?

Your own experience of life	62%
Your parents	56%
Your education	30%
Friends	26%
Newspapers and TV	17%
Religious teachings	17%
Books	12%

Politicians	3%
Celebrities you admire	2%
None	1%
Don't know	1%

Q.2a Which, if any, of the following would you say best describes you?

I am a practising member of an organised religion	18%
I am a non-practising member of an organised religion	25%
I am spiritually inclined but don't really belong to an organised religion	24%
I am agnostic (not sure if there's a God)	14%
I am atheist (convinced there's no God)	12%
None of these	7%
Don't know	1%

12

Census 2001

RELIGION (%)	England	Wales	Scotland	N. Ireland	UK
Christianity	71.74	71.90	65.08	85.83	71.58
Islam	3.10	0.75	0.84	0.12	2.71
Hindu	1.11	0.19	0.11	0.05	0.95
Sikh	0.67	0.07	0.13	0.01	0.57
Jew	0.52	0.08	0.13	0.02	0.45
Buddhist	0.28	0.18	0.14	0.14	0.26
Other Religions	0.29	0.24	0.53	0.07	0.30
No Religion	14.60	18.53	27.55	2.72	15.56
Not Stated	7.69	8.06	5.49	11.15	7.62
TOTAL	100.00	100.00	100.00	100.00	100.00

ANNEX III

Human Rights Act 1998

(a) Extracts

3. - (1) So far as it is possible to do so, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with the Convention rights.

(2) This section-

(a) applies to primary legislation and subordinate legislation whenever enacted; ...

6. - (1) It is unlawful for a public authority to act in a way which is incompatible with a Convention right. . .

(3) In this section "public authority" includes-

(a) a court or tribunal, and

(b) any person certain of whose functions are functions of a public nature ...

(6) "An act" includes a failure to act ...

ARTICLE 9 - FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 14 - PROHIBITION OF DISCRIMINATION

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

(b) Relevant Court Cases under Article 9 of the ECHR

“As enshrined in Article 9, freedom of thought conscience and religion is one of the foundations of a ‘democratic society’ within the meaning of the Convention. It is, in its religious dimension, one of the most vital elements that go to make up the identity of believers and their conception of life, but it is also a precious asset for atheists, sceptics and the unconcerned.” - *Kokkinakis v Greece: (1994) 17 EHRR 397, para 31*

“The right to freedom of religion as guaranteed under the Convention excludes any discretion on the part of the State to determine whether religious beliefs or the means used to express such beliefs are legitimate.” - *Manoussakis v Greece*: (1996), *EHRR* 387, para 47

Belief means “more than just ‘mere opinions or deeply held feelings’; there must be a holding of spiritual or philosophical convictions which have an identifiable formal content . - *McFeekly v UK*: (1981), 3 *EHRR* 161

“The term ‘beliefs’ ... denotes a certain level of cogency seriousness cohesion and importance” - *Campbell and Cosans v. UK*: (1982), 4 *EHRR* 293 para 36 (this case related to Article 2 - right to education).

In re Crawley Green Road Cemetery, Luton - St Alban’s Consistory Court: Dec. 2000 - it was taken held without argument that Humanism was a belief within the meaning of the Human Rights Act.

(c) Commentary

from the UN Human Rights Committee on Article 18 of the International Covenant on Civil and Political Rights (*which is essentially similar to Article 9 of the European Convention*):

“Article 18 protects theistic, non- theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions.” - *Human Rights Committee, 1993 (General Comment no 22(48) (Art. 18) adopted on July 20th 1993, CCPR/C/21/Rev.1/Add.4, September 27th 1993, p1.)*

ANNEX IV

Correspondence with the BBC

A: Letter from BHA to Greg Dyke, Director-General BBC: 30 July 2003

Dear Mr Dyke

Humanist programming under the new Communications Act

I am writing to request a meeting in the light of section 264(6) of the new Communications Act.

Your files will reveal that the British Humanist Association has for a long time – our files suggest at least 40 years expressed dissatisfaction with the lack of humanist programmes in the BBC's output.

Most recently, we joined last year with the National Secular Society and the Rationalist Press Association to demand that humanist speakers be invited to contribute to Thought for the Day. Your Governors have rejected that suggestion, preserving a status quo which in our eyes is completely unsatisfactory.

We should like to clarify our position. We regard it as entirely proper that the BBC provide programmes about religion, including broadcasts of religious services and other programmes in which leaders of the Christian and other communities directly convey religious messages to believers. Indeed, we do not object to Thought for the Day sometimes including messages hostile to our beliefs, for example Anne Atkins on Thought for the Day, 16 May 2003: 'Without God, where do we find absolutes of right and wrong? What is to stop a secular society sinking to depths of depravity that as yet we only dream of?' [1]

We acknowledge that your output includes occasional programmes questioning the credibility of some religious claims and covering the harm done in the name of religion. We also acknowledge that many of your contributors are unbelievers, including many who are humanists - it could scarcely be otherwise when you look at the list of the names of our vice-presidents and distinguished supporters, and the membership of our humanist philosophers and scientists groups.

But we look in vain for programmes parallel to the very extensive output you provide for religious believers. Unbelievers are left without any adequate articulation on the BBC's national radio or television channels of their beliefs and life stances.

In letters you have sent to correspondents you have referred to the inclusion of secular voices in programmes such as The Moral Maze. However entertaining and provocative that programme is, it does not offer a forum for anyone to set out their fundamental beliefs. You have also mentioned the participation of unbelievers in religious programming such as Beyond Belief or Devout Sceptics. But in these programmes, the non-religious participants are responding to a religious agenda, rather than presenting their own beliefs.

What one searches the BBC's schedules for in vain is any programme in which leading humanists broadcast directly to a humanist audience about Humanism. While the number of people who identify themselves as a humanist is relatively small, the 2001 census revealed that the second largest group in the population is those with no religion - a group that (at

14.8%) is two-and-a-half times as large as all the non-Christian believers put together. These people have moral codes and beliefs, and they have their own answers to the 'ultimate questions' over which religion at present has a near-monopoly in your programmes. We maintain that the BBC's public service role should include helping these people a high proportion of whom would share basically humanist views - speak to each other and learn more about the long and distinguished history of their philosophy.

The BBC provides the equivalent to Christians in huge measure every day, and increasingly to other religions also. Sikh and Jewish contributors are frequently heard on Thought for the Day, although those religions can claim only 0.6% and 0.5% respectively of the population, but the BBC has hitherto failed almost entirely to serve the considerably larger and growing audience of people with a non-religious life stance in the way it serves its religious viewers and listeners.

The situation has, of course, changed since we last corresponded with you on this matter.

The Communications Act, as you will be aware, requires that you provide 'what appears to OFCOM to be a suitable quantity and range of programmes dealing with ... religion and other beliefs'. The Act defines belief for this purpose as 'a collective belief in, or other adherence to, a systemised set of ethical or philosophical principles or of mystical or transcendental doctrines'. This definition clearly encompasses Humanism. You will also have noted that Lord McIntosh, introducing the amendment for the Government, said that its purpose was 'to add a reference to other beliefs, which would include ethical systems or philosophies such as humanism or secularism'.

The basis of the wording lies, of course, in the European Convention on Human Rights and the Human Rights Act (1998), which refer to 'religion or belief' and forbid discrimination by public authorities [2] on grounds of religion or belief. Case law has demonstrated that Humanism and atheism are to be treated as beliefs under the ECHR and HRA.

If discrimination is to be avoided, the implication of the Communications Act would be that 5,000 hours of religious broadcasting (which we understand to be approximately your present output) needs (given the census results) to be balanced by over 950 hours of equivalent broadcasting for the non-religious population.

In the light of the Communications Act, we would appreciate an opportunity to meet with you to discuss how you propose to implement these new obligations. If that proves impossible, perhaps you could arrange for us to meet with an appropriate senior manager. We would prefer not to have this meeting with staff from your Religion and Ethics department, since it is clear from their statements, for example Mr Bookbinder's letter in the Daily Telegraph on 23 July (our recent success fighting off the atheist lobby) that they are unwilling to respect the rights of people with non-religious beliefs.

The Act gives examples of the sort of programmes that might be provided:

(i) programmes providing news and other information about different religions and other beliefs;

(ii) programmes about the history of different religions and other beliefs;

and

(iii) programmes showing acts of worship and other ceremonies and practices (including some showing acts of worship and other ceremonies in their entirety).

The most basic requirement is information about beliefs. This must, in our view, include programmes in which humanists present humanist beliefs without any third party - religious or sceptical providing a commentary, and without the necessity for balance, since balance is already overwhelmingly present in the weight of religious programming in the current schedules.

We believe we can be helpful and constructive in assisting you meet this new public service obligation and we look forward to a productive dialogue.

Yours sincerely,

Hanne Stinson
Executive Director

[1] <http://www.bbc.co.uk/religion/programmes/thought/documents/t20030516.html>

[2] We assume that you agree that the BBC is a public authority: it was cited as an example of one during the passage of the Human Rights Act - see Hansard HC 17.6.98, col. 411.

B: Reply from Greg Dyke to BHA: 28 August 2003

Dear Ms Stinson

Thank you for your letter of 30 July, previously acknowledged, requesting a meeting about coverage of the Humanist viewpoint in our programmes in view of the new Communications Act.

It is helpful to have your appreciation of the BBC's range of religious programmes and your recognition that we also commission programmes which question the value and achievement of religion.

However, I must dispute the statistic which leads you to assert that the Humanist perspective is entitled to some 950 hours of annual coverage. The 14.8% of the population who said in the recent census that they had no religion does not equate with the very small number of people who are active humanists. There is no evidence that this 14.8% has any interest in programmes about humanism.

Our research suggests that the demand for programmes '...in which leading humanists broadcast directly to humanists about Humanism... is very small, and easily met by items on programmes such as The Heaven and Earth Show, or radio programmes presented by humanist scientists. We also have a BBC Four series in production about the history of atheism, presented by Jonathan Miller. We are advised that this range and number of programmes more than adequately addresses any question of discrimination under European Human Rights legislation.

You mention section 264 of the Communications Act. This requires OFCOM to report on whether public service broadcasters are fulfilling the purposes of public service television broadcasting. One element of this assessment is whether, looking at all the television services provided by the BBC, ITV, Channel 4, Five and the Welsh Authority as a whole,

there is, in OFCOM's view, a suitable quantity of programmes dealing with religion and other beliefs. In the light of our programming mentioned above, we are confident that OFCOM will report favourably in respect of the BBC on this point.

Thank you for your offer to help us meet the public service obligations expressed in the Communications Act. However, if you are unwilling to meet the BBC's Head of Religion and Ethics, who, as I'm sure you know, is an agnostic, on the basis of the information you have provided I don't believe that a meeting with me or anyone else will be helpful. I will ensure that our Religion and Ethics department is aware of this correspondence. I am sure they will continue to bear the Humanist point of view in mind for future coverage in our programmes whenever an appropriate opportunity arises.

Yours sincerely,

Greg Dyke

C: Further letter from BHA to BBC: 15 October 2003

Dear Mr Dyke

Thank you for your letter of 28 August. I am sorry to have been so long in responding.

We are disappointed at your reply, which we do not see as an adequate answer to the points we made in our letter of 30 July. Nevertheless, we must acknowledge some fault in probably misleading you as to what we were in fact proposing.

For example, we are certainly not seeking anything like 950 hours of annual coverage of the Humanist viewpoint and we regret that a rhetorical point seemed to be meant literally. In practical terms, we are looking for a gradual increase in the number of programmes, perhaps mainly on radio in the first instance, since this is often more suited to the presentation of ideas.

Humanists, as you say, make up only a proportion of the 14.8% of the population who have no religion. Our point, however, is that a large proportion of that 14.8% are leading humanist lives to at least the same extent that a large proportion of the 71.7% of nominal Christians are leading Christian lives. It is also our experience that very many non-believers who have never thought of themselves as humanists will, when they hear or read about Humanism, immediately identify themselves as having been humanists all their lives, and this confirmation of their beliefs and approach to life may be extremely important to them. These people, as well as those who already identify themselves as humanists, are entitled to programmes that affirm or articulate their beliefs. As far as we can see, they are not offered any such programmes.

The examples you give make our point. A recent Heaven and Earth Show put an atheist up against believers in a confrontation. It was not a programme about atheism but about belief. Similarly, the first two, at least, of the Radio 4 series Amongst the Unbelievers are devoted to people reflecting on the religions they have lost (Catholicism and Judaism), and Devout Sceptics generally has that same religion-centred focus. Radio programmes presented by humanist scientists are about science, not about Humanism, and are as relevant to the argument as a claim that the balance is kept by the large number of completely secular programmes on sport, cooking and politics.

You refer also to the forthcoming Jonathan Miller series on atheism, but this will presumably be a critical/historical examination of rejection of belief in gods, not a presentation of atheism for atheists, and even that would not, in any case, be about Humanism. Your examples indeed betray a confusion of atheism and Humanism.

Humanism is about Humanism, not about the rejection of religion. What we are seeking is no more anti-religious than Christian programmes are anti-Muslim. May I press you to say when the BBC last broadcast a programme (other than on local radio) that presented and examined Humanism?

The difference between the BBC's minimal - effectively non-existent - treatment of Humanism and the many hours each week of straight presentation of Christianity by Christians to Christians (and lesser amounts of time for other religions) is blatant.

It may or may not be narrowly defensible under the Communications Act (we doubt it and shall, if it regrettably becomes necessary, put our case about that to OFCOM), but getting away with it should surely not be the BBC's governing principle.

We are not seeking a confrontation with the BBC but a constructive dialogue leading to some recognition in the schedules. The Government recognises that we have a distinctive and valuable viewpoint. We have had constructive meetings in the recent past with officials and/or ministers in the Lord Chancellor's Department, the Home Office, the DTI, and the DfES - sometimes at the Government's initiative. Our deeply considered proposals on a law on incitement to religious hatred were quoted extensively and broadly favourably by the relevant Lords Select Committee, to whom we gave both written and oral evidence. The Government specifically named Humanism in introducing the relevant wording of section 264(6) of the new Communications Act.

It would seem odd if, at a time when in pursuit of an agenda of inclusiveness, Government departments and ministers meet us without demur and find those meetings valuable, and when Parliament has specifically sought to ensure that programmes about Humanism are broadcast, the BBC should persist in what appears close to an attitude of disdain.

We had hoped that the new Act would be seen by the BBC as an opportunity for a positive change. Sparring by post is an unproductive game and what we seek is a constructive and positive dialogue.

I am therefore asking you to reconsider our request for a meeting. If you are unwilling or unable to meet us yourself and can only offer a meeting with Mr Bookbinder, we shall of course accept. However, we shall do so in the expectation that he will approach the meeting with an open mind and will not be armed with a brief to defend the BBC's current policy to the end.

I look forward to hearing from you.

Yours sincerely,

Hanne Stinson
Executive Director