

Institution: University of Liverpool
Unit of Assessment: 32 - Philosophy
Title of case study: Religious Symbolism and Discrimination
<p>1. Summary of the impact</p> <p>The <i>Religious Symbolism and Discrimination</i> project consists of a body of research in the philosophy of religion that has effected changes in practice and awareness among religious practitioners, legal practitioners, and policy makers both within the North-West of England and nationally. This case study describes changes in users' awareness of the issues involved in religious-discrimination legal cases; changes in their religious literacy; and changes in their practice (particularly with regard to professional equalities training). The project delivered impact on civil life and public discourse through (a) a philosophical analysis of the concepts of symbol and belief in religious-discrimination cases; (b) a participatory research methodology that involved users in the construction of research right from the beginning; and (c) community-engagement activities devised to ensure that the research findings influenced users.</p>
<p>2. Underpinning research</p> <p><i>Religious Symbolism and Discrimination</i> was undertaken as an AHRC <i>Connected Communities</i> project between February and October 2012, when both Whistler and Hill were lecturers at the University of Liverpool (since 2010). In the light of recent public and media controversy over the rights of individuals to wear religious symbols (such as crosses, niqābs, karas, and chastity rings) in the public sphere, its core research question ran, 'when, if ever, is it acceptable to prohibit the use of religious symbols?'. This question was answered by means of a two-fold research methodology: a philosophical analysis of the concepts underlying debates on religious discrimination (for example, the concepts of symbol and belief), and participatory research into how these concepts are employed by religious and legal practitioners and policy makers. The project consisted of two elements, and the resulting monograph, <i>The Right to Wear Religious Symbols</i> (Palgrave 2013), contains:</p> <ul style="list-style-type: none"> (a) a detailed account of the analytical research underpinning the project; (b) evidence of the participatory methodology carried out with research users. <p><u><i>Formulation of Participatory Research Methodology</i></u></p> <p>The project's innovative combination of theoretical methods and participatory research follows the programme set out by Whistler in his contribution to the <i>Speculative Philosophies and Religious Practices</i> issue of <i>Political Theology</i> (2012), which develops a conception of philosophy of religion as community-based research. On this model, user-participation is not an extrinsic end-process conducted once research answers have already been formulated, but an intrinsic component of the philosophising. This research contributes to a reconceptualisation of the practice of philosophy of religion, making it more responsive to lived religion, and is now being further developed in Whistler's AHRC network, <i>Philosophy and Religious Practices</i> (in collaboration with the University of Chester, Liverpool Hope University, and local faith groups), which runs from January 2013 to May 2014.</p> <p><u><i>Research Findings</i></u></p> <p>The underpinning philosophical analysis of concepts in Article 9 of the European Convention of Human Rights found in <i>The Right to Wear Religious Symbols</i> derives in part from research undertaken by Whistler, particularly <i>Schelling's Theory of Symbolic Language</i> (OUP 2013; the majority of the research carried out since Whistler joined the University of Liverpool in October 2010; some background research carried out at the University of Oxford prior to this date). Redeploying the philosophical material collected in <i>Schelling's Theory of Symbolic Language</i>, the research finds that a proper understanding of symbolism would provide, significantly, a better theoretical framework for the jurisprudence of the European Court of Human Rights. In particular, Whistler and Hill argue that this jurisprudence has recently turned away from interpreting the</p>

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various uses of symbols solely in the light of high-level, antecedent beliefs manifested by them to seeing them as practices in their own right. This is developed in two ways:

- (i) through a reading of the philosophical literature on symbols that focuses on their capacity to create meaning independently of belief-expression;
- (ii) through a move away from looking at the uses of symbols in relation to high-level theoretical belief systems (such as religions) in favour of seeing them as expressions of low-level practical beliefs.

Against the background of public unease at the task of balancing the rights of the individual to wear religious symbols and the rights of others, culminating in the recent Strasbourg court case *Eweida v UK*, the significance of the project as a whole lies in its use of the tools of philosophy of religion to engage with the anxieties of specific religious and secular communities, something which UK philosophy of religion has rarely done. Evidence of this lack is how little work has been undertaken on the way in which analyses of core religious concepts might benefit policy and public debate. Trigg's *Religion in Public Life* (OUP 2007) and *Equality, Freedom and Religion* (OUP 2012) are alone in doing this; however, the *Religious Symbolism and Discrimination* project differs from Trigg's in its methodology.

3. References to the research

Daniel J. Hill and Daniel Whistler, *The Right to Wear Religious Symbols*. Palgrave-Macmillan, 2013. ISBN: 113735416X. Listed in REF2 (Hill).

The above monograph emerges out of the report: Daniel Whistler and Daniel J. Hill, *Religious Discrimination and Symbolism: A Philosophical Perspective*. AHRC Connected Communities Scoping Study Report (October 2012; [Liverpool Research Archive](#)).

The quality of the research is evidenced by the fact that it is substantially underpinned by the following peer-reviewed publications:

- (a) Daniel Whistler, *Schelling's Theory of Symbolic Language*. Oxford: Oxford University Press, 2013. ISBN: 019967373X. Listed in REF2.
- (b) Daniel Whistler, Chris Baker, and John Reader, 'Speculative Philosophies and Religious Practices' in *Political Theology* 13.2 (2012; ISSN: 1462-317X), pp 141–55. [The section, 'The Impact of Philosophy of Religion' (pp. 149-51) is the relevant contribution by Whistler to this piece.]

The report, *Religious Discrimination and Symbolism: A Philosophical Perspective*, has also been cited in the peer-reviewed articles: Alice Donald, 'Advancing Debate about Religion or Belief, Equality and Human Rights,' *Oxford Journal of Law and Religion* 2.1 (Spring 2013), DOI: 10.1093/ojlr/rwt002, and Mark Hill QC, 'Religious Symbolism and Conscientious Objection in the Workplace', *Ecclesiastical Law Journal* 15 (May 2013), DOI: 10.1017/S0956618X13000215.

This research has been supported by AHRC grants awarded both for its production and on the basis of its success:

- (a) *Philosophy of Religion and Religious Communities: Defining Beliefs and Symbols*, AHRC Connected Communities Scoping Study, 01/02/2012 – 31/09/2012. Principal Investigator: Daniel Whistler; Co-Investigator: Daniel J. Hill. Value: £24,935.45.
- (b) *Philosophy and Religious Practices*, AHRC Connected Communities Research Network, 01/01/2013 – 31/05/2014. Principal Investigator: Daniel Whistler (along with formal partners: University of Chester and Liverpool Hope University). Value: £27,512.72.

4. Details of the impact

Delivery

Users benefited from this research through two mechanisms: (a) the participatory research method by means of which the report (*Religious Discrimination and Symbolism: A Philosophical Perspective*) was first generated; (b) the community-engagement activities devised to ensure the

research findings influenced users.

(a): The report was written in consultation with significant stakeholders in local faith-based communities (such as the Hindu Cultural Organization, the Liverpool Muslim Society, Education Islam, the North-West Zoroastrian Community, Chaplains at local universities and Coventry Multi-Faith Forum) together with other local and national religious practitioners (the former Anglican Bishop of Rochester, the Roman-Catholic Archbishop of Liverpool, a council member of the National Secular Society, a member of the British Humanist Association and representatives from Christian Concern, the Evangelical Alliance and the National Council of Hindu Temples), as well as legal practitioners (such as leading religious-rights barrister Mark Hill QC) and key policy makers (including Charles Clarke, the former Home Secretary, and employees from the Equality and Human Rights Commission). It was then reviewed by leading policy makers, including several members of Parliament, pressure groups, and legal counsel involved in some of the key cases (*Eweida v British Airways* and *Chaplin v Royal Devon and Exeter Hospital*), and revised in the light of comments received.

(b): The findings of the report were disseminated through interviews given by Hill to local radio stations, a public debate in Manchester and the [Philosophy in the City](#) public blog. Whistler and Hill also held meetings with key participants in the high-profile *Eweida*, *Chaplin*, *McFarlane*, and *Ladele* cases to further the reach of the report. These participants included Paul Diamond (representing Chaplin and McFarlane), representatives from the Christian Legal Centre, and the applicants, Shirley Chaplin and Gary McFarlane.

Impact on Public Discourse: Participatory Research

The monograph, *The Right to Wear Religious Symbols*, is itself evidence of the involvement and investment of users in the construction of the research findings. In accordance with the participatory-research methodology devised in Whistler and Hill's research, interactive discussion of the core research question and the report's contents provided a means not only to engage non-academic users in discussion, but also to promote philosophical skills, such as analysis. This model is currently being redeployed and expanded in the *Philosophy and Religious Practices* research network.

The impact of such active research participation, as well as of the research findings themselves, on public discourse by enriching both users' awareness of the concepts specifically at issue in legal cases concerning religious discrimination, and their religious literacy more generally, is attested by an end-of-project questionnaire (completed in November 2012). 100% stated that participation had improved their understanding of recent legal debates; 100%, that it had improved their understanding of public discussions surrounding religious discrimination; and 100%, that their understanding of the role of symbolism in faith communities had been improved. Participants spoke of gaining "a much better knowledge of the law and the practices of various faiths", of gaining "a greater depth of understanding of the reasons for different religious practices in the UK" and "better insight into the reasoning of the courts". For many users, this change in awareness also had transformative significance: 63% maintained that participation in the research project had "changed the way they thought" about issues surrounding religious discrimination.

Impact on Civil Life: Practice and Policy

After engaging with the disseminated findings, many new users recorded changes in their religious literacy in connection with the project's research findings, e.g. its identification of a 'practical turn' in recent European case rulings and conceptual analysis of that turn. 88% of those responding to the end-of-project questionnaire found that the project had significantly "made a difference to their understanding" of debates surrounding religious discrimination.

This figure includes representatives from all the beneficiaries of the project: religious practitioners, legal practitioners, and policy makers. Of the religious practitioners, Michael Nazir-Ali, the former Bishop of Rochester, spoke of the report as a resource to "be widely used to promote religious literacy in our common life" and furthermore hoped that it would be "available to the employers, the employment tribunals and the courts" making decisions on the protection of religious symbols.

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Representatives of a leading organisation for the raising of awareness of Islam in the UK, *Education Islam*, also said that the report had been extremely helpful for their future work. Of the legal practitioners, Mark Hill QC, a leading barrister at Francis Taylor Buildings Chambers, spoke of being “delighted” at the legal significance of the report, which, he added, would be “a matter of great interest” to lawyers in the UK. And from the policy makers involved in the project, Charles Clarke, the former Home Secretary and Secretary of State for Education, described the report as “extremely valuable” for rethinking policy in this area, and David Perfect of the Equality and Human Rights Commission called the report “very useful” for two policy projects on religion or belief being undertaken by the EHRC in 2013. (All of these testimonials were collated in Summer/Autumn 2012.)

Only three months after the project finished, already a quarter of those completing the end-of-project questionnaire claimed that they had *put the findings into practice* outside the project. That is, the project, having accomplished its aim to raise awareness, and offer new understanding, of key concepts underlying the debate around religious discrimination, also led to changes in practice in civil life on the basis of its findings.

One significant example of such a change in practice took place at Network Rail's Professional Equalities Training for Workforce-Development Specialists in York in July 2012. A presenter at this meeting, who was also a religious-practitioner participant in the *Religious Symbolism and Discrimination* project, made substantial use of the findings of the project in both the oral presentation that he gave on religious symbolism in the workplace and also in printed material that he produced for the team members. His presentation on this component of equalities training was significantly altered through engaging with the research, and he was subsequently asked to join the Inter-Faith Network at Network Rail.

5. Sources to corroborate the impact

1. *Philosophy in the City* [blogposts](#) (particularly ‘[Philosophers on Religious Discrimination?!](#)’ and ‘[Strasbourg’s Latest Judgment on Religious Discrimination](#)’) provide corroboration of the impact regarding community-outreach activities.
2. Corroboration of end-of-project questionnaire (cited section 4): [questions](#) and [breakdown of responses](#) demonstrates changes in understanding and practice occurred as a result of the research.
3. A member of the North-West Zoroastrian Community can be contacted to corroborate the claims regarding the end-of-project questionnaire.
4. The former Home Secretary to the UK Government can be contacted to corroborate the impact on civil life from the perspective of national policy in accordance with the quotations in section 4.
5. The former Bishop of Rochester (Church of England) can be contacted to corroborate the impact on civil life from the perspective of a national faith community in accordance with the quotations in section 4.
6. A member of the Equality and Human Rights Commission can be contacted to corroborate the impact on civil life from the perspective of national policy in accordance with the quotations in section 4.
7. A Workforce Development specialist (Network Rail) can be contacted to corroborate the claims relating to the National Rail’s Professional Equalities training in section 4.