Justice Committee

Offensive Behaviour at Football and Threatening Communications (Scotland) Bill

Written submission from the Scottish Catholic Observer

Although not contacted directly during the consultation period on the Offensive Behaviour at Football and Threatening Communications (Scotland) Bill, I saw the need to contact the Justice Committee on behalf of our readers as the bill comes back before its members today heading towards stage 2.

While acknowledging the difficult task you face legislating on this issue, the Scottish Catholic Observer would like to urge caution and encourage a defined focus.

Caution is required as to what areas fall under the parameters of the bill. For example in 2006 former SCO editor Harry Conroy handed in a petition and addressed the Public Petitions Committee on the issue of the right to bless oneself in public in relation to another football incident involving Artur Boruc.

Focus is also an issue because the definition of the problem is key to the successful outcome of any attempt to tackle it. To this end I attach an SCO article on anti-Catholic bigotry by Professor Emeritus Patrick Reilly as part of the SCO submission.

One last issue that keeps arising is the correct application and enforcement of the law already in place rather than new legislation.

Liz Leydon
Editor, Scottish Catholic Observer
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Article on anti-Catholic bigotry by Professor Emeritus Patrick Reilly

Sectarianism in Scotland is not a level playing field.

Professor Patrick Reilly says current attempts to tackle sectarianism are inadequate, misguided and, in fact, a distortion of the truth, because Scotland has an anti-Catholic problem, not a sectarian one.

Certain major misgivings arise from the way in which the word sectarian is being used in the present ongoing debate. Most of us thought we knew what it meant until Holyrood began talking about it. Roseanna Cunningham has explained what it means, but, to quote Lord Byron, I wish she would explain the explanation. What is disturbing is the evasiveness, the deliberate distortion of the truth rather than revealing it. For the truth is that Scotland does not have a sectarian problem, it has an anti-Catholic one. Not until we call things by their proper names can we hope to find a proper solution.
Secondly, there is the vagueness, the elasticity, of the word as it is being currently used. It has simply become a portmanteau term for offensive. But offensive is not synonymous with sectarian. The very presence in the country of Catholics of Irish ancestry is, for many people, offensive—what else can the ‘Famine Song mean?’ In Holyrood, a Conservative politician identified the existence of separate Catholic schools as the prime cause of sectarian offence. Plainly, he along with many others finds these schools offensive, but that does not mean that they are sectarian.

The question is why has the word come to be used, more precisely abused, in these totally impermissible ways? The clue is to be found in the key axiom governing debate about religion in Scotland, namely, that you must not fault one side without simultaneously incriminating the other. Consider education. You may say that there is anti-Catholicism in Scotland, but only if you immediately qualify this by adding that Catholics bring this hostility upon themselves by perversely insisting upon retaining their wholly unnecessary and perniciously divisive schools. Both sides are to blame. One might as well blame Alexander Graham Bell for obscene telephone calls. In his case, it is at least true that, without his invention, the calls couldn’t be made—first the phone, then the calls. But bigotry against Catholics long preceded the establishment of Catholic schools. The bigotry came first and it follows that the schools could not have caused the bigotry; what comes after cannot be the cause of what went before.

This axiom of shared blame, of equal responsibility, is perhaps most conspicuous in Scottish football. Neil Lennon gets assaulted, but he deserves it. You must not criticise Rangers FC for an offence unless you indict Celtic FC for the same offence. It is our slavish adherence to this rule that is at the root of our present muddle over sectarianism. You can both present and prove a case against Rangers for being sectarian—UEFA have already done so on several occasions. But it would require the logic of Alice in Wonderland to charge Celtic FC with sectarianism. Whatever their faults may be, they are simply not sectarian, or else the word loses whatever modicum of meaning it once possessed.

It might be possible to prosecute some songs and chants heard at Celtic Park on what very loosely might be described as political grounds, though even here recent developments have made this more problematic. When James MacMillan gave his now landmark speech at the Edinburgh Festival, he was vilified as a supporter of the IRA. But things have changed since then. The men who were interned 25 years ago now sit in government at Stormont—Sinn Fein is now fully integrated into politics in the North of Ireland. Some weeks ago, Queen Elizabeth visited the Garden of Remembrance in Dublin and bowed her head in tribute to men who were executed under her grandfather as traitors to the crown. No doubt loyalists everywhere were offended, but the idea of prosecuting Her Majesty under the envisaged anti-sectarian legislation is something that even Monty Python might envy.

To try including Celtic supporters under sectarian legislation simply will not work. It’s the muddle that ensues when you insist that both sides must be equally guilty. Obscenities directed against the Pope, by contrast, are indisputably sectarian. This explains why Rangers FC have fallen foul of UEFA while Celtic FC have not—one is guilty and the other is not—unless we espouse the ridiculous proposition that UEFA is an anti-Protestant conspiracy.
The new owner of Rangers FC, Craig Whyte, has criticised the Holyrood Government for what he regards as its unfair treatment of his club over the sectarian issue. Significantly, he hasn’t directed his ire against UEFA, who have, after all, already condemned Rangers four times for sectarian offences, whereas up to now, Mr Salmond laid a finger on them. The explanation is that Mr Whyte knows the country he was born in. To challenge Europe would be a piece of folly, to challenge Scotland is another matter altogether. UEFA clearly knows what sectarian means, Scotland chooses not to know and expands it to cover anything that anyone finds offensive, up to and including the Sign of the Cross, something enacted throughout the world of football without its raising a single eyebrow anywhere else than here. Here’s tae us, wha’s like us? Holyrood already exhibits worrying signs of following the time-honoured ploy of inventing a pseudo-problem to divert attention away from the problem that really matters. It is the same old reluctance to name and shame the real culprits.

I have dealt much with football, not because it is intrinsically important, but because here in Scotland it opens windows upon attitudes and mindsets normally kept discreetly closed.

It is interesting, for example, to ponder the very revealing explanation offered by UEFA at their last encounter with Rangers FC as to why they were taking such an inexplicably lenient stance towards these serial offenders. It would be unfair, they said, to punish too severely one single football team for the sins of a whole nation. Scotland, as UEFA sees it, is, historically and culturally, an anti-Catholic country and Rangers FC simply exemplify this national characteristic in a particularly striking way. It presented the country with a real quandary. Should this public indictment of the nation be allowed to pass unprotected as the unpalatable but necessary price of staving off possible expulsion from Europe, or should the judgment be scornfully repudiated and the club left isolated to face whatever consequences might follow? It was the old club versus country dilemma in novel form. Significantly, there was no protest, no repudiation. Relief was the prevailing emotion. Better a shameful excuse than no excuse at all.

Does the nation have cause to feel aggrieved at the view from Nijon? Is Scotland being slandered? What is undeniable is that for almost a century, one of our two leading football teams pursued an openly anti-Catholic policy without a single rebuke or remonstration from any authoritative body—sporting, legal, political, educational or religious—in the land. If silence implies consent, then all Scotland consented—apart from a despised minority who were contemptuously dismissed as delusional and paranoid.

Scotland’s shame? Not really, for no one in authority admits to feeling ashamed. When the appalling misconduct of thousands of bigots at football grounds in Scotland—in Scotland alone, be it noted—was televised worldwide during the ludicrously misnamed minute’s silence for the dead Pope, the national anger was directed, not against the hooligans who were caught on camera, but against those who pointed the cameras. Why had these irresponsible fools been allowed to expose our shameful nakedness to a disbelieving, dumbstruck world? Not what happened here, but what they would think of us abroad: this was our real concern. Not to
eradicate the filth, cleanse the stables, but to stop foreigners from seeing and smelling it: this is our prime ambition. Rabbie Burns’s wish is stood on its head: not to see ‘ourselves as ither see us’ but to prevent these ‘ithers’ from seeing us at all: this is our highest aim.

UEFA has warned that Scotland has one last opportunity, so far as football is concerned, to solve its anti-Catholic problem before they solve it for us. Holyrood will not help by blaming everyone rather than the real culprits.