

Catholic Women's League Tasmania Inc.

"God be Glorified in All We Do"

Committee Secretary

Joint Standing Committee on Foreign Affairs, Defence and Trade

Re Inquiry into the status of the human right to freedom of religion or belief

Catholic Women's League Tasmania Inc. (CWL Tas.) was established in 1941 with the addressing of social and ethical Issues one of our primary tasks. Therefore we welcome the opportunity to take part in this inquiry.

Is religious freedom under attack in Australia?

Unfortunately, the answer is 'yes'.

An attack on religious freedom is an attack on our democracy that is prohibited by of the Constitution of Australia.

Section 116 states:

The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.

The same clarity on the issue appears in:

- The International Covenant on Civil and Political Rights Article 18
"Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to ... to manifest his religion or belief in worship, observance, practice and teaching."
- The Universal Declaration of Human Rights Article 18, the right of people *"to manifest his religion or belief in teaching, practice, worship and observance."*

Attacks on these cherished freedoms should not be allowed to prevail. The focus of this submission is attacks on Australia's Christians in exercising their rights and responsibilities to engage in the affairs of the nation.

As Catholic women we reject the notion that the millions of Australians who align themselves with the Christian churches, are simply a fringe group, to be stereotyped as unjustly discriminatory, and therefore to be disqualified from contributing to the important debates about Australian life.

Whilst there is a variety of faith communities in Australia, our laws are based on English law, characterised by Judeo-Christian principles, which underpin all that is good in Australia's justice system, as well as such areas as care of the needy and access to education and health care.

It is interesting to note that this connection is accepted to the extent that at the swearing in of the new government in 2016, all but two swore The Oath on the Bible.

A valued Christian heritage

Catholic women in Tasmania are proud that from the beginning of settlement in Hobart, nuns, some very young, came and worked among the women who were struggling to survive. Before the advent of welfare assistance, they set up free schools for poor children of all faiths and none. They cared for orphans, alcoholics and those in prison.

Nuns set up hospitals, hospices, research institutes and aged care facilities, including Australia's first AIDS clinic.

Worldwide, Christians were vital in the establishment of Red Cross, Alcoholics Anonymous, Medecins sans Frontieres, Missions to Seamen and of course the Salvation Army. Today, Catholic Health Care workers, many as volunteers, serve the sick, poor and abandoned, in 151 countries. Caritas, the welfare arm of the Catholic Church, present in all countries, is second only in size to the Red Cross.

An attack on the freedom of religion is an attack on the very heart of a country and its people.

What forms are these attacks taking?

Legal Challenges

We are alarmed by the extraordinary challenge by Tasmania's Anti-Discrimination Commissioner to the lawfulness of the teaching of the Faith to Catholics.

Ridicule, name calling, intimidation

Debate about the redefinition of marriage, and the cleverly named Safe Schools Programme, both in both Federal and State Parliaments and the public arena, is characterised by ridicule and the vilification of the Christian voice, in large part in place of arguments of substance.

Christians have been described as ‘shameful’, ‘divisive’, ‘reactionary’, ‘festering and engendering hatred’. Politicians and municipal councilors who oppose redefinition of marriage are labeled as ‘bigots’.

When former Supreme Court Chief Justice and Tasmanian Governor, William Cox expressed legal and moral concerns about same-sex marriage, Rodney Croome’s response was: “This wasn’t a carefully considered legal opinion from a knowledgeable legal expert. It appeared more like a homophobic diatribe from an out-of-touch old man”.

This form of attack is exemplified by Leader of the Opposition, SBill Shorten when he described the proposed plebiscite as ‘a taxpayer-funded platform for homophobia’.

In countries where marriage has been redefined, businessmen, athletes, commentators, teachers, doctors and nurses, religious leaders and others who have spoken in support of traditional marriage, have been vilified in the media, denied employment or business contracts, and threatened with prosecution.

Physical Violence.

It is alarming to know that In Australia managements of hotels and function rooms may decide to cancel bookings for meetings by institutions or groups who support the retention of marriage as between one man and one woman, due to threats of violence.

For example it was intimidation and threats of violence in 2016 that led to a late cancellation of a long term booking at the Mercure Hotel, Sydney Airport. In 2014 the Canberra Hyatt responded to threats to staff by employing extra security guards.

For some time the Canberra office of the Australian Christian Lobby has been forced to lock its doors during office hours, due to almost daily threats of intimidation and physical violence. This could not stop a violent ramming and subsequent explosion, still under police investigation.

What of elsewhere?

Evidence of loss of freedom of religion and conscience resulting from Canada’s Civil Marriage Act.

In Canada today:

- Those who hold beliefs or values, that are different from those of the state, and allow their conscience to inform business practices or decisions, risk losing their professional licence, employment or business.
- Teachers can be disciplined or lose any chance of tenure by making comments supporting man-woman marriage in their social networks, letters to editors, public debate.

- Freedom to assemble and speak freely about man-woman marriage, family, and sexuality is now restricted, with pressure on faith communities to assume a politically correct stance to avoid fines and loss of charitable status.

This is the evidence of the eroding of religious freedom in Canada in spite of assurances in Canadian Law.

The Civil Marriage Act stipulates:

3.1 For greater certainty, no person or organization shall be deprived of any benefit, or be subject to any obligation or sanction, under any law of the Parliament of Canada solely by reason of their exercise, in respect of marriage between persons of the same sex, of the freedom of conscience and religion guaranteed under the *Canadian Charter of Rights and Freedoms* or the expression of their beliefs in respect of marriage as the union of a man and woman to the exclusion of all others based on that guaranteed freedom.

We submit that the status of the freedom of religion or belief, as recognised in Article 18 of the International Covenant on Civil and Political Rights, is under worldwide assault.

It is valuable that this Committee of Inquiry is examining these matters so Australians can recognise, evaluate and respond to the extent to which freedom of religion in Australia is facing attack.