

**Senate, Monday 27 November 2000**

**COMMITTEES: Foreign Affairs, Defence and Trade Committee: Joint: Report**

**Senator PAYNE** (New South Wales) (3.58 p.m.) —On behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I present a report of the committee entitled *Conviction with compassion: A report on freedom of religion and belief*, together with the Hansard record of the committee's proceedings, minutes of proceedings and submissions received by the committee. I seek leave to move a motion in relation to the report and to make a few remarks in relation to the report.

Leave granted.

**Senator PAYNE** —I move:

That the Senate take note of the report.

It is my pleasure to table this report *Conviction with Compassion: A report on freedom of religion and belief*, which is the product of a long process of inquiry into freedom of religion and belief dating back to the committee's original reference of April last year. The committee acknowledged at the outset that religion is an intensely personal issue for many people and that questions of religious freedom are by nature complex and intricate. Because of that complexity, inherent challenges are faced by any body inquiring into the provision of freedom in relation to religion.

The committee's view—well stated in previous remarks—is that rights such as freedom are universal and indivisible human rights and that any violations of human rights are to be condemned. Thus any violations of freedom of religion and belief are violations of fundamental human rights. The committee was asked by the Minister for Foreign Affairs to undertake an inquiry into Australia's efforts to promote and protect freedom of religion and belief. In fact, I think the chair of the subcommittee, Mr Peter Nugent, has in another place noted that the members of the committee themselves have a range of religious beliefs and views, as well as a range of views on notions of freedom. I see that Senator Schacht is in the chamber at the moment, and that was certainly the subject of a discussion at one particular hearing at which we were both present. So this report is reflective of the range of views on the matter which are then further represented across the spectrum of those who participated in the inquiry either by providing submissions or appearing as witnesses. I think it is important to thank in this place those Senate colleagues who participated either in part or in full in this inquiry—in particular Senators Bourne, Ferguson, Harradine, MacGibbon, Reynolds, Schacht and Synon—and to acknowledge the role and work of the committee secretariat, in particular Patrick Regan.

The committee received over 100 submissions ranging from those of individuals, religious scholars, theologians and religious organisations here in Australia. We received submissions from government departments and agencies, including the Department of Foreign Affairs and Trade and the Human Rights and Equal Opportunities Commission. Importantly, the committee held five public hearings in Canberra, Sydney and Melbourne, and heard from nearly 50 witnesses during the course of the hearings. The committee has made nine recommendations that broadly cover the issues of promoting religious freedom and also deal with the issue of cults. In brief, those recommendations firstly support the work of HREOC in the area of religious freedom and invite a response from government to the commission's 1997 report on religion and belief. They also call on Australian governments to ensure maximum protection of religious belief within their jurisdictions and, to that end, greater uniformity of human rights law and practices in Australia. The committee encourages the Commonwealth government to promote all human rights, specifically that of freedom of religious belief in our dealings with other nations. We note and support the work of the UN

and other organisations, including the Centre for Democratic Institutions and the Australian Agency for International Development, in this area. Finally, the recommendations proposed include the convening of an interfaith dialogue to formulate a set of minimum standards for the practices of cults.

What is important to take out of the inquiry and the report is a commitment to freedom of religious belief as an indivisible human right. In Australia, we are exceptionally lucky to have a society that is both accepting of, and home to, a number of religious organisations and systems of belief. And so through the process of migration, combined with what is essentially an egalitarian community, Australia is able to count amongst its population virtually every world religion. From Christianity to Hinduism, to Islam, to Judaism and many others in between, Australia's towns and cities represent an enormous diversity of religions. In my own area of activity in Greater Western Sydney there are representatives of all these religions and more, whether it is the Hindu temple on the Great Western Highway or the synagogue on Victoria Road. As you drive around Greater Western Sydney, the diversity in that reasonably compact area is representative of the greater diversity throughout Australia. Of course, our rich cultural heritage also includes indigenous Australians who have their own long-held traditions and very different notions of spirituality and sacredness from other organised religions. Providing freedom of religious beliefs across the globe has to also take into consideration the beliefs of indigenous peoples as well as those more established traditional churches.

In preparing this report, and indeed in thinking about some remarks that I might make today, it is impossible not to reflect on the inherent challenge that is associated with the coexistence of various religions that often have conflicting beliefs. Domestically, we are fortunate to have a very harmonious society in this regard, where largely religious conflict is minimal—although differences do exist, and we see those unfortunately perpetrated in some of our cities by people who persist in expressing racial or religious hate in various ways. It is not the case with all of our neighbours. I think the parliament is in a unique position to demonstrate to the nation—and this is a personal view—the breadth and diversity of religious practices in Australia and to indicate that that diversity is a positive thing for our nation and should be addressed in an inclusive manner. I often think that we have a great chance in this place and in the activities we carry out more broadly to demonstrate to members of faiths other than Christianity how important they are in the huge melting pot that is this nation. What is a greater challenge, though, is for that harmonious nature to extend beyond our borders. In concluding, I would say that would then go further to ensuring that religious freedom as a human right is truly indivisible.

**Senator SCHACHT** (South Australia) (4.05 p.m.)—I rise to support the resolution on the tabling of this report *Conviction with compassion: a report on freedom of religion and belief* by the Joint Standing Committee on Foreign Affairs, Defence and Trade. I am a member of the Human Rights Subcommittee of that committee which prepared this report for the full committee—and it was then adopted by the full committee without dissent. I must pay a tribute to, in particular, the chair, Mr Nugent, and the deputy chair, Mr Hollis, for their work on this committee. Because of my duties as shadow minister for veterans' affairs I was not able to be as active on the committee as I would have liked, but I would like to make a couple of comments. The first is to take note of a section of the report on page 130 titled 'The right not to believe'. Although the inquiry was about freedom of religion, there were a number of submissions from organisations such as the humanist societies of Queensland and Victoria and the Rationalists Society of New South Wales, all of which pointed out that the right not to believe is just as important as the right to believe and that freedom of religion is to be taken as a protection of the freedom not to believe in any religion.

I am very strongly of that view myself. As a member of the Labor Party's informal caucus committee of humanists, I very strongly believe that that is the case. Often in societies where freedom of religion is trampled upon, it is those who are dissenters, those who are not true believers of the orthodox religion, who are the first to suffer the penalties and discrimination when religion is tied in with the power of the state in a theocratic system. Therefore humanists have a very strong view that the separation of the state as a secular organisation from any form of official religion is a fundamental issue for democracy in our society. It is unfortunate, in my view, as a humanist, that some of the worst abuses of human rights occur where a nation has adopted a particular religion as the official religion of that country and then imposes that view on everybody without the right to dissent or have a different view.

These are the issues that arose 400 or 500 years ago in Western Europe at the time of the Reformation and the Renaissance, when there was the break-up of what you might call the monopoly the Roman Catholic Church had over the whole of Christianity. That was followed by the religious intolerance of Western Europe for the next couple of hundred years, when dreadful wars of religion were fought over who was the true believer in the following of Jesus Christ. Awful atrocities were committed not only in Europe but also in the new colonies of the New World. We still see today, in different parts of the world, people willing to kill each other on the basis of which religion they follow and which religion they wish to impose on others. We will not get full human rights and a democratic system adopted across the world where the right of the individual to dissent is guaranteed until all countries separate their religion from the government so that there is a complete separation.

We in Australia are lucky that we do have that separation, and it is a real strength of our democracy. It is a real strength of our democracy that people such as me, as a non-believer, with many others in our community—nearly 30 per cent, according to one calculation from the census—do not have to believe and can continue to participate in the full public life of Australia without restriction, without discrimination. That is a real strength of Australian democracy.

This report is very timely in that it deals with that issue. It also is a very good summary of the history of religious belief and rightful religious freedom as well as a summary of a number of the issues dealt with around the world at the moment. It makes some recommendations. A number of them relate to activities of appropriate areas of the United Nations and I certainly would urge the government to take note of those recommendations and adopt them. They strengthen our role as a democracy, as a country with a strong commitment to human rights, to further that advance in the rest of the world. I look forward to the government's response and I hope it very seriously treats these recommendations with the weight they deserve. In view of the fact that the reference was given to the committee by the Minister for Foreign Affairs, I look forward to the response from the government. Again, in conclusion, I congratulate the members of the committee; the secretariat of the committee, especially Mr Regan for his work as secretary; and the people who made the nearly 100 submissions to the committee during the inquiry. I commend the report not only to the parliament but also to the Australian public.

Question resolved in the affirmative.