“Religious Freedom” and “Special Religious rights”
a slippery slope to be avoided at all costs.

Submission to the:

Expert Panel to Examine Religious Freedom in Australia.

December 2017
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Introduction.
As a Gay man who has over six decades of life experience, who is also an Atheist and a Psychologist, I would object to those of a “Religious” identity, claiming or seeking to obtain further “Special Religious Rights”, when Australia (as I see it) has a long tradition of separation of Church and State.

In particular, when already, Religious organisations have significant “Special rights” in terms of exemptions from anti-discrimination laws, (under Federal laws as well as in all territories and most states, with the notable exception of Tasmania). They have, I believe, it could be argued, already been shown to seek to, either directly or indirectly abuse that position of trust.

The massive and longstanding abuse identified in the Royal Commission into Institutional Responses to Child Sexual Abuse, showed that the churches seem to perceive they are exempt from the moral if not legal requirement to report to relevant authorities, physical, sexual and or emotional abuse of those either directly or indirectly in their care.

This combined with my observations and quotations from others (below) leads me to believe the churches already have too many “Special Religious Rights”. As such, I feel these “Special Religious Rights” need to be “reined in”. Although the churches may well have their own Canon (or religious) Law, this should not, I believe take precedence over Secular law. Notwithstanding that there would, I believe be massive opposition to this idea.

After seeing a report in a local (community) newspaper that a local (to where I work) Federal MP was seeking to “wind back” antidiscrimination laws, I wrote and had published the following letter to the editor¹

I like a majority of Australian’s who voted in the wasteful “Marriage Survey” are pleased to see a majority voted for a “Fair Go” and equality for all loving couples.

It is unfortunate that [local Federal member] Andrew Hastie is reported as saying he wants to “wind back” Australia’s antidiscrimination laws for “conscientious objectors”. Who will be next? Those who oppose serving Women, Aboriginals, those from a non-English speaking background, those of a different religious belief, or none?

What’s more, he says this in relation to proposals to change the Marriage law. This is not a law about Discrimination, Education or any of the other “Red Herrings” thrown up by opponents of equality. (Many of which were found to be either exaggerated or wrong – see the ABC Factcheck site for details.) I’m reminded of the “Letter to Dr Ruth – Why Can’t I Own Canadians as Slaves”[²] that circulated widely on the internet a few years ago and made its way into an episode of “The West Wing” on TV. It shows how selectively quoting the bible to justify behaviours can easily become a rather “Slippery Slope” – this is the sort of “Slippery Slope” we really need to watch out for.

² Included as an appendix to this submission.
As was noted in a 2007 “Review of the [Western Australian] Equal Opportunity Act 1984”:

The unique position of exemptions to protect the religious beliefs and practices of persons and groups established to promote religion is a policy position in all anti-discrimination law but is not absolute, and these principles must be balanced with the objectives of the Act in promoting equality of opportunity and community cohesion.

I do not consider that giving one self-selected group in society (those of a religious persuasion) a “Special Right” to discriminate against others is justifiable or conducive to community cohesion.

Further details of the reasons for my belief, which are based on both my own experience of religious discrimination and cases reported in the media, as well as psychological research, will be detailed below.


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My Concerns about “…intersections between the enjoyment of the freedom of religion and other human rights” (in no particular order).

1. “Special Rights” for religious organisations already exist and (I believe) create unreasonable and unjustifiable harm to individuals.

Examples of negative impacts and what appear to me to be prima facae cases of religious based discrimination in employment. include;

**A. Gay Teacher Sacked from Religious school for (apparently) being Gay.**

A recent example of this in West Australia was the sacking of a relief teacher from a Perth Baptist school after it was revealed he is Gay and in a same sex relationship.

As noted in a SBS news report⁴:

Craig Campbell had been employed as a relief teacher at South Coast Baptist College at Rockingham, where he completed primary and high school himself as a student, and another school.

However he says South Coast Baptist removed him from its roster after he told senior staff he was in a long-term relationship with a man.

He was never notified and found out from other teachers.

A response from the school was reported in the local LGBTI Newspaper⁵. They were reported as saying:

The principal defended the school’s decision to no longer employ the teacher once he revealed he was in a same sex relationship because they believed that marriage should only be between a man and a woman.

“Young people are naturally inquisitive,” Mitchell said. “The image he posted created interest in his personal life, including his sexuality. I shared with him that, at present, there is an inconsistency with his beliefs on sexuality and the college’s beliefs.”

This is in my opinion a clear example of where an individual is negatively impacted by the “Special Religious Rights” of a WA school (which presumably also gets Federal government funding).

The experience described above, does not appear to me to be particularly unusual.

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As was noted in a 2015 SBS news post\textsuperscript{6}:

Religious exemptions vary across Australian states. In some states these exemptions mean that religious schools can sack teachers who identify as lesbian, gay, bisexual or transgender (LGBT) or who are divorced, or have children outside of marriage. A recent University of Western Sydney study \textsuperscript{7} identified some of the challenges that religious exemptions pose for teachers, based on research with 14 self-identified lesbian and gay teachers working at an array of schools in metropolitan Sydney.

The participants in this study reported systemic discrimination within religious schools that had the effect of “reducing professional opportunities and job security” and on this basis they argue “the legal exemptions for religious organisations from the Anti-discrimination Act must be overturned to ensure equitable and socially just work environments for lesbian and gay teachers”

Jim Woulfe’s (2009) ON LINE opinion\textsuperscript{8} piece “An end to the right to Discriminate” with excerpts detailed elsewhere in this document, goes into more detail as to why these “Special Religious Rights” should be removed and why I believe any attempt to “extend” them should not be seriously considered and should be vigorously opposed.

I also, later in this document discuss the issues of choice about degree and type of involvement in religious activity, as well as noting how (within the quotation from Jim Woulfe’s article) in the state of Tasmania individuals and organisations of a Religious nature, appear to manage without “Special Religious Rights”.

Or to put it another way, those with a religious belief have (apparently, in Tasmania) managed to balance their religious beliefs and practices with the social, moral and legal expectations of living in a secular society where there a limits on “Special Religious rights”.

\textsuperscript{6} “Last week Ireland passed a Bill to prevent Catholic schools from discriminating against LGBT teachers. Would similar moves work in Australia?” (by Mary Lou Rasmussen).
\textsuperscript{7} Ferfolja & Hopkins (2013)  \textit{The complexities of workplace experience for lesbian and gay teachers}, Critical Studies in Education v.54(3)
\textsuperscript{8} Source: \texttt{http://www.onlineopinion.com.au/print.asp?article=8656}

“Religious Freedom” and “Special Religious rights” a \textit{slippery slope} to be avoided at all costs.

In 2007 The Perth Diocesan Trustees of the Anglican Church of Australia withdrew a verbal offer of employment to me as a part time Administrative Assistant in the Perth Diocesan office, apparently after realizing that I am a Gay man.

The following is the text of a May 2007 email to the woman who initially made the offer of employment. I believe this gives a fair and reasonable overview (from my experience) of what happened.

Dear Jenny,

Thank you for getting back to me. [Irrelevant material deleted.]

I recognize that the decision to withdraw your original verbal offer of employment was not made by you.

Based on my life experience, and the considerable amount of time and energy spent on discussion about the "history" of the organization, and related issues, in the 2nd Church Office meeting, (although I will not be surprised if this is denied,) I am in no doubt that the real reason the offer of employment was withdrawn, was because of my presumed homosexuality.

As you would be aware, I included in my Resume, references to my transferable skills and experience gained at Gay and Lesbian Community Services (GLCS) over the last 25 years or so.

When Anglicare called me in for the first of the total of 3 interviews, and asked if I was a "Family Man" I replied to the effect "How do you define family?", and after answering their initial question, disclosed that I am in fact a Gay man.

The Centacare staff member said this wasn't a problem for them. I also said I could work at a church based organization. (i.e. I don't discriminate.) But I reminded them (that although they were not aware,) church based organizations are currently exempt from Equal Opportunity legislation.

By way of explanation, I include the GLCS experience in my Resume, because as I have said in the current draft of my letter to the State Attorney General, and my local member of Parliament, in support of the proposed removal of "religious" exemptions in state equal opportunity law:

This [GLCS experience] is included for two broad reasons. Firstly because I feel they are a demonstration of relevant and transferable skills and experience. Secondly, so that if a potential employer is likely to be prejudiced against Gay men, they can take an educated guess that I am a Gay man, and are therefore I am likely to be "screened out" at the initial stages of the selection process. As a result, I don’t end up in a discriminatory or intolerant workplace, where I need to be constantly on my guard, self-censoring what I say, dealing with workplace

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harassment, [as I have in the past,] or exclusion from workplace networks etcetera.

Based on my experience, it would appear to me that you actually work in one of these discriminatory or intolerant workplaces. However I find it interesting to note what the Archbishop said in his October 2006 Media Release[^9^]:

The Anglican Communion risks sacrificing its integrity as a result of an obsession with sexuality issues, the Archbishop of Perth will tell priests and laity this weekend.

In his charge to the Anglican Synod, the Most Reverend Roger Herft, says: “We are in need of spiritual therapy that gives us a sense of our priorities lest we become obsessed with human sleeping arrangements and lose out on living our lives with an inner integrity that acts with justice and mercy to all humanity, women in particular, who continue to be amongst the poor and dispossessed of our world.”

Based on my recent experience, I feel that the Archbishop’s message appears to have not got through to all those responsible for hiring staff.

Hopefully the "successful" applicant for the position I was originally offered, will fit in well.

Please feel free to forward this message on to those who reversed your decision, if you wish to.

Regards,

Colin Longworth.

[^9^]: A full copy is included as an appendix to this document.

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2. Excerpts from Jim Woulfe’s (2009) ON LINE opinion 10 piece “An end to the right to Discriminate”.

I believe these observations by Jim Woulfe are relevant here:

Today there are many homosexual individuals working effectively in religious organisations and schools, representing the values of their employers and displaying the highest standards of professionalism. Daily, these individuals are proving that they possess the required values and skills for their employment, yet because of their sexuality, they can be dismissed at any time. In contrast to their heterosexual colleagues, their professional life is constantly under threat.

In many of these cases, the individuals’ sexuality is also known to their superiors, who, recognising that they are valuable members of staff, “turn a blind eye”. Yet something as arbitrary as a change of superior, or a casual remark by a colleague or student can result in loss of livelihood for these individuals, simply on the grounds of their sexuality.

Is this arbitrariness inadvertent? Does it come about because homosexual and lesbian employees are relatively indistinguishable from their colleagues? No, it doesn’t. In their recent submission to the Australian Human Rights Commission’s Freedom of Religion and Belief in the 21st century project, the WA Branch of the Christian Democratic Party pleads for the continuation of the right to exclude sexual minorities “if they so choose”. This rare instance of frankness shows that the arbitrary use of the exemptions is as purposeful as it is cruel:

... the law must continue to allow them to ban the employment or other forms of inclusion of homosexual and lesbian people in their community, if they so choose (page 11).

By continuing to employ gays and lesbians, religious bodies are demonstrating that the exemptions to anti-discrimination protections are not needed. If they wish to retain the exemptions, then they must apply them consistently or not at all. Applying them arbitrarily is a cruel imposition on loyal, professional employees.

[The last section of his opinion piece notes:]

A conditional freedom

Australians do not have an unconditional right to religious freedom. Article 116 of the Australian Constitution constrains the Commonwealth from establishing a state religion, or giving preference to one religion over another. It does not require or enable the Commonwealth to guarantee unrestrained freedom of belief, and the High Court has borne this out several times, notably in Adelaide Company of Jehovah’s Witnesses, Inc. v The Commonwealth of Australia (1943).

The International Covenant on Civil and Political Rights (CCPR), which Australia has ratified, states in Article 18.3:

3. Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.


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CCPR allows circumscription of religious freedom to protect the safety, health and freedom of others. Neither CCPR nor the Australian Constitution privileges religious belief over the rights and freedoms of other groups in society. Neither instrument obliges the state to protect members of religious organisations from being offended, particularly should that protection come at others’ cost.

In good faith, Australian states have attempted to accommodate the sensibilities of religious bodies with exemptions to their anti-discrimination laws. Unfortunately many religious bodies have not managed their use of the exemptions well - rather, they have applied them arbitrarily and secretively. In Tasmania it has been shown that religious organisations can thrive in an environment that values both religious and sexual minorities.

Granting an exemption to a law bestows a great privilege, and a heavy responsibility on the beneficiary of that exemption. In failing to responsibly manage the exemptions available to them, many religious organisations have shown themselves unworthy of the privilege. At the same time, they’ve proven that the current exemptions to discrimination laws are indeed unnecessary for the free practice of religion in this country.

It’s time for the exemptions to go.

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3. Whether or not the Bible does condemn homosexuality is not “Clear-cut” or without dispute.

Part of the impetus for writing this submission is that at the present time, religious organisations can (on the grounds of the tenets of their religion,) claim an exemption (e.g. in the context of e.g. homosexuality, and being a member of a de facto couple) from the normal principles of fair and equitable treatment.

I do not believe this can be justified now in a Secular society.

In relation to homosexuality, there are numerous examples, certainly in the Christian tradition where there are differing views about whether or not the Bible condemns homosexuality.

For at least 30 years there have been theological arguments about whether or not the bible condemns homosexuality. With John Boswell's (1980) book _Christianity, Social Tolerance and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century_ being one of the most highly researched (and widely cited) on the subject.

Briefly it explains how various translations of the Bible have significant mis-translations which are affected by the times in which they were published. (The book also won the 1981 American Book Award for History prize.)

This is apart from what has been written in the context of other religions e.g. Rosco and Murray, (1997) regarding _Islamic Homosexualities_, or Swidler (1993) with chapters on Buddhism and Hinduism, amongst others.

On the basis of the above observations, I believe (although I am not a Theologian) it could be argued that those who seek to justify their beliefs about homosexuality based on “old” translations of the Bible may be “standing on shaky ground”.

Even in 2006 the then head of the Anglican church in Western Australia the Most Reverend Roger Herft, said in a Media release:

> The Anglican Communion risks sacrificing its integrity as a result of an obsession with sexuality issues, the Archbishop of Perth will tell priests and laity this weekend.

> In his charge to the Anglican Synod, the Most Reverend Roger Herft, says: “We are in need of spiritual therapy that gives us a sense of our priorities lest we become obsessed with human sleeping arrangements and lose out on living our lives with an inner integrity that acts with justice and mercy to all humanity, women in particular, who continue to be amongst the poor and dispossessed of our world.”

> Issues such as the blessing of same-sex couples, the presence of homosexuals as church leaders, and the ordination of female priests have attracted significant debate in recent years, and created rifts between members of the faith.

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[He was quoted later in the same document as saying] “The Gospel of Jesus Christ with its extravagant call to holy intimacy invites us to celebrate human sexuality as a gift for the goodness of the individual, the community and society as a whole. Jesus invites us to a deeper intimacy, a wholesome perspective on abundant life that sees sexuality within the integrity of relationship rather than a preoccupation of how parts of the human anatomy fit.”

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One of the areas where I believe there can be difficulties with (if changes are made) is the widely discredited\(^{14}\) practice of “Reparative Therapy” by those of a religious orientation, who will not accept that a person can be both homosexual (or Bisexual) and a Christian.

There is no shortage of evidence\(^{15}\) that so called “Reparative Therapies” or “Reorientation therapies” (which seek to change or “reorient” a person from Homosexuality or Bisexuality to Heterosexuality) are both ineffective and cause psychological and spiritual damage to the “recipient” of this “treatment”. They also violate the dictum to “First of all do no harm”.

My concern would be that those proposing or providing the “treatment” may claim that they are exercising their rights to “Freedom of Religion”. Or that the “recipient” has “freely chosen” to participate in the process. However, to claim that a person in some sort of (presumably rather extreme) distress about their homosexuality, could I believe, hardly be said to be in a position to make an informed decision.

It appears that the practice may well be being promoted in West Australia\(^{16}\) as well as having been conducted in other states\(^{17}\).

Safren (2005)\(^{18}\) refers to the work of Shidlo and Schroeder (2002)\(^{19}\) who noted how:

Significant psychological harm was reported by the sample including depression, suicidal ideation and attempts, worsened self-esteem, and higher internalized homophobia. Social and interpersonal harm emerged, including worsened relationship with parents (some of the “treatments” placed blame for their sexual orientation on faulty parenting), social isolation, loss of intimate relationships and social supports, and fears of becoming an abuser. Finally, in this sample, many reported negative impacts on their religiosity. (p. 30)

In the interests of the mental health of those having difficulties with either their own or others (e.g. their offspring) I don’t believe that those promoting or seeking to justify this practice should have the option of hiding behind the cloak of “Special Religious Rights”

In summary on this matter, I feel that considering the considerable damage done by these “Reparative Therapies” they should be treated in a similar manner to how female genital mutilation is, in this country (as I understand it). Namely, it is recognised that it is not appropriate in this time and place.


\(^{15}\) See e.g. “A SYSTEMATIC REVIEW OF THE RESEARCH BASE ON SEXUAL REORIENTATION THERAPIES” Serovich, Julianne M; Craft, Shonda M; Tovessi, Paula; Gangamma, Rashmi; McDowell, Tiffany; Gralcky, ... Journal of Marital and Family Therapy; Apr 2008; 34, 2; or Flentje, A., Heck, N. C., & Cochran, B. N. (2014). Experiences of ex-ex-gay individuals in sexual reorientation therapy: Reasons for seeking treatment, perceived helpfulness and harmfulness of treatment, and post-treatment identification. *Journal of Homosexuality, 61*(9), 1242-1268.


“Religious Freedom” and “Special Religious rights” a slippery slope to be avoided at all costs.
5. Involvement in religion is a choice, unlike others potentially discriminated against, e.g. discrimination based on Sexuality, Gender, Race or Ethnicity.

Although those involved in religious activities may claim a “higher calling”, ultimately, whether or not to answer that “calling”, or to what extent they do so, is ultimately a choice. Admittedly it may not be so easy to extricate from a particular religious or faith community if one has been brought up in that setting, or has a long-time involvement, but ultimately it is a choice to stay or go. (e.g. As some people choose to leave a life in a Religious order.)

As the Australian Conservatives Party say on their website\(^\text{20}\), under the heading “Personal Responsibility”:

Personal responsibility is central to the idea of a free society.

We believe that each individual is morally responsible for, and should bear responsibility for their actions.

In this context I would say that individuals or organisations should not seek to abrogate the responsibility for discriminatory actions by claiming some sort of “higher authority”.

As I said in my letter to the editor of the Gosnells Examiner newspaper:

“Who will be next? Those who oppose serving Women, Aboriginals, those from a non-English speaking background, those of a different religious belief, or none?”

In a 2009 OnLine article\(^\text{21}\) about Human rights and religious exceptionalism in the context of a proposed anti-vilification law, Ian Robinson notes some of the differences between race and religion:

First, a person is born into a race and cannot change it. Therefore, to vilify someone because of their race is clearly unjust and unjustified, similar to making fun of someone who is congenitally blind or lame [or homosexual].

Religious belief is the opposite: it is not a given; it is (or should be) a choice. You have, one hopes, consciously decided to hold certain religious beliefs. Therefore, you are responsible for holding them and for the consequences of holding them. And if the acting out of your religious beliefs is detrimental to the well-being of others, you are accountable for those harmful effects.

On the other hand, you cannot be held accountable for your race.

Second, race is a unique universal category, with various subcategories. You can’t not be a member of a race. So insisting on racial justice and equality is something we all benefit from. It does not affect just one section of the populace.

\(^\text{20}\) See: [https://www.conservatives.org.au/our_principles](https://www.conservatives.org.au/our_principles)


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Conversely, religious belief is but a sub-set of the more general category of beliefs. People have beliefs about all kinds of things, including politics, sport, art and the ultimate nature of the universe. Because religious belief is just one type of belief among many, any proposal to single out religious belief and grant it special status or special protection requires justification. There is no doubt religion is significant in the lives of many people, but there are other beliefs just as significant for non-religious people, so significance alone is not such a justification.

Third, and most importantly, the race of the persons one interacts with has no intrinsic relevance to the outcomes of those interactions. Whether someone is caring for me, trying to kill me, or simply ignoring me, it is their behaviour that affects me, not the colour of their skin.

On the other hand, the expression of religious belief can have devastating effects on others. Over the centuries millions of people have died or suffered (and continue to) as a direct result of people holding and acting out certain religious beliefs. (The same is true of political or nationalistic beliefs - religion is not on its own here.) So negative feelings towards religion may be simply one of many legitimate human responses to the expression of religious belief in the community and in the world.

Let’s face it, if religious belief were universally beneficent in its impact on all people, no one would even think of being negative about it. Unfortunately, this is not the case and religion must take responsibility for itself and its consequences and stand up and be counted in the marketplace of ideas.

The irony is that some of the most virulent examples of incitement to hate occur in the sacred texts of our two biggest religions (see for example Luke 14:26 or Koran 60:1-2), but religious tracts are exempt from the scope of most anti-religious vilification legislation.

It is clear that while laws against racial intolerance are justifiable, laws against disparagement of religion are unacceptable in a free society. The fact that some believers may be “offended” by such disparagement or ridicule is neither here nor there. I am mortally offended every time I see a crucifix with its cruel depiction of a man being tortured to death, or see a woman wearing a hijab with its inherent message about women being lesser beings, but I tolerate them, because I know that is the price of living in a free society. Toleration must go both ways. It is easy to tolerate the views and behaviour of those we agree with, but the true test is being able to tolerate the views and behaviour and even the trenchant criticism of those whose views oppose ours. Many thoughtful religious people recognise this and don’t agree with the restrictive legislation.

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6. Conflict between Individual rights and beliefs versus expectations in a secular “Civil Society” where the incidence of religious practice and belief is declining.

Justice Sotomeyer, in a United States case of a Baker seeking to justify not baking a Wedding Cake for a Gay male couple\textsuperscript{22}, said that:

> We’ve always said in our public accommodations law we can’t change your private beliefs, we can’t compel you to like these people, we can’t compel you to bring them into your home, but if you want to be a part of our community, of our civic community, there’s certain behavior, conduct… you can’t engage in. And that includes not selling products that you sell to everyone else to people simply because of their either race, religion, national origin, gender, and in this case sexual orientation. So, we can’t legislate civility and rudeness, but we can and have permitted it as a compelling state interest legislating behavior.

In the Australian Human Rights and Equal Opportunity Commission (2007) report “Same-Sex: Same Entitlements” in reference to the *International Covenant on Civil and Political Rights* (ICCPR) that:

> All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (emphasis added)\textsuperscript{23}

This attempt to maintain or expand on current “Special Religious Rights” should also be seen in the context of declining religious affiliations, as noted in a publication by the *Australian Bureaux of Statistics*\textsuperscript{24} under the heading “How we worship – or not”.

> Australia remains a religious country, with 60% of our population reporting a religious affiliation. However, the proportion of people reporting no religion, including people with secular and other spiritual beliefs, increased to 30% in 2016 – up from 22% five years ago.

The current state of the nation’s faith breaks along age lines. Older people keep their faith. Younger people tend to report ‘no religion’. This response was most common among younger people, with 39% of those aged 18 to 34 reporting no religious affiliation.

Part of the decline in religious affiliation is a general move away from the traditional Christian denominations. Nevertheless, 52% reported an affiliation with a Christian religion – predominantly Catholic (23%) and Anglican (13%). New South Wales and Queensland remain the most Christian states, but there is an overall decline in the percentage of Australians reporting their faith as Christian.

> About 8.2% of us reported a religion other than Christianity, with Islam (2.6%) and Buddhism (2.4%) the most common…….

\textsuperscript{22} See: https://www.scribd.com/document/366408206/MASTERPIECE-CAKESHOP-v-COLORADO-CIVIL-RIGHTS-COMMISSION-Oral-Arguments#from_embed


“Religious Freedom” and “Special Religious rights” a slippery slope to be avoided at all costs.
Context of this Inquiry.

Before completing this submission, I feel it is appropriate to comment on the context of how this inquiry came about. Namely as I see it, this is part of the “fallout” from the recent survey leading to amendments to the Federal Marriage Act, allowing same sex couples to marry.

Whereby the (primarily religious) opponents to Marriage Equality “lost” in their attempts to turn around the wide public support and expressed a (I would say) exaggerated and unjustified fear of having their ability to express their religious beliefs restricted.

This political decision to conduct the “Australian Marriage Law Postal Survey” was in spite of widespread public support to the proposal to make the benefits and obligations of marriage available to all Australian loving couples.

However, opponents of Marriage Equality many of whom could (in my opinion) be described as having strong religious convictions, were found to have made false or exaggerated or unsupportable claims on the subject in advertising and other settings including the media.

Broadly speaking religious based opposition to same sex marriage can I believe, be summarised as follows:

1. Marriage is sacred and a sacrament
2. Marriage is for raising children
3. Gay marriage will undermine the institution of marriage
4. Gay couples are unnatural & unnatural unions cannot be marriage
5. Gay marriage is incompatible with religious liberty
6. Gay marriage can't be a real marriage
7. Marriage as a cultural symbol

I feel it is also worth noting that, unlike various other contentious subjects over my lifetime, e.g. Universal Superannuation; Medicare; Conscription (in the context of the Vietnam War); Equal Opportunity legislation; The 2004 change to the Marriage Act (to specifically exclude same sex marriages and circumvent a High Court case) were not subject to any sort of survey like the Australian Marriage Law Postal Survey. In those earlier examples, the Parliament got on with its role of passing legislation.

On the basis of the above observations, I believe this inquiry is largely intended to placate opponents of Marriage Equality and give them an opportunity to try to justify why they believe they should be granted further “Special Religious rights”.

I would tend to agree with the Australian Conservatives Party when they say on their website “…that sustaining freedom is not always easy, for there will always be some who seek to oppose and restrict it.” I see proposals for additional “Special Religious rights” as such a restriction on freedom.

25 https://en.wikipedia.org/wiki/Public_opinion_of_same-sex_marriage_in_Australia

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“Religious Freedom” and “Special Religious rights” a *slippery slope* to be avoided at all costs.

Reports and other publications I believe are potentially worth examining in the context of this Enquiry.


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Appendix B: “Letter to Dr Ruth – Why Can’t I Own Canadians as Slaves”

Dear Dr. Laura:

Thank you for doing so much to educate people regarding God's Law. I have learned a great deal from your show, and try to share that knowledge with as many people as I can. When someone tries to defend the homosexual lifestyle, for example, I simply remind them that Leviticus 18:22 clearly states it to be an abomination. End of debate.

I do need some advice from you, however, regarding some other elements of God's Laws and how to follow them.

1. Leviticus 25:44 states that I may possess slaves, both male and female, provided they are from neighboring nations. A friend of mine claims that this applies to Mexicans, but not Canadians. Can you clarify? Why can't I own Canadians?

2. I would like to sell my daughter into slavery, as sanctioned in Exodus 21:7. In this day and age, what do you think would be a fair price for her?

3. I know that I am allowed no contact with a woman while she is in her period of Menstrual "uncleanliness" - Lev.15: 19-24. The problem is how do I tell? I have tried asking, but most women take offense.

4. When I burn a bull on the altar as a sacrifice, I know it creates a pleasing odor for the Lord - Lev.1:9. The problem is my neighbors. They claim the odor is not pleasing to them. Should I smite them?

5. I have a neighbor who insists on working on the Sabbath. Exodus 35:2 clearly states he should be put to death. Am I morally obligated to kill him myself, or should I ask the police to do it?

6. A friend of mine feels that even though eating shellfish is an abomination, Lev. 11:10, it is a lesser abomination than homosexuality. I don't agree. Can you settle this? Are there degrees of abomination?

7. Lev. 21:20 states that I may not approach the altar of God if I have a defect in my sight. I have to admit that I wear reading glasses. Does my vision have to be 20/20, or is there some wiggle-room here?

8. Most of my male friends get their hair trimmed, including the hair around their temples, even though this is expressly forbidden by Lev. 19:27. How should they die?

9. I know from Lev. 11:6-8 that touching the skin of a dead pig makes me unclean, but may I still play football if I wear gloves?

10. My uncle has a farm. He violates Lev.19:19 by planting two different crops in the same field, as does his wife by wearing garments made of two different kinds of thread (cotton/polyester blend). He also tends to curse and blaspheme a lot. Is it really necessary that we go to all the trouble of getting the whole town together to stone them? Lev.24:10-16. Couldn’t we just burn them to death at a private family affair, like we do with people who sleep with their in-laws? (Lev. 20:14) I know you have studied these things extensively and

“Religious Freedom” and “Special Religious rights” a slippery slope to be avoided at all costs.
thus enjoy considerable expertise in such matters, so I'm confident you can help. Thank you again for reminding us that God's word is eternal and unchanging.

Your adoring fan.

[Source: https://www.commondreams.org/further/2011/01/03/dear-dr-laura-why-cant-i-own-canadians-slaves]