

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

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My submission mainly centres around point three of the terms of reference *The relationship between the freedom of religion or belief and other human rights, and the implications of constraints on the freedom of religion or belief for the enjoyment of other universal human rights*.

I have been reading sections of *Conviction with Compassion: A Report on Freedom of Religion and Belief* from 2000, I wasn't surprised at the fact that religious submissions tried to claim that their freedoms were being imposed upon and that they were in fact being persecuted by progressives. The reality is though, that our government has not and continues to not properly implement the secular nature of our country and government and have for many decades been giving religions effectively special treatment. The reality is that non believers are the ones who's freedoms are imposed upon by religions.

Anti discrimination laws

Religious organisations having freedom, would be that they can practice their mythological beliefs behind closed doors, with consenting adults who are making an informed decision to follow a belief structure and rules of a man made religion. The problem begins when organisations are given practically automatic exemptions to state and commonwealth anti discrimination acts so that they can discriminate against certain parts of the population. It is acceptable for religions to not want to have to deal with some parts of society behind closed doors, however if they are going to employ people as teachers or in a health care environment for example, then they should not have an exemption to be able to fire people based on sexuality or anything else. Freedom for all citizens would be being able to choose whether to want to work in a private religious school, currently that freedom is removed and a teacher is forced to be closeted (which is proven to cause psychological harm) to work at a private school or risk being fired. Realistically, the law should allow enlightened people with no beliefs in mythology the same legal exemptions that religions have to discriminate in that they can refuse service to, refuse to employ theists etc, or we must remove all exemptions based on belief in anti discrimination acts. I'd personally prefer that we just stop giving exemptions to anti discrimination acts for religious organisations as that would have the greatest benefit to societal progress.

Tax and related exemptions

Religious organisations operating in society in a legally allowable discriminatory way, should preclude them from receiving any kind of government subsidy or exemption from taxation etc. Currently they enjoy this special treatment, to the detriment of greater society. Ideally, any social not for profit entities shouldn't be operating from a judgemental or discriminatory position, they should be simply using evidence based professionals to benefit the whole of society where needs are, not only addressing the needs of religious approved recipients. If religious organisations auspice a not for profit organisation and their involvement in the actual service delivery is in name only, then we should be taking steps to remove the religious links to those services. The not for profit services that benefit society should retain their exemptions from taxation, but the religious organisations themselves should be taxed and have all exemptions removed.

It doesn't stand to reason that religions should get both tax and anti discrimination exemptions, it should be one or the other, but ideally, to be fair to the whole of society, neither.

Public officials and belief

Numerous state and federal politicians as recently as within the last year have stated that they are guided by their faith in their public life. Section 116 of the constitution 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."

It is clearly an inappropriate statement for a public office holder under the commonwealth to be using their personal version of religious observance as a basis for the performance of their duties in parliament. Quite clearly we have an imbalance and an imposition on people's human rights in our secular society via laws and politicians being influenced by religion, where those who are not religious are treated as less than equal. Marriage equality is the immediate and obvious example, where religious reasons are the main objections to a group of people being able to get married. Our society is allowing an unfounded belief and adherence to it to get in the way of a section of society who have neurobiological differences from exercising all of their human rights.

I have lost count of the number of times that people have claimed that we live in a christian nation. There are plenty of people who believe this to be the case and they behave like it. They act as though they are the morally superior group, with other religions and atheists beneath them. They've got no regard or understanding of the constitution or that our laws are secular and this leads them down a regressive path. They take the advancement of civil rights as an assault on their beliefs, because they believe that it is their right to impose their beliefs on others. Realistically anyone gaining a right, such as to be married under civil law, has absolutely nothing to do with religious organisations and that they'd be better off putting their energies in to the communities that they claim to be helping in society. Every election that I have seen in Queensland has resulted in flyers with inaccurate and misleading anti progressive information, even going so far as to say who to vote for for their values, and they never have where they have come from but have obvious religious overtones, there is no indication who authorised them or any contact details. This kind of misguided participation in society shouldn't really be allowed to continue, all religions should understand what our constitution has to say about freedom of belief and that all beliefs are equally able to do what they like, up until such time as it clashes with the law. Until such time as public officials stop proclaiming their beliefs are guiding them, and religions stop being given tax and anti discrimination exemptions this won't change.

False balance

False balance exists where religious lobbying is given equal or more attention than the consensus among expert and peak evidence based professional bodies. The Australian Medical Association and the Australian Psychological Society for example, provide position statements that are based on meta analyses of peer reviewed scientific research to say for example that legal inequalities for minority groups causes psychological harm leading to suicide, and that it emboldens people in society to mistreat people in those groups. Realistically our laws should be about making our society the best that it can be for all people, yet we overrule the reality and evidence for organisations with absolutely no basis in reality. Australia is effectively allowing religious lobby organisations, with nothing more than mythological beliefs and texts created by people thousands of years ago, to overrule scientific evidence in the creation of our laws. This then prevents all of our citizens from having the same human and legal rights as each other. In this current year that should be totally unacceptable in the developed world.