

Religious Educational Institutions and Anti-Discrimination Laws

ALRC Consultation Paper

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The *International Covenant on Civil and Political Rights* (ICCPR) states that parents have the right 'to ensure the religious and moral education of their children in conformity with their own convictions.'

Also, the *U.N. Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief* (1981) states that:

'Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion and belief against the wishes of his parents or legal guardians, the best interests of the child being the guiding principle.'

Catholic and Catholic-sympathetic families have these rights protected in the Commonwealth of Australia through the existence of a large network of Catholic schools across our country. By sending their children to these Catholic schools they are in part fulfilling their desire that their children receive education in accordance with the Catholic ethos.

This Catholic ethos permeates *the entire structure of a Catholic school*. It is not an ethos limited to the 3 or 4 focussed lessons on the Catholic religion which may occur during a typical school week.

Therefore, the entire school community should aim to buy in to that Catholic ethos. The more this occurs the more authentic and life-giving the school community will become.

To single out but one example, how the mathematics teacher presents themselves to the students at the school - vis-à-vis the Catholic ethos – *matters*.

If the mathematics teacher 'lets the team down' in this department – *it matters*. It harms the overall objective of the school – which is to, first and foremost, *make disciples of Jesus Christ*.

Now, we in Catholic Education hope that all students go on to do the very best that they can in mathematics and develop the skills necessary in this area of education so that they can go out and make their best possible contribution to the wider world. But Catholic schools see students as being able to provide society with something even more precious than mathematics skills – as valuable as these are. Our schools send students out into the world with *a knowledge and love of Christ and of his teachings*.

These are our highest-ranking ‘KPIs.’ If our schools are doing well in this department then *the original intention of these schools being set up has been fulfilled*.

So, again, if the mathematics teacher ‘lets the team down’ in the area of upholding the Catholic ethos of the school – *it matters*.

Across our Australian society, there are a broad range of organisations set up which people are free to join and by so joining with like-minded others in this way they can freely pursue causes and activities that are meaningful to them.

People generally join the Labor party because they appreciate the democratic socialist values that the Labor party values stand for. We would not expect *anti-socialists* to want to join the Labor party – but even if such as these did attempt it, we would not be aggrieved if the Labor party declined to accept such people as party members.

Another example: people generally joining advocacy bodies such as Greenpeace or the Australian Conservation Foundation have concerns over the reality of Climate Change and the danger it represents to our natural and human environment on earth. We would not expect *Climate Change sceptics* to want to join either of these organisations – but even if such as these did attempt to do so, we would not be aggrieved if either Greenpeace or the Australian Conservation Foundation declined to accept such people as members of their organisations.

So, the question must be asked: why does the ALRC seem to be so amenable to the setting up of a double standard in Australian society on this front?

According to the new principles being promoted in this consultation, every Australian organisation would be allowed to discriminate about who joins their organisation – *except faith-based institutions*.

Put simply, these new proposals are not in conformity with the liberal democratic principles upon which our Australian society is based.