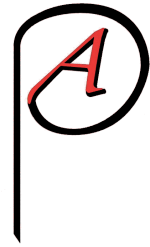


# Progressive Atheists Inc.

Est. 10 Jan 2010 | Reg: A0054119U

*Proud Member of Atheist Alliance International*

*Member Group of Secular Coalition of Australia*



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## Religious Freedom Roundtable Submission

*Meeting of non-faith organisations in Melbourne*

18 February 2016

We are grateful to the Commissioner for giving us this opportunity to participate in this round-table. Please find this written submission, in advance of the February meeting. The aims and objectives of our organisation are listed in the Appendix.<sup>1</sup>

*“Let all bear in mind that a society is judged not so much by the standards attained by its more affluent and privileged members as by the quality of life which it is able to assure for its weakest members.” — H.E. Javier Perez de Cuellar<sup>2</sup>*

*“Do not expect justice where might is right” — Plato<sup>3</sup>*

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<sup>1</sup> <http://progressiveatheists.org/about-us/purpose-statement/>

<sup>2</sup> <https://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LA20081126045>

<sup>3</sup> <http://www.azquotes.com/quote/668957?ref=might-is-right>

## Introduction

Initially we would like to make comment on the naming of the roundtable discussion. The term “Religious Freedom Roundtable” is exclusive to those of religious belief. As a growing number of Australians, 22.3% according to the 2011 Australian Census<sup>4</sup>, now identify as having ‘no religion’, it seems inappropriate to not use wording that is inclusive of all Australians equally. We therefore would like to see the name change to “Freedom of Belief Roundtable”.

Our main concerns in this submission are freedom of apostasy and freedom from blasphemy laws. We are also concerned about LGBTI rights, women’s rights, animal rights and more as per our purpose statement, but for the purposes of this submission we would like to focus mainly on the questions of blasphemy and apostasy as they are serious issues of concern that are often raised only reluctantly, if raised at all.

Freedom to leave a religion and to blaspheme against religious (or any) belief are paramount concerns of a free society, and Progressive Atheists have already made headway, by bringing to light the plight of blasphemers and apostates, through the “Secularism in the Modern World”<sup>5</sup> conference organised by Progressive Atheists last year. We have already taken action to assist bloggers in Bangladesh some of whom have managed to flee the country due to government intimidation and arrests. We take this opportunity to reach out to the government with our concerns and the need for assistance on this crucial human rights issue.

As part of this submission, Progressive Atheists would also like to draw attention to the following noteworthy documents, the *Freedom of Thought Report*<sup>6</sup>, annually produced by the International Humanist and Ethical Union, and the *10 Point Plan for a Secular Australia*<sup>7</sup>, a document that was developed in 2013 by a number of secular minded groups in Australia in response to Sean Faircloth’s *10 Point Plan for a Secular America*.<sup>8</sup>

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<http://webcache.googleusercontent.com/search?q=cache:h-Htk7tLqo4J:www.abs.gov.au/websitedbs/censusshome.nsf/home/mediafactsheetsfirst/%24file/Census-factsheet-religion.doc+&cd=2&hl=en&ct=clnk&gl=au>

<sup>5</sup> Melbourne Conference October 2015: Secularism in the Modern World

<http://progressiveatheists.org/campaigns-projects/secularism/conference-2015/>

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<http://progressiveatheists.org/campaigns-projects/combating-religious-persecution/freedom-of-thought-report/>

<sup>7</sup> <http://progressiveatheists.org/news/international/secularism/10-point-plan-for-a-secular-australia/>

<sup>8</sup> <http://www.goodreads.com/book/show/12510174-attack-of-the-theocrats>

## Issue 1: Government laws and regulations that respect the right to religious freedom.

### **Equality before the law**

The Progressive Atheists position on this is that religious freedom only covers those of religious faith and not those of non faith. Therefore, as per the universal principles of the rule of law, to ensure that the law is applied equally and fairly, we would like to see the term broadened to respect the right to freedom of belief for any chosen or inherited worldview, religious and nonreligious alike.

### **Freedom of Expression - Apostasy & Blasphemy**

*“Unprotected free expression leads to “vilification” laws”<sup>9</sup>*

Progressive Atheists supports the notion that all ideas should be available for public debate of their merits and faults. We also support the use of facts and evidence along with critical thinking and compassion, to develop ideas worth having. Freedom to leave religion and criticise all ideas - religious, sacred or otherwise is essential to our secular, free and liberal democracy.

Progressive Atheists proposes that we *“...retain restrictions on speech that humiliates and intimidates but abandon limits on speech that insults or offends.”<sup>10</sup>*

British born Muslim, Maajid Nawaz has recently pointed out the importance of treating all people with dignity, and at the same time underlining that no idea should be protected from critical thought and public criticism.

*“No idea is above scrutiny and no people are beneath dignity.”*

— Maajid Nawaz, Islam and the Future of Tolerance: A Dialogue

### **Animal Welfare**

Consider also how religious rights and freedoms interact with humanity towards animals in religious practices such as Kosher and Halal slaughter. In this case Progressive Atheists advocate the least harmful method of slaughter as per modern scientific methods of measurement. In this case Progressive Atheists are in support of the RSPCA's guidelines that reject religious exemptions from pre-slaughter stunning requirements.<sup>11</sup>

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<sup>9</sup> <http://freethoughtreport.com/download-the-report/>

<sup>10</sup>

<http://progressiveatheists.org/wp-content/uploads/2015/08/Conference-Secularism-in-the-Modern-World-Speech-Professor-Spencer-Zifcak.pdf>

<sup>11</sup> [http://kb.rspca.org.au/what-is-halal-slaughter-in-australia\\_116.html](http://kb.rspca.org.au/what-is-halal-slaughter-in-australia_116.html)

## Issue 2: Government laws and regulations that limit the right to religious freedom.

### **Questioning the need to Advance Religious Freedom in Australia**

This Religious Freedom Roundtable is premised on the notion that we need to bring together representatives of different faiths in order to “*facilitate how to advance religious freedom in Australia.*”<sup>12</sup>

### **No Laws that Impose Direct Restrictions on the Freedom of Religion**

The Law Council has identified that there are no laws that directly impinge upon the practice of religion in Australia. If this is indeed the case what is the need to advance religious freedoms?

*“The Law Council has not identified any laws imposing direct restrictions on the freedom of religion.”<sup>13</sup>*

### **Religious Freedom is a Product of Individual Freedoms**

Progressive Atheists take the position that if we respect and protect the human rights of each individual, including the right to freedom of conscience, association and speech, that religious freedoms (that don’t violate the human rights of others) will be protected.

### **Marriage Equality**

Progressive Atheists support the equal right of Lesbian, Gay, Bisexual, Transgendered and Intersex people to have the same marriage rights as everyone else in Australia. We oppose any special exemptions to anti-discrimination legislation in the matter of service provisions to LGBTI couples.

*“I believe in religious freedom, but not the kind that argues that government should grant me the right to refuse to serve or hire someone because they are homosexual. Removing someone’s civil rights by empowering the government to protect and preserve my religious homophobia is not my idea of religious liberty.”<sup>14</sup>*

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<sup>12</sup>

<https://www.humanrights.gov.au/sites/default/files/document/publication/rights-and-responsibilities-report-2015.pdf>

<sup>13</sup>

<https://www.lawcouncil.asn.au/lawcouncil/images/3063 - Ltr to Human Rights Commissioner re Religious Freedom Roundtable.pdf>

<sup>14</sup>

<http://www.politicalresearch.org/2016/01/12/when-exemption-is-the-rule-the-religious-freedom-strategy-of-the-christian-right/#sthash.zMbCci7a.dpbs>

### Issue 3: Preserving religious freedom when an organisation receives taxpayers money to provide a public service

#### **Individual vs Group Rights**

Religious freedom is the right of an individual, not an organisation or group.

Progressive Atheists take the position that when an organisation receives taxpayer money to provide a public service that those services provided should be secular.

Including Hospitals, Aged Care, in home care, schools, adult education facilities, welfare services and job seeking services.

#### **Lifeline Australia**

Lifeline, founded by Methodist Rev. Dr. Sir Alan Walker and backed by the Uniting Church, is a great example of a well run community service that is government funded and offers a secular service.

*“Lifeline receives some government funding at both the national and state level, which goes towards specific programs and services”<sup>15</sup>*

#### **Abortion**

Progressive Atheists takes the view that in cases such as a doctor providing an abortion, an individual conscientious objection may be obtained by the doctor, but that doctor must also either advertise clearly to patients prior to making an appointment, that they do not provide such services or provide (non-judgemental) referrals to another doctor who does provide those services. There must also be safeguards in place to protect against events such as the case of Savita Halappanavar<sup>16</sup> who died due to being denied an abortion in Ireland.

#### **End of Life Choices**

Progressive Atheists holds the view that if the choice to end one's own life becomes legal in Australia, that doctors may obtain a conscientious objection, but again must also either clearly advise patients prior to making an appointment, that they do not provide such services or provide (non-judgemental) referrals to another doctor who does provide those services.

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<sup>15</sup> <https://www.lifeline.org.au/About-Lifeline/Media-Centre/Lifeline-Fast-Facts/Media-Kit-and-Fast-Facts>

<sup>16</sup>

<http://www.telegraph.co.uk/news/worldnews/europe/ireland/9679840/Pregnant-woman-dies-in-Ireland-after-being-denied-an-abortion.html>

#### Issue 4: Balancing the right to religious freedom and equality before the law – what are the areas of shared agreement?

##### **Equality before the Law is a Non-Negotiable Cornerstone**

Progressive Atheists view equality before the law as a non-negotiable cornerstone of a secular liberal democracy with rule of law. As such, there can not be, and there ought not be, any compromises to equality before the law.

##### **Exemptions for Wearing the Kirpan**

The Progressive Atheists take the position that the exemption given to Sikhs to wear the Kirpan<sup>17</sup> make an inferior class of citizens, merely by virtue of them not having a particular privileged religious affiliation. This is an example of inequality before the law.

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<sup>17</sup> <http://www.sikhinterfaithvic.org.au/kirpan.html>

## Issue 5: Developing mechanisms to support religious inclusion and social cohesion.

### **Support Individual Freedoms**

Progressive Atheists is of the view that religions don't need inclusion, but people do. Ethical social agreement of all people who have irreconcilable beliefs is impossible. Instead, we propose that the government maximises the help it provides to individuals to enjoy personal freedom of conscience, belief, association and speech. The best social inclusion and cohesion can be had via secularism.

### **Favouring Christianity**

The International Humanist and Ethical Union (IHEU) has already identified, in its 'Freedom of Thought Report'<sup>18</sup>, that Australia is a marginal blasphemy law country. Progressive Atheists would like to see all prayer removed from public institutions (tradition is no reason to continue); that all religious exemptions from paying tax should be removed; and that all religious exemptions from complying with laws should be removed.

*"Although the government is officially secular, it continues to favour Christianity for many public ceremonies. For example, each session of parliament begins with a joint recitation of the Lord's Prayer. Religions institutions enjoy long-standing privileges in being exempted from paying tax and from complying with laws, such as the Victorian Equal Opportunity Act against discrimination and Australian Charities & Not-for-profits Commission Act for transparent governance." (Freedom of Thought Report)*

### **Education and children's rights - SRI / SRE**

In line with our view that the best social inclusion and cohesion can be had via secularism, Progressive Atheist supports the position that all SRI/SRE should be removed from Australian schools. Instead curriculum should be introduced that provides an overview of a variety of worldviews, encouraging open discussion with students that addresses all merits and concerns, in a respectful manner.

### **Education and children's rights - National School Chaplaincy**

In line with our view that the best social inclusion and cohesion can be had via secularism, Progressive Atheist supports the position that all government funded religious chaplains should be replaced with qualified counselors in Australian schools.

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<sup>18</sup> <http://freethoughtreport.com/download-the-report/>

### **Family, community and society - Social services**

Progressive Atheists have great concerns about public funding going to religious institutions to provide community services in light of epic failures by such institutions to protect children and adults from harm with the use of their internal procedures to deal with such abuse. It must be made clear that the law of the land is paramount to the laws of the institution.

*"The privileged status of religion in society has allowed government to cede control of various social services to religious institutions. In January 2013 the federal government appointed a Royal Commission "to inquire into institutional responses to allegations and incidents of child sexual abuse and related matters". The great majority of complaints have involved abusive clergy who were protected by their church, which was in turn accorded unwarranted deference by state authorities."*<sup>19</sup>

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<sup>19</sup> <http://freethoughtreport.com/download-the-report/>



## Appendix One

### Progressive Atheists Purpose Statement

We are the Progressive Atheists Incorporated (PA Inc): an organisation of like-minded individuals who want to affect a progressive social transformation within their local community. We seek to fulfil the following purposes<sup>20</sup>:

1. To foster functional democracy within PA Inc, its processes, procedures and activities;
2. To provide effective accountability of those entrusted with PA Inc leadership;
3. To act in solidarity with other progressive movements, organisations and groups that share our commitment to voicing issues affecting atheists, women, minorities, people with disabilities, people who identify as LGBTI, seniors, youth, other species and the environment;
4. To improve communication among progressive groups and organisations in our community in order to galvanise a united front for promoting secularism;
5. To strive for a secular society that grants personal and political freedom from religion, whilst retaining personal freedom of religion and personal freedom of conscience;
6. To create a safe and inclusive environment within which people are encouraged to discuss their ideas honestly, debate social and cultural values, develop ethics, promote social justice and contribute to universal human rights;
7. To go beyond divisive racial, religious, tribal, and sectarian constructs, and instead, contribute to a universal humanity.

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<sup>20</sup> <http://progressiveatheists.org/about-us/purpose-statement/>