
Religious bill the missing link in Australia's civil rights

The principle that Australia is a pluralist society – one that allows all Australians to 'live and let live' – has taken a bit of a battering this week with the introduction of the Religious Discrimination Bill in Parliament.

It seems it's acceptable for some beliefs and attributes to be protected in this country, as long as they're not religious.

Across Australia we have protections in anti-discrimination law for race, age, disability, freedom of association, sexual orientation, gender identity, intersex status, marital status, pregnancy and breastfeeding, among other rights.

So it's despairing to see opposition to the proposed legislation from groups like Equality Australia, the Greens and the ACTU, who seem unwilling to support the protection of religious rights in the same way.

In the Catholic education sector, we understand the concerns of some in the LGBTIQ+ community who see this legislation as a way to discriminate against staff and students.

This is not what this legislation is about. It doesn't give schools the right to discriminate against people based on their personal attributes, and Catholic schools are not seeking to do this.

The proposed legislation simply enables Catholic schools to preference the employment or enrolment of people of the Catholic faith, and those willing to support the ethos and values of the school. This is reasonable and fair in a free, pluralist society.

Catholic education in Australia is celebrating 200 years this year. It was the Catholic parents who built and opened our earliest schools because they desired a faith-based education for their children.

Our sector has grown during that time, despite over a century of no government funding, because it has been the mission of the Catholic Church to share the gospel of Jesus Christ with the world, and particularly with the children of those who are members of our faith communities.

But Catholic schools aren't just about teaching the faith. We also exist to serve the common good by delivering quality education to people of faith and to people of none.

The Australian Catholic Bishops' pastoral letter, released this year, recognises the challenges of a changing and ever-increasingly secularist society in maintaining a Catholic identity and mission.

Part of the challenge, they say, is for Catholic schools to retain a 'critical mass' of Catholic students and staff in our schools, even as we welcome those from other religious backgrounds or none.

Why is this important?

Well, essentially, it's because in a free Australia we believe we can have a range of views and beliefs, and we can gather and associate based on those common views and beliefs.

The right to freedom of association has been an enshrined part of Australia's industrial relations and fair work policy and practice over many decades. It protects the rights of all people to voluntarily associate on common values and goals – it's these protections that underpin trade unionism. Religious rights need the same protections.

Forcing Catholic schools to employ staff that don't support the ethos and values of the school or, at worst, seek to undermine them, is akin to asking the Greens to welcome climate deniers among their membership, or the ACTU to open their arms to neo-liberalist stalwarts.

The argument has been made this week, that it's all well and good if you want to be a faith-based school, but don't accept any government funding.

If we were to run this yardstick by other publicly-funded groups or associations then the Greens, who receive electoral funding, might find it a bit tougher to mount a campaign for the next federal election.

It's a moot point, though, if we return to the principle that Australia is a pluralist society.

Governments, federal and state, should respect and protect the religious freedom of families who choose to send their children to a school where they will be taught in accordance with their values and beliefs.

The long-awaited Religious Discrimination Bill will allow for this to happen and, if passed, can support a national approach to promote the harmonisation of legislation across Australia, and to ensure religious freedom is not limited by a patchwork of arrangements in states and territories.

If we want to continue to be a free country that allows its citizens to 'live and let live', then religious beliefs and rights need to attract the same protections as other beliefs and rights, even if we don't agree with them.

As critics of the legislation have said this week, "our laws should protect all of us, equally" – protecting religious beliefs is currently the missing link in the suite of discrimination laws in this country.

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