



National Council of Churches in Australia

Tuesday, 1 October 2019

Attorney-General's Department
3-5 National Circuit, Barton, ACT 2600
FoRConsultation@ag.gov.au.

Dear Attorney General

Thank you for the opportunity to make a submission on this important matter of Religious Freedom reforms.

We have had a range of discussions over recent weeks as regards the proposed Religious Freedom legislation.

Some detail about these follows in three Appendices.

Our submission, in brief, is that it is premature to introduce this legislation because, as was agreed by the Prime Minister when he met religious leaders in Sydney on Monday 5 August 2019, the best outcome will be when there is broad reception across our diverse community for this and more conversation is needed.

We submit that a range of facilitated Roundtables with representatives of religious faith and none, with divergent and diverse views, are needed to clarify misunderstandings and to reach agreed legislative outcomes.

This is a matter requiring patience and a generosity of spirit for the sake of the best legislative and cultural outcome.

The submission by the Australian Human Rights Commission was outlined to National Church Leaders at a meeting that NCCA hosted last week. National Church leaders do not want unintended consequences as a result of seeking legislative protection of religious freedoms.

Some of our leaders have come from places where their experience is of religious persecution.

Like you, they want to find the best way to integrate freedom from religious discrimination with legislation to protect against other forms of discrimination.

There is still some uncertainty as to whether your draft legislation achieves this, given the reservations conveyed to us by the Human Rights Commissioner only last week. We urge further patience and participatory Roundtable discussions over coming months.

The NCCA has a partnership link to the Canberra-based Australian Centre for Christianity and Culture. The Director, Bishop Stephen Pickard, and I are happy to offer to host and facilitate such Roundtables, in association with your Department and others, were you to agree with our submission.

With gratitude for your work and with prayers,

Bishop Philip Huggins.
President, NCCA

Appendix 1 – 5 August 2019
Appendix 2 – 31 August
Appendix 3 – 24 September

Anglican Church

Antiochian
Orthodox Church

Armenian
Apostolic Church

Assyrian Church
of the East

Chinese Methodist
Church

Churches of Christ

Congregational
Federation

Coptic
Orthodox Church

Greek
Orthodox Church

Indian
Orthodox Church

Lutheran Church

Mar Thoma Church

Religious Society
of Friends (Quakers)

Roman Catholic Church

Romanian
Orthodox Church

Syrian
Orthodox Church

The Salvation Army

Uniting Church

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Appendix 1

5 August 2019 – Notes by Bishop Philip Huggins following Consultation Meeting with Prime Minister

As you know, in this more settled period after the Federal Election, there are consultations taking place as regards this matter of freedom of religion in Australia.

A number of our Church leaders were at the PM's consultation along with representatives of other major faiths. The general view was that this is a matter to proceed with both carefully and patiently.

The PM stressed he hopes the resulting legislation will have bipartisan support and be a unifying, never a divisive matter in our Australia.

Accordingly, whenever a Draft is available there will be plenty of time for further consultation and comment.

As was agreed, legislation in the area of religious freedom needs a culture that receives it, accepts it.

I was encouraged by the PM's positive response when I shared the hope that we can cultivate a generous spirit - which Australia is a place where there is no anti-Semitism, no Muslim woman in hijab or Sikh in turban abused in the street; where people are free to establish their places of worship. An Australian culture, that is, which embodies Article 18 of the Declaration on Human Rights so that people feel and are free to practice their faith or not practice it, change to another faith, even change back!

Imagine what hope that would give the wider world, especially those in places where there is real persecution, forced conversions and marriages, much else.

Comment was made about how many people have come to Australia to be free of violations of their religious freedom. This fact conveys both our strengths and our responsibility.

It was good to hear a high vision of our Australian possibilities being articulated.

For myself, I think it would be wise for Article 18 to be on street signs, with pictures of endorsement by multi faith communities and leaders. It would be good if Article 18 was as evident as the signage of McDonalds and Apple!

An Australian culture which will receive an Act to prevent Religious Discrimination will be a moral culture - careful and accountable to other faiths for our own theology; attentive to how different freedoms intersect; reasonably robust so as to not give or take offence at every opportunity; practicing the 'golden rule'!

Our PM asked us to emphasise that the conversations continue, including when a draft is available.

Bishop Philip Huggins,

President of the National Council of Churches in Australia.

Appendix 2

31 August 2019 - Reflection by Bishop Philip Huggins, for The Forum hosted By The Sikh Interfaith Council Of Victoria

Greetings of peace!

It is an honour and joy to be here for this important forum, hosted by the Sikh Interfaith Council.

When my friend Jasbir rings and asks me to help with something, I always try to say 'yes'. He has such a kind heart and beautiful soul. His requests always come from a good and Godly place.

This brings me to the first of three reflections, I would offer.

1. FRIENDSHIP

As a disciple of Jesus, my faith is deep in the friendship of Jesus.

We have a childhood hymn- "What a friend we have in Jesus..."

Jesus befriended me when I was quite lost in my mid 20's, a long time ago now.

It was, as another hymn goes, "Amazing Grace."

My faith is not very complicated.

I just try to stay close to Jesus in the ways given by our long tradition.

I read the Bible each day, always finding new insights in Jesus imaginative and compassionate way with people. So attentive. So generous.

I try to live like Jesus in the Gospels, asking myself, for example: What if I showed people generous mercy, like the Good Samaritan?

What if I forgave people lavishly, like the father of the Prodigal Son?

I am helped by the Sacraments, like the grace of Holy Communion. I am helped by meditating and praying, especially the Prayer of the Heart- "Jesus have mercy".

Relatedly, I have learned to be very careful with what I let myself think about and what I let influence my thinking. Because our thoughts shape our words, thus our actions. The pattern, over time, shapes character and destiny.

Also relatedly, I have learned to be open to people of other faiths because of what they can teach me.

All these reflections could be elaborated, but time is tight.

Just to say, in the process of being open and learning, through interfaith dialogue over 30 plus years, friendships have blossomed.

Friendships that takes us deeper into the friendship of God for us all!

"I am through you, so I". We need each other's friendship to become our own true self!

More than that...We can't go to heaven on our own. As in the poet Charles Peguy, "What will God say to us if we appear in Heaven without each other".

Won't God say to us: "Where is everyone else?"

So, cultivating religious freedom, we become friends with one another, within the friendship of God for the whole human family, all of us gifted with life on this tiny planet in a vast universe!

2. NEXT STEPS IN CULTIVATING RELIGIOUS FREEDOM IN AUSTRALIA.

The Federal Government is looking at new legislation, as we know.

This has its place, but new legislation has to have a culture which will receive it:

A culture with a generous spirit, a loving culture that recognises that Rights come with Responsibilities.

We need a culture in which we treat each other by the Golden Rule.

That which we know causes us pain, under no circumstances will we inflict on anyone else. Treating each other as we hope to be treated.

I was at the Roundtable in Sydney with the Prime Minister on August 5 and made these points.

I said we need a culture in which there is no trace of anti- Semitism. No abuse in the streets of Australia of Muslim women in hijab or Sikh's in turbans.

A culture in which people can build worship centres where they settle and a culture in which Article 18 of the Declaration of Human Rights is taught in the schools , on street signs and on shopping centre billboards.

Namely, as Article 18 affirms, that people are truly free to practice or not practice their faith , free to change their faith without intimidation, free to change back again , if they so choose.

We are some way from having such a culture and this is where we need to work well together, as today.

3. AUSTRALIA -SIGN OF HOPE OR FURTHER CAUSE FOR DESPAIR IN THE HUMAN FAMILY?

Which will we be? We are at a tipping point. Some brief comments.

- * In my international work with refugees and asylum- seekers, I have seen a lot of suffering caused by the abuse of people's religious freedom.

It is a matter of fact that religious persecution is much worse in many other nations than Australia. We have our issues but...

- * I have been listening to our young people of late, afresh.

Those at school wonder if they are preparing for a future that will not arrive because of the devastation being caused by climate change and by the level of violence....Domestic violence through to the vivid risk of wars with even new forms of nuclear weapons.

- * The truth is, as the old reggae song goes, "We don't need any more trouble ...What we need is love".

- * Here in Australia, we are a cameo of the whole human family.

We have so many blessings: a robust democracy; a strong economy; a range of intermediaries between the individual and the state, including faith communities; a vibrant artistic life...much more.

We can be a sign of hope to other nations as to how the human family, in all our diversity, cannot merely co- exist, but actually flourish through and with each other.

But to accomplish this destiny, we need to give deep attention to one other matter.

We are also an island which is like a large therapy centre, full of people carrying "soul-wounds".

Our First Nation people carry the unreconciled wound of dispossession.

Every wave of migrants and refugees since WW2 carry soul- wounds.

From our Jewish folk fleeing the holocaust, through to recently arrived folk from tribal and national wars in Africa , the Middle East and Asia .Also, folk who have been effectively imprisoned in vast and often violent refugee camps and detention centres....

We need to give each other careful, loving listening so these soul wounds can be healed.

I listened to a woman from Africa recently. She knew she had to find someone who would listen to her. She had to have helped to put together the fragmented nature of her personal narrative.

Finally, she found someone. She said she spoke for three months. "Then I stopped. I had it all out."

Her narrative now had some coherence. She could see the way ahead. There was light on the next steps.

In the loving, attentive listening she received there was healing of her soul wounds.

She said and it is SO true, "Many, many people need this."

Our Australian potential to be a "civilisation of love", in Pope Francis beautiful phrase, will only be fulfilled if we give deep attention to this matter of being each other's healers in careful and loving listening.

That is our task and that is why today is such a wonderful initiative by the Sikh Council of Victoria.

Thank you again for inviting me.

With prayers of gratitude,

Bishop Philip Huggins,

President of the National Council of Churches in Australia.

Appendix 3

24 September - Reflection on Gathering of National Church Leaders with Edward Santow, Human Rights Commissioner of The Australian Human Rights Commission.

In the 8th Century, St. Bede writes of a certain esteemed leader who would sit for long periods, carefully pondering what might be done next.

The necessity for patient discernment now was evident when National Church leaders met with Edward Santow in Sydney on Tuesday 24 September.

The context was our consideration of how best to respond to the draft Religious Discrimination legislation, released by the Attorney General, Christian Porter, on Thursday 29 August.

Given that the Attorney General expects that a final draft Bill will be presented to Federal Parliament in October, this was a timely discussion.

Edward Santow took us briefly through the history of international nurturing of Human Rights law, especially in the period since World War Two.

He commended this legislation, in large measure, noting how it evidences 'best practice' in other jurisdictions and affirming that Australia has been able to benefit from work done elsewhere.

His concern was with "ten percent" of the draft legislation, which he characterised as novel, radical and capable of having unintended subsequent consequences.

In our discussion, those of us who had met the Prime Minister in Sydney on 5 August recalled two important conclusions.

The first was the PM's emphasis on patience with this matter so that the legislation had broad support, including bi-partisan support.

The second conclusion recalled, was that this legislation and any like it, needs a generous and gracious culture ready to receive it.

Laws about freedom of religion need a culture ready to receive them.

Are we at this place of reception?

My reflection, having been at these important meetings and having followed the media discourse, is that we are not yet there.

There are fears and misunderstandings which need careful, facilitated conversation.

On the one hand, there are religious people concerned that the legislation will not protect their ability to 'preach, teach and heal' in the way they feel called and have done in times past, freely.

On the other hand, there are groups that feel the ten percent extra in this draft legislation, may continue a pattern of marginalisation which, historically, has been a cause of suffering. (There are reports thus, that members of the LGBTQ communities have been re-traumatised by the public discourse about this legislation).

Edward Santow was very affirming of the broad, positive work the Church does in the Australian community. His own background gives him first-hand experience of compassionate Church work for marginalised people. He conveyed a concern he hears, that the Church is being stereotyped as only concerned about "sex and speech".

Be that as it may be, I came away from our meeting really concerned to "hasten slowly" with this vital draft Bill.

Can we arrange facilitated conversations between groups who have various fears? Can we clarify any misunderstandings? Can we make sure the final draft does not include detail which will have unintended consequences, when the legislation is finally implemented?

Can we, thereafter, share in a broad educative process to enhance understanding and reception of religious freedom legislation?

In the period ahead, I hope to help find some answers to these questions. In the process, your responses to this note will be much appreciated.

Like St. Bede conveyed, there is virtue in a period of further careful and prayerful discernment, as we ponder what might be best for everyone.

Bishop Philip Huggins,

President of the National Council of Churches in Australia.