

**AUSTRALIAN COUNCIL FOR THE DEFENCE OF
GOVERNMENT SCHOOLS
PRESS RELEASE 906
RELIGIOUS SCHOOLS AND THEIR
RIGHT TO SACK WORKERS**

Proposed Anti-Discrimination Legislation

Victorian State Attorney-General Jaclyn Symes has announced a new piece of Anti-Discrimination legislation. The Bill will be brought to the Victorian Parliament before the end of year, limiting religious organisations in employing persons who subscribe to the values of the school, counselling centre, or aid agency.

[The Age](#) reports,

“Religious schools in Victoria will be prohibited from sacking or refusing to employ teachers because of their sexuality or gender identity under sweeping social reforms proposed by the Andrews government.

Attorney-General Jaclyn Symes said legislation would be introduced later this year to close an “unfair, hurtful” gap in anti-discrimination laws that allow faith-based organisations to discriminate on the basis of sexuality, gender and marital status.

“People shouldn’t have to hide who they are to keep their job,” Ms Symes said.”

While the story focuses on Christian schools, the legislation is again broad and will swallow a great number of organisation (even some churches)...

“The Victorian bill would also mean no faith-based organisations could discriminate when delivering government-funded services such as counselling or homelessness support, or hiring out community facilities”.

Religious schools in Victoria currently have the power to sack or refuse to hire LGBTIQ+ people on the basis of their sexuality or gender identity, and marital status.

However, religious organisations will still be able to employ people based on their religious belief where it is critical to the job, and there will be no change in

how schools will convey their religious beliefs to students. The Victorian government said it would consult with relevant LGBTIQ+, education groups and faith groups before the legislation is introduced into parliament.

The matter is not resolved and religious groups have reacted.

Reaction of Religious Schools

Christian Schools Australia's director of public policy, Mark Spencer, told Guardian Australia that Christian schools "have never terminated staff based on their sexuality, gender identity or marital status", but over differences in beliefs.

"It seems that the government's proposal is that they or a court or tribunal will be given the right to determine what beliefs can be required to be held in what positions in a Christian, or Jewish, or Islamic school," he said.

Murray Cambell, a Baptist commentator, at <https://wp.me/p6FEwm-1D4> complained as follows:

Who is the Attorney General to dictate to religious organisations what constitutes religious work and what is not? Do we really want the State educating and defining the theological beliefs and requirements of faith-based organisations? Is a gardener or an office administrator not doing specifically Christian work because they are not teaching Scripture? The Government is creating a false dichotomy which does not exist in the Christian faith, nor in many other religions. Every role is an expression of commitment to God and is a valuable part of the whole which serves a common purpose.

The Government is also mistaken in assuming that because a role does not have a direct theological or spiritual teaching component, it is therefore irrelevant whether the employee agrees with the organisation's ethos, beliefs, and vision. This is purely illogical. Why would any organisation or company employ someone who does not support the basic values and vision of that association?

Equal Opportunity doesn't mean sameness. I'm not doubting the Victorian Government's commitment to 'equal opportunity', but their paradigm is flawed, and represents an ethic that is ultimately not about diversity, but is about conformity.

Is the Attorney General the new Archbishop? Is the Government replacement ecclesiastical council? The question needs to be asked, is it reasonable for a Government to determine what constitutes required religious adherence or not?

Is it the Government's role to dictate theology and ministry practice? Does the Government have the necessary skills and knowledge required to adequately understand theology and therefore make the right judgement regarding the question of what is inherent?

*The Labor Government tried to pass similar legislation in 2016, the **Equal Opportunity Amendment (Religious Exceptions) Bill**. It fell short by a single vote in the Legislative Council. The vote is likely to be reversed on this occasion.*

Not only is this latest attack on religious freedom a step too far, Jaclyn Symes is already hinting at expanding the legislation. The Bill has not even been tabled in Parliament and the Attorney General is fishing for justification to broaden the intrusion into religious organisations...

Rather than saying, here are mean and intolerant Christians discriminating against others, the real picture is of religious organisations wanting to employ persons who affirm their stated values. It's called freedom of association.

Should a cricket club be forced to appoint a coach who wants to change the game to lacrosse? Should the ALP be forced to welcome One Nation members into the fold and change their platform to accomodate One Nation? If a hospital employs a doctor who later changes their views, coming out as an anti-vax campaigner who disagrees with COVID vaccines, should the hospital be forced to put them in charge of immunology?

DOGS Comment

Murray Campbell's arguments hold water. The State cannot and should not even attempt to engage in matters of religious conscience. As a good Baptist, descended from Bunyan in the Separation of Religion from the State tradition, Murray Campbell puts forward a strong argument.

But he fails to mention one very important fact. The religious schools of Victoria are substantially, indeed in some cases, overfunded, by both Victorian and Federal Treasuries. In other words, they are more than happy, indeed demand that they receive taxpayer funds. And everyone, including divorcees, adulterers and LGBTI people, pay taxes. For those with pure consciences, For Christians, State money is dirty money.

If these schools have entangled themselves financially with the State, then they have already sold their Christian consciences out to the State. A belief in a

theocratic State could be expected of Catholic, Anglican, Muslim and Jewish schools. They believe that religious men should tell the State what to do in matters of faith and morals. But Baptists Quakers, and Seventh Day Adventists are perhaps guilty of the worst hypocrisy. Historically they have fought for the voluntarist, separationist principle, but in Australia they have yielded to temptation.

DOGS hold that if religious schools take State Aid, then they place themselves under the law of the State and should not be permitted to discriminate against any taxpayer or citizen that is paying for their enterprise. Talk of religious conscience is meaningless. He who pays the piper has every right to call the tune.

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