

**AUSTRALIAN COUNCIL FOR THE DEFENCE OF GOVERNMENT
SCHOOLS**

**PRESS RELEASE 841
THE DOGS HIGH COURT CASE
GETS AN AIRING ON THE ABC**

<https://www.abc.net.au/news/2020-05-12/the-history-listen-the-forgotten-fight-over-school-funding-dogs/12101774>

In 1980, after a 15 year struggle, the DOGS organisation, led by Ray Nilsen, finally had their case on Section 166 of the Australian Constitution heard by the full High Court.

In 1979, in an effort to break their spirit – and resources – the Catholic Church had led their barristers through a merry dance, a Trial of Facts. In this Trial, held before Justice Lionel Murphy, the Church witnesses tried to prove that their schools were not religious, but educational institutions. They tried to prove that their schools were no more religious than State schools.

The DOGS lost the case, since the majority judges gave what was a Bill of Rights Clause taken substantially from the American Constitution, a very narrow interpretation. The Justice Murphy dissent however, waits in the wings for another time.

But in 1981 the floodgates were open to funding of both religious schools, and religions themselves by the Federal Government.

And now, in 2020, the battle over school funding is heating up every year and religious liberty, which was lost in 1981, is on the Coalition agenda. Church authorities are demanding privileges to select those who should be given a first rate ticket to heaven and the good job.

Ray Nilsen, at the time, wept for the loss great ideals – Religious Liberty and free secular and universal education all children. He said that a nation can lose its liberty in a day, but not wake up for a century. But, in Australia, forty years later, some people are waking up.

**Finally, the ABC has taken up the issue in their Radio National History Listen program:
[The dog fight over school funding that went all the way to the High Court](#)**

DOGS invite you to read the program notes and listen to the interpretation placed upon events by the different actors in the drama

**LISTEN TO THE DOGS PROGRAM
855 ON THE AM DIAL: 12.00 NOON SATURDAYS**

<http://www.3cr.org.au/dogs>

