



Rationalist Association of NSW Inc.

NEW LIBERATOR

Summer 2019

Cardinal Pell



Artwork: Steve Maxwell

CATHOLIC CHURCH OPTS OUT OF REDRESS SCHEME

‘The utter hypocrisy of the Catholic Church has now been laid bare as the organisation refuses to join the National Redress Scheme established to assist survivors of institutional child sexual abuse. When I was a deeply committed practising Catholic, a great deal of pride was attached to the church being “universal”. It proudly stated that anywhere in the world the universal nature meant that the same beliefs, structure and authority existed. It was a comforting idea at the time and it was promoted as yet another proof of righteousness. But when the instances of child sexual abuse emerged, this much famed universal entity used a tortuous logic to claim it could not be sued as it did not exist, the so-called Ellis defence.

A similarly devious tactic has just been

“Despite the paedophilia crisis, the Catholic vote was not extinguished.”

Cardinal George Pell
Quadrant, September 2018

announced. The church will not join the redress scheme but it will allow individual parts of the organisation to decide if they want to opt in, with two years to decide. In my own case of severe abuse, I applied to the church’s Towards Healing program. The final stage of that process was a two-hour cross-examination by two retired police superintendents. Their report validated my claims, but due to the nature of my sexual abuse it was not covered by Towards Healing. Lawyers advised me to apply to the redress scheme but that would be a waste of time as the religious order responsible has declined to join the scheme and now the Catholic Church has also refused to join. I attended the national apology and heard the prime minister make promises about providing justice for survivors. In reality, the redress scheme is so deeply flawed that experienced lawyers find it frustrating. Allowing the Catholic Church to opt out of the scheme mocks any notion of justice.

(Continued on p.2)



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The aims and objectives of The Rationalist Association of New South Wales are to promote:

- a philosophical and scientific approach to life free from superstition and dogmatism;
- secular education in government schools; and
- constitutional separation of church and state.

The title *New Liberator* was chosen in honour of Joseph Symes (1841–1906) a British secularist and publicist, who arrived in Melbourne in 1884. He published a weekly, the *Liberator*. The first publication of the *New Liberator* coincided with the centenary of Symes' death in 1906.

Articles published in this journal seek to promote discussion and understanding of cultural and political issues in Australia. It is not connected with any political party or sectarian group.

Articles up to 1,500 words are welcome.

**Please send in Word format to:
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Opinions expressed in *NEW LIBERATOR* are those of the authors.



**National
Secular
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IN THIS ISSUE:

Letter <i>Keiran Ryan</i>	1
The Pope's Empty Words <i>Keith Porteous Wood</i>	3
Decriminalise abortion in NSW! <i>Meg Wallace</i>	4
Most Australians approve of constitutional separation of government and religion <i>Adrian Beaumont</i>	5
Letter re: Judge Kavanaugh <i>John Perkins</i>	6
Comment on Judge Kavanaugh <i>Eddie Tabash</i>	7
Debating Religious Freedom <i>Rachel Laser</i>	7
\$30M: Senator questions GDR status of evangelical chaplaincy providers.....	8
Church and State conflict in Fiji.....	9
NZ to abolish blasphemy law <i>Meg Wallace</i>	11
<i>The Last Word</i> Angelica Divine	12

(from p.1) Scott Morrison should be condemned for establishing this deeply flawed redress scheme and making empty promises to vulnerable survivors. For my part, it makes me more determined to continue the fight and take the Salesian order to court. I'm looking forward to finding out if they exist and, if so, what is their relationship to the "One true, holy and apostolic Catholic Church".

Keiran Ryan, Bright, Victoria.

The Saturday Paper 15 December 2018

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THE POPE'S EMPTY WORDS AND MEANINGLESS GESTURES WON'T TACKLE CLERICAL ABUSE

One of the pope's Christmas messages urged clerical abusers to hand themselves in. Keith Porteous Wood asks how effective it will be in bringing perpetrators to the courts and assesses the pope's progress over abuse.

Pope Francis' Christmas address to the curia called on abusers to 'hand yourself over to human justice' and he warned them that 'the church will spare no effort to do all that is necessary to bring [you to] justice.'

On the face of it, this recognises the gravity of the abuse that has taken place in his church and makes a positive move to right the injustices of the past. If only. Given the pope's past form, it is much more likely to be just another PR stunt aimed at generating some positive media coverage; yet another "someone else should do something". And how likely is it that perpetrators who for decades have evaded justice, not least because they have been protected by their superiors, would voluntarily turn themselves in now?

Rather better would be for Francis to direct that all credible evidence of such abuse to be made available to secular authorities. (By decree, the Vatican itself has it all.) That just *might* amount to 'spar[ing] no effort to do all that is necessary to bring [perpetrators] to justice'.

But what kind of justice? He did not say, and I expect did not mean, secular justice with the prospect of custodial sentences. Under Francis, the Catholic Church's "justice" is increasingly an all-expenses paid lifetime of penance and prayer, rather than a dismissal from the clerical state meted out by his predecessor, albeit too infrequently.

According to the recently published book *The Dictator Pope*, Francis has quietly reduced sanctions against a number of paedophile priests, one of whom, Mauro Inzoli, was subsequently convicted by secular courts. The book also makes a detailed case that casts further doubt on Francis's contention that he knew nothing of clerical abuse in Argentina, where he served the church for decades.

In the last year, this pope has been criticised more than any other over the church's clerical abuse of

minors and has been personally chastened for his own failure of management. It is no longer sensational news when archbishops or cardinals are criminally convicted or found to have been promoted repeatedly despite (hopefully not because of) rampant abuse or at least covering it up.

He was berated by the prime minister of Ireland in front of the world's media in a "blistering speech focusing on the failings of the church". No pope has been so humiliated in living memory. Almost as bad was him having to admit to 'grave errors in judgment' and personally apologise for having tried to discredit the victims of an abusive Chilean priest, despite there being proof of the pope having credible evidence of this abuse.

The previously ultra-loyal *National Catholic Reporter* described the above as 'at least shameful', adding 'At the most they suggest that Francis now could be complicit in the cover-up'. It noted that even Cardinal O'Malley, president of the pope's commission for the protection of minors, had criticised him over this. 'When Pope Francis's friends start making remarks like that,



the wheel has come off the Francis bandwagon.'

CNN concludes that '2018 became the Catholic Church's year

from hell'.

Incredibly, while Francis mentioned abuse in his address to the Curia, he ignored it in his Christmas address to the world at large. This led the *Boston Herald* to ask, tongue-in-cheek, whether it was 'a signal from Pope Francis that he has moved on from the unpleasantness of that clergy sex scandal and cover up?' Is it conceivable that the pope has not realised that his papacy will be defined by his success or failure over abuse?

The *New York Times* has no doubt. 'Many people close to victims of abuse have said that this could be the last chance for Francis, for whose papacy they had such high hopes when he was elected in 2013, to salvage his reputation on the issue.'

Most damning of all was a remark made to me by one of the two abuse survivors on the papal commission, both of whom have resigned in

disgust. I was told that Francis had actually gone out of his way to avoid engaging with the commission when they met. I empathise with the despair of survivors. As well as shielding perpetrators, the fabulously wealthy church continues to this day throughout the world to deny survivors appropriate compensation.

All we have seen from the pope on abuse is meaningless apologies, calls for others to act and impotent gestures, perhaps aimed to mollify the media – not to mention an attack on the UN for its expert recommendations. As I have noted previously, his tribunal to discipline bishops and his commission have achieved nothing positive. They may even have been designed to fail.

The 82-year-old is showing the strains of nearly six years of his papacy and may have left it too late. Worse, many reading the above will understandably ask whether he even wants to sort it. And even if he does, I suspect the ungovernable Vatican would not let him do so.

The only optimistic spot on the horizon is a conference in Rome in February of worldwide Catholic hierarchy ‘to address the abuse and protection of minors’. The National Secular Society will set aside our scepticism and, in the interests of survivors, put forward suggestions to make it as successful as possible.

But we are not holding our breath.

DECRIMINALISE ABORTION IN NSW!

Meg Wallace

Abortion law reform will be a front-line consideration in the coming NSW election in March 2019.

NSW is the only state that makes procuring an abortion a crime (Sections 82–84 of the *Crimes Act 1900*, but the interpretation of the law is subject to the Justice Levine’s ruling in *R v Wald* (1971) 3 NSW DCR 25. Confirmed in *CES v Superclinics* (1995). As a result an abortion can be considered legal if a doctor finds any need to avoid serious danger to the pregnant woman’s life or to her physical or mental health.

Julie Hamblin, 10 May 2017, a Sydney lawyer, specialising in reproductive rights, comments:

..[T]his principle is not recognised in

legislation and is open to interpretation by judges on the facts of each case. As a result, abortion remains in legal purgatory – a serious crime that can nonetheless be committed legally on occasions, though no one is exactly sure when and how. However, making it *prima facie* a crime leaves anyone who attempts or carries out an abortion, including the woman herself, open to criminal prosecution.

The NSW Legislative Council voted down a Greens’ bill, introduced by Dr Mehreen Faruqi to decriminalise abortion on May 11, 2017. The vote was 25 against and 14 in favour of the bill and it was greeted with cries of ‘shame’ from the packed public gallery, as decriminalisation is favoured by a majority of the population

All five Green MPs, eight Labor MPs and the Animal Justice MP voted for the bill. Every Liberal and National Party MP voted against it (despite a “conscience” vote). Here are their names:

Lou Amato (Lib), Niall Blair (Nat), Robert Borsak (Shooters), Robert Brown (Shooters), David Clarke (Lib), Rick Colless (Nat), Catherine Cusack (Lib), Greg Donnelly (Lab), Scott Farlow (Lib), Ben Franklin (Nat), Duncan Gay (Nat), Trevor Khan (Nat), Scott MacDonald (Lib), Natasha Maclaren-Jones (Lib), Shayne Mallard (Lib), Taylor Martin (Lib), Sarah Mitchell (Nat), Paul Green (CDP), Don Harwin (Lib), Shaoquett Moselmane (Lab), Reverend Fred Nile (CDP), Greg Pearce (Lib), Peter Phelps (Lib), Bronnie Taylor (Nats) and Ernest Wong (Lab).

In the ACT, abortion is legal and accessible if provided by a medical doctor, subject only to medical consideration of the abortion itself. In the other states and the NT it is legal up to (differing) stages of foetal development ranging from 16-24 weeks gestation, and dependent on *medical* approval.

Rationalists support the provision of citizens’ rights to freely express their opposition to abortion subject to the accepted limitations on freedom of speech, especially protection from harassment and intimidation that occurs outside clinics. NSW has legislated ‘safe access zones’ to prevent anti-abortion demonstrations and harassment of women seeking an abortion within 150 metres of an abortion clinic.

No-one should be pressured to have or perform an abortion: neither should they be prevented from having one because of the religious or other personal ethical views on others. There is no public good, that requires the outright criminalisation of abortion.

Abortion may be sought for a myriad of reasons, such as rape, sexual assault, illness, foetal abnormality, and women can suffer real harm, physical emotional or mental. They should not be dealt with according to the fearful, judgemental or religious views of others.

Supporting women to access termination through a public hospital is a complex, uncertain and time-consuming process. It would be a mistake, however, to conclude that the current state of NSW abortion law is of no practical consequence.

Abortion remains outside mainstream gynaecological practice, and many public hospitals cite illegality as their reason for not offering it. This means most abortion provision falls to the private health system, and often carries a hefty price tag. While some providers are trying to offer a more affordable service – for example, by providing medical abortion remotely using phone or video consultations – these initiatives are still constrained by legal regulation. Currently, there is evidence that women seeking abortions have met differing levels of knowledge of the law, health care guidelines and their implementation by health workers. Removing the spectre of criminality from the act of procuring abortion itself, helps clarify the situation by making it a purely medical one.

The evidence that religious opposition largely motivates law makers in preventing reform on this issue. Although lawmakers on the floor of the parliament are careful to frame their comments on this issue in secular terms, it is undeniable that many are committed to a worldview that does not square with the secular role they are supposed to perform in parliament. In a secular society, principles are based on those human rights that provide for freedom to have a religion or belief, and to manifest it subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. Public morals are not those based on religion, but on accepted principles for the welfare and protection of society, informing a political conception of what is right and just in a plural society. They are not tied to any religious or other

system of belief. These values are determined through an ‘overlapping consensus’ based on the democratic process. As *citizens*, we recognise these values. They have changed over time, making the legislation of a century ago anathema to our 21st Century values. As *individuals*, we should have the maximum opportunity to seek personal fulfilment, free to follow our personal worldview, constrained only by the need to accommodate the political entitlements of others.

Support for abortion is widespread in our society. Why do politicians feel they must save our souls?

MOST AUSTRALIANS APPROVE OF CONSTITUTIONAL SEPARATION OF GOVERNMENT AND RELIGION

Adrian Beaumont

This article has been paid for by the Rationalist Association of NSW

The Rationalist Assn of NSW commissioned YouGov Galaxy, which also does Newspoll, for a poll question about separation of government and religion. The survey was conducted from August 30 to September 3 from a national sample of 1,027.

The question asked was, “Australia has no formal recognition of separation of government and religion. Would you approve or disapprove of a constitutional amendment to formally separate government and religion?”

Overall, 53 per cent approved of such an amendment, just 14 per cent disapproved and 32 per cent were unsure; these numbers do not sum to 100 per cent due to rounding. 60 per cent of men and 48 per cent of women approved. Younger age groups were most likely to approve, but 48 per cent of those aged over 65 also approved. Majorities approved in NSW (55%), Victoria (52%) and Queensland (59%), but not in SA or WA (both 45% approve). There was little difference in approval between the five capital cities (54%) and the rest of Australia (53%).

In the eastern seaboard states, 218 to 285 people were polled. These are small samples, so the estimates of approval in these states are error-prone. It is unlikely that Victoria really has a lower approval of this amendment than Queensland. The samples for WA and SA are just over 100, and the estimates for these states

are more error-prone than for the eastern seaboard states.

PM Scott Morrison advocates new laws to protect religious freedom, but this poll question does not suggest there is any yearning within Australia for more religion. The same-sex marriage plebiscite, in which Yes to Same Sex Marriage won by 61.6 per cent to 38.4 per cent, was a huge defeat for social conservatism.

It is not surprising that 32 per cent were undecided on this [constitutional] question, as it is not an issue that has had any media attention. In Australia, amending the Constitution requires a referendum that must be carried by both a national majority and majorities in at least four of the six states. Only eight of the 44 constitutional referendums have been carried.

If a major political party could be convinced to support a referendum on the separation of government and religion, it would be best to hold such a referendum concurrently with a general election. Analyst Peter Brent has argued that midterm referendums are much less likely to succeed as voters dislike being dragged to the polls, and such referendums become a chance to kick the government without putting the opposition in.

In an Ipsos poll for the National Secular Lobby, conducted in January 2016 from a sample of 1,032, 57.5 per cent said it was very important to separate personal religious belief from the business of government, 21 per cent somewhat important and 13 per cent said it was either not very important or not at all important. 43 per cent said it was very important to formally separate religion and government, 29 per cent somewhat important and 18 per cent said it was either not very important or not at all important.

In April, Newspoll conducted a survey for *The Australian* on whether Australia should become a republic. 50 per cent were in favour of a republic, and 41 per cent were against. The same demographic patterns were replicated in the republic question as in the separation of government and religion question: higher support among men and the young.

Adrian Beaumont is a psephologist and statistician. He is regular columnist for The Conversation.

CONCERN RE: APPOINTMENT OF JUDGE JOHN KAVANAUGH TO THE US SUPREME COURT

Following is a letter from John Perkins, President, Secular Party of Australia, faxed to US Senators Dianne Feinstein and Chuck Grassley.

We are taking this unusual step of writing to you about the elevation of Judge Brett Kavanaugh to the US Supreme Court. Our concern is the judge's expressed attitude towards separation of church and state issues.

Any further weakening of the constitutional separation of church and state in the United States is likely to have ripple effects throughout the world, including Australia. The separation principle is a defining characteristic of the United States. It is reflected in many democracies.

Especially, we would not like to see the United States Supreme Court reach a decision that would have the same effect as the 1981 Australian High Court case *Attorney-General for Victoria ex rel Black v Commonwealth* known as the Defence of Government Schools, or DOGS case.

Some background: s.116 of the 1901 Australian constitution is openly based on the American First Amendment. But our High Court found, in a 6-1 decision that it was not unconstitutional for the federal government to fund religious schools.

Six judges refused to recognise the principle of church-state separation implicit in s. 116. Some 37 years later, we now have a very expensive duplicated education system - private - mostly religious, schools and public schools.

What has developed here is a system of dividing children by way of religion and money. This means, among other things, that talented children in public schools, may not receive the kind of attention they would receive in wealthier schools.

Children of different backgrounds do not get the chance to mix, diminishing social cohesion.

All religious schools in Australia are eligible to receive funding, even if run by extreme sects or

cults. They also charge parents fees, widening the funding gulf between private and public schools.

We understand that currently in the US, some ninety per cent of students attend public schools. That could alter dramatically, for the worse, along Australian lines, if Judge Kavanaugh was elected.

We urge you to take this matter into consideration when, considering the appointment of Judge Kavanaugh.

John Perkins

Secular Party of Australia

COMMENT ON APPOINTMENT OF US SUPREME COURT JUDGE KAVANAUGH

One of our most tumultuous and dangerous years is coming to an end. On January 1, 2018, we had five justices on the U.S. Supreme Court who constituted a majority for the view that no branch of government can favor religious belief over non-belief. On December 31, 2018, we will have five justices on the Court who constitute a majority for the view that all branches of government may favor religious belief over non-belief.

The president's replacement of Justice Kennedy with Justice Kavanaugh has shifted the balance on the Court in favor of theocracy. This tragedy is so poignant because we secularists have never wanted greater rights for nonbelievers. We only want equal rights for everyone. Such across the board equal rights, though, must mean an end to any official special privileging of religion by any branch of government.

Eddie Tabash
Centre for Inquiry, USA

DEBATING RELIGIOUS FREEDOM: MATCHING RHETORIC WITH REALITY

By Rachel Laser, CEO and president of Americans United for Separation of Church and State

I recently took part in an interesting panel discussion, January 2019, which AU co-sponsored with the Religious Freedom Center, featuring women who lead religious freedom organizations.

As you all know, “religious freedom” today can mean religious freedom for all, or it can mean religious freedom for some – depending on who is using the term. It can mean protecting the rights of

those who are most vulnerable and tend not to belong to the majority religion in our society, or it can mean weaponizing religion to justify causing harm to others.

The panel for the event included women from both camps, and thus it was my debut appearance with those we deem largely “on the other side” – represented in this instance by Kim Colby from the Christian Legal Society. While we often disagreed, the discussion was respectful.

As I prepared for the event, I stepped back from the day-to-day of my work to think about some bigger questions. I reflected again on what led me to take this position.

This issue hits me personally. I come from a family of peasants in Eastern Europe who successfully fled religious persecution and were able not only to come to this country, but also to thrive here, thanks to our foundation of religious freedom for all. A lot of my feeling of basic security in America comes from our country's commitment to freedom of conscience. My family has passed down to me a deep gratitude toward America and a desire to give back. And one critical way to do that is to protect the separation of church and state, without which America wouldn't be America.

Something else I thought about was the claim I so often hear today that “the rhetoric on both sides is too charged.” This just isn't accurate.

The rhetoric of the Religious Right can be charged, of course. But these days a lot of it sounds dishonestly benign.

Jack Phillips, the baker who owns Masterpiece Cakeshop, adopted a seemingly innocuous tone in a column shortly before the U.S. Supreme Court ruled on his case: “We all want to belong. I'm no different.” But what he really should have said is: “I believe conservative Christians deserve special privileges in our society, including the right to cause harm to those we view as sinners, and that people like me should not have to follow the laws that protect such people.”

Yes, that rhetoric would be considerably more charged – but also more accurate.

On the other side of the coin, the Supreme Court ruled in *Masterpiece* that a Colorado civil rights commissioner's language displayed animus toward

religion, when, to many of us, what the commissioner said was merely honest.

The commissioner had noted that freedom of religion has historically been “used to justify all kinds of discrimination throughout history, whether it be slavery, whether it be the Holocaust ... we can list hundreds of situations where freedom of religion has been used to justify discrimination. And to me it is one of the most despicable pieces of rhetoric that people can use, to use their religion to hurt others.”

Sadly, that statement, far from being hostile, is just true, as the NAACP’s [National Assn for the Advancement of Colored People] friend-of-the-court brief in the *Masterpiece* case explained. Religion has, of course, been a force for good too, and nothing the Commissioner said negates that. But there’s no denying that religious claims have often been asserted to justify discrimination.

Simply put, the rhetoric isn’t charged – the reality is.

The constant attacks on church-state separation these days keep us all incredibly busy. But it is essential to step back from the chaos to gain clarity about what motivates us to continue this fight and what is really going on, so we can combat the assaults on religious freedom as effectively as possible.

May we never be afraid to speak truth to power.

\$30M: SENATOR QUESTIONS GIFT DEDUCTIBILITY RECIPIENT STATUS OF EVANGELICAL CHAPLAINCY PROVIDERS

Following a complaint to the Australian Tax Office (ATO), Greens Senator, Mehreen Faruqi, has raised with tax officials questions concerning the possible misapplication of Gift Deductibility Recipient Status (GDR) to Scripture Union Queensland. SUQ provides religious chaplains to public schools. Similar organisations throughout Australia have been listed by the ATO as being eligible for GDR status.

Chaplaincy is undertaken by religious-only chaplains who are paid about \$25,000 per annum. The chaplains roam around public schools at will, speaking to children. These chaplains are employed by chaplaincy providers. Most of these providers are evangelical.

They are not supposed to proselytise. They are not supposed to give religious instruction. This is like asking a fox to guard the chickens, from inside the chicken house. It is a measure of just how far the Coalition government – and Labor as well – are prepared to allow religion into public schools to ingratiate themselves with the religious lobby. The human rights of children are jeopardised for the perception of votes in marginal electorates.

GDR status means donors can claim donations as tax deductions from their taxable income. The donations so far amount to as much as \$30M, a colossal sum.

The law is unsettled, but it appears that religious bodies providing programs in government schools are required to keep finances for providing *religious instruction* in schools, and those for providing *chaplaincy programs*, separate.

This is because, confusingly, expenses relating to the ‘advancement of religion’ are tax deductible, but chaplains, as noted, are specifically *banned* from the proselytising in any way. Each activity, advancing religion, and chaplaincy, is subject to different rules.

The complainant told the ATO that they had made tax deductible donations to SUQ, Access Ministries Victoria, Generate Ministries NSW, ACT and Tasmania, Schools Ministry Group SA, and Youthcare WA. This was a kind of experiment to demonstrate that all these organisations are engaged in this GDR activity.

Writing in *The Guardian* 22 September 2018, Paul Karp points out that tax deductions to the chaplaincy programs could constitute a ‘misuse’ of GDR status. He cites Professor Ann O’Connell, a charities expert at the University of Melbourne saying ‘there is some merit in the argument’ that here has been a breach of the rules concerning GDR status.

Professor O’Connell said there is a debate about whether religion should get tax deductibility for ‘worthy things’ but it is ‘certainly not the intent of the legislature as it has made a clear decision not to include a general [GDR] category of religion [itself]’.

That is, the funds must have a secular purpose.

‘Worthy things’ according to the law include those that bestow a ‘public benefit’. The High Court, in

Williams v The Commonwealth 2014 ruled that under the constitution this did not include chaplaincy. In that case, the majority of the judges found funded ‘benefits’ in section 51 of the constitution require material aid to an identified student. They also held that such aid must relieve the human wants and costs of being a student, and that the section didn’t support federal money being given to chaplains for services that involve ‘strengthening values, providing pastoral care and enhancing engagement with the broader community’.

But there is evidence that chaplaincy *has* been used for religious proselytising. Latika Bourke (*Sydney Morning Herald* 24 September 2018) reported that ‘Generate Ministries, the largest provider of school chaplains in NSW, has begun offering a “faith building” course to students, and told them their chaplain is one way of accessing the program. When contacted about the possible breach, Generate Ministries said it only intended for chaplains funded under a separate NSW wellbeing program to offer the course. However, that program also forbids chaplains from proselytising’.

Why does the federal government insist on religious-only chaplains in public schools instead of qualified counsellors? Why are qualified, non-religious chaplains excluded? This thinly veiled access to children for mostly evangelical chaplains in public schools is obviously a contrived scheme for the thinly veiled purpose of converting them.

It is doubly offensive that this duplicity is bipartisan in the federal government

In response to Senator Faruqi’s queries, the ATO said it could disclose no information at all about these matters. The officials claimed they could investigate, following a complaint, and if errors had been found, the relevant funds could lose their status of tax deductibility.

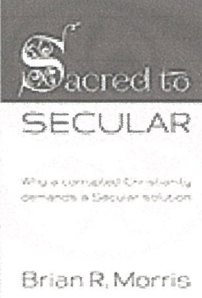
The only way a member of parliament, or any citizen, could find out whether this in fact had happened, is by noticing the fund had been removed as an eligible fund from the government *Gazette*.

There would be no public exposure of wrongdoing. But, would the evangelical chaplaincy providers be asked to return the money used inappropriately? Would taxpayers who claimed deductions be asked to pay them back?

These are questions we imagine the ATO would not answer. So what we have here is another example of the entanglement between religion and government in Australia that costs taxpayers multiple millions that could have been applied to many other purposes.

This could be a matter for the mooted federal Integrity Commission, for, if public money is being used inappropriately, the matter should be investigated by a body that should be able to expose the facts to public view. Not surprisingly, the government’s suggested National Integrity Commission is set to operate behind closed doors, but Labor is vowing to have an open process.

There is a long road ahead before this matter might be resolved to the satisfaction of taxpayers.

	<p><i>Sacred to Secular</i></p> <p>A must read by Brian Morris!</p> <p>Now available as an e-book from Amazon</p> <p>See www.plainreason.info</p>
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UNFOLDING CHURCH VS STATE CONFLICT IN FIJI

Background: On 6 September 2013 The Republic of Fiji’s new constitution formally separated government and religion and declared that Fiji is a secular state. It appears government retains the right to appoint principals in schools even if those schools are religious. When the Catholic Church objected, the government told the Church to privatize their schools if they want to appoint Catholic principals. The Seventh Day Adventists have done just that. However, the other churches have come together to establish a forum to oppose the government. This matter could wind up in the High Court.

(Sourced from *Fijian Broadcasting Corporation* and *Fiji Sun*, January 2019)

The call for faith-based schools to be led by principals of that particular faith will only descend into profiling, based not only on faith, but other prohibited grounds of discrimination, says Human Rights and Anti-Discrimination director, Ashwin Raj. Raj says the right to religious orientation is

not under threat because this is protected by the constitution.

His comments come following a request by the head of the Roman Catholic Church Fiji, Archbishop Father Peter Loy Chong, that the Education Ministry consult the Catholic school management on appointments of principal or head teacher.

Raj says this gnaws at the very fabric of multiculturalism, tolerance and pluralism that Fijian children should be encouraged to emulate, and not segregation and communalism that has been the legacy of institutionalized racism and affirmative action for more than three decades.

The HRADC [Human Rights and Anti-Discrimination Commission] last year investigated a complaint by a high school student who was told by the principal and management of the school she was attending to look for a school that “accommodated students of her kind” because she was wearing a headscarf consistent with her faith but contrary to the dress code of the school.

According to Raj the inclusion of “*faith*” into the selection policy is not only problematic because “*faith*” is arbitrary and subjective in nature but its inclusion gives credence to discrimination.

He says the merit based recruitment guidelines are precisely to ensure that the most meritorious person was selected for the job and not because of their race, religion, ethnicity, gender or other prohibited grounds of discrimination.

Meanwhile, Education Minister Rosy Akbar says their stance on the issue is clear. Akbar said that the schools will continue with heads appointed by the Ministry of Education. She says organizations not wanting to work with the Ministry appointed heads can privatize their schools, as the Ministry has to remain fair with other faith-based organizations that are managing schools around the country.

But Corpus Christi Teacher’s College Principal stated the constitution allows religious groups to build schools, and questioned the visibility of faith in the Education Ministry’s policies.

In response, Permanent Secretary for Education, Allison Burchell, says the religious instruction component is different from the issue of appointing the head of school. She said

There is a power of the constitution which talks about the Open Merit appointments and there is another power of the constitution that says we are a secular state and everyone goes a little bit hairy when I say that.... but the fact is that we are a secular state and we need to understand what that means in the way that we operate.

The Education Ministry says it will maintain the Open Merit system in its appointments and says if any school does not agree, they can look at going private.

In response, the Archbishop of the Catholic Church of Fiji, Peter Loy Chong, has threatened to close all Catholic schools. The Archbishop says if government will not resolve the issue then their last resort will be to close all their schools which comprises 44 primary schools and 19 secondary schools.

The stoush is developing into a classic church and state stand-off.

Upping the ante, religious leaders in the country have come together to form a ‘Faith-Based Education Forum’. The purpose of this forum is to push for faith-based schools to have heads of schools of their respective faiths only. The forum says it will review the education system in Fiji and map out strategies to improve and resolve emerging education issues.

However, in a move that has diverged from the forum’s position, the Navesau Adventist High School, operated by the Seventh-Day Adventist Church, has already privatised. It has now introduced school fees. This is despite the Government’s free education initiative which frees parents of the burden of paying tuition fees. Because it is privatised, the school now does not receive the free education grant and has to pay for salaries of teachers and ancillary staff in its employ.

In a dead giveaway of what religious based education really means, Navesau principal, Sailosi Baleiwai, said Adventist education was the main priority.

At this school, the students study basics of education through Adventist, the fundamentals of Adventist beliefs. Here we emphasise prayers every morning, the students pray before they begin their day.

We educate children here spiritually, academically and base the priority on educating their heart and their soul. That is not done at Ministry of Education schools because it is not part of the curriculum. Adventist Schools has moved out from the Ministry as we focus on the beliefs and culture of the church.

School fees are inclusive of boarding fees, tuition, building, and registration which contributed to the infrastructure and operation of the school, food rations for boarders, and salary of the 17 staff members, including teachers.

Mr Baleiwai said all teachers, including him, resigned from the Ministry of Education and were now employed by the Fiji Adventist Mission.

However, that may not be the end of the matter. If the government refuses to relent and allow the churches to appoint their own principals, this matter could be going to the High Court to test the meaning of the relevant clauses of the constitution with respect to freedom of religion.



Pacific Islands Secular Association

Secularism is not a belief.
It is the right to have one.

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NZ MOVES TO REPEAL BLASPHEMY LAW WHILE ONLY QLD AND WA HAVE DONE SO HERE

New Zealand is on the way to repealing its blasphemy law. On 19 March 2018, Justice Minister Andrew Little introduced a Bill which would repeal the crime of blasphemy. The bill passed the first reading on the 28 March, and passed the second reading on the 11 December 2018.

More than a third of the world's countries maintain laws that criminalize blasphemy -- defined as "the act of insulting or showing contempt or lack of reverence for God." Punishments for blasphemy

across the 68 countries range widely from fines to imprisonment and death.

Blasphemy is still a crime in New South Wales, Victoria, South Australia, Tasmania, the Northern Territory, the ACT and Norfolk Island. Only Queensland and Western Australia have abolished it.

The Australian Federal Court ruled that blasphemy applies to Christianity only, and involves publishing words "*so scurrilous and offensive as to pass the limits of decent controversy and to be calculated to outrage the feelings of any sympathiser with or believer in Christianity.*"

In other words, Luke Beck points out '[t]he crime is about protecting God and Christian doctrine from 'scurrilous' commentary, and Christian religious sensibilities from offence.' (*The Conversation* June 19, 2017).

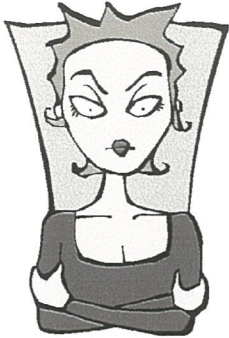
NSW and ACT specify that the language used must be 'for the purpose of scoffing or reviling', or of 'violating public decency', or 'in any manner tending to a breach of the peace'.

Why blasphemy laws must be repealed:

1. They are inconsistent with a secular and religiously diverse Australian society. They give official preference to Christianity over other religions.
2. Breaching decent controversy and the peace are separate wrongs not necessarily associated with offending people's religious sensibilities, and they should be subject to different considerations.
3. Blasphemy laws are contrary to international human rights norms, which Australia has undertaken to uphold. The United Nations Human Rights Committee has said that prohibiting displays of lack of respect for a religion or other belief system, including blasphemy laws, is incompatible with the International Covenant on Civil and Political Rights.' (General Comment 34).
4. They breach the principle that law should be precise. The impossibly vague use of terms such as 'sensibilities' 'outraged feelings' 'scurrilous' and 'decent controversy' leave the law open to abuse, and individuals subject to harassment.

The Last Word

ANGELICA DIVINE



My readers will know that the past six months have been extraordinary. They started with the removal of the self-confessed 'imperfect Catholic', Malcolm Turnbull, as PM. What a victory for our conservative forces in the parliament!

We had a big night dancing on his grave which went into the very early hours of the morning in a federal member's office. After several bottles of excellent French champagne, we sang a rowdy rendition of *The Future Belongs To Us!* I drew a line in the sand when a very sozzled member, who shall remain unnamed, said that Hitler had some good ideas. I pointed out that may be so, but the Jewish lobby is a major contributor to our side of politics.

Of course, I would have preferred Peter Dutton as PM. He is outstanding. A model of humanitarianism, ethical propriety, and ability. We wound up with the tourism salesman from a Pentecostal church in Cronulla, but, I guess, that is where we are at.

No tears for the imperfect Catholic please. He was/is a died-in-the wool socialist and climate change believer. You can forget his reported \$150 million generated through law and business, his tax minimising investments in the Cayman Islands, his Point Piper mansion facing the Sydney Harbour Bridge, the \$1M+ he donated to win the last election (just). That is all smoke and mirrors. He may have been raised in the eastern suburbs, gone to Sydney Grammar, but he has a crazy, sentimental attachment to those who lack initiative and won't help themselves. Pure socialism.

Moving on. The Ruddock Report - I have never been so disappointed. I was suspicious when they set up a committee chaired by Mr Amnesty International, Phillip Ruddock. The other committee members, including that Jesuit socialist, Frank Brennan, was a clue as to what the outcome might be. No wonder they concealed the Report for so long!

They didn't recommend a Religious Freedom Act for Australia! They support the winding back of

religious privileges in state discrimination acts! They talk approvingly of these so-called LBGTIQ or whatever it is, freaks of nature!

Let us get a few things straight. Christianity is the source of everything, including secular government. Christianity, as expressed through the one true church, the Catholic Church, is the source of all knowledge. Anyone who does not believe that is *wrong*.

Everything the Church teaches about sexuality is *correct*. Anything outside normal heterosexuality is *sin*. The consequences of sin should be expressed through as much legislation as possible into the future. The Ruddock Report just didn't get that.

Children, from their earliest years, especially in primary schools, should understand that they are *born sinners* and that they can be saved by Jesus. Fortunately, we have hundreds of religious-only chaplains in Australian public schools selling just that message. God bless John Howard, especially, for that.

Speaking of Jesus, some interesting news. Mary McKillop, who now corresponds with me regularly in my dreams, has told me that God has said that Jesus has been delayed in another galaxy where he was saving sinners. On a distant planet, he was not crucified, but these cynical, geeky aliens barbecued him alive and then ate him.

The Church has no problem with burning people alive. Many heretics, down the centuries, have correctly received just that fate. Of course, for our part, we have Holy Communion where we drink Jesus' blood and eat his body. Transubstantiation is not at all a cultic ritual or ghoulish in any way. It is definitely going *too far* to dine out on the body of Jesus as those aliens did.

God was not impressed and Mary says it's going to be payback time: God will not be mocked. And BTW, you can forget 'climate change'. Even if it is true, which I very much doubt, Mary tells me Jesus will fix it all with a wave of his hand when he returns. *Naturellement*, I'm still praying for you. *Malheureusement*, I'm not sure you're praying for me. Please lift your game.