

**Submission  
No 66**

## **ANTI-DISCRIMINATION AMENDMENT (RELIGIOUS FREEDOMS AND EQUALITY) BILL 2020**

**Organisation:** Australian Bahá'í Community

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**Australian Bahá'í Community**

**Submission by the Australian Bahá'í Community on the  
Anti-Discrimination Amendment (Religious Freedom and Equality) Bill 2020**

The Australian Bahá'í Community welcomes the opportunity to make this submission to the Joint Select Committee on the Anti-Discrimination Amendment (Religious Freedom and Equality) Bill 2020.

The Australian Bahá'í Community is a religious community comprising the followers in Australia of the Bahá'í Faith, an independent religion with more than five million members throughout the world. It has been present in New South Wales since 1920, when a Bahá'í couple, John Henry Hyde Dunn and Clara Dunn, arrived in Sydney from the United States. The Australian Bahá'í Community is therefore celebrating its centenary year in 2020.

The Bahá'í community is widely spread across cities, regional and remote areas in New South Wales. Our national headquarters is located in the grounds of the Bahá'í House of Worship at Ingleside on Sydney's northern beaches. For the past century, Australian Bahá'ís have sought to work together with others to contribute to social cohesion and harmony in Australian society. Our contribution is based on the teachings of Bahá'u'lláh (1817-1892), the Prophet-Founder of our Faith.

Religion plays a vital role in the lives of many people in New South Wales. At its best, religion has served our society as one of the deepest sources of human motivation, awakening in many the capacities to love, to create, to forgive, to be generous, and to serve the community in a constructive and selfless manner. Religion offers an important reminder that our existence is not limited to the material and economic, but has a spiritual and transcendent dimension.

The freedom to hold religious beliefs of one's choosing, to practise them and to change them is thus central to human development. At its heart, freedom of religion is ultimately an expression of the freedom to investigate truth and reality: to explore the deepest questions of self and society, to live in accordance with the truths of which we become persuaded, and to accord full respect to the efforts of others to do the same. Freedom of religion therefore speaks to the most fundamental aspects of what it means to be a human being.

Given its critical importance, we believe the right to freedom of religion and belief should be fully protected for all Australians. The appropriate standard of protection is, in our view, set out in article 18 of the Universal Declaration of Human Rights. In submissions on this subject over many years, we have consistently recommended that this standard be embodied in Australian law, addressing at least three issues: explicit legal recognition of the right to freedom of religion and belief; prohibition of discrimination on the grounds of religion and belief; and prohibition of incitement to religious hatred or violence.

Accordingly, without seeking to comment in detail on the provisions of the draft Bill, we support the prohibition of discrimination on the grounds of religion or belief in New South Wales. We consider this an important step which will contribute towards Australia's compliance with its international human rights obligations, will bring the laws of New South Wales into closer consistency with the laws of other States, and will help afford all people in this State protection to which they are entitled under international law.

We believe the adoption of this legislation will be far more effective and long lasting if it is pursued in a manner that attracts widespread community support, and if it enjoys the support of all major political parties in the State. Partisanship on questions of human rights greatly weakens their protection. Accordingly, we urge that non-partisan pathways continue to be explored and pursued to build a consensus for promotion and protection of the right to freedom of religion or belief in New South Wales, both now and into the future.

We further recommend that any legislative measures be complemented by a long-term preventive strategy that seeks to address religious prejudice and uphold freedom of religion. Although legislative measures are important, experience shows that they are not sufficient to effect change at the level of culture. We believe that such an endeavour must ultimately be rooted in efforts to educate children and adults alike, equipping them with skills and opportunities to learn about other systems of belief, grounded in a firm understanding of the essential oneness of humanity and the equality of all people, regardless of colour or creed. Education is not only the shortest route out of poverty; it is also the shortest route out of prejudice. By overcoming ignorance of other religions, the root causes of intolerance and discrimination can be addressed.

Finally, we recognise that this is not a task for government alone: institutions, individuals and the community all have a part to play. Religious leaders and communities, in particular, must contribute towards the creation of a culture of respect for human dignity and freedom of conscience, religion or belief for every human being. We look to the religious leaders of New South Wales to actively encourage their followers in the pursuit of knowledge, mutual understanding and peaceful dialogue with those who think and believe differently. For our part, the Bahá'í Community commits to continuing to foster these values in our educational programs for children, youth and adults, our close association with followers of religion in inter-faith activities, and our contributions to public discourse.

We wish the Committee well in its deliberations, and look forward to hearing the outcomes of the Inquiry in due course.

Australian Bahá'í Community  
August 2020