



The Uniting Church in Australia
Submission to HREOC Inquiry into
Avoiding religious discrimination in employment
November 2000

1. Introduction

Article 18 of the Universal Declaration of Human Rights, adopted in 1948 states,
“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”. This freedom to religious belief has been valued by many Christians throughout the world as they seek to live out their commitment to faith and enter dialogue with those who come from other traditions. Freedom of belief is an important human right and reflects a commitment to a world where all people are valued. Practice of religious belief reflects not only individual faith but the practice of corporate traditions and rituals which are manifest through such beliefs.

2. The Uniting Church in Australia

The Uniting Church in Australia (UCA) is the third largest Christian faith community within Australia. We have a long and proud involvement in advocating for Human Rights protocols both within Australia and throughout the world. This has included continued support for religious freedom both within Australia and internationally. In 1993, the Assembly Standing Committee of the UCA confirmed its support for the ‘*Australian Governments action in signing the United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief.*’

These actions emanate from our belief that human beings are made in the image of God¹. The Uniting Church in Australia holds firmly that as a result of this belief each human being is of dignity and value. We have a responsibility therefore to honour this value and ensure that individuals are not abused or violated through persecution or discrimination. Religious freedom is not only important in providing opportunity for us as Christians to practice our own beliefs but in acknowledging the religious pluralism of our world, and the innate value of each person.

3. Draft HREOC report

The draft consultation document raises two critical issues for the Uniting Church:

1. When is religion or religious belief an *inherent requirement* for an employed position, particularly within and community service?
2. What is the boundary of *religious susceptibilities*? When is the integrity of a religious organisation challenged by the employment of persons who cannot demonstrate the commitment to such beliefs? Can such attributes be equally expressed by persons who do not have the same religious beliefs?

At one level the above questions are clear as we begin to discuss the provision of community services, however the genre of the report appears to leave open the question the rights and responsibilities of religious for other religious communities who employ staff within the communities life. Eg Synods. We are concerned about our own religious freedom and desire to openly live out our faith within our religious institutions.

Whilst we recognise the complexity of definitive terms such as “caring values”, we believe the Church has at times used these terms for ease of communication when a broader ethos of values has been sought.

Our primary concern about the nature of the draft is that it appears to place churches in the defensive, rather than a valuing of the right religious freedom within a religiously pluralist society.

The consultation raises concerning issues for us as an institution about our perception of who we are as a religious institutions and what we consider to be the limits religious pluralism within corporate expression. Whilst the Uniting Church has always embraced diversity and the importance of religious pluralism, we also value our right to practice our beliefs within our workplace, it appears that these two core values may now be placed against each other.

4. Specific concerns and implications for this report

5. Changes sought

6. Conclusion

The right to religious freedom is a critical human right which under-girds not only our belief systems but also the manner in which we live our lives. We are proud to be able to practice our religion freely within Australia, and to welcome those who practice different beliefs to our own. We seek this right for all human beings and seek to advocate for an end to violence caused by religious difference. We seek also to practice our beliefs within a communal and corporate setting, and believe that this right should be equally upheld.

¹ p2. UnitingCare Australian and National Social Responsibility and Justice **Principles for a Fair and Equitable Social Security System in Australia – Position Paper No.3 August 2000**. The Uniting Church in Australia at the 8th Assembly in 1997 affirmed that the male and female are created in image of God. (Minute 97.19.03)