

AFIC addresses parliamentary joint select committee on the Anti Discrimination Amendment Bill

AFIC has a strong mandate to help make Australia safer for all Australians, including especially Muslim Australians. Following the AFIC submission to the Joint Select Committee (JSC) on the Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020 (the Bill), AFIC was invited to speak to the submission before the JSC

AFIC president Dr Rateb Jneid passed the following message to the JSC via video link:



AFIC president: Dr Rateb Jneid

The law has equal provisions for all residents regardless of background when it comes to paying taxes, the law should therefore put us on an equal footing when it comes to our security and safety from physical harm and from vilification.

I would like to thank Mark Latham MLC for proposing this Bill and thank the members of the joint select committee. I along with our nation-wide members believe that this Bill if passed will cover an unintended gap in anti-discrimination laws in NSW.

Faith based organisations need this Bill to be passed in order to protect us and allow us to safeguard our faith teachings from being undermined.

The Australian constitution protects "Freedom of Religion". This proposed Bill will help bring the NSW Anti-discrimination Act in line with the Australian constitution.

Attending the NSW Parliament to address the JSC, AFIC CEO, Br Keysar Trad stressed the following points:



AFIC CEO: Keysar Trad

1 – Our faith has obligatory as well as optional requirements of every adherent. There is nothing in the obligatory requirements that is in breach of laws. If we don't perform the obligatory requirements in the intended manner, then we will feel anxious and our day will transform from a nice day or a good day to a bad or miserable day. We must be allowed to feel protected from all forms of persecution when we perform the obligatory requirements of our faith or any faith teaching that is not in breach of the law.

2 – Faith based religious organisations and associated peripheral businesses must be protected from external as well as internal attacks on their religious ethos. In a subsequent points on Notice, Br. Keysar stated that there are cases where an employee in a key position in a faith based organisation or its peripheral business activity has a change of heart and begins to preach ideas that are alien to the faith tradition. The faith based organisation has a duty to protect its faith teachings from ideas that are anathema to the faith and should have a right to dismiss this person from his or her duties without fear of falling foul of anti-discrimination laws. Examples of this point include where an Imam, a rabbi, a priest or even a shaman become atheists, such individuals who are required to preach the faith as "believers" would not longer be able to do so. The congregation would expect persons holding such positions to be believers in the faith that employs them and expects of them to uphold the tenets of their respective belief systems both in their public utterances and practices. Hence a conversion of such people would render them unable to fulfil the task for which they were employed. The same would apply for persons in key positions in faith based schools, key positions would include school principals and senior individuals on school boards.

3 – We are not opposed to freedom of speech, but this freedom must have limits that are based on scientific facts. We do not oppose for example for individuals to be critical of other faiths in an interfaith debate or any genuine scientific debate about faith. What we oppose is gratuitous unscientific vilification or persecution that is not based on credible historical evidence or scientific fact.

4 – Religious belief is quite distinct from cultural practices. Culture is to a large extent related to race and ethnicity, and to a large extent gains the protections accorded to races. Laws generally have exemptions and definitions that can ensure that there is no conflation of Religion and culture when passing this Bill.

5 – AFIC stresses that the defence of Discrimination laws must not be at the expense of the aggrieved individual when such matters are taken against large well-funded media institutions. For this to be workable, complaints can continue to be vetted by statutory bodies such as the NSW Anti-Discrimination Board, if the matter complained of is judged to be a material breach of the law, the ADB or Legal Aid must be funded to assist aggrieved individuals.

6 – non faith based institutions must gain a level of protection from discrimination if they engage in a faith-related activity for commercial reasons. In Australia, we've seen many businesses threatened with boycott if they choose to Halal certify their products. Halal certification is obtained to satisfy the dietary needs of people of faith and this opens a big domestic and export market for Australian business. Such businesses must be protected from persecution for such a commercial decision on its own.