

Re: Proposed Modernisation of the Anti-Discrimination Act.

It is good practice to ensure our governance, laws and related acts, are in keeping with the highest values possible and make changes where necessary. Sometimes what has been un/acceptable in the past needs to be re-addressed for good reason. It is also sound practice to check whether "good reasons" for some cut across, or undermine, the values, beliefs or free speech of other segments of our multi-cultural society. With reference to the proposed adjustments to the Anti-discrimination Act, there appears to be widespread concern that, in an attempt to address issues of interest to a small sector of society, we will arrive, possibly deliberately, at state sanctioned and enabled vilification, abuse and discrimination against others.

Freedom and universal agreement on controversial moral questions are incompatible. If you want the latter you must abolish the former, which is precisely what is happening around the world, and in the process of taking place here in Australia. The ideology of 'diversity', which seeks to completely alter views on sexuality, gender and marriage, has emerged as an incredible threat to democratic freedoms today. The aspiration of this movement is for a society in which everyone must conform on the issues of sexuality, same-sex marriage and transgenderism where any form of dissenting view is silenced by bullying.

The modus operandi of the movement has been to use anti-discrimination and hate-speech laws to punish people and organisations who disagree. This is the strategy of "jamming" called for by Marshall Kirk and Hunter Madsen in their influential 1989 book on gay political strategy, *'After the Ball'*. It calls for unrelenting personal attack and vilification on any who offer an alternative view. This has been a hallmark of the same-sex marriage campaign and a dangerous precedent in any society where viable responsible debate is essential to the maintenance of freedom. It is of serious concern that many of our elected representatives seem unconcerned or uninformed about the potential dangers to the fragile rights of a free society in play across the Western world. As Dyson Heydon (AC QC and former Justice of the High Court of Australia) forcefully noted, modern elites do not desire tolerance but demand unconditional surrender. It is particularly concerning... that so many who stand in the liberal and conservative traditions appear strangely unmoved and unengaged in the face of these potential dangers.

Evidence from other western nations e.g. Canada, USA, England, demonstrates the bullying and personal attacks carried out on, for example, bakers and other businesses who, out of all conscience, are unable to comply with requests. Many other businesses in the area would have gladly baked the cake, supplied the flowers or whatever, but the complainants specifically target

those who they know will not comply and then 'put them through the process' as recommended by Kirk and Madsen. That in itself is bullying, vilification and discrimination. State sanctioned.

What is being proposed is a threat to Australia's greatest freedoms: the right to freedom of speech and freedom of religion, including places of worship, schools with religious affiliations and ethos, and other similar situations. The fact that only exemptions for religious or cultural bodies are being removed is a form of discrimination bullying in itself, an attempt to either completely silence or remove those organisations from society. If this form of legislation is to be imposed on our democracy why are all forms of organisations not being included? Example: a political party would normally employ media advisors; secretary/admin staff; marketing and promotional people with the expectation they share, support, understand, and are willing to promote, the same values as the party's. The risk of undermining those values should be seen as a negative for applicants seeking employment who do not largely agree with those values. This would be expected to be included in a position criteria; made apparent in any relevant application and surely be a question posed by possible employers to applicants referees. The same principles can be applied to almost any type of organisation. All legitimate organizations, of whatever kind, should have the right to choose employees who share their values, will adhere to their structure and ethos, and clearly not be at odds with, or undermine, them. It is hypocrisy that proposed exemptions for some people's religious rights and associated significant places are upheld or even promoted, while others are targeted. This amounts to state introduced and sanctioned bullying.

Deliberate and intentional bullying, vilification and discrimination is always wrong. However, a person's feeling of being vilified should not override the possibility of 'genuine opinion' by the alleged villifier/s where that vilification was never intended to deliberately hurt or demean the other party. Feelings of "being offended" and feelings of "being insulted" are incredibly subjective, incredibly difficult to prove or disprove and, as has been seen in several high profile situations, such claims are being exploited for political purpose and gain against especially selected businesses or individuals. Legislation such as being proposed, provides state sanctioned opportunity for "reverse discrimination", which, as mentioned earlier, is deliberately intended to cause psychological distress, hurt, pain and anxiety along with financial distress where the specifically chosen target has become the victim.

The Universal declaration of Human Rights delineates the thirty fundamental rights that form the basis for a democratic society. Universal means that it applies to all people at all times. Some of these fundamental rights are; freedom of belief, freedom of speech, freedom of thought, conscience, and religion, and freedom alone or with others, in public or in private, to manifest his

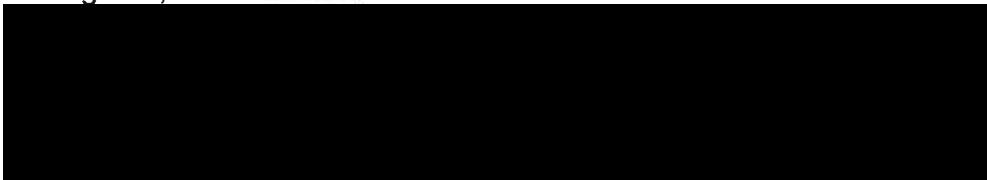
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religion or belief in teaching, practice, worship and observance (article 18). Everyone also has the right to freedom of peaceful assembly and association.

Also: "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State" and "Parents have a prior right to choose the kind of education that shall be given to their children." Freedoms in our nation that World Wars (and others) were fought to protect but we now see being systematically eroded. By governments.

These are fundamental rights forming the basis for a democratic society. They were formulated because the world had been impacted by totalitarian regimes and were seen as absolutely necessary for the good of humanity. It is also "essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law."

Please ensure that any change to law protects these fundamental rights. Two wrongs do not make a right. State sanctioned and enabled bullying, discrimination and vilification are betrayal and, as such, an abuse of trust, position and power. Discrimination is still discrimination. Any amendments to the Anti-discrimination Act should benefit all members of our communities. That should be arrived at by addressing all forms of discrimination while, at the same time, genuinely guarding against introducing bullying, discrimination and vilification by the state.

Regards,



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Recommended reading: 'Stealing From A Child', by Dr David van Gend, a well researched and referenced work on the full impact of marriage equality.