Robert J Mears

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Mr Ed O'Donohue
Scrutiny of Acts and Regulations Committee
Parliament House
Spring Street
East Melbourne, Vic 3002

The review's terms of reference ask submissions to address, among other things, any or all of the following questions:

1. Whether the Charter should include additional human rights under the Charter, including but not limited to, rights under the – 
   a) International Covenant on Economic, Social and Cultural Rights;
   b) Convention on the Rights of the Child; and 
   c) Convention on the Elimination of All Forms of Discrimination against Women?
      • Regarding a), b), c) I disagree that the above conventions be considered. Australians should make laws for Australians; such conventions can be foisted on us by undemocratic nations working through the United Nations. The United Nations is an organisation that elects to its Human Rights Committee nations such as Libya, Zimbabwe, Iran and Sudan and the Presidency of the UN disarmament Committee is from North Korea which is under UN Security Council sanctions because of its nuclear weapons programs.
      • Australia has signed Conventions but has disregarded sections that it disagrees with.

2. Whether the right to self-determination should be included in the Charter?
   • Does this mean self-determination for Aborigines and Torres Strait Islanders? While I support land-rights and various forms of affirmative action for them, I absolutely disagree with self-determination. Self-determination is a euphemism for apartheid.
   • The acceptance of self-determination would give encouragement to those Muslims who what aspects of sharia law introduced into Australia.

3. Whether there should be mandatory regular auditing of public authorities to assess compliance with human rights?
   • No. An expensive, time-consuming and invidious exercise for those who would be the subject of audited.
   • The auditing opens its self to persecution by narrow-minded zealots.

4. Whether the Charter should include further provisions with respect to legal proceedings that may be brought or remedies that may be awarded in relation to acts or decisions of public authorities made unlawful by the Charter?
   • Rather than including "further provisions" in the Charter, the Charter itself should be repealed. The Law (legal proceedings) apply to all Victorian citizens; in reality "rights" belong only to a certain types of individual or groups. If anyone believes that every Victorian has equal "rights" then that person is blind to the reality.
• "Legal proceedings" are usually interpreted within the parameters and definitions laid
down by Acts of Parliament. Asking a member of the judiciary to use the Charter to
interpret these legal proceedings opens them to his/her unusual, prejudiced and
labyrinthine rationalisation.

5. What have been the effects of the Charter Act on:

a) the development and drafting of statutory provisions;
   • To impede the development and drafting. I believe, that the Charter has been, at times,
simply ignored.

b) the consideration of statutory provisions by Parliament;

c) the provision of services, and the performance of other functions, by public authorities;

d) litigation and the roles and functioning of courts and tribunals; and

e) the availability to Victorians of accessible, just and timely remedies for infringements of
   rights?
   • The Charter says:
     'Every person has the right to freedom of thought, conscience, religion and belief,
     including ...the freedom to have or to adopt a religion or belief of his or her choice... A
     person must not be coerced or restrained in a way that limits his or her freedom to have
     or adopt a religion or belief in worship, observance, practice or teaching... Every person
     has the right to hold an opinion without interference...'

   • For the past six years I have been campaigning for the right of Catholic children "to hold
     an opinion without interference". In many government schools Year 8 study as fact the
     most malicious calumnies and distortions about the medieval Catholic Church and its
     beliefs. (See Attachment) The previous Ministers for Education were aware of this
     "interference" but used crass rationalisations to permit this infringement of rights to
     continue.

   • Hopefully the Ombudsman will be able to insist that the Ministry of Education uphold the
     principle of "secular education. In this matter, the Charter of Human Rights And
     Responsibilities Act does not provide "accessible, just and timely remedies for
     infringements of rights."

6. What if any, have been the overall benefits and costs of the Charter?

• The Charter has not given me any benefits whatsoever. However I believe the Charter
will be used to restrict my rights in the name of granting rights to others.

7. What options are there for reform or improvement of the regime for protecting and
upholding rights and responsibilities in Victoria?

• One option: repeal the Charter of Human Rights And Responsibilities Act.

• Sydney barrister John McCarthy QC has asked three questions that I have adapted to
Victoria. I would like those members of this committee who support the Charter of Human
Rights And Responsibilities Act to answer each of these questions.
If the Charter was repealed:
1. name a fundamental right that wouldn't be protected in Victoria;
2. name a situation in which that right would be abused in Victoria, with no recourse
available to law;
3. explain how now the Charter protects that right to any greater extent, without limiting
others.

Yours faithfully
Robert Mears
Year 8 children are compelled to study the 'Middle Ages'. Year 8 history textbooks by Jacaranda Press have the hallucinations of a vicious vendetta against the Catholic Church. Convicted for its adherence to a similar indoctrination program, Islam would rise as a predominant religion, its adherents would be termed 'religious infidels'; against the aborigines, 'racial vilification'; against the gay community, 'hatred speech'.

The Education & Training Reform Act 2008, 'The document will provide a secular education and will not promote any particular religious practice, denomination or sect.'

Victoria's Charter of Human Rights and Responsibilities: every person has the right to freedom of thought, conscience, religion and belief, including the freedom to have or to adopt a religion or belief of his or her choice. A person must not be coerced or restrained in a way that limits his or her freedom to have or to adopt a religion or belief in worship, observance, practice or teaching. Every person has the right to hold an opinion without interference.

A medieval Catholic Church is depicted as a tyrant, intolerant, and oppressive, obscurant Catholic power. Jacaranda portrays Protestantism: 'The time was ripe for a change. Martin Luther was a devout German monk, highly educated in law and religious studies, a brave, sincere man of courage and principle, a Renaissance thinker; 'the things he said made sense': only God and the Pope could forgive sins; people should believe in themselves, personally, not via priests. Church texts in a language people could understand: personal freedom and responsibility in matters of belief. 'An indulgence 'bought' faith and fear. One reason why the Church became so strong was that its teachings and practices made people afraid... Threat of excommunication kept people fearful and obedient. It was a device to cut off some people from the Church. This meant they could not take communion, nor have their sins forgiven. This meant they would suffer acute horror and tortures... Old people who lived alone, especially women, and people who disagreed with the Church were at great risk.'

It was under (the brutal justice system) was the control of the Church. It was very serious to break a church rule or religious law, such as one of the Bible's Ten Commandments. People were often sentenced to death for the most revolting tortures. The worst thing one could be charged with before a church court was heresy. The punishment was almost always torture and death. Few escaped being tortured, which often provided great entertainment for the crowds. And many, many more calamities of similar ilk.

A study of education is required. The only references, 'The church's porch was often the local school (at first only for the wealthy boys studying to be priests) and 'The lord's wife is weeping and her son is being taught Latin by a priest.'

Many medieval church workers were honest, caring and dedicated people, who spent their time.

Catholic churchmen introduced rational trial procedures and sophisticated legal concepts in their dealings with theנטש. They had developed a church that had characterized the Germanic legal order. The early church institutionalized the care of the sick and institutionalized the care of the sick, especially those with mental illness.

Breaking a Commandment was forgiven in the sacrament of Confession; the penance was never forgotten.

Thomas E. Woods: 'The idea of formulated rights comes from... the canon law of the Catholic Church.'

H. Berman, The Institution of Law and Religion: 'the church... first taught Western man what a modern legal system is like.'

No credit is given to the medieval Catholic Church for its remarkable and extensive education system for the various ranks of European society, even to those lowest in the social scale. Historian A. P. Leach thinks that 30% is a moderate estimate of the number of schools in England in the year 1552; when the floodgates of the great revolution which is called the Reformation were let loose, most of them were swept away either by Henry VIII or his son; some were converted to secular and others plundered and destroyed.'

The Church developed universities - 61 existed before the Reformation - whose 'most consistent and greatest protector was the Pope. (Lancia Daily The Medieval University 1993)

In 2007 an atheist businessman, Robert Wilson, gave US$1.53 million to Catholic education in New York, arguing that, 'Without the Roman Catholic Church, there would be no western civilization.'
blesses serving the poor and the sick.

12 The priest and the people were corrupted and interested only in themselves... The priest of Westminster plays at dice and drinks too much; he frequents taverns, he does not stay in his church, and he gives no rule to the country as he wishes.
The priest of Randle is said to have many... children, he does not stay in his church, he plays ball... A number of priests were more interested in drinking and gambling than goodly living.

13 The priest was often... as uneducated as the serfs... local priests (men) Simple, uneducated. Three times students are told how Robin Hood 'outsmarted the sheriff and the corrupt church-men.'

14 Of the people, it is referred to twice as being a victim of corruption in the Church. 'The same monks... lied... perhaps they just wanted to attract pilgrims to get money...' Teaching points: Why many religious was so the two were sincere in their actions, not all had the same calling. Some found it a lucrative job that they could exploit. Students should consider why people select religious vocations (then and now) and what kind of policies should be influenced by... religion.

15 And much more. 'The Dark Ages'. 'The earlier part of the Middle Ages was not a creative period in history.' 'pleas多多 as they were told... These behoved or thought differently paid a heavy price with their lives. The Church is very important...'

16 It would take many large volumes to record the complete history of Catholic charitable work carried on by individuals, parishes, dioceses, monasteries, missionaries, friars, nuns, and lay people... It is not to say that Catholic charity has had no peer in the amount and variety of good work it has done, and the human suffering and misery it has alleviated. 

17 Thomas Woods, 'How the Catholic Church Built Western Civilization' The Catholic Craftsmen's Guilds were successful... 'No more gross case of wanton plunder to be found in the History of all Europe. No page so black in English History'.

18 Catholic Unchastity and its related institutions are... directly responsible for the most significant intellectual, political, scientific, and economic breakthroughs of the past millennium. Christian theology... in the history of the world. Rodney Stark, non-Catholic, The Victory of Reason.

19 The thirteenth century... had great thinkers, great rulers, great artists, great moralists and great works... It was equally prolific, political, industrial, artistic, practical, intellectual, and denominational. And these qualities acted in harmony on a uniform scale. This was due to the idea of a real symmetry of purpose. There was one common creed, one ritual, one worship, one sacred language, one church, a single code of manners, a uniform scheme of society, a common system of education, an accepted type of beauty, a universal art, something that was the standard of the good, the beautiful, and the true. One half of the world was not occupied in ridiculing or combating what the other half was doing. Men were utterly different from what they have been since...

20 The Catholic Church forbade the forced conversion of the Mexican people. Faced with Spanish misattribution of the natives of the New World, Francisco de Vitoria (a Catholic priest, professor and father of international law) and other Catholic philosophers and theologians speculated about human relations that ought to exist between nations. They originated the idea of international law. Let's celebrate "Ramen Day," 3rd March.

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