

Tony:

The pandemic has driven a whole series of unprecedented changes. These really are strange times. And what, regrettably, we've seen on the part of officialdom is an authoritarian tendency. And what I regret to say on the part of our citizens, we've seen is a, in my view, a readiness to take too much on trust from government.

Daniel:

Hello and welcome to Australia's Heartland with Tony Abbott. I'm Daniel Wild from the Institute of Public Affairs. Australia's Heartland with Tony Abbott is your voice. Each week, Tony and I discuss mainstream Australian values, the future of the Australian way of life, family, community, and Australian culture. More importantly, we want to hear from you. That is why we have the "Tell Tony Abbott" segment at the end of each show where you can ask Tony your questions on whatever topic you want. Phone in to the Australian Heartland hotline on 03 9946 4307 to leave your question. You can also go to the website, australia.ipa.org.au, where you can join the Australian Heartland community and sign up to receive this podcast sent to you each week, along with special analysis from the Institute of Public Affairs. Thank you for supporting the Australian way of life. And now to this week's episode.

Daniel:

Hello, Tony and good day to all of our listeners. It's wonderful to be with you for another episode of Australia's Heartland with Tony Abbott. A reminder to all of our listeners to hit subscribe, or like, wherever you're listening to this podcast so that you don't miss an episode. Tony, there is a stack to talk about as always, we're going to discuss the massive protests that have been taking place in Melbourne and what it means for the future of Australia. We'll be talking about religious freedom and we've got some excellent questions from our listeners that I'm very much looking forward to getting your response to.

Daniel:

To begin with Tony, I mentioned the significant protests in Melbourne this past Saturday, something like 70 or 80,000 people, about an mcg's worth of people, were in the city to protest the Andrews' government and specifically the new pandemic legislation that is currently being debated in the upper house in Victoria, which we will discuss in a moment. I know that the majority of our listeners are not in Melbourne and they're not in Victoria, but this is a really big issue that every Australian needs to know about. To begin with Tony, before we get into some of the specifics, I just wanted to get your assessment as someone who's got a bit of a distance from the specific situation in Melbourne and Victoria. What's your assessment of what's happening in Victoria at the moment?

Tony:

Plainly Dan, Melbourne is the world's most lockdown city, and there's been a real authoritarian tendency in the approach of the current Victorian government to handling the pandemic. I have enormous concerns about the proposed new emergency legislation that will presumably be the basis on which the Andrews' government wishes to do its ongoing pandemic management. Having been in the executive government myself, I understand that there are lots of decisions that governments have to make, ministers have to make, heads of government have to make. But if we are talking about rules, the rules in a democracy, in a parliamentary democracy such as ours, really have to be referred to the parliament. Laws have to be referred to the parliament and regulations made under the laws, typically

are disallowable instruments, which go before the parliament and the parliament then has a certain time, if it wishes, to consider them and to vote on them and if necessary vote them down.

Tony:

My understanding of the current Andrews' government legislation is that it completely removes any requirement to give parliament a say on the rules that hence forth under this bill, if it's passed, will be made by the health minister. So as the legislation currently stands, as the proposed legislation currently stands, the premier can make a declaration of a pandemic. And once that declaration has been made, the health minister will be able to make any order that is reasonably necessary to protect public health. And there is no further reference to the parliament. Now, I think this is absolutely extraordinary and unprecedented. I hope that the upper house cross bench will rethink their view on this. I gather there are some suggestions in the media today for a few changes, but my reading of the media reports is that the changes as currently mooted are more window dressing. Because they don't involve the need for any of the rules made by the health minister under these pandemic circumstances to go before the parliament, for the parliament to scrutinize them and perhaps disallow them.

Tony:

And parliamentary scrutiny and parliamentary sovereignty over the rules under which we live, I think is absolutely critical in any respectable parliamentary democracy. And my God, that's what we've got to stay, but we should never allow the stresses and strains of this pandemic to water down our fundamental freedoms and our fundamentally democratic way of life and our fundamentally democratic institutions.

Daniel:

Well, just to build on that, Tony, we released some research earlier this week at the Institute of Public Affairs, and there were three key findings of our research with regards to this bill. The first is that it would allow the premier to impose indefinite lockdowns, even if there are no cases of a virus anywhere in Australia. It would allow for people to be imprisoned without a trial. And people could be arrested on the basis of their, what's called attributes, things like their political beliefs, their religion, their ethnicity. And I would add, in all likelihood, their vaccination status for example. I haven't come across any legislation of this nature anywhere in Australia. Have you in your experience, Tony?

Tony:

Well, none of us have lived through a pandemic before, but as we've been discussing on these podcasts Dan, the pandemic has driven a whole series of unprecedented changes, whether it be unprecedented peace time spending, whether it be absolutely unprecedented restrictions on daily life. So these really are strange times. And what, regrettably, we've seen on the part of officialdom is an authoritarian tendency. And what, I regret to say on the part of our citizens, we've seen is, in my view, a readiness to take too much on trust from government. I think government deserves to be questioned, government deserves to be scrutinized, and government should have to provide explanations and answers in a way that, generally speaking, it hasn't over the last 18 months.

Tony:

So, I think this is absolutely unprecedented. I think it's a serious blight on our democracy. And if the Andrews' legislation goes through the parliament this week or in the next few weeks, I think we need to keep extreme vigilance on what's done under the legislation. And if, as I suspect, the authoritarian

tendencies of the Victorian government continue under this even more draconian legislation, well, I hope that there's an appropriate response to the ballot box. Because again, Dan, as we've been discussing in the course of these podcasts, in the end the real sanction on bad government is electoral defeat. And I think this has been a completely over the top government in Victoria. I think all of our state governments, New South Wales has been the best, but I think all of our state governments have been too ready to exercise drastic restrictions over the course of this pandemic. The last thing I would like to see is the health authoritarianism of the past 18 months continue. And what we should never want anywhere is the kind of health police state, which I think Victoria could well become if this legislation passes.

Daniel:

Yeah, absolutely. And we have seen, as I mentioned with the protester, a lot of pushback by the average person here. And I've never seen protests this big amongst people that are not ideological. These are people across the political spectrum. And what I'm really interested in getting your view on Tony is I've always been a bit of a skeptic of protests. I've often thought that they turned the regular person, the average person, away from your cause because they can become a bit excessive and a bit extreme. And there's always colorful characters that attend these protests. I get the sense that they have helped shift the debate in Victoria though, I have to say, over the last couple of weeks. And I'm just interested in your perspective on protests in general. Do they serve their purpose of raising the profile of certain issues or do they do more harm than good?

Tony:

I think the right to protest is very important. And I think that people do take protests seriously. I think we are a more fragmented and a more polarized society today than at any time in our recent history. And I think that there are a lot of things in this legislation in the way governments and corporations are conducting themselves right now in terms of vaccination mandates, which are going to exacerbate that. And the sooner we can put all this behind us, the sooner we can go back to a normal life where we are not being dictated to on a moment by moment, day by day basis by government. And we're not being told what we have to do with our bodies, so to speak. I just think the better for everyone.

Daniel:

I completely agree with that, Tony. And from my perspective, being in Melbourne, they certainly are not rabid right wingers. For example, one of the speeches started with a Welcome to Country and that's not something you would necessarily see at a highly conservative sort of protest. These are people that have lost their jobs, small business owners, moms and dads, just people that have been, their lives have been just torn apart over the last couple of years that now have an opportunity.

Tony:

Again, Dan, the unvaccinated are not a threat to the vaccinated. The unvaccinated are really only a danger to themselves.

Daniel:

That's a good point. The original idea under the national cabinet plan was once we get to 80%, basically almost all of the restrictions are going to be lifted on vaccinated and unvaccinated. Yet, now we're talking about 90% and that's not just for 16 plus that's for 12 plus in terms of age. The goalpost to me just keeps shifting and shifting. In Victoria they're talking about booster shots. You're not going to be

fully vaccinated now unless you've had three shots rather than two shots. Do you think these goalposts are ever going to stop being shifted? Is this just going to drag on and on and on?

Tony:

Again, Dan, I think what we've got to do is at some point, I'm disappointed we haven't got there already, but at some early point, we're going to have to declare victory. Say this particular pandemic has been beaten. We now go back to normal life. And there does seem to be a reluctance on the part of officialdom to do that. And I worry that too people in authority have rather enjoyed having the spotlight, the attention, and the power that they have never before had.

Daniel:

Look, I'd like to change gears now. And there's been a couple of issues bubbling beneath the surface throughout COVID that are now coming to the fore on the national stage. One of which has been in climate change and net zero, which you and I have discussed over the past few weeks, and another is religious freedom, which is a very significant issue. The context for this is Scott Morrison promised to introduce a new religious discrimination act after a review was undertaken by Philip Ruddock in 2018. Now that promise was to do that in this term of government.

Daniel:

So basically that means that something will have to happen essentially in the next fortnight, because in all likelihood, the final fortnight of sitting of this parliament, which commences next Monday, could be the last of this government if there is an election to be held early each year. There are a lot of facets to religious freedom in Australia and what government should or should not do. I want to get into that in a moment, but to begin with Tony, could I get your general assessment of some of the principles that should underpin religious freedom in Australia?

Tony:

Well essentially, in an English system, you should be free to do whatever is not expressly prohibited, and you should be free to live a life of faith or a faithless life, whatever, to the extent that it's not expressly prohibited by law. What we've seen in recent times is the use of laws, which were originally supposed to be a shield, anti-discrimination laws that were supposed to be a shield against unfair and unjust discrimination, used as a sword to discriminate against people. And rather than push new anti-discrimination laws, I'd be inclined to repeal some of the old ones, that would be my inclination. So look, obviously at the heart of our society, freedom of speech, freedom of religion, freedom of association, the freedom to vote for whoever you want in elections, the freedom of anyone who wants to run in elections. These are all absolutely fundamental.

Tony:

Now, I absolutely understand why back in the day, all of these anti-discrimination laws were passed. And I'm not saying there wasn't a need for them, but the danger is that laws that were passed as a shield could ultimately become a sword. And if there is a danger, that laws that were supposed to be shields have become swords, well, then I think we pull back on the law as opposed to add to it. And so that's my general instinct. Now I know the government made a commitment at the last election to pass religious freedom laws in this term of parliament. And obviously governments should do what they say they're going to do. But I certainly believe in religious freedom, I'm not sure that new laws are the best way to deliver it.

Tony:

Back in the day for instance, Daniel, when I was the employment minister and there was a suggestion from one of the then human rights commissioners, that it was in breach of the spirit if not the letter of human rights legislation back then for religious job network agencies to have a preferential hiring policy. As the relevant minister, I just came out and said, "This is complete nonsense." And I absolutely categorically and completely repudiated the position of that particular human rights commissioner. And we heard no more. So sometimes I think the best response to particular problems is for people in authority to very clearly state their position and make it absolutely crystal clear what they think is the right way of proceeding, rather than constantly thinking whenever there's a problem that we've got to pass a new law.

Daniel:

That's interesting perspective, Tony, because that's one of the issues that is coming up with this bill in terms of, I guess the balance if you like, between freedom of association and freedom of religion. So the freedom of a, in this case, of a business to hire and fire people based on whatever characteristics they choose and the ability of people to access different employment opportunities. And one of the related issues I wanted to talk with you about is the issue of what happened to Israel Folau and the inclusion of what is being called the Folau clause in the proposed legislation, that would essentially make it illegal for an employer to sack somebody on the basis of their religious beliefs. So just as a reminder to our listeners, Israel Folau was sacked by Rugby Australia in 2019 for quoting passages from the Bible on his social media accounts that offended some people in our community and ultimately Rugby Australia terminated his contract. A Folau clause would essentially make that illegal. What's your assessment. Is that a good idea? Is that giving too much power to government and legislation?

Tony:

Look Daniel, that's a very good question. Again, there are many things that are better handled through the common sense of reasonable people rather than through legislation. There are many things that are better handled informally than through processes of law. So I don't think he should have been sacked, but whether we need more law in this area is, I think, an open question.

Daniel:

Do you think we've become a bit less tolerant as a society towards people of religious views, and in particular Christians? I mean-

Tony:

I think there's absolutely no doubt that many things that were once regarded as mainstream or Orthodox are now going to be jumped on by the outrage industry, if I may use that term. I think there are lots and lots of things which would've been completely accepted, or at least been regarded as well within the bounds of public discussion, which are now pretty much unsayable. I mean, for instance, it's almost unsayable these days to question the climate change orthodoxy. Now I'm more than happy to question the climate change orthodoxy myself, but I'm in the happy position of being a retired member of parliament on a parliamentary pension. No one can threaten my livelihood. No one can take away the fact that I was the 28th prime minister of the country.

Tony:

But if I was someone who was still move up some kind of corporate ladder or trying to advance in public life, there would be all sorts of things that would be pretty hard to say. And I guess one of the good things about being a retired politician on a parliamentary pension, is that you can perhaps be a little bit braver than other people in terms of speaking your mind and stating things that you believe to be true. Which these days are ferocious resisted by the politically correct orthodoxy.

Daniel:

And another thing Tony, is you can come on excellent podcast like this and you can respond to some excellent listener questions. So we've got a couple of great listener questions lined up and are very much looking forward to getting your response to those questions. Before I get to them, I just wanted to let our listeners know about a new journal of essays that we've released at the Institute of Public Affairs. It's called Essays for Australia. We've just released volume one of those essays. There's a wonderful contribution from Tony Abbott called Maintaining Our Perspective. We've got other contributions from Lorraine Finlay, from Fred Paul, from Gigi Foster, from Adam Creighton, and many others. I would encourage anyone interested to go to our website, ipa.org.au/essays, and that'll have information of how you can get your hands on a copy. So with that, Tony, I just wanted to turn to our listener questions today. And the first one here.

Speaker 3:

Hi, Tony, as a resident of Victoria stand, your podcast with Daniel is one of the highlights of my week. I hope that at the next election, that not only do we have a change of government, but also that the leader will lose his seat. The sweetest victory of all would be if Peta Credlin stood against him and prevailed. Could you please propose a strategy and perhaps a word in her ear to save us all from life behind our iron curtain? Thanks Tony.

Tony:

Well, Dan, I certainly think that Peta Credlin would be wonderful at whatever she turns her hand to. She was a really outstanding political staffer. She was an integral part of the Abbott opposition and then the Abbott government as my chief of staff for six years. And I've got to say, I think she's now a compulsory and compulsive viewing on Sky at six o'clock, every weeknight. So we're talking about someone here who is awesomely talented, who is extraordinarily articulate, she's brave, and she's decent. So there's no doubt that she isn't already making a massive contribution to our public life where she is at Sky. She's also, of course, got the column in The Australian, the column in the news limited Sunday papers. Would she be a great member of parliament? Of course she would be.

Daniel:

Tony, thank you for those responses and thank you for the discussion today. I think that's been very interesting and I'm looking forward to continuing our discussions over the next couple of weeks. So thank you again, Tony, and looking forward to chatting next week.

Tony:

Good on you Dan.

Daniel:

Thank you for listening to Australia's Heartland with Tony Abbott and thank you for your support of the Australian way of life. This has been a production of the Institute of Public Affairs. To find out more or to become a member, head to ipa.org.au.