



**Executive Council of
Australian Jewry**

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ECAJ defends former High Court Justice Michael Kirby

The Executive Council of Australian Jewry (ECAJ) has strongly defended former High Court judge Michael Kirby against criticisms made by the head of another Jewish organisation, the Anti-Defamation Commission, alleging that Michael Kirby had made “inappropriate analogies” between the situation of LGBTIQ people in contemporary Australia and Jews in Nazi Germany.

“Justice Kirby was not making factual analogies between these two situations at all”, said Peter Wertheim, the ECAJ’s Executive Director. “He was attempting to draw, in a measured and qualified way, moral lessons from the terrible events of the Holocaust and the Nazi era, not to liken other events to them”.

“The moral lesson that Justice Kirby was drawing is that minority communities should not cooperate in any way with the imposition upon them by governments of discriminatory laws and other measures”, Wertheim said. “Justice Kirby has also said that the fundamental freedoms and rights of human beings should never be made subject to winning a popularity contest. These are perfectly reasonable propositions, which do not in any way involve likening any of the conditions that prevailed in Nazi Germany to conditions in contemporary Australia. We were appalled by the public attack on Michael Kirby, whose life’s work has exemplified the kind of civic courage which is the nemesis of dictatorships everywhere, and which was so conspicuously lacking in Europe in the 1930s”.

The ECAJ’s policy platform, as presented on its website, includes deploring “the inappropriate use of analogies to the Nazi genocide and Nazi tyranny in Australian public debate”.

“No organisation has been more forceful than the ECAJ in decrying attempts to liken the events of the Nazi era with events in Australia, but that is not what Michael Kirby was doing”, Wertheim said. “The Holocaust was uniquely evil in many ways, but the lessons to be learned from it are universal.”

Contact:

Peter Wertheim AM | Executive Director
phone: 02 8353 8500 | m: 0408 160 904 | fax 02 9361 5888
e: pwertheim@ecaj.org.au | www.ecaj.org.au