

Country Profile

Australia

Michele Grossman, Vivian Gerrand and Vanessa Barolsky

December 2019

This Country Profile provides a brief overview of religious diversity and its governance in the above-named state. It is one of 23 such profiles produced by GREASE, an EU-funded research project investigating religious diversity, state-religion relations and religiously inspired radicalisation on four continents. More detailed assessments are available in our multi-part Country Reports and Country Cases.

Countries covered in this series:

Albania, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Egypt, France, Germany, Greece, Italy, Hungary, India, Indonesia, Lebanon, Lithuania, Malaysia, Morocco, Russia, Slovakia, Spain, Tunisia, Turkey and the United Kingdom.

<http://grease.eu.eu>



The GREASE project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement number 770640

Total population: 25.3 million

Religious affiliation (percent)

Christian	52.1
Islam	2.6
Buddhism	2.4
Hinduism	1.9
Other	1.3
No religion	30.1

Source: Religion in Australia 2016 Census Data Summary, Australian Bureau of Statistics 2071.0

Role of religion in state and government

Australia, a member state of the British Commonwealth, is a secular constitutional monarchy with a parliamentary system of government operating as a federated system distributed across both national (Commonwealth of Australia) and eight State or Territory governments. It is strongly multicultural, with 21% of Australians speaking a language other than English in the home across more than 300 languages and nearly one-third of Australians born overseas. The relationship between religion and the state is defined by the doctrine of liberal separatism or “open secularism”, reflected by the Australian Constitution’s prohibitions on interference in the free exercise of any religion. There is no official national religion and the Australian Constitution (Section 116) prohibits the enacting of laws that establish or set up any religious body or organisation. The Constitution operates on the principle that religious beliefs and practices are voluntary and private matters for its citizens, and that people should be free to choose to exercise or indeed to refrain from exercising any religious beliefs or practices, as long as these do not interfere with the human rights or freedoms of others or with the laws of the nation.

However, in Australia’s federated system of government, the Commonwealth’s stance on non-interference in religious freedom has left States and Territories free to legislate on various religious matters. Technically speaking, States and Territories are free to both prescribe and proscribe various religious institutions, practices or values or to impede religious freedoms. In practice, however, States and Territories have largely adhered to the principle of non-interference established by the Constitution. In effect, the relationship between Commonwealth and State/Territory laws governing religion continues to balance the Commonwealth’s limited scope of powers against the greater freedom of States and Territories to legislate on religious matters, as correspondingly narrow interpretations regarding religious protections at the Commonwealth level by the Australian High Court have shown over time.

Freedom of religion

Amendments to tighten State and Territory freedoms to prescribe religious laws or inhibit religious freedoms were unsuccessfully proposed in 1944 and again in 1988. The absence of positive Constitutional protection for religious rights and freedoms has periodically led some, including the Australian Human Rights and Equal Opportunity Commission, to see the protections provided for the right to freedom of religion and belief in Australia as weaker in relative terms compared to a number of other countries. While there is a Constitutional guarantee of non-establishment and free exercise of religion, it merely restricts the rights of the Commonwealth to conduct the first or interfere in the second rather than actively asserting and protecting the religious freedom and anti-discrimination rights of citizens,

In part, such issues have led to Australia's recent Religious Freedom Review, completed in 2018. The Review was instructed to:

- Consider the intersections between the enjoyment of the freedom of religion and other human rights;
- Have regard to any previous or ongoing reviews or inquiries that it considers relevant, and
- Consult as widely as it considers necessary.

The impetus for the Review points to the complex landscape of religious freedoms and protections in Australia. Religion itself is not currently covered as a protected attribute by existing Commonwealth anti-discrimination acts. This has occasioned significant disquiet amongst members of Australian religious minority groups who have long claimed experiences and accounts of discrimination in relation to religious identity and sought greater legislative protection for religion as a result.

However, the Review also responded to the concerns of a variety of religious groups that their religious freedoms in relation to the "right to discriminate" based on religious beliefs were increasingly limited or proscribed by legislation that treated other identity attributes (for example, sexual or gender identity) as protected under anti-discrimination legislation, despite a range of existing exemptions at both Commonwealth and State levels. This has meant that the governance of religion has been managed at the complex intersection of a range of other legal and governance frameworks relating to discrimination, vilification, education, marriage equality, free speech, equal opportunity and human rights.

Arising from the Religious Freedom Review, a suite of three interrelated draft Commonwealth Parliamentary Bills (the Religious Discrimination Bill 2019, the Religious Discrimination [Consequential Amendments] Bill 2019 and the Human Rights Legislation Amendment [Freedom of Religion] Bill 2019) were circulated for public consultation in late 2019 and are still under development and consideration, with over 6,000 public submissions received by early October 2019 (<https://www.ag.gov.au/Consultations/Pages/religious-freedom-bills.aspx>).

Religiously inspired radicalisation

Australia currently faces several intersecting challenges in relation to violent, religiously attributed or inspired radicalisation. These include the rise of violent radicalisation in the name of Islamist movements and causes, beginning after 9/11 but intensifying since the emergence of Islamic State; the amplification of right-wing extremist movements with anti-Islam and anti-Jewish targets and activities, and an increase in Islamophobia, social polarisation and anti-immigration sentiments, fuelled in part by responses to the sense of threat created by violent radicalisation attributed to religion, which has in some cases challenged Australia's social cohesion and commitment to embracing diversity and pluralism.

Historically speaking, religiously attributed or inspired radicalisation to violence in Australia has been very low. Prior to 9/11, attacks defined as terrorism in Australia tended to be motivated by non-religious socio-political ideologies or ethnic sectarianism. In relation to right-wing violent extremism, now emerging as a serious security threat in Australia, evidence of religious motivations and rationales of Australian right-wing extremists is scant, tending to provide a negative rather than positive impetus evidenced by plots and actions *against* religious others (Muslims, Jews) rather than *for* or on behalf of any framework driven by their own sense of religiosity.

Most Australian religiously attributed or inspired radicalisation has been connected to Islamist-inspired and coordinated terrorism. Between 2001—2012, the bulk of terrorist plots were linked to or inspired by Australian connections with international Islamist violent extremist groups in the Middle East, Pakistan, Indonesia and Somalia. The rise of Islamic State (IS) in 2014 led to a surge in religiously attributed support for violent action amongst Australians, with roughly 120 foreign fighters heading to Syria and Iraq, as well as 16 major imminent attack disruptions and 7 successful terrorist attacks (although at least one of these is disputed as a genuine instance of terrorism).

Government responses to religiously attributed or inspired radicalisation have consistently focused on combatting ideological support for violence-based beliefs, behaviours and actions rather than on directly contesting radical or extremist ideas or ideologies. There have been successive strategies developed at both Commonwealth and State/Territory level to counter and prevent violent extremism, often with a focus on social inclusion, social health and community resilience initiatives that maintain an emphasis on the relationship between social belonging, social capital and building resistance to violent solutions for social or political grievances. Civil society organisations and community groups are sometimes engaged in these initiatives.

However, there has also been a successive evolution and updating of counter-terrorism legislation that has sought to strengthen existing laws that criminalise terrorist acts and support for terrorism. Since 2014, new legislation has provided additional powers and established procedures for preventative detention and control orders to restrict the movement of those allegedly associated with terrorism, enabling the proscription of terrorist organisations, and addressing issues related to foreign travel to conflict zones including revocation of citizenship for dual nationals.

Religious diversity governance assessment

Australia's approach to the governance of religious diversity is marked by several key features. These include a historically dominant Anglo-Christian public sphere arising from Australia's past as a British colony that has, over time, had to come to terms with both its intra-Christian diversity but also a host of other faith systems as the country's multicultural policies and social realities began to accelerate in the 20th century. This has occurred in the context of a continuing absence of recognition and reckoning with the nation's pre-European religious past in ways that are both meaningful and connotative of dignity and respect for the complex religious and spiritual belief systems of traditional Indigenous Australian lifeways.

Australia's commitment to open, multicultural secularism continues to emphasise the moral equality of persons, freedom of conscience and religion, and the separation of church and state in the contemporary Australian landscape of state-religion relations. However, the issue of state neutrality in respect of religious and deep-seated secular convictions is arguably more fragile and contested. Existing approaches to religious freedom in Australia are now tending toward ever-increasing accommodation of exceptionalism in the context of the freedom to discriminate against others based on religious beliefs, an inconsistent position with regard to state neutrality insofar as it allows discrimination in ways that potentially infringe the human rights. This has significant implications for amplifying not only the alienation of religious minorities, who may be increasingly marginalised by a new permissiveness toward their exclusion and rejection from public sphere institutions and practices such as education, health and sport, but also the marginalisation of non-religious minorities on the basis of religious exceptionalism.

Religious minorities in Australia have benefited from both the historical structural accommodations legislated by open secularism and increasingly from more recent moves toward policy-based inclusivity and recognition. Australia has a number of protective factors to draw on, including an abiding level of comfort with multiculturalism (despite more recent challenges), strong contributions by diverse faith-based community organisations to civic and cultural life, a well-developed policy infrastructure focused on social cohesion, community resilience and countering violent extremism, and a recognition, however unevenly applied or periodically challenged, that social cohesion and the active embrace of cultural and religious diversity are hallmarks of resilience in navigating the global challenges created by social, political and religious polarisation.

However, the normalising and mainstreaming of far-right, anti-religious minority sentiments in both popular and party-political Australian life has the potential to create new contexts in which religiously framed violent extremism in both familiar and new guises may yet emerge.

About the GREASE project

Radicalisation, Secularism and the Governance of Religion: Bringing together European and Asian Perspectives (GREASE)

Involving researchers from Europe, North Africa, the Middle East, Asia and Oceania, GREASE is investigating how religious diversity is governed in over 20 countries. Our work focuses on comparing norms, laws and practices that may (or may not) prove useful in preventing religious radicalisation. Our research also sheds light on how different societies cope with the challenge of integrating religious minorities and migrants. The aim is to deepen our understanding of how religious diversity can be governed successfully, with an emphasis on countering radicalisation trends.

This document is available for download at <http://grease.eui.eu>

The sole responsibility of this publication lies with the authors. The European Union is not responsible for any use that may be made of the information contained herein.

Any enquiries regarding this publication should be sent to:

Professor Anna Triandafyllidou, anna.triandafyllidou@eui.eu

November 2019

Document series reference: D2.2 Country Profiles