

Country Report

Australia

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This Country Report offers a detailed assessment of religious diversity and violent religious radicalisation in the above-named state. It is part of a series covering 23 countries (listed below) on four continents. More basic information about religious affiliation and state-religion relations in these states is available in our Country Profiles series. This report was produced by GREASE, an EU-funded research project investigating religious diversity, secularism and religiously inspired radicalisation.

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>



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The EU-Funded GREASE project looks to Asia for insights on governing religious diversity and preventing radicalisation.

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.

While exploring religious governance models in other parts of the world, GREASE also attempts to unravel the European paradox of religious radicalisation despite growing secularisation. We consider the claim that migrant integration in Europe has failed because second generation youth have become marginalised and radicalised, with some turning to jihadist terrorism networks. The researchers aim to deliver innovative academic thinking on secularisation and radicalisation while offering insights for governance of religious diversity.

The project is being coordinated by Professor Anna Triandafyllidou from The European University Institute (EUI) in Italy. Other consortium members include Professor Tariq Modood from The University of Bristol (UK); Dr. H. A. Hellyer from the Royal United Services Institute (RUSI) (UK); Dr. Mila Mancheva from The Centre for the Study of Democracy (Bulgaria); Dr. Egdunas Raciunas from Vytautas Magnus University (Lithuania); Mr. Terry Martin from the research communications agency SPIA (Germany); Professor Mehdi Lahlou from Mohammed V University of Rabat (Morocco); Professor Haldun Gulalp of The Turkish Economic and Social Studies Foundation (Turkey); Professor Pradana Boy of Universitas Muhammadiyah Malang (Indonesia); Professor Zawawi Ibrahim of The Strategic Information and Research Development Centre (Malaysia); Professor Gurpreet Mahajan of Jawaharlal Nehru University (India); and Professor Michele Grossman of Deakin University (Melbourne, Australia). GREASE is scheduled for completion in 2022.

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GREASE - Radicalisation, Secularism and the Governance of Religion: Bringing Together European and Asian Perspectives

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Introduction

Australia, whose European history as a nation began as a distant colonial outpost of the British Empire in the 18th century, is a country that occupies an entire continent, with a current population of just over 25 million people from a wide variety of ethnic and cultural backgrounds speaking over 300 different languages in the home (ABS 2017a). In 2016, the latest year to provide national Census data, almost 30% of Australians were born overseas; this figure increases to 49% when counting both Australians born overseas and those with one or both parents born overseas (ABS, 2019a).

The country has, especially since the post-World War II era, enjoyed a global reputation as one of the world's most successful pluralist and multicultural nations. However, this is a relatively recent development in the nation's history since the advent of White European settlement (Bouma, 1995). Australia's experience of and approach to embracing and managing religious and cultural pluralism has always been inseparable from its variable policy stances on migration and cultural diversity, whether opposed to such diversity – as was the case from 1901 until the 1950s – or in favour of it from the 1950s onwards during the post-war reconstruction period.

Australia remains a constitutional monarchy of the British Commonwealth, despite periodic efforts since the 1850s to form a republic that would distance the country from its 18th-century origins as a British colony (McKenna, 1996). This colonial history is reflected in part by its historical development as a Christian-majority nation over which hangs the long shadow of systematic dispossession, displacement and denial of the continent's indigenous Aboriginal and Torres Strait Islander peoples, whose occupation of and spiritual and cultural heritage grounded in their relationship to Australian land has continued unbroken for at least 65,000 years (Clarkson, Jacobs et al., 2017). At the time of invasion by Europeans, who declared Australia '*terra nullius*', or empty of settled peoples who could claim prior sovereignty over the land under British law, there were over 250 Indigenous language groups across the continental mainland, the island of Tasmania and the Torres Strait Islands (AIATSIS, 2019).

Australia's Christian majority status has historically been composed of Protestants and Roman Catholics of various denominations. While the landscape of Christianity, as with religion more broadly, has changed significantly since Europeans first colonised Australia (see below), the early Australian settlement period was dominated by Anglicanism through the Church of England and Catholicism actively suppressed at various points, often along class lines since the majority of governing officials were Anglican while many convicts, including significant proportion of Irish convicts transported to Australian penal colonies, were Catholic.

Anglicanism occupied the status of a quasi-official religion, largely through the Church of England's close association with those in positions of political and social influence and power, but there was also an increasingly expansive British Nonconformist Christian tradition, driven by migration patterns, that developed throughout the 19th and 20th centuries (Clark, 2006, pp. 5-6). This included the establishment of what Bouma calls 'ethnic varieties of European churches' as well as 'representatives of the various conflicting sub-denominational streams [such as] Welsh Baptists, Irish Presbyterians,

Scottish Presbyterians, German Lutheran [and] varieties of Dutch Reformed' (Bouma, 1999, p. 14). Catholicism, on the other hand, was associated by the ruling powers of Australian colonies as backward, unenlightened and allied with Irish sedition and rebellion transported to the colonies along with Irish Catholic convicts, setting the stage for decades of politically inflected sectarian conflict in Australian institutions and society (Chavura, Gascoigne & Tregenza, 2019).

In addition, the Australian gold rush period in the 1850s brought a diverse range of people from other ethnic and faith backgrounds to Australia who stayed on to resettle afterwards, including significant numbers of Chinese migrants from Buddhist, Taoist and Confucian belief systems, as well as Sikhs and Hindus who worked not only on the goldfields but in the cotton and sugar industries, along with Japanese pearl divers (Bouma & Halafoff, 2017; Croucher, 1989). Muslim and Hindu South Asian, Central Asian and Middle Eastern cameleers (who were often mistakenly lumped together as 'Afghans' or 'Ghans') also began arriving around the same time as outback pastoralism accelerated in climatic regions where camels provided more adaptable transport than horses. Muslim cameleers were involved in establishing Islam in Australia in the 19th century, beginning with mosques in South Australia and Western Australia (Jones & Kenny, 2010).

The formal colonial era of European settlement/invasion ended with Federation in 1901, at which point Australia became a single nation of states joined together in a federated system known as the Commonwealth of Australia. The intervening period saw the further consolidation of Christian national identity through encouraging and enacting at law the missionisation and forced conversion to Christianity of large numbers of Indigenous populations in different parts of Australia (AIATSIS, n.d.; Swain and Rose, 1988; Gale 1964). These practices continued long after Federation and included State and Territory government legislation in force from 1910—1970 that enabled the infamous Stolen Generations removal of Indigenous Australian children from their families and lands to missions, orphanages and foster families. Religion was central to the British colonial project, and accordingly the conversion of Indigenous Australians to Christianity was often at the core of these child removals, which relocated children to state-run institutions and strictly limited contact with their families (Australian Human Rights Commission, 1997, p. 23).

Following the federation of what had previously been the self-governing colonies of New South Wales, Victoria, Queensland, Tasmania, South Australia and Western Australia in 1901, the newly formed nation enshrined the Immigration Restriction Act 1901, popularly known as the 'White Australia Policy', which actively privileged British migrants over non-British settlers and explicitly discouraged Chinese, Japanese and Pacific Islander migration and settlement. In part, the White Australia policy was driven by nativist labour unions who agitated against the undermining of 'white' European jobs and economic wellbeing by an uncontrolled influx of cheaper labour (Markey, 2004). The White Australia policy began to weaken in the 1950s and was finally abolished in full in 1973 by the Australian Labor Party under then-Prime Minister Gough Whitlam. Amongst other things, the Whitlam era ushered in Australia's first use of the term 'multi-cultural society' by a government Minister in 1973 (Koleth, 2010).

Since the 1970s, Australia has actively cultivated first a multicultural and then a multi-faith policy framework at both Commonwealth and State and Territory levels that has become intrinsic to concepts of Australian national identity. However, these policy frameworks have never remained entirely uncontested either politically or socially. As Koletch (2010) has observed, while since the terrorist attacks of 9/11 in particular, contemporary ‘concern about the global threat of terrorism and the challenges of ensuring social cohesion in societies characterised by ethno-cultural diversity’ in Australia has increased, its origins lie in longer-running debates and fluctuations in Australian approaches to ethno-cultural diversity that have ‘shift[ed] in emphasis from assimilation and integration to multiculturalism, and, in recent times, a return to assimilation and integration.’

These fluctuations have, alongside discourses on terrorism and the advent of heightened mobility and displacement for Muslim-background populations seeking refuge in countries around the world, focused increasingly on the role of religion as a proxy for broader issues around the role of ethno-cultural diversity. This has been particularly evident in terms of prospects for social integration and social discord, largely in relation to the alignment of Islam and Muslims within Australian society and communities. The newly released Scanlon Foundation’s *Mapping Social Cohesion* report for 2019, based on highly respected annual surveys that have run in Australia for over a decade, continues to record negative attitudes towards Muslims across 21%-25% of all respondents based on RDD (random digital dialing) survey methods, with a higher proportion of negative attitudes towards Muslims at 39%-41% in the Life in Australia survey (Markus, 2019; Markus, 2018), despite generally broad support for multiculturalism and acceptance of cultural diversity. In turn, this has generated intensified attention on how Australia negotiates its relationship to questions of religious identity, religious freedom and the assumptions underlying national understandings of and responses to the perceived relationship between religion, radicalisation and violence.

The discussion that follows will unpack and elaborate on some of the tensions, debates and impacts that have emerged as Australia continues to define itself and its place in the world at the beginning of the 21st century.

Socio-demographic overview

Australia today is one of the world’s most multicultural and multi-faith countries. The 2016 Census (ABS, 2017) reveals that 21% of Australians speak a language other than English in the home and nearly one-third of Australians is born overseas. However, despite the steady increase in adherence to ‘no religion’ across the population (ABS 2017), Christianity across various denominations remains the dominant religious affiliation of those with a religious identity. The table below indicates the change in composition across the top 5 languages spoken at home, countries of birth, and religious affiliations between the 2011 and 2016 Australian Census data:

Table 1: Culturally and linguistically diverse Australia

	2016	2011
Language spoken by a person at home (top 5)		
1.	English only - 72.7% (17,020,417)	English only - 76.8% (16,509,291)
2.	Mandarin - 2.5% (596,711)	Mandarin - 1.6% (336,410)
3.	Arabic - 1.4% (321,728)	Italian - 1.4% (299,833)
4.	Cantonese - 1.2% (280,943)	Arabic - 1.3% (287,174)
5.	Vietnamese - 1.2% (277,400)	Cantonese - 1.2% (263,673)
Country of Birth (top 5)		
1.	Australia - 66.7% (15,614,835)	Australia - 69.8% (15,017,846)
2.	England - 3.9% (907,570)	England - 4.2% (911,593)
3.	New Zealand - 2.2% (518,466)	New Zealand - 2.2% (483,398)
4.	China - 2.2% (509,555)	China - 1.5% (318,969)
5.	India - 1.9% (455,389)	India - 1.4% (295,362)
Religion (top 5)		
1.	No religion - 30.1% (7,040,717)	Catholic - 25.3% (5,439,267)
2.	Catholic - 22.6% (5,291,834)	No religion - 22.3% (4,804,627)
3.	Anglican - 13.3% (3,101,185)	Anglican - 17.1% (3,679,907)
4.	Uniting Church - 3.7% (870,183)	Uniting Church 5.0% (1,065,794)
5.	Christian, nfd - 2.6% (612,371)	Presbyterian and Reformed - 2.8% (599,515)

Source: ABS, 2017a

Population demographics and distribution

From an estimated population of between 315,000-750,000 Indigenous inhabitants when James Cook first claimed British sovereignty in 1770 (ABS, 2008), Australia's population grew to approximately 3 million by the time of Federation in 1901 and now sits at just over 25.5 million people (ABS, 2019b), with Indigenous Australians comprising roughly 2.8% of the total population. Nationally, the population of Australia is distributed across six States – Victoria, New South Wales, Queensland, Tasmania, South Australia and West Australia – and two Territories: the Australian Capital Territory (the nation's capital) and the Northern Territory.

England and New Zealand continue to be the most common countries of birth after Australia, but the most rapidly increasing ethno-cultural minority populations in Australia are people born in China (from 6 in the 2011 Census to 8.3% in the 2016 Census) and India (from 5.6% in 2011 to 7.4% in 2016).

Ethnocultural heritage

Australia has had historically high levels of cultural diversity since the post-war period through successive waves of economic, skilled migrant and humanitarian refugee immigration intakes. Australian Census data is collected in every State and Territory by the Commonwealth Government every 5 years. The most recent ABS Census data for 2016 shows that the most common ethno-cultural ancestries for those Australians born overseas were:

Table 2: Most common ethno-cultural ancestries for overseas-born Australians

1. England (14.7%)	2. New Zealand (8.4%)	3. China (8.3%)	4. India (7.4%)	5. Philippines (3.8%)
6. Vietnam (3.6%)	7. Italy (2.8%)	8. South Africa (2.6%)	9. Malaysia (2.2%)	10. Scotland (1.9%)

Source: ABS, 2017b, 2071.0

Languages

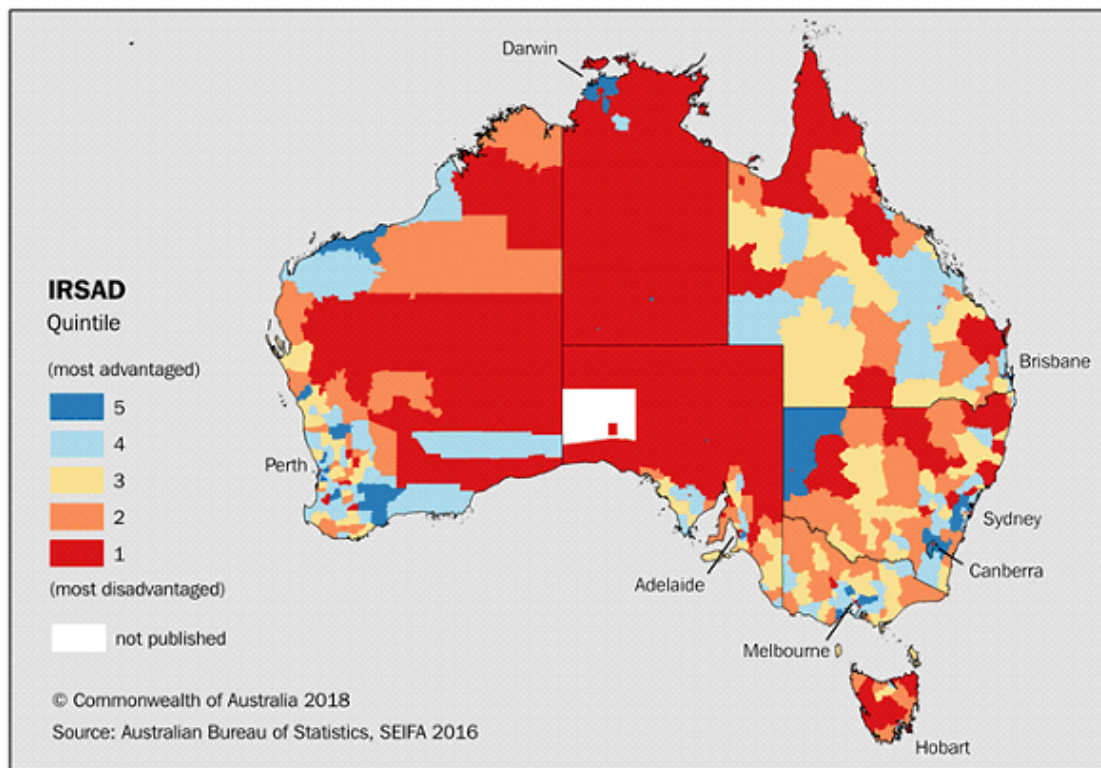
Australia has no officially legislated language, but English is the de facto national language in practice. While the 2016 Australian Census (ABS, 2017a) shows that almost 73% of the population identify English as the primary language spoken in the home (slightly down from 76.8% in the 2011 Census), the 2016 Census shows that over 300 distinct languages are also spoken in Australian homes across the country, with 21% speaking a language other than English in the home. The most common languages other than English spoken in homes around the country are Mandarin (2.5%), Arabic (1.4%) and Cantonese and Vietnamese on equal 1.2%.

Population distribution and socio-economic disadvantage

While 24% of Australia's population today is born overseas, overseas-born migrants are not generally concentrated in the areas of greatest socio-economic disadvantage across

the country, in part because recent migrants tend to settle first in the large capital cities that cluster around the southern parts of the country's coastline, with greater access as a result to employment, healthcare, social services, housing and education than in Australia's more remote regional and rural locations: 83% of people born overseas live in an Australian capital city (Perth, Darwin, Brisbane, Melbourne, Sydney, Adelaide, Hobart, Canberra) compared to 61% of the Australian born population (ABS 2017), with Sydney claiming the largest overseas-born population of any capital city in the country. By contrast, the most disadvantaged areas of the country, shown in red in the figure below, are also areas where proportions of Australian Indigenous and white Australian populations are higher than average:

Figure 1: Index of relative socio-economic advantage and disadvantage quintiles for local government areas



Source: ABS, 2018, *Socio-economic Indexes for Areas (SEIFA 2016)*

Religious socio-demographic characteristics

The picture of Australian religious diversity in the 2016 Census data reflects a similarly diverse landscape. Australia is now a resolutely multi-faith society (Bouma and Halafoff, 2017). Yet Christianity remains, as it has since the arrival of Europeans, the dominant religion, with just over half (52.1%) of Australians identifying as Christian in 2016. However, the proportion of the Australian population identifying as Christian is lower than amongst other comparator societies, while only New Zealand has higher rates of those identifying with 'no religion', as the following table showing the distribution of major world religions across Australia, New Zealand/Aotearoa, the UK, Canada, the USA and France suggests:

Table 3. Religious Diversity Compared (% in 2010/16*)

	AUS*	NZ/A	UK	CAN	USA	FR
Christian	52.1	57.0	71.1	67.3	78.3	63.0
Buddhist	2.4	1.6	0.4	1.1	1.2	0.5
Muslim	2.6	1.2	4.4	3.2	0.9	7.5
Hindu	1.9	2.1	1.3	1.5	0.6	<0.1
Jew	0.4	0.2	0.5	1.0	1.8	0.5
None	30.1	36.6	21.3	23.7	16.4	28.0

Source: Bouma and Halafoff, 2017, p. 135

After Christianity, the next two largest religions in Australia are Islam (2.6) and Buddhism (2.4%). 30% of the population identify with 'no religion', and other faiths comprise less than ten per cent of the population, with Muslim Australians at 2.6%, Buddhists 2.4%, Hindus 1.9%, Sikhs 0.5% and Jews .04%. The fastest growing religions in Australia in the 2016 Census data compared to the 2011 Census are Sikhism (74% increase), Hinduism (60% increase) and no religion (48% increase) (ABS, 2017a).

As Bouma and Halafoff (2017) note, 'Since European settlement, Australia's religious profile has been a function of migration' (see also Jupp, 2009). However, the full force of such dynamics in Australia today paints a different picture in comparison to the pre-1970s landscape, prior to the formalisation of multicultural policy, when the major religious divisions in Australian society were between Protestants and Catholics (Bouma and Halafoff, 2017; Hogan, 1997; Dixon, 2005; Bouma 2006). In the late 1940s, for example, over 81% of Australians identified with one or another strand of formal Christian religion (Bouma & Halafoff, 2017, p. 132). The decline in Christian religious identification from over 80% in 1947 to 52.1% – a drop of nearly 30% – tells a story of transformational change in national religious characteristics wrought by the intersection of shifting policy, demographic and intergenerational landscapes since the 1970s in particular.

The top 20 religions in Australia listed in the 2016 Census show an even richer picture of diversity. Of note in these figures is a drop of nearly 3% in the number of Australians identifying as Catholic, perhaps in part as a response to the crises of trust in Catholic institutions following Australia's Royal Commission into Institutional Responses to Child Sexual Abuse, which commenced in 2013 and issued a series of issues papers over its life before delivering its final report in 2017 (Cahill and Wilkinson, 2017; Bouma and Halafoff, 2017; Attorney-General's Dept., 2017).

The following two tables show the changes between 2016 and 2011 Census data (Table 4) and the current distribution of religious affiliation (Table 5):

Table 4: Religion Top 20 – Australia (Source: ABS, 2017c)

2016	2011
No religion – 30.1%	Catholic – 25.3%
Catholic – 22.6%	No religion – 22.3%
Anglican – 13.3%	Anglican – 17.1%
Uniting Church – 3.7%	Uniting Church 5.0%
Christian, (Not further defined)– 2.6%	Presbyterian and Reformed – 2.8%
Islam – 2.6%	Eastern Orthodox – 2.6%
Buddhism – 2.4%	Buddhism – 2.5%
Presbyterian and Reformed – 2.3%	Islam 2.2%
Eastern Orthodox – 2.1%	Christian (Not further defined) 2.2%
Hinduism – 1.9%	Baptist – 1.6%
Baptist – 1.5%	Hinduism 1.3%
Pentecostal – 1.1%	Lutheran – 1.2%
Lutheran – 0.7%	Pentecostal 1.1%
Sikhism – 0.5%	Judaism – 0.5%
Other Protestant – 0.5%	Jehovah’s Witnesses – 0.4%
Judaism – 0.4%	Sikhism – 0.3%
Jehovah’s Witnesses – 0.4%	Seventh-day Adventist – 0.3%
Seventh-day Adventist – 0.3%	Other Protestant – 0.3%
Latter-day Saints – 0.3%	Salvation Army – 0.3%
Oriental Orthodox – 0.2%	Latter-day Saints – 0.3%

**Table 5: Census Data Summary:
Religion in Australia** (Source: ABS, 2016)

Religious Affiliation		Population ('000)	Population (%)
Christian	Catholic	5 291.8	22.6
	Anglican	3 101.2	13.3
	Other Christian	3 808.6	16.3
	Total	12 201.6	52.1
Other Religions	Islam	604.2	2.6
	Buddhism	563.7	2.4
	Hinduism	440.3	1.9
	Sikhism	125.9	0.5
	Judaism	91.0	0.4
	Other	95.7	0.4
	Total	1 920.8	8.2
No Religion^a		7 040.7	30.1
Australia^b		23 401.9	100

a No religion includes secular and other spiritual beliefs.

b As religion was an optional question, the total for Australia will not equal the sum of the items above it.

In analysing the implications of the 2016 Census data on religion for what it tells us about religious identities, beliefs and practices in modern Australia, Bouma and Halafoff (2017) have identified significant rises in Pentecostalism and 'no religion' and declines in Australian British Protestantism. They also chart the rise amongst Australian youth in adherence to forms of 'spiritual' rather than organised religious belief systems and practices (Singleton et al., 2019).

They argue that the current evidence of religious superdiversity (Vertovec, 2007) in Australia reflects not only new waves of migration but also the 'complex interplay of additional factors including religion, language, age, gender, spatial distribution, immigration status, occupation, and access to services, which shape the composition and trajectories of these communities and power dynamics within and between groups' (Bouma & Halafoff, 2017, p. 130). For example, the rise of evangelical churches and adherents associated with Pentecostalism, Charismatic Christian and other new Christian movements is a relatively recent trend in Australia (Bouma and Halafoff, 2017), reflecting the growth in the globalised influence of access to new religious movements that thrive both within and beyond national borders alongside more well-established mainstream institutions.

However, the rise of the 'nones' or 'no religion' cohort in Australia's 2016 Census does not automatically equate to the absence of any form of religious or spiritual life for those in this category. As Bouma and Halafoff point out (2017), results from the 2016 National Church Life Survey suggest that the category of 'no religion' occludes the ways in which other patterns of religious and spiritual belief and practice are emerging, for example the 'SBNR' ('spiritual but not religious'), focused on non-institutional spiritual beliefs and practices such as meditation, contemplation, and mindfulness. This reflects more a lack of adherence to traditional mainstream religious structures and beliefs than it does the rejection of any religious or spiritual life at all, particularly when it comes to young Australians (Bouma and Halafoff, 2017, p. 139).

Yet the rise in multi-faith superdiversity in Australia's contemporary religious profile has not always and everywhere equated to a rise in multi-faith tolerance. Challenges arising from religious pluralism have largely come from both traditional Australian conservatives and the more recent 'alt-right', who have mobilised around anti-Islam narratives and the purported loss or deterioration of 'Christian values' and prominence in public, cultural and educational life. This latter objection speaks to the ways in which the historical role of Christian precepts and teachings in Australian society has continued to influence perceptions of national identity and tradition, despite many decades of liberal secularisation. There are corresponding challenges in relation to experiences and perceptions by Australian Muslims and members of other minority religious groups (for example, Sikhs and Jews) of religious-identity-based discrimination, stigmatisation and marginalisation in relation to national and social belonging, and the difference between cultural security on paper (Grossman, Stephenson & Tahiri, 2014) and cultural security in practice.

As Veit Bader (2008: 18) writes,

The advent of 9/11 has meant that 'religion is certainly now again right in the centre of politics...[and] the predictable result seems to be that (generally) liberal policies of accommodation are increasingly under pressure, but particularly those aiming to pluralise public cultures and symbols and especially institutions. At the same time, intentionally or unintentionally, declared religious divides have deepened at the international level (Bader, 2008, pp. 17-18).

Bader argues that 'policies of liberal accommodation of religious and cultural diversity are a better alternative' than either demands for assimilation on the one hand or 'unlimited toleration of religious and cultural practices incompatible with the hard core of liberal-democratic constitutions' on the other (Bader, 2008, p. 18). Australia, like the USA that is Bader's focus here, is immune neither from such pressures nor such debates, and these issues are dealt with in greater detail in subsequent sections below.

Aboriginal and Torres Strait Islander Australians and religion

The relationship of Indigenous Australians to pre- and post-colonisation modes of religious belief systems is distinctive, complex and deserves special mention. As noted above, Australia was established as a Christian-majority country through British colonialism. A key outcome of the 'civilising mission' of Christianity as a constitutive feature of British colonisation was the mass dispossession, displacement and removal of Indigenous Australians from their traditional lands and the removal of Aboriginal and Torres Strait Islander children from their families to be raised on missions and in convents or other religion-based institutions, known as the 'Stolen Generations'. In Australia, as in other colonial settings, 'governments applied social policies and laws that impacted upon Indigenous people and their freedom of cultural and religious experience' (Mikhailovich & Pavli, 2011, p. 13).

Christianity thus played a central role in the colonisation process and was utilised as a means to often forcibly assimilate Indigenous Australians socially, culturally and economically into a subordinate position within the social and cultural hierarchy of the colonisers. Influenced by racist forms of social Darwinism, the British colonialists viewed Indigenous Australians as an 'inferior' race whom it was their duty to 'civilise' (Welch, 1988). Welch (1988, p. 207) argues that 'there was little difference between the twin processes of "civilisation" and "Christianisation": each dictated the death of the culture upon which they were imposed'. Missionaries and mission schools played a central role in this undertaking. The 'civilising' process involved not only religious doctrine but the socialisation of Indigenous Australians into the norms and practices of colonial society including 'diligence, punctiliousness, private property, economic individualism, and a subordinate female role' (Welch, 1988, p. 207).

However, despite the efforts of the colonisers to impose their Christian worldview on Indigenous Australians, they were not able to extinguish existing spiritual beliefs, cultural practices and forms of social relations. Early missionaries were largely unsuccessful in their attempts to convert Indigenous Australians to Christianity. As Tonkinson argues, 'to a great extent [early] Christian proselytizing fell on barren ground in Australia, seemingly unable to dislodge an indigenous religious system so pervasive and integrated that it was synonymous with, and inseparable from, the fabric of life itself

(Tonkinson, 2004, p. 186). Nevertheless, as the dispossession of Indigenous Australians from their land became more widespread over time and efforts to control the population more systematic, the influence of Christianity and the Christian missionaries became more pronounced. Critically, this dispossession of land was also a spiritual dispossession because for Indigenous Australians there is no division between the sacred and the profane and spirituality is an integral part of everyday life: 'the landscape, shaped by the ancestral spirits, is the source of life and law' (Mikhailovich & Pavli, 2011, p. 8). As a result, the loss of land was not only a loss of physical territory but also involved 'the loss of language, knowledgeable people, sacred sites and hunting grounds – an enormous amount of spiritual and religious capital' (Mikhailovich & Pavli, 2011, p. 7).

The process of attempting to convert Indigenous Australians to Christianity began in earnest from the 1820s with the establishment of the first missionary presence in Australia, the Wesleyan Missionary Society in 1821. By the middle of the 19th century the Roman Catholic, Anglican, Presbyterian, Methodist, Lutheran and Pentecostal churches had all established missions in Australia attempting to convert Indigenous Australians (Mikhailovich and Pavli, 2011). In the 1830s, a *Report on Aboriginal Tribes* delivered to the British Parliament (Aborigines Protection Society, 1837) argued that the 'protection' of Aborigines was a sober duty of the government and that protection required religious instruction and education that missionaries were encouraged to provide. From the 1860s, first Victoria and then the other Australian colonies established Aboriginal Protection Boards that exerted increasingly stringent control over Aboriginal Australians, including the right of the Chief Protector to remove children from their families to be placed in reformatories or industrial schools (AIATSIS, *Remembering Mission Days*, n.d.).

By the 1890s the Aborigines Protection Board had developed a policy to remove children of mixed descent from their families to be 'merged' into the non-Indigenous population (Australian Human Rights Commission, 1997). These powers of removal were to lead to decades of forced separation of Indigenous children from their families as part of efforts to 'civilise' and educate them away from the influence of Indigenous family members. In 1997, a federal commission which established a National Inquiry into these forcible removals delivered a milestone report titled *Bringing them Home: National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* (Australian Human Rights Commission, 1997), which found that between one in three and one in ten Indigenous children were forcibly removed from their families and communities between 1910 and 1970.

The Inquiry found that 'while in most cases of forcible removal government officials and agents were responsible for the removal under legislation or regulations', churches should 'share some responsibility for forcible removals because of their involvement in providing accommodation, education, training and work placements for the children' (Australian Human Rights Commission, 1997, p. 353). In 1996, the Catholic Church in Australia formally apologised for its role in the institutionalisation, abuse and forced removal of Aboriginal and Torres Strait Islander children from their families (The Irish Times, 1996), marking National Sorry Day in 1998 with a statement by the Australian Catholic Social Justice Council (ACSJC, 1998); in 2001, the National Council of Churches

called for an acknowledgement of the churches' role in facilitating the Stolen Generations from 1910-1970 (Simons, 2001), and in 2008 the same Council issued a statement supporting the National Apology to the Stolen Generations made by then-Prime Minister Kevin Rudd (Ecumenical News International, 2008).

Yet despite the coercion that often accompanied efforts to Christianise Indigenous Australians, many Aboriginals and Torres Strait Islanders did develop a genuine affiliation with the teachings of the church, often integrating these beliefs with Indigenous spiritual worldviews and traditions to create syncretic forms of religious practice and belief (Schwarz and Dussart, 2010). Today, 54% of Australia's Indigenous population (ABS, 2017b) report an affiliation with Christianity, which is roughly equally divided between Protestants and Catholics. Only 2% of Aboriginal and Torre Strait Island respondents in the 2016 Census reported primary adherence to traditional Aboriginal and Torres Strait Islander beliefs. An increasing proportion of the Indigenous population (36%) also state in the 2016 Census that they have no religious affiliation, up from 24% in 2011 and following similar trends in the non-Indigenous Australian population.

It is unlikely, however, that the Census data adequately capture the complex ways in which traditional Indigenous Australian beliefs and Christian worldviews intersect for many contemporary Indigenous Australians. In addition, traditional Aboriginal and Torres Strait Islander belief systems and Christianity are not the only religious choices made by Indigenous Australians. There are also Indigenous Australian Jews, Buddhists, Hindus, Mormons and Muslims (Bouma & Halafoff, 2017, p. 131), with contact between Indigenous peoples and Muslim cultures through Indonesian Macassan fishermen and traders in Australia's north since at least the 1700s, for example, reflected in 'sacred songs of great antiquity' (ibid; Clark and May, 2013).

Indigenous traditional religious belief systems are complex, sophisticated and inextricably intertwined with laws and concepts of the sacred relating to the intersection of social relations, the land and the cosmos (Rose, 1992). However, as Marion Maddox has argued, even as non-Indigenous Australians have more recently attempted to renegotiate their understanding of and engagement with fundamental aspects of Indigenous Australian beliefs and diversity, Australia's culturally secular disposition has led at various points to misapprehension of Indigenous Australian religious systems as merely constituting 'culture' or 'custom' rather than as fully developed spiritual belief systems with their own principles, logics and structures (Maddox, 1999). Other scholars have suggested that, more pragmatically, distinctions between 'religion' and 'culture' have been mobilised by some Indigenous Australians themselves as both 'active Christians and active practitioners of Indigenous traditions [who] may need a way of distinguishing the two world views, so that "religion" is likely to refer to Christianity, marking it out from "culture"' (Bell, 1998, pp. 109-110, cited in Maddox, 1999).

Historical background of state-organised religion relations

Religion and the Australian Constitution

Australia is a secular country, but ‘secular’ in this context should not be interpreted to mean non- or anti-religious. Instead, Australian secularism has been most persistently defined by the doctrine of liberal separatism (Chavura et al., 2019) or what Modood and Sealy (2019) term ‘open secularism’, reflected in the stance of 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.¹

The way in which the Australian Constitution treats religious freedom has for many decades operated 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.

Liberal separatism and religious pluralism

Thus, secularisation in Australia has not historically meant the rejection of religion by the state (Chavura et al., 2019; Galligan, 2003; Jupp, 2009b); rather, it has transformed the relationship between the state and religion into one of managing religious influence and principles in relation to a range of social and political structures and reforms through what Chavura et al. (2019) term ‘liberal separatism’. The separatist principle persisted and was perhaps influenced by significant earlier periods of volatile religious sectarianism, ‘which saw a Protestantism influenced by British Enlightenment thinking lined up against an Irish Catholicism deemed by its opponents to be backward and superstitious’ (Chavura et al., 2019, p. 254).

In fact, the Catholic-Protestant sectarian conflict that defined pre-Federation Australia from the late 18th to mid-19th centuries can be argued to have advanced the cause of religious pluralism and secularisation – albeit a pluralism largely defined by intrareligious competition between different Christian tendencies, rather than interreligious schisms between different faiths – by preventing ‘the Church of England from remaining the established church beyond the 1830s’ and dismantling the funding of denominational education from the late 19th century until the 1960s (Chavura et al., 2019, p. 255), when state-based funding of religious schools began to be reintroduced (Buckingham, 2010), largely in response to the near-collapse of the private Catholic education system following the post-war baby boom.

Indeed, the relationship between religion and education – reflected in Australia’s history of state-based funding for both non-government religious schools as well as religious instruction in government schools – has been a flashpoint for the way in which the

¹ Section 116 of the Commonwealth of Australia Constitution Act (1900) says: ‘The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.’

http://classic.austlii.edu.au/au/legis/cth/consol_act/coaca430/s116.html

liberal separatist doctrine between the state and religion has been interpreted at various points in Australian political and social life. Public primary and secondary education systems (and in some cases post-secondary non-university awards) are legislated and primarily funded by States and Territories, with the Commonwealth contributing only about one-quarter of schools funding across the country (Hanrahan, 2017). However, the historical legacy of government decisions to begin funding private religious schools in the 1960s, with a significant boost to the ways in which this occurs devised under the Howard Coalition Government 1996-2007 (Buckingham, 2010), has meant that the Commonwealth contributes significant funding to private religious schools. Significant growth in non-government religious school attendance, driven partly by these changes in government policy and partly by Australia's altering demographics, occurred from 1988 – 2006, with significant increases for Christian evangelical schools such as the Brethren (235% increase), Catholic other than Roman Catholic (262% increase) and Islamic schools (151% increase).

In addition, some States and Territories have also funded religious education in public government schools at various points, a source of enduring controversy for over a century (Halafoff, 2012). In the late 19th century, Victoria was the first state to pass the *Education Act 1872* mandating free, compulsory and secular education to be provided through public state-funded schools, becoming one of the first jurisdictions in the world to do so. By 1908, all Australian states 'had centralised government departments administering free, compulsory and secular education' (National Museum of Australia, n.d.)

However, the provision of religious instruction has persisted in schools as an adjunct to official state school curricula, beginning in Victoria in the 1950s with Christian and Jewish volunteers providing Special Religious Instruction (SRI) in government schools, and expanding SRI provision to Buddhist, Sikh, Baha'I, Hindu and Muslim instruction by the early 21st century in Victoria and other States and Territories (Halafoff, 2012; Halafoff, 2015). In Victoria, which had pioneered secular compulsory education in state schools, government policy was amended in 2006 (interestingly, the same year that Victoria introduced the first state-based Charter of Human Rights in the country) to allow for the teaching of general religious education across diverse religions as part of, rather than in addition to, the formal curriculum.

Yet in practice, this was not widely taken up by Victorian government schools (Halafoff, 2012). Instead, controversy erupted in 2014 when a Christian volunteer group, Access Ministries – the only group funded by the Victorian Government to deliver SRI and chaplaincy within public schools (Halafoff, 2012), to the exclusion of other faiths – was found to have breached its guidelines by delivering religious material to students whose parents had not opted in to have their children participate in SRI content during class time (Percy, 2014). In 2016, the Victorian State Government removed SRI from the curriculum altogether in order to 'make way for new content on world histories, cultures, faiths and ethics' (Cook & Jacks, 2015).

These tensions between promoting respect for and understanding of cultural pluralism on the one hand, and objections to the support of religious instruction by the state based on principles of secularism on the other (Crittenden, 1988), have produced abiding

contestation amongst Australian educationalists and commentators, including concerns that limiting religious schools could drive them into more marginalised and less accountable social spaces (Buckingham, 2010, p. 24). The legacy of such debates can be seen in the observation of the Australian Government's Religious Freedom Review panel of experts (2018) that 'Section 116 [of the Australian Constitution] does not impose a strict separation of church and state, which The High Court has upheld, for example, the funding of faith-based schools as being consistent with section 116' (Religious Freedom Review Expert Panel, 2018, sec. 1.92, p. 36).

Religion and the law across the Commonwealth, States and Territories

Moreover, in a federated system, 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 its 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 (Religious Freedom Review Expert Panel, 2018, sec. 1.91, p. 36).

Amendments to tighten State and Territory freedoms to prescribe religious laws or inhibit religious freedoms were proposed in 1944 (the Australian Post-War Reconstruction and Democratic Rights Referendum) and again in 1988 (the 1988 Australian Referendum) but were unsuccessful. The 1988 Referendum posed four questions, one of which concerned the Constitution Alteration (Rights and Freedoms) Act 1988. The proposed legislation attempted to increase constitutional protections for various civil rights, including freedom of religion (Religious Freedom Review Expert Panel, 2018, p. 33).

The absence of positive Constitutional protection for religious rights and freedoms has periodically led some, including the Australian Human Rights and Equal Opportunity Commission in 1998, to see the 'level of protection afforded to the *right* to freedom of religion and belief in Australia' [emphasis added] as 'relatively weak compared to a number of comparable countries' (Meyerson, 2009, p. 529). This argument holds that while there may be 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 (Meyerson, 2009).

Australia's Religious Freedom Review

These issues, along with other Australian political debates about free speech pertaining to religious beliefs and protections both for and against discrimination on religious grounds, led to the Commonwealth Government's commissioning of a Religious Freedom Review, which published its final report in May 2018. Conducted by a panel of

experts led by Philip Ruddock, a former Liberal Party Minister and Member of Parliament, the purpose of the Religious Freedom Review was to ‘examine and report on whether Australian law (Commonwealth, State and Territory) adequately protects the human right to freedom of religion’ (Religious Freedom Review Expert Panel, 2018, p. iii). Its scope was 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.

These tensions came to a head in particular during the national referendum on marriage equality in 2017, which saw 61% of Australians who participated register their support for the passage of the Marriage Equality Act in 2017. The Marriage Equality Act legislated the right for two people of the same sex to marry with the same legal recognition, rights and responsibilities as heterosexual unions, and came into law in December 2017. However, religious opponents of the bill (passed with near unanimity by both Houses of Parliament) argued that it would harm gender education, religious freedom and freedom of speech (Karp, 2017). The debates that followed the referendum around the implications of the Act for religious freedom, free speech, anti-discrimination and human rights in part inspired the Australian Government to commission a wide-ranging review of Australian religious freedom law in the context of human rights that went significantly beyond the question of same-sex marriage.

The Religious Freedom Review was handed down in May 2018, and the Commonwealth Government formally responded to its recommendations in December 2018. These recommendations and the Government response are discussed in further detail in the next section.

Current institutional and governance frameworks

How is religion governed in Australia?

Current institutional and governance frameworks for religion in Australia, as indicated in Section 3, have proceeded on the narrow basis of Section 116 of the Constitution combined with successive elaborations of religious rights and protections by States and Territories, with varying effects. There is no positive protection of religious rights as an article of principle at Commonwealth level, although there are federal laws against discrimination based on religion in employment (*Fair Work Act 2009 [Cth]*) and the ‘urging [of] violence against a group, or members of groups, distinguished by religion’ as part of the *Criminal Code Act 1995 (Cth)*. In relation to State and Territory Constitutions, only Tasmania provides for ‘freedom of conscience and the free profession and practice of religion’ as part of its *Constitution Act 1934 (Tas)*.

In many respects, 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. A table setting out ‘key protections for religious belief in Australian legislation, including anti-discrimination, anti-vilification, constitutional and human rights protections’ is provided in Appendix C, Table C.1 of the *Religious Freedom Review: Report of the Expert Panel* (Religious Freedom Review Expert Panel, 2018, p. 128 ff). Here we summarise the chief variations that are found in these categories across the States and Territories.

The State of Victoria and the Australian Capital Territory (ACT) each provide human rights charters that protect ‘freedom of thought, conscience, religion and belief’ (*Charter of Human Rights and Responsibilities Act 2006 (Vic)*; *Human Rights Act 2004 (ACT)*). Discrimination on the basis of religion is protected through various anti-discrimination acts in the ACT, New South Wales, the Northern Territory, Queensland and Tasmania and through the *Equal Opportunity Act 1984 (SA)* in South Australia and Western Australia (*Equal Opportunity Act 1984 (WA)*).

Anti-vilification legislation on the basis of religion obtains in either anti-discrimination, racial and religious tolerance, and/or criminal code acts in Victoria, Tasmania, Queensland, New South Wales and the ACT, but not in the Northern Territory, South Australia or Western Australia. Provisions for exemptions on the basis of religious belief from special religious education in schools, from sex education in schools, and from classes in schools applies to some or all of these exemptions across all States and Territories, with Western Australia, New South Wales and the Northern Territory providing exemptions for all three (special religious education; sex education in schools; classes in schools) through the *School Education Act 1999 (WA)*, *Education Act 1990 (NSW)* and *Education Act 2015 (NT)*.

In terms of protected attributes based on religious conviction, belief, activity or opinion, in relation to work, education, accommodation, goods, services and facilities, clubs and associations, requests for information, superannuation and insurance, access to premises, disposal and sale of land, administration of laws and programs, and sport across the Commonwealth, States and Territories as follows:

Table 6: Protected attributes by area of activity

Area of activity	Religion, religious conviction, belief or activity	Political opinion, belief or conviction
Work	Commonwealth ACT NT QLD SA# TAS VIC WA	Commonwealth ACT NT QLD TAS VIC WA
Education	ACT NT QLD SA# TAS VIC WA	ACT NT QLD TAS VIC WA
Goods, services and facilities	ACT NT QLD TAS VIC WA	ACT NT QLD TAS VIC WA
Accommodation	ACT NT QLD TAS VIC WA	ACT NT QLD TAS VIC WA

Area of activity	Religion, religious conviction, belief or activity	Political opinion, belief or conviction
Clubs and associations	ACT NT QLD TAS VIC WA	ACT NT QLD TAS VIC WA
Requests for information	ACT WA	ACT WA
Superannuation and insurance	NT QLD	NT QLD
Access to premises	ACT	ACT
Disposal and sale of land	QLD VIC	QLD VIC
Administration of laws and programs	QLD TAS	QLD TAS
Sport	VIC	VIC

Only on the ground of religious appearance or dress.

Source: *Religious Freedom Review: Report of the Expert Panel, 2018, Table C. 3, Appendix C, pp. 130 – 131.*

The wide variation in how these protections are applied across different States and Territories provides some sense of how important more localised State and Territory instruments are currently in guaranteeing – or not – freedom to participate in Australian life across different social categories depending on where one lives. For example, only Victoria makes religious conviction, belief, activity or opinion a protected attribute in relation to sports participation; South Australia declines to offer this protection in relation to membership of clubs and associations, and New South Wales does not offer any protected attributes related to religion at all.

New religious freedoms legislation

One consequence of such variations as identified by the Religious Freedom Review is that a number of recommendations have been made to address these variations, amongst other matters that emerged during the broad consultation phase of the Review. Twenty recommendations were made by the Religious Freedom Review Expert Panel, of which fifteen were accepted by the Commonwealth Government directly or in principle, with the remaining five reserved for further consideration and consultation (Australian Government, 2018). In its response, the Australian Government acknowledged the central importance of linking religious freedom to broader questions

of human rights, including Australia's status for nearly 40 years as a signatory to the *International Covenant on Civil and Political Rights (1966)*²:

Freedom of religion is one right among many others and so, in practice, this right co-exists with a broad suite of other human rights. Importantly though, freedom of religion is not subordinate or secondary to the other rights which it will necessarily be balanced with. Ultimately, in consideration of the best manner in which to frame, balance and protect co-existing rights, the Australian Government considers there is a requirement to ensure some enhanced standing protection for Australians' right to freedom of religion, by giving it more weight in our community than it currently receives. ... At the most fundamental level, the Australian Government accepts the central conclusion of the Religious Freedom Review, that there is an opportunity to further protect, and better promote and balance, the right to freedom of religion under Australian law and in the public sphere (Australian Government, 2018), p. 4).

The legislative and practical response to the recommendations includes the commitment to amending existing Commonwealth legislation relating to freedom of religion, including amendments to marriage law, charities law and objects clauses in existing anti-discrimination legislation; developing a Religious Discrimination Bill to provide comprehensive protection against discrimination based on religious belief or activity; establishing a Freedom of Religion Commissioner at the Australian Human Rights Commission and supporting the Australian Human Rights Commission to increase awareness of the importance of freedom of religion, and asking State and Territory Governments to review and amend their own existing policies and legislation which pertain to freedom of religion to ensure a high degree of consistency across Australia.

Importantly, in line with the Review's focus on respecting Australia's cultural, ethnic and religious diversity, it also commits the Commonwealth to commissioning data collection and analysis on:

² The Australian Government specifically references Articles 18 and 2 of the *International Covenant on Civil and Political Rights* in its response to the Religious Freedom Review recommendations: 'Article 18: 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. 2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. 3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. 4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.' Article 2.2 states: 'Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant.' (Australian Government Response to Religious Freedom Review Report, December 2018).

- a) the experience of freedom of religion in Australia at the community level, including:
 - i) incidents of physical violence, including threats of violence, linked to a person's faith;
 - ii) harassment, intimidation or verbal abuse directed at those of faith;
 - iii) forms of discrimination based on religion and suffered by those of faith
 - iv) unreasonable restrictions on the ability of people to express, manifest or change their faith;
 - v) restrictions on the ability of people to educate their children in a manner consistent with their faith;
- b) the experience of freedom of religion impacting on other human rights, and the extent to which religious diversity (as distinct from cultural diversity) is accepted and promoted in Australian society.
(Australian Government Response to Recommendation 17, Religious Freedom Review, 2018, p. 14)

Yet there is also scope for considering exceptions to anti-discrimination on the grounds of religious belief. The five areas on which the Australian Government has reserved its commitment to the recommendations made by the Religious Freedom Review include: review by States and Territories of their exceptions or exemptions for religious bodies in anti-discrimination laws with respect to race, disability, pregnancy or intersex status with regard to community expectations (Recommendation 1); amendment of the *Sex Discrimination Act 1984* to allow religious schools under certain circumstances to discriminate in relation to employment of staff or contractors on the basis of sexual orientation, gender identity or relationship status (Recommendation 5), and the abolition by the Commonwealth, States and Territories of any exceptions to anti-discrimination laws in relation to employment in religious schools on the basis of race, disability, pregnancy or intersex status (Recommendation 6) or the enrolment or education and treatment of students on the same basis (Recommendations 7 and 8) (Australian Government, 2018, p. 18).

The Government Response also refers to consultation with States and Territories to develop terms of reference for the Australian Law Reform Commission to consider 'settling upon a legislative mechanism that would, on a nationally consistent basis, achieve the twin purposes of limiting or removing altogether (if practicable) legislative exemptions to prohibitions on discrimination based on a person's identity, while also protecting the right of religious institutions to reasonably conduct themselves in a way consistent with their religious ethos (Australian Government, 2018, p. 21).

The substance of those recommendations reserved for further consideration by the Australian Government arguably focus in particular on rights and exemptions in relation to religious freedom in employment and education contexts for three reasons: first, because they may contradict other enshrined rights such as the *Fair Work Act* and the *Sex Discrimination Act* that have become cornerstones of Australia's human rights framework, with relatively broad support amongst the Australian populace; second, because intensive lobbying for the continuation or strengthening of various exemptions based on religion has come especially from religious educational bodies (who are also

employers), as well as other employer representatives; and third, because of the potential for conflict between the Commonwealth and States and Territories under Australia's federated system of governance.

Arising from the Religious Freedom Review, a suite of three interrelated draft Parliamentary Bills (the Religious Discrimination Bill 2019 [Cth], the Religious Discrimination [Consequential Amendments] Bill 2019 [Cth], and the Human Rights Legislation Amendment [Freedom of Religion] Bill 2019 [Cth]) 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>).

Faith-based institutional structures and activities

Australia is home to more than 120 religious groups (ABS, 2016) and has a dynamic faith-based and multi-faith sector, with established religious bodies and organisations playing a significant social role beyond formal structures of worship that extends to the provision of health care, aged care, education, and cultural and social welfare services.

Christian-based social service organisations continue to dominate the Australian institutional landscape. Those focused on domestic issues for Australians including poverty, unemployment, physical and mental health and aging in the community, such as St Vincent's and Sacred Heart Mission, the Salvation Army, and Red Cross, are virtually household names in Australian society. Similarly, organisations like World Vision that focus on overseas aid and support are highly integrated into the charitable voluntarism and donations to which many Australians contribute: religious charitable donations remain the highest category across all charities, followed by international aid and health-based giving (McGregor-Lowndes & Crittall, 2018, p. 4).

These organisations are religious in foundation and principle but largely non-denominational in service provision, catering to many clients of non-Christian backgrounds across Australia's culturally diverse communities. While the Roman Catholic sector provides the largest integrated set of health services in Australia, including aged care, significant numbers of Baptist, Methodist, Orthodox Christian, Jewish and Islamic social service organisations are also active in health, education and cultural services. Many Australian religious organisations, both large and small, provide charitable services through their status as charitable organisations under the Australian *Charities Act 2013*.

In education, the Roman Catholic Church is also the largest non-government provider of K-12 school-based Australian education, with approximately 20% of all Australian school enrolments across over 1,700 schools. These schools are spread across both the Catholic education system and Catholic independent schools (National Catholic Education Commission, 2018). Other religions also offer state-accredited K-12 education. Beginning with one full-time school in 1983 in Melbourne, there are now 35 state-accredited independent Islamic schools recognised by the Islamic Schools Association of Australia, with higher concentrations in areas of greater Muslim settlement such as New South Wales and Victoria (Islamic Schools Association of Australia, n.d.). Australian Jewish communities currently have access to 19 accredited

Jewish day schools spanning Ultra-Orthodox and Reform movements within Australian Judaism, stretching back to the first established day school in Melbourne in 1855, while two Buddhist primary schools operate in Victoria and one Buddhist Year 3-10 school in NSW. A number of Australian universities also run institutes or centres focused on religious history or theological studies, with seven universities offering Islamic Studies degrees, five Buddhist studies courses, two Jewish studies courses, and one religion-based university institution, the Australian Catholic University.

Most established places of worship in Australia are associated with larger and more historically well-established religious groups. There are thousands of places of Christian worship across the country, including the Catholic Church's 1,394 parishes; the Anglican Church's twenty-three dioceses; the 2,800 congregations of the Uniting Church, the 1000 churches of the Australian Baptists and the 1,100 churches associated with the Pentecostal movement's Australian Christian Churches group (World Assemblies of God Fellowship).

Islam in Australia is highly diverse, with Sunni, Shia, Sufi and Ahmadiyya communities and mosques across a wide range of ethnicities. Australian Muslim communities are represented by a number of national or regional peak bodies including the Australian Federation of Islamic Councils, the Australian National Imams Council, the Lebanese Muslim Association in Sydney, the Islamic Council of Victoria in Melbourne, and a wide range of local or community based organisations. These include Muslim women's organisations such as the Islamic Women's Welfare Council, the Muslim Women's Association and the Muslim Women's National Network Australia; cultural organisations such as the Islamic Museum of Australia in Melbourne, and a wide range of aid, youth, volunteer and business organisations and networks.

Australian Jewry comprises over 70 synagogues and places of worship and is similarly represented by peak national bodies including the Executive Council of Australian Jewry, the Australia/Israel and Jewish Affairs Council, the Zionist Federation of Australia and a wide range of community organisations across Chasidic, Orthodox, Conservative, Reform and Progressive streams within Australian Judaism.

Buddhism Australia estimates that there are currently around 360 Buddhist groups in Australia, including a Federation of Australian Buddhist Councils and various Buddhist councils and societies in every State and Territory other than Tasmania and the Australian Capital Territory.

Places of worship are largely uncontroversial in Australian everyday life, with the exception of Islamic mosques and Jewish synagogues, both of which have seen recent increases in targeted hate crimes; a 2019 analysis of police records found that the vast majority of hate crimes in New South Wales are based on religion and/or race, with religious bias crimes against Muslims (73%) and Jews (14%) appearing in police records of incidents from 2013—2016 (Mason, 2019).

Other incidents around Australia include Islamophobic protests against the building of new mosques, public and online harassment of identifiably Muslim community members, and anti-Semitic harassment, vandalism and threats directed at people and properties connected to Jewish synagogues and communities. Bitter and violent protests erupted

in Bendigo, a major population centre about 2 hours outside Melbourne, in 2014 when a proposals were submitted to build the regional city's first mosque. The protests and objections were overtly Islamophobic and were energised further by extra-local support from broader far-right groups such as the United Patriots Front (UPF), arguing that the building of a mosque would 'bring violence to Bendigo and the city would be overtaken by Sharia law' as well as increasing the risk of terrorism (ABC News, 2014). The building of the mosque finally began in 2019, but the community polarisation created by efforts to prevent the mosque from being built has left long-lasting effects for local residents and longer-term policy challenges around cross-faith and cross-cultural tolerance (Rudner, 2017). Australian mosques have also been subjected to protests and harassment, including the Parramatta, NSW mosque where in 2015 a 15-year-old boy prayed before shooting dead a NSW Police civilian employee in an Islamic State-inspired attack. Islamic sectarian attacks against mosques have also occurred, with recent convictions against two Sunni extremists (linked to Islamic State in a separate legal case) who twice attempted to burn down a Shia mosque in Melbourne in 2015 and again in 2016 (Percy, 2019).

The Executive Council of Australian Jewry (ECAJ), which provides an annual year in review on anti-Semitism in Australia, in 2018 documented 366 anti-Semitic incidents, reflecting an overall 'increase of 59% over the previous 12-month period'. From 2017 to 2018, this included 'increases in harassment, vandalism, threats by email, telephone and posters/stickers, [but] a decrease in graffiti and postal mail', along with a stable number of reported assaults. The ECAJ 2018 report identified both extremist fringe and more mainstream far-right groups as influential in the rise of anti-Semitic harassment, vandalism and threats, and concluded:

Although Australia remains a stable, vibrant and tolerant democracy, where Jews face no official discrimination, and are free to observe their faith and traditions, antisemitism persists. There are segments of Australian society which are not only hostile towards Jews, but actively and publicly express that hatred with words and threatened or actual violent acts. As a result, and by necessity, physical security remains a prime concern for the Jewish community. ... As the political far right increasingly becomes emboldened and more active, and as far right groups publicly denigrate, demonise and incite violence against Jews, it is incumbent upon political and other leaders to demonstrate that antisemitism, and all forms of racism, is not acceptable in Australia, and to ensure that policies, laws and other measures are adopted and implemented in order to effectively counter antisemitism (Nathan, 2018, p. 8).

Civil society: Australian multi-faith organisations

The multicultural, multi-faith nature of Australian society has created both incentives and opportunities for multi-faith cooperation and dialogue between Australia's religious communities and secular society, and also with each other. These connections both reflect and also cut across ethno-culturally diverse communities. A number of non-government organisations advocate for, provide policy advice on, and promote activities that enhance multi-faith tolerance, dialogue and understanding. They include the Australian Partnership of Religious Organisations, established in 2003 under the auspices of the Federation of Ethnic Community Councils of Australia (FECCA), whose

membership includes both peak religious bodies such as the National Council of Churches in Australia, Muslims Australia (Australian Federation of Islamic Councils), the Executive Council of Australian Jewry, the Australian Baha'i Community, the Federation of Australian Buddhist Councils, the Australian Sangha Association (representing ordained Buddhists), the Hindu Council of Australia and the National Sikh Council of Australia. Other NGOs focused on multiculturalism and cross-cultural or cross-religious engagement also belong to APRO, including the Australian Multicultural Foundation, Settlement Council of Australia, the UNESCO Chair in Inter-religious and Intercultural Relations—Asia-Pacific and Religions for Peace (Australia).

The state of Victoria, and particularly its capital city of Melbourne, is particularly strongly represented by multi-faith organisations including the Interfaith Centre of Melbourne, Faith Communities Council of Victoria, the Sikh Interfaith Council of Victoria, the Jewish Christian Muslim Association of Australia, and the Multifaith Advisory Group of the Victorian Multicultural Commission. These are all examples of interfaith organisations that, as Halafoff (2016) notes, while they may receive government funding, are sensitive to the political limitations of forming as government-led organisations. They have instead chosen to function as civil society networks that remain free to critique state policies, but at the same time are able to provide advice to government agencies on various policy issues affecting religious communities (Halafoff, 2016).

Violent religious radicalisation challenges

Australia currently faces several intersecting challenges in relation to violent, religiously attributed or inspired radicalisation: 1. the rise of religiously attributed or inspired violent radicalisation in the name of Islamist movements and causes, in particular since the emergence of Islamic State; 2. the amplification of right-wing extremist movements with anti-Islam and anti-Jewish targets and activities, and 3. 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 threaten 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, as was the case with the bombings of the Sydney Hilton Hotel in 1978, the Soviet Embassy in Canberra in 1981, Sydney's Yugoslav General Trade and Tourism Agency in 1982, the Turkish Consulate in Melbourne in 1986, and various attacks on the Family Court of Australia in the early 1980s. Right-wing extremist bombings directed at local Southeast Asian businesses and communities in Western Australia were mounted by the white supremacist Australian Nationalist Movement in the 1980s, and again following the release of the ANM's leader, Jack van Tongeren, in the early to mid-2000s.

Right-wing violent extremism in Australia

Right-wing violent extremism has a long history in Australia (Campion, 2019) and has recently accelerated as a serious security threat both within Australia (ASIO, 2019, p. 4) and overseas through attacks such as that by Australian national Brenton Tarrant in Christchurch, New Zealand in March 2019.

However, evidence of religious motivations and rationales of Australian right-wing extremists is scant. Although some historical right-wing extremist figures such as Alexander Rud Mills, active from the 1930s to the 1950s, believed that ‘modern Christianity had degenerated into so-called “Jew-worship”’ and promoted an Aryan-inflected version of neo-paganist Norse Odinism as a corrective (Campion, 2019), and Christchurch mosque shooter Brenton Tarrant referenced historical battles between Christians and the Ottoman empire in his manifesto and online activity, on the whole, religion may be said to provide a negative rather than positive impetus for Australian right-wing extremists: they plot and act *against* religious others (Muslims, Jews) rather than *for* or on behalf of any framework driven by their own sense of religiosity.

Instead, contemporary Australian right-wing extremism has tended instead to cluster around cultural superiority (which may theoretically include religion), racial superiority, anti-Islam, anti-Semitic, anti-government and neo-Nazi ideological tributaries (Campion, 2019; Peucker, Smith & Iqbal, 2018). Only one case of right-wing violent extremist planning prosecuted under Australian terrorism laws has proceeded to date: that of a right-wing extremist with alleged links to far-right groups including Combat 18, Reclaim Australia and the United Patriots Front, was charged in 2016 with planning to bomb the premises of labour union and left-wing groups. His trial is currently underway in Melbourne. Another man with alleged neo-Nazi sympathies in New South Wales was linked to plans to mount a terrorist attack but convicted in 2017 of weapons and child pornography crimes rather than terrorism offences.

Australia currently lists 26 organisations as proscribed terrorist organisations. All but one of these (the Kurdish PKK) are Islamist groups. They include internationally well-known groups such as Abu Sayyaf in the Philippines, various al-Qa’ida and Islamic State franchises in different parts of the world, Boko Haram and al-Shabaab in Africa, and a range of lesser-known groups in the Middle East, Southeast and South Asia (Australian Government, 2019). The absence of any right-wing extremist groups on this list points to several factors, including the fact that they are ‘difficult to penetrate, aware of covert monitoring technologies and, from a law enforcement perspective, much of what they do is not illegal’ (Williams, 2019). Moreover, those on the Australian extreme right who are alleged to have proceeded to attack planning and execution have tended to do so as lone actors allied with broad transnational ideological grievances and frameworks, rather than conducting terrorist attacks in the name of a particular identified group.

Islamist violent extremism in Australia

The dominant trend in Australia has been that of Islamist-inspired and coordinated terrorism. The rise of al-Qa’ida, particularly following the attacks of September 11, 2001, saw a small number of Australians involved in overseas training camps in Afghanistan

and Pakistan, as well as the conviction of Faheem Khalid Lodhi, convicted in 2006 for 'the intent of advancing a political, religious or ideological cause, namely violent jihad' by planning to attack multiple sites including national electricity grids and Australian Defence Force bases and barracks (Wallace, 2006). Following 9/11 but prior to 2012, the bulk of terrorist plots were linked to or inspired by Australian connections with Al-Qa'ida, the Indonesian-based Jemaah Islamiah, Pakistan's Lashkar e-Tayyiba and the Somalia-based al-Shabaab (Zammit, 2012). 'Significant pre-2012 Islamist plots focusing on major Australian population targets included significant disrupted planned attacks in 2005 and 2009: Operation Pendennis, led by self-declared imam Abdul Nacer Benbrika, remains Australia's largest terrorist plot, involved 22 people across two terrorist cells in Sydney and Melbourne in 2005; 2009's Operation Neath, resulting in 5 arrests, targeted the Holsworthy Army Barracks in Sydney.

The rise of Islamic State (IS) in 2014 led, as elsewhere in the world, to a surge in religiously attributed support for violent action amongst Australians who were either already radicalised or who were inspired to violent radicalisation by the early successes of IS in seizing territory in Syria and Iraq for its self-proclaimed caliphate. Since 2014, there have been 16 'major disruption operations in relation to imminent attack planning' and 7 terrorist attacks targeting people on Australian soil (Australian Government National Security Threat Advisory System, 2019). These include major attack plans such as the ANZAC Day plot (2015), the Christmas Day plot (2016) and the Sydney Airport/Etihad Airways bomb plot (2017). Not all of the challenges arising from the global reach of Islamic State into Australia involved direct acts of violence, however; the same period saw the emergence of digitally enabled Australian Islamic State social influencers with substantial online followings such as Musa Cerantonio, identified by ICSR in 2014 as one of the two most globally prominent 'spiritual authorities' and influencers within Syrian foreign fighter networks (Carter et al., 2014).

In addition, the rise of Islamic State wrought changes to how Islamist plots were conceptualised and conducted in Australia. Zammit (2019) summarises these changes in the table below:

Table 7: IS-Associated plots (2014-2018) in Australia compared to earlier jihadist plots

IS-associated (2014-2018) plots in Australia compared to earlier jihadist plots	
2000-2013 (jihadism pre-IS)	2014-2018 (IS era)
Few plots (4 main cases)	Many plots (possibly over 20)
All plots 'failed'	Seven plots 'successful' (caused injuries or deaths)
Ambitious planning	Usually simple planning
Usually involved explosives	Usually knives or firearms
Often large cells	Often lone individuals or pairs
Range of public targets	Often targeted police as well as the general public*
No women charged	Multiple women convicted
No children charged	Multiple children convicted
Often involved returnees	Almost never involved returnees (one exception)

Source: Andrew Zammit, www.avert.net.au, 13 March 2019.

Strict gun control laws in Australia following the (non-terror-related) 1996 Port Arthur massacre have meant that most, though not all, post-2014 Islamist-linked terror attacks have been conducted using vehicle-borne or knife attacks. Combined with the trend toward lone or small-group, low-tech attacks in the IS era and the drop in age range for recent terrorism offences, this was the case with the Bourke Street vehicular attack in 2018; the stabbing attack by a young female international student in a Melbourne suburb, also in 2018, and the 18-year-old who attempted to stab two Melbourne police officers in 2014 following the cancellation of his passport. However, other recent lone-actor attacks have involved firearms: these include the 15-year-old who in 2015 shot NSW Police accountant Curtis Cheng outside a police station (three other men were also charged and convicted in relation to Jabar's actions),³ the Lindt Café siege (2014) and the Brighton siege (2017). The Lindt Café siege, however, created significant controversy over its disputed status as a genuine Islamist-inspired terror attack (Kidd, 2015).

Estimates put the flow of foreign fighters to Iraq and Syria at between 120-140 male combatants, as well as roughly half those numbers of women, children and families who either made their own way independently overseas or who travelled with spouses or other relatives. A number of male Australian foreign fighters have either died in combat overseas or had their citizenship automatically stripped through terrorism laws introduced in 2015. These laws have been enormously controversial, with the Australian Government's own intelligence agency, ASIO, arguing that the stripping of citizenship may inhibit successful charging and prosecution of Australian nationals for terrorist crimes and potentially fuel further terrorism risks. Instead, they have called for discretionary powers to cancel citizenship where this has been deemed to be in the national interest (Karp, 2019).

There are further challenges associated with the Australian government's resistance to repatriating the roughly 70 women and children who travelled to or were born in former Islamic State territories and who are now interned in highly precarious circumstances in Syrian holding camps, where the ability to contain and support women and children is at ever-increasing risk because of ongoing volatility in the region. The Australian Government has argued that it is too difficult and risky for Australian personnel to enter the region for extractions, and, while more sympathetic to the plight of children who cannot be held responsible for their parents' decisions, has questioned why Australia should take back women who may continue to be active supporters or actors motivated by Islamic State ideology (Albeck-Ripka, 2019). This policy stance has created considerable debate and disquiet amongst Australian public commentators, many of whom argue that such an approach plays into the hands of terrorist recruitment propaganda, risks creating a new generation of violent extremists (Stenger & True, 2019) and fails to meet its international and constitutional legal obligations by taking responsibility for its own nationals, including children (Rothwell & Rubenstein, 2019).

³ A full list of terrorist violent incidents, proven terrorist plots and alleged terrorist plots from September 2014 to August 2019 appears in Zammit, 'Proven and alleged terrorist plots in Australia since September 2014', <https://andrewzammit.org/2019/05/17/proven-and-alleged-terrorist-plots-in-australia-since-september-2014/>.

Islamophobia in Australia

The broad and pervasive policy and media focus on Islamist violent extremism over the last two decades – more recently combined with rising Australian disquiet about immigration and population control that can reflect ‘deeper ambivalence’ regarding non-European and especially African and Muslim-background immigrants (Cave & Kwai, (2019) – has resulted in significant tensions at times between government and Australian Muslim civil society organisations and communities who reject the equation of Islam as a belief system with radicalisation and continuously point out that the vast majority of Australian Muslims are peaceful everyday Australians who both benefit from and contribute significantly to the health and wellbeing of the Australian economy and broader society (Dunn et al., 2015).

It is important to note that attitudes towards Muslims in Australia are ‘not uniform’ and have varied over time. However, since 9/11 in particular, their place in Australian society ‘has been increasingly questioned’ (Akbarzadeh, 2016), but the response to this has overall been one more characterised by resilience than by disaffection (Dunn et al., 2015). Having said that, the sense of belonging and religious and cultural freedoms experienced by Muslim communities, as by other minority groups in Australia, are to a significant extent mediated and curtailed by experiences of racism, discrimination and negative or sensationalised media discourses that contribute to Islamophobia in Australia. This produces contradictory discourses so that ‘on the one hand Muslims are seen as not “fitting into” Australia [and] on the other they are prevented from belonging through racism’ (Dunn et al., 2015, p. 39).

As in other Western countries, the ways in which world events such as 9/11 have been narrated and interpreted have further augmented hostile attitudes towards Muslim minorities, who have been stigmatised and securitised as ‘suspect communities’ (Abbas, 2012; Bloul, 2008; Tahiri & Grossman, 2013; Murphy, Cherney & Murphy, 2016). Anti-Islam sentiments and actions have, as in other countries, increased in both vigour and visibility in Australia. The stark violence and poisonous statements associated with the Cronulla riots in Sydney’s outer suburbs between Australian Lebanese Muslims and Anglo-Australians in 2005 (which resulted in fines levied against a populist radio ‘shock jock’ for ‘vilifying Lebanese Muslims’ during his broadcasts) (ABC News, 2012) have since been fortified further by the vocal rise in both online and offline settings of far-right groups such as the True Blue Crew/United Patriots Front, Reclaim Australia and the Australian Liberty Alliance (ALA), which Akbarzadeh (2016) argues creates a ‘closed loop’ of ‘rising Islamophobia, criticism of multiculturalism and Muslim alienation’ which in turn nurtures the narrative that Muslims do not belong in Australia.

Australian approaches to counter-terrorism since 9/11 have also been found to have contributed to the sense of being targeted as suspect by increasing perceptions of Muslims as threats (Kabir, 2007; Parliamentary Joint Committee on Intelligence and Security, 2006). This was further amplified following the introduction of new counter-terrorism laws in 2014 that sought to strengthen police and intelligence agency powers for the purpose of digital disruption, preventing travel to foreign conflict zones designated ‘declared areas’ for terrorist activity, and broadening crimes related to terrorism to include advocacy for terrorism. This suite of law reform also included new

powers related to passport suspensions, control orders, the discontinuance of social welfare payments and the retention of telecommunications metadata (Griffiths, 2015). While these laws are threat-agnostic in theory, the persistence of their application to Muslim-background Australians has been consistently critiqued (Lynch et al., 2015). Taken together, the ‘tough on terror’ approach adopted by the Abbott Coalition Government during this period was argued to have actually damaged rather than mitigated trajectories of radicalisation to violent extremism (Bull & Rane, 2019) because it further strengthened perceptions that entire communities, rather than a small minority of bad actors, were being securitised (Grossman & Tahiri, 2015; Lynch et al., 2015).

As a result, many Australian Muslims have felt their communities to be under siege and have experienced a reduced sense of national belonging (Briskman, 2015; Bull & Rane, 2019; Murphy, Cherney & Barkworth, 2015). The exploitation of Islamophobia for political gain – particularly since as the public tenor of Australian political debate has deteriorated – has also contributed to this phenomenon. For example, in 2011, then-Liberal Party Senator Cory Bernardi publicly declared Islam as a religion to be a ‘totalitarian, political and religious ideology’ with Muslims ‘continually trying to change our laws’ (Akbarzadeh, 2016). The One Nation Party, which originally entered Parliament in 1997 under leader Pauline Hanson on a platform warning that Australia was ‘in danger of being swamped by Asians’, subsequently re-birthed 20 years later with an explicitly anti-Islam platform (Patel, 2016) alongside the continuation of broader assertions that multiculturalism poses a major threat to the foundations of Australian culture, identity and shared values. In 2018, the maiden speech delivered by Senator Fraser Anning, a former One Nation Party member who became an independent, advocated for a ‘final solution’ to Muslim immigration which elicited immediate bipartisan condemnation for its overt referencing of Nazism (Collett, 2018).

Alongside this, conservative media discourses have frequently tended to reproduce a moral panic in association with Islam that is fortified by a ‘clash of civilisations’ narrative (Gerrand, 2016; Poynting et al., 2004), so that even ‘good news’ stories about Muslims in Australia have become the subject of ‘backlash reporting’ in tabloid news outlets (Ewart & O’Donnell, 2018). Poynting and Briskman (2018) argue that this is part of a broader trend toward the racialisation of Islam in Australia that is manipulated for political advantage in an ever-increasing shift of the mainstream to the right (Poynting & Briskman, 2018). This has been accompanied by documented rises in hate speech and hate incidents directed at Muslims (Iner, 2019), largely on social media but also in the physical world, creating disturbing echo chambers and permissiveness for violence that justify and amplify Islamophobic discourse. These findings have in turn brought into sharp focus the issue of Australia’s unsuccessful efforts to weaken hate speech laws in 2014 and again in 2017 through proposing to amend Section 18C of the Australian Racial Discrimination Act (Mao, 2019), a position now abandoned following the Christchurch massacre.

Despite these challenges, Australian Muslim communities continue to show high levels of belief in ‘Islam’s compatibility with Australian norms and Muslim’s support for diversity’ despite experiences of Islamophobia ‘is revelatory of resilience’ (Dunn et al.,

2015, p. 39). These experiences have translated on the whole into wariness but not disaffection, and Dunn et al. (2015) found that Australia's 'values of diversity and multiculturalism' continue to 'give hope to Australian Muslims' in their dispositions and everyday lives (p. 39). These findings suggest that, while Islamophobia creates an environment in which increased vulnerability to radicalisation may occur in conjunction with a range of other factors, the vast majority of Australian Muslims have shown significant resilience in forestalling the translation of negative experiences into ideological disaffection with Australian society by adopting support for radicalised violence.

Policies and practices for addressing and preventing violent radicalisation

Policy definitions and frameworks for countering violent extremism

In the wake of 9/11, Australia developed robust counter-terrorism and countering violent extremism (CVE) policies and programs designed to improve community safety and focus on preventing the development and uptake of radicalised ideologies that supported political and social violence. An important part of any country's policy environment on violent radicalisation lies in how it defines the terms and parameters of its approach, which is then used to develop and justify particular policy settings. Australia uses the following definitions of *violent extremism*, *radicalisation* and *countering violent extremism* in setting its policy and program directions as described in its most recent Counter-Terrorism Strategy (2015):

Violent extremism is the beliefs and actions of people who support or use violence to achieve ideological, religious or political goals. This includes terrorism and other forms of politically motivated and communal violence. All forms of violent extremism seek change through fear and intimidation rather than through peaceful means. If a person or group decides that fear, terror and violence are justified to achieve ideological, political or social change, and then acts accordingly, this is violent extremism (Council of Australian Governments, 2015, p. 7).

Radicalisation happens when a person's thinking and behaviour become significantly different from how most of the members of their society and community view social issues and participate politically. Only small numbers of people radicalise and they can be from a diverse range of ethnic, national, political and religious groups (Council of Australian Governments, 2015, p. 7).

Countering violent extremism (CVE) is defined as 'a willingness to use unlawful violence or support the use of violence by others to promote a political, ideological or religious goal (Council of Australian Governments, 2015, p. 7).

This policy framework, particularly in relation to CVE, has consistently focused on combatting ideological support for *violence-based beliefs, behaviours and actions* rather than on radical or extremist ideas or ideologies themselves, in contrast to countries like the UK, where extremist beliefs are the main focus of policy definitions as set out in the UK's 2015 Counter-Extremism Strategy (HM Government, 2015) and the newly

established Commission for Countering Extremism (<https://www.gov.uk/government/organisations/commission-for-countering-extremism>).

A decade ago, a 2010 Australian Terrorism White Paper argued that, due to a variety of local, global and regional factors, terrorism had become ‘a persistent and permanent feature’ (Australian Government, 2010, p. ii) of the nation’s security environment. This position dates back both to 9/11 but also to the Indonesian violent Islamist group Jemaah Islamiyah’s Bali bombing attack in 2002, in which 88 Australians were amongst the 202 people killed at a popular entertainment venue frequented by Australian tourists. The Bali bombings prompted to Australia revised its counter-terrorism policy and legislation.

In April 2002, the Prime Minister, State Premiers and Chief Ministers met at a National Summit on Terrorism and Multi-Jurisdictional Crime, where the need for a stronger framework to meet the emerging challenge of combating terrorism led to a National Counter-Terrorism Committee (NCTC) (now expanded to the ANZCTC to include New Zealand) being established within the Council of Australian Governments (COAG) (Harris-Hogan, Barrelle & Zammit, 2016). A National Counter-Terrorism Strategy was released by the NCTC in 2005 and has been updated periodically since then, with a new review currently underway.

The legislative landscape of Australian counter-terrorism

Initially, Australia’s primary focus was on implementing new legislation, increased funding to intelligence agencies and military support for operations in Afghanistan. From 2001—2014, the overall budget of the domestically focused Australian Security Intelligence Organisation (ASIO) was increased more than fivefold, along with significantly increased funding to the Office of National Assessments (ONA), the internationally focused Australian Secret Intelligence Service (ASIS) and the Australian Federal Police (AFP) (Commonwealth of Australia, 2015, p. 3).

Revisions to existing legislation such as amendments to Chapter 5.3 of the Criminal Code and new legislation such as the Anti-Terrorism Act (2003) were introduced to strengthen existing legislation that criminalised terrorist acts and support for terrorism. In 2014, additional new legislation provided additional powers to national security and established, for example, procedures for preventative detention and control orders to restrict the movement of those allegedly associated with terrorism as well as enabling the proscription of terrorist organisations (Council of Australian Governments, 2015).

More recently, a number of changes to Australia’s counter-terrorism legislation were introduced in 2014 following the emergence and rise of Islamic State (IS), which saw unprecedented numbers of Australian nationals, many of them young men and women, travel or attempt to travel to join the self-declared Islamic State caliphate in Syria and Iraq. The most significant change was the passing in November 2014 of the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Act 2014*, which amended 22 Acts to respond to the threat posed by Australians engaging in, and returning from, conflicts in foreign states (Commonwealth of Australia, 2015, p. 8).

The criminalisation of foreign fighters serving as combatants in foreign territories is

relatively straightforward, though not free from debates about the impact of these laws on returning foreign fighters (Zammit, 2015); less clear are the challenges posed by those who may be subject to criminal sanctions for travelling to prohibited declared territories, including children who are unable exercise control of their movements and women who may have been coerced into such travel by spouses, parents, siblings or other family members. In addition, laws enabling revocation of Australian citizenship for dual nationals who were proven to have engaged in terrorist acts, served in an 'enemy army' or a 'declared terrorist organisation', or a number of other specified offences was introduced in 2015, occasioning significant concern and criticism from human rights and civil rights organisations (Human Rights Law Centre, 2019.)

Australian countering violent extremism (CVE) approaches

As the Australian legislative, institutional and policy environment has continued to evolve in relation to counter-terrorism measures, there has been parallel development of more socially proactive, non-coercive approaches to preventing or mitigating the risks of violent radicalisation through countering violent extremism (CVE) programmes and initiatives, in line with international developments elsewhere. This occurred particularly following several high-profile instances of 'home-grown' terrorism in Western countries in the mid-2000s (Harris-Hogan et al., 2016).

Australia was an early adopter of CVE approaches in practice as well as in name. From 2005 onwards, the Australian Government adopted measures that were 'effectively the precursors to Australia's current CVE approach' (Harris-Hogan et al. 2016, p. 13; Zammit, 2015), including the release of a *National Action Plan to Build on Social Cohesion, Harmony, and Security* in 2006 as part of the country's national strategic framework to address terrorism. The NAP's stated objectives were to 'address the underlying causes of terrorism, including the social and economic factors that encourage radicalisation and motivate extremist behaviour, as a contribution to a comprehensive approach to counter-terrorism' (Ministerial Council on Immigration and Multicultural Affairs, 2006, p. 7). Some states, such as Victoria, undertook early initiatives to incorporate CVE into their state programmes around terrorism in the light of developments at the federal level.

CVE policy in Australia and elsewhere has been routinely criticised over time (Aly et al., 2015; Cherney & Murphy, 2016) for conflating the issue of social cohesion and terrorism, thus stigmatising Muslim communities and threatening their sense of belonging and cultural security within the national fabric. Nevertheless, CVE continues to be recognised as a critical means of avoiding the overall securitisation of how nations engage with the prevention of terrorism and violent extremism (Zammit, 2015; Grossman, 2018).

Australia has focused strongly in particular on promoting resilience to violent extremism as part of a broader effort to create more generally resilient communities that can successfully manage a range of 21st century social-ecological dynamics, challenges and transformations (Grossman et al., 2016). For example, the 2010 Counter-Terrorism White Paper (Australian Government, 2010) outlined 'resilience' as one of the key pillars of the country's counter-terrorism strategy and gave an overview of the radicalisation process undergone by individuals before taking part in terrorist acts, as well as

discussing the importance of family and community in countering violent extremism. Reflecting a growing international concern in Western states with attacks by 'home-grown' terrorists, the strategy sought to reduce this phenomenon by 'strengthening Australia's resilience to radicalisation and assisting individuals to disengage from violent extremist influences and beliefs' (www.livingsafetogether.gov.au). The White Paper stated that it would counter violent extremism by:

- Building on Australia's history of inclusion, multiculturalism and respect for cultural diversity to maintain a society that is resilient to the hate-based and divisive narratives that fuel terrorism [and]
- Working with the Australian community through a cooperative national approach to lessen the appeal of violent extremism and support alternative pathways for those at risk, and working internationally to support this (Australian Government, 2010, p. 65).

The Countering Violent Extremism Sub-Committee (CVESC) was established under the NTCTC (now the ANZCTC) to co-ordinate CVE efforts across the country after the release of the 2010 Counter-Terrorism White Paper. As Harris-Hogan et al. (2016, p. 15) observe, 'The sub-committee is responsible for designing and administering specialised CVE programs around the country and its membership is comprised of representatives from all State and Federal policing and First Ministers' offices, multicultural affairs agencies, as well as other relevant national security agencies under the direction of two co-chairs'. The CVE Sub-Committee was provided with \$9.7 million over four years in the 2010–11 budget for 'targeted programs to reduce violent extremism in Australia' (Barker, 2015, p. 1).

Australia's first national CVE framework was published in 2011 (Council of Australian Governments, 2015, p. 30; Cartwright, 2016), and aimed to create a national approach to CVE 'that minimises duplication and appropriately focuses resources on areas of greatest need' to be 'facilitated through the CVE Sub-Committee' in order to address 'factors that make people vulnerable to extremist influences and recruitment by terrorists' and emphasised the importance of intervening early, 'before a law enforcement response might be needed' (Commonwealth of Australia, 2015, p. 30). The national CVE framework sought to build resilience to extremism by taking proactive measures to promote inclusion and by mobilising communities against extremism. This focus on resilience superseded older terrorism plans such the 2005 National Action Plan, which did not include the concept of resilience in its conception of counter-terrorism and countering violent extremism.

In 2014, the Government launched an updated CVE policy framework which, while maintaining its central focus on resilience, shifted its focus from broad-brush community prevention to more targeted identification and intervention with persons deemed to be at risk of radicalisation, including 'a more direct approach to identifying and providing support to individuals at risk of radicalisation' (Commonwealth of Australia, 2015, p. 9).

Community-government relations in countering violent extremism

A government review of Australia's counter-terrorism policy and program architecture in 2015 highlighted the importance of community involvement for future initiatives, and paid specific attention to the developing challenge of returnees from conflict zones, noting that 'community members and families will be most likely to notice indications that someone may be radicalising to violent extremism and to reach out to them' and that 'community-based, non-government and local government organisations will be important service providers, delivering intervention services to individuals (Commonwealth of Australia, 2015, 32).

The review envisaged more systematic support for the families of individuals who had already radicalised or were in the process of radicalisation, in line with an approach that attempted, wherever possible, to prevent individuals joining foreign conflicts and, where they did go and then return, to reintegrate them in order to undermine the possibility that marginalisation would lead them to plan terrorist attacks in Australia. The framework also included consideration of expanding 'its existing community awareness training initiatives to deliver more specific capacity-building programs to family and friends of at risk individuals as well as to community leaders so that they are able to challenge and counsel at risk individuals' (Commonwealth of Australia, 2015, p. 32) and noted the significance of community organisations from the education, faith, mental health, corrections, youth and sports sectors in efforts to counter violent extremism (Commonwealth of Australia, 2015, p. 32).

The review underlined the importance of including communities as equal partners in future CVE initiatives, concluding that 'a new CVE strategy must do more to build and use the capacity of these partners to enable them to share the responsibility of diverting individuals from radicalisation' (Commonwealth of Australia, 2015, p. 33). Yet the role of communities and civil societies in Australian CVE initiatives has proceeded with mixed responses and impacts.

On the one hand, significant training efforts promoting social health models of CVE intervention have been undertaken through CVE intervention support programs such as RADAR, which offers training to Australian 'government officials and frontline service providers to counter the effects of violent extremism and to assist individuals to disengage from violent extremist networks' (<http://radarsolutions.com.au/about.html>), and organisations such as the Australian Association of Social Workers' 2018 professional development programs on building resilience and preventing radicalisation to violent extremism (<https://www.aasw.asn.au/events/event/building-resilience-preventing-radicalisation-to-violent-extremism-an-awareness-raising-workshop-vic-8th-feb>).

However, a series of studies by different research teams in Victoria, New South Wales and Queensland in 2016 found that while some service providers were willing to engage in professional practices that could help people who were radicalising to violent extremism, others were reluctant to do so for reputational reasons or because they feared a reduction in client willingness to engage with services and other adverse community responses. In addition, significant gaps in capability and expertise were cited

as barriers to fully engaging frontline service providers (Cherney et al., 2017).

A wide range of community groups and organisations are periodically or regularly engaged in or consulted about various CVE programs by Commonwealth and State or Territory governments. The Islamic Council of Victoria for a number of years delivered the Community Integration Support (CISP) program designed to help reintegrate people in the community following their release from prison on terrorism offences; this role has more recently been assumed by the Victorian Board of Imams. A cognate post-prison reintegration support program, the Proactive Integrated Support Model (PRISM), is run through Corrections New South Wales with religious and civil society support. However, particularly in the case of women's involvement in Australian CVE initiatives, and despite the international evidence on the importance of gender inclusiveness in designing and delivering CVE initiatives (Grossman et al., 2018) there remain barriers for a range of reasons to public acknowledgement of the role of women in fostering and driving CVE activities and programs at community level, despite the local activism and private involvement of many women in different parts of Australia who work towards these goals (Grossman et al., 2018, pp. 78-90).

Some civil society organisations offer CVE-based programs designed specifically for community education, awareness and support purposes. These include the Australian Multicultural Foundation's Community Awareness Training Manual, which is delivered both face to face for community groups and as an e-module (<https://amf.net.au/entry/community-awareness-training-manual-building-resilience-in-the-community>); the Victorian Arabic Social Service's education and awareness program for the families of young people who may be radicalising to violence, and All Together Now, which since 2012 has led the CAPE (Community Action for Preventing Extremism) program, formerly known as Exit White Power, focused on helping people disengage from white supremacist and ethno-nationalist ideologies and movements (<https://alltogethernow.org.au/extremism/>).

Several state government programs also work directly at the community interface, including Multicultural New South Wales's COMPACT program, which partners with community groups to provide pro-social youth and other engagement programs that focus strongly on resilience-building, social cohesion and safeguarding. The online magazine *The Point*, funded by the same state government body, provides digital publication opportunities to young people focused on 'local and international politics, religion, society and culture...and the impact of overseas conflicts on local communities' (*The Point*, 'About', <http://thepointmagazine.com.au/about.php>).

In 2015, the Victorian state government developed a *Strategic Framework to Strengthen Victoria's Social Cohesion and the Resilience of its Communities* through a ministerial taskforce focused on social cohesion, community resilience and preventing violent extremism that supported, amongst other program outcomes, a four-year virtual research institute, the Research Institute on Social Cohesion (RIOSCI). This formed part of a broader suite of funded programs in this area totalling \$25 million from 2015-2018, with significant involvement from community and civil society organisations in program development and participation. Following the conclusion of this program, the Victorian Government provided \$3.2 million in funding to establish the independent Centre for

Resilient and Inclusive Societies (CRIS), a consortium of eight university, community and industry partners to advance and build on the work of the foundation RIOSC program (www.crisconsortium.org)

Muslim community leaders and countering violent extremism

Finally, religiously inspired or attributed violent radicalisation in Australia, as noted above, has for two decades been strongly associated with Islamist ideologies and movements. This has meant that a disproportionate burden has fallen on Australian Islamic peak bodies and representative organisations to repudiate terrorism and publicly condemn the abuse of Islamic beliefs and principles each time an Islamist-inspired or attributed attack occurs or plot is disrupted. Australian Muslim religious leaders have been both consistent and forthright in publicly and privately condemning terrorist attacks and contesting the theological rationales advanced by Islamist groups that justify violent radicalisation. They have also sought to heal relations and suspicions between Muslims and non-Muslims through a range of public-facing cross-cultural activities such as mosque open-days, which developed enormous resonance in Melbourne on 17 March 2019, when mosques participating in that city's annual mosque open-day program were flooded by non-Muslim Australian well-wishers expressing their sorrow and solidarity following the Christchurch mosque attacks in New Zealand only two days before on 15 March.

However, in the post-9/11 period and continuing into the present, Muslim community leaders have been solicited at 'unprecedented levels' by media for commentary on a range of matters relating to terrorism both at home and abroad (Roude, 2017). For those who run religion-based community groups and organisations that are often only modestly funded and supported by significant amounts of unpaid voluntarism, having to deal both with Muslim community concerns about the impacts of terrorism on community wellbeing and also the persistent enquiries and importunate demands that they speak out and 'say more...and mean it' against violent extremism (Medhora, 2015) has produced anxiety, fatigue and despair for many religious and civil society leaders in relation to their engagement with countering violent extremism (Roude, 2017). As a 2017 doctoral study notes,

The continued scrutiny regarding the perceived violent teachings of Islam, and the capacity of Muslims to integrate into Australian culture or share the same values as other Australians, challenged the very identity of Muslims. Many felt they had to choose between being either Australian or Muslim, rather than being allowed to possess multiple identities, just as the majority of Australians from non-English speaking backgrounds and other faiths have successfully been able to do throughout the nation's history (Roude, 2017, pp. 274-275).

The evidence of feeling that they must 'choose between' being either Australian *or* Muslim rather than living 'multiple identities' as other Australians from culturally diverse backgrounds have been able to do signals the abiding strain under which Australian Muslim civil society leaders have been operating in relation to CVE, and the impost this creates on their ability to contribute meaningfully, on their own terms, to the challenges created by violent radicalisation right across the spectrum from Islamist to anti-Islam violence.

Concluding Remarks

The foregoing discussion suggests that 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 lifeways.

Australia's evolving approaches to the governing of religious diversity resonate strongly with some elements of the conceptual discussion on secularism and the governance of religious diversity developed for the GREASE project by Modood and Sealy (2019). For example, Australia continues to redefine its historical relationship to 'moderate secularism' (Modood and Sealy, 2019) based on a doctrine of liberal separatism (Chavura et al., 2019) in the context of recent debates that have created social and policy tensions between 'multiple secularisms', on the one hand, in which religion and secularism mutually constitute and engage with each other (Modood and Sealy, 2019, p. 15) and the backlash from Australian 'new hardliners', with their antipathy toward multicultural immigration and accommodation of minority religions on the other (Modood and Sealy, 2019, p. 15). The processes of 'non-othering' (Jansen, 2014) in relation to religious diversity, while contextually distinctive from how these have played out in the French setting that is the focus of Jansen's work on crises in secularism and multiculturalism, remain definitively unfinished business in the Australian context.

To the extent that one can map Australia's transition towards the governance of religion within a pro-diversity framework, this may be largely characterised as having begun with a historical commitment to 'open secularism' (and Sealy, 2019, p. 16) that has shifted gradually toward the multiculturalisation of moderate secularism' (Modood and Sealy, 2019, p. 21), particularly in relation to state-based practices of inclusivity and the abandonment of 'difference blindness' (ibid). Three of the four principles adumbrated by Modood and Sealy (2019) for open secularism – the moral equality of persons, freedom of conscience and religion, and the separation of church and state – continue, to a large degree, to characterise the contemporary Australian landscape of state-religion relations.

However, the fourth principle – 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 of others to equality to proceed. This has significant implications for amplifying minority alienation

(Modood and Sealy, 2019) not only 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, such as LGBTQI+ individuals and communities, on the basis of religious exceptionalism. The ways in which this will influence the historical trend of Australia's trajectory towards 'diversity-friendly critiques and adaptations of secularisms' (Modood and Sealy, 2019, p. 27), or alternatively privilege the position of new hardliners in a regression back to a more restrictive version of moderate secularism, remains to be seen. This has implications also for the challenges faced by Australia in relation to religiously-inspired or attributed radicalisation to violence. 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. Both non-religious and non-institutional religious sentiments and movements are on the rise.

Yet an environment that continues to be characterised by consistent popular (and populist) association of Islam with terrorism; by bitter debates about immigration and the 'lack of fit' between 'othered' minorities, such as Muslims, and the Australian mainstream have occurred, and by 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.

Australia has a number of protective factors to draw on, including an abiding level of comfort with multiculturalism (despite the challenges outlined earlier), the evidenced contributions of diverse faith-based and multi-faith 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 emergence of increased political polarisation in public discourse, combined with the decline of trust in both governmental and NGO institutions, poses risks in Australia as it does elsewhere. As the Edelman Trust Barometer indicates, in 2018, Australian trust levels in government, business, NGOs and media were amongst the lowest across 28 countries surveyed; in 2019, trust in government across the general population grew slightly from 35% (2018) to 42% (2019) and in media from 31% (2018) to 40% (2019) (<https://www.edelman.com.au/research/trust-barometer-2019>), but not enough to put these institutions in the 'trusted' category. This contraction of trust points to increased reliance on local networks and 'echo chamber' groups in favour of broader engagement with public and civic discourse and dialogue. The risks this poses in relation to violent radicalisation, with its emphasis on exclusivism (Grossman et al., 2016; Hellyer and Grossman, 2019) and the normalisation of extremism (Hellyer and Grossman, 2019), is significant, and Australia must remain vigilant that such risky dynamics do not overtake the protections it can currently draw upon.

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