

Australia



Stable / Unchanged —

Religion	Population	Area
<ul style="list-style-type: none"> ○ Christians : 65.6% ○ Agnostics : 23.7% ○ Buddhists : 2.5% ○ Muslims : 2.4% ○ Atheists : 2.1% ○ Hindus : 1.2% ○ Others : 2.5% 	24,309,000	7,692,060 Km ²

Legal framework on freedom of religion and actual application

The Australian constitution prohibits the government from making “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”.[1]

Australia is a party to the International Covenant on Civil and Political Rights which guarantees freedom of thought, conscience and religion. The right to religious freedom may be limited under certain circumstances, such as when necessary to protect public safety, order, and health, or the fundamental rights and freedoms of others[2] The State of Tasmania is the only state or territory whose constitution specifically guarantees, subject to public order and morality, “freedom of conscience and the free profession and practice of religion”.[3]

Discrimination on the basis of religion or ethno-religious background is explicitly prohibited by law in all of the eight states and territories, except South Australia. The other seven have agencies to investigate complaints of religious discrimination.[4]

In August 2016 the Australian Capital Territory Legislative Assembly, the representative body of the federal capital of Canberra and its environs, passed an unlawful vilification law concerning religious hatred. The law criminalises incitement of “hatred toward, revulsion of, serious contempt for, or severe ridicule of a person or group of people on the ground” of religious conviction.[5]

Religious groups are not required to register with the government, but to receive tax- exempt status, non-profit religious groups must apply to the Australia Tax Office.[6]

All states and territories provide some form of religious education in public schools; with some states operating “opt-in”

systems and others “opt-out” systems. In 2016, Victoria instituted a new public school “opt-in” curriculum that removed religious education but permits students to attend religion classes on school premises “for a maximum of 30 minutes per week, during lunchtime, or in the hour before or after school”.^[7]

The One Nation Party won four seats in the Senate in the July 2016 federal election.^[8] The party platform included stopping Muslim immigration, banning the burqa and niqab in public, no new construction of mosques, and the monitoring of existing mosques.^[9]

Party leader Pauline Hanson was criticised for wearing a burqa to the Parliament House in a stunt to support a ban on the Islamic garment. Attorney General George Brandis warned Hanson to be careful of offending the “religious sensibilities of Australians” and said, “to mock [a community’s] religious garments is an appalling thing to do”.^[10]

In June 2016 the federal High Court denied a request to appeal against the construction of a mosque in Bendigo, Victoria, and ordered the lead applicant to pay court costs.^[11] In 2017 the government commissioned a study into the reaction to the Bendigo mosque to understand better the divisive impact of the controversy, particularly on the Muslim community.^[12]

In September 2017, three men from a far-right group were found guilty of inciting contempt and ridicule of Muslims for an October 2015 protest against the construction of the Bendigo mosque. They beheaded a dummy with a toy sword outside the Bendigo City Council offices while chanting “Allahu Akbar” (God is greatest) and spilling fake blood.^[13]

According to a 2017 report, the “Jewish community is the only community within Australia whose places of worship, schools, communal organisations and community centres need, for security reasons, to operate under the protection of high fences, armed guards, metal detectors, CCTV cameras and the like. The necessity is recognised by Australia’s law enforcement agencies and arises from the entrenched and protean nature of antisemitism in western and Muslim culture, resulting in a high incidence of physical attacks against Jews and Jewish communal buildings over the last three decades, and continuing threats.”^[14]

In November 2016 a Sydney Council retroactively approved an eruv that had been constructed a year earlier in the suburb of St. Ives. “An eruv consists of conduits positioned several metres in the air between electricity poles on public land. It enables observant members of the Jewish community to conduct activities on the Sabbath within the eruv which they would otherwise not be able to do.”^[15] Christian community members spoke in support of the measure, with one saying, “There is no place for exclusion, discrimination, or anti-Semitism.”^[16]

A court upheld a local council’s ban on the construction of a new synagogue in Bondi, a suburb of Sydney in August 2017 due to fears that it would be an “unacceptable security risk” as a target of Daesh (ISIS). The head of the local Jewish community called the decision by the council and the court “unprecedented”, adding that “its implications are enormous. It basically implies that no Jewish organisation should be allowed to exist in residential areas. It stands to stifle Jewish existence and activity in Sydney and indeed, by creating a precedent, the whole of Australia, and by extension rewarding terrorism.”^[17] In late September 2017, modified building plans with heightened security measures were submitted to the council.^[18]

| Incidents

According to a report by the Executive Council of Australian Jewry (ECAJ) anti-Semitic incidents during the period 1st October 2016 – 30th September 2017 rose by 9.5 per cent over the previous year, mainly due to an increase in graffiti and posters. While the number of “attacks” remained stable, the “threats” increased by 39 percent.^[19] The ECAJ reported 230 incidents, with three physical assaults, 76 incidents of abuse, harassment or intimidation, 66 incidents of property damage, vandalism or graffiti, and a total of 85 threats in various forms.^[20]

Physical assaults included a Jewish man in a Melbourne shopping centre car park being verbally abused and then punched and thrown to the ground and a Jewish student on a bus in Sydney being insulted, spat on, kicked and punched

in the chest.^[21] Abuse and harassment often occurred around synagogues and other Jewish centres and included people yelling insults and threats from cars driving by.^[22]

Incidents of vandalism included rocks thrown through the window of a rabbi's home. There were several incidents of swastikas being carved into cars belonging to Jews. In August, September, and December 2016, the eruv wires in St Ives were vandalised several times,^[23] and in September 2016 the glass front door of a Canberra synagogue was shattered.^[24] A Jewish organisation's computer system was hacked by an individual using the name "Dr Mengele" in February 2017.^[25]

In a report covering 14 months in 2014-15 (the most recent available), 243 incidents collected by the Islamophobia Register Australia were analysed. One key finding was that women wearing head coverings were the main targets of Islamophobia.^[26] The report also noted that bystanders were reluctant to intervene, with just 25 percent of victims reporting that witnesses stepped in.^[27]

In June 2016, a car was firebombed and anti-Muslim graffiti was spray painted outside a Perth mosque while hundreds were praying inside. In the same week, another Perth mosque was vandalised with graffiti and a pig's head was left outside its main entrance.^[28] In July 2016, an Adelaide mosque was vandalised with graffiti reading "No Muslim" and showing Nazi symbols.^[29]

In April 2017, anti-Muslim and racist graffiti was sprayed on a fence in Bundaberg, Queensland. Community leaders responded by speaking out against intolerance and ignorance and in support of the Muslim community.^[30] A pig's head and a backpack with a swastika on it were left at the front gate of the Islamic College of Brisbane in July 2017.^[31]

Authorities investigated arson attacks on Orthodox churches in Melbourne and Sydney in May 2016^[32] and arsonists destroyed two places of worship in Geelong in April and May 2016: a Presbyterian church and the main mosque in a former Christian church.^[33]

An activist drove a van to the doorstep of the Australian Christian Lobby's building in Canberra and blew it up causing \$100,000 damage in December 2016. The perpetrator told police he chose the location for the bombing because he disliked the Christian Lobby over its "position on sexuality" and because "religions are failed".^[34]

A Greek Orthodox man wearing a large crucifix was attacked in Sydney in April 2017 by four men who insulted him, ripped the crucifix from his neck and trampled on it. A Baptist minister reported that this was the fourth religiously-motivated attack against Christians he had been told about in six months.^[35]

In October 2017 during the Australian Marriage Law Postal Survey, a national survey to gauge support for same-sex marriage, several churches were desecrated with graffiti such as "bash bigots" and "crucify 'no' voters", despite the churches not having told parishioners how to vote in the survey.^[36]

Prospects for freedom of religion

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review. However, there seems to be an increased risk of societal intolerance toward religions, fuelled by cultural issues such as marriage, geopolitical conflicts, and anti-immigration sentiments in Australia.

Endnotes / Sources

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