

For God's Sake!

Rethinking Secularism in Australia

Melanie Brown



A public religion: Muslims praying on the street outside Lakemba mosque, Western Sydney

This work is substantially my own, and where any part of this work is not my own, I have indicated this by acknowledging the source of that part or those parts of the work.

Signed: _____ Date: 11/10/2011

Honours dissertation

Department of Government and International Relations

The University of Sydney

Word Count: 19793

Student ID: 307193926

ABSTRACT

This dissertation proposes a new way of thinking about Muslims, religion and politics in Australia. It critically engages those commentators, academics and politicians who in recent years have used the language of ‘secularism’ to denounce publicly what they see as a major social and political threat posed by Australia’s growing Muslim population. The worn-out nineteenth-century ideology of secularism they draw upon presupposes the irrational primitivism of religion and fails to recognise present-day counter-trends. It should be rejected. This dissertation calls for a radical rethinking of the appropriate relations between religion and politics in a democratic society like Australia. It suggests that the principle of ‘religious secularity’ might be the answer: a new twenty-first century secularism which has room for the public flourishing of religions at the level of society, but maintains the independence of the state from religion. The dissertation shows, contrary to common perceptions, and despite the resilience of their highly visible and public religiosity, that Australia’s large Muslim communities overwhelmingly support the autonomy of state institutions from religious influence, and that they are important protagonists of the new secularism.

TABLE OF CONTENTS

LIST OF FIGURES	5
INTRODUCTION	6
The political significance of Australia's growing Muslim population	7
Australia's universal implications: the role of religion in secular societies	13
The argument in brief	17
LITERATURE REVIEW	20
METHODOLOGIES	22
CHAPTER ONE	27
Presumption #1: Islam is incompatible with secularism	27
Presumption #2: Secularism is a necessary condition of modernity	33
What form of secularism is desirable in a democracy?	41
CHAPTER TWO	45
History of Muslims in Australia	46
The public religiosity of Australian Muslim communities	52
CHAPTER THREE	60
LEGAL INSTITUTIONS	62
EDUCATIONAL INSTITUTIONS	70
POLITICAL INSTITUTIONS	74
CONCLUSION	79
BIBLIOGRAPHY	82
ENDNOTES	94

LIST OF FIGURES

Figure 1: <i>Muslims praying on the street outside Lakemba mosque, Western Sydney</i>	1
Figure 2: <i>Frequency of prayer (table)</i>	54
Figure 3: <i>An artist in Sydney's Inner West publicly calls for a ban of the 'burqa'</i>	55
Figure 4: <i>'Jesus, a prophet of Islam' billboard</i>	57
Figure 5: <i>Salam Cafe, SBS</i>	59
Figure 6: <i>The fake flyer distributed by Husic's opponents in the 2004 Greenway election</i>	77

INTRODUCTION

Earlier this year, *The Australian's* foreign editor Greg Sheridan made a bold contribution to the popular discourse on religion, culture and politics. Hitherto a long-standing proponent of multiculturalism, Sheridan declared his new-found opposition to the policy, insisting that 'not all immigrants are the same'; that Australia's 'Muslim immigration problems' pose challenges to our secular way of life because 'the community of Islam [is] church and state in one, with the two indistinguishably interwoven'; and that 'to make all religions seem equal is simply to deny reality' (2011). His point, rarely voiced so candidly, underscores a belief which exists in the common sense of many Australians: that the Muslim presence poses a threat to the secular foundations of Australia and, consequently, to social cohesion in a multi-ethnic and multi-religious nation.

Sheridan's sentiments were regrettably uncontroversial. Whilst his remarks drew some mild criticism from Immigration Minister Chris Bowen (2011), and the Federation of Ethnic Communities Council of Australia (2011), there was no mainstream backlash against his views, which in digital form were widely circulated. This is because Sheridan's article reflected two prevailing 'common sense' normative presumptions. First, many people believe that in modern times religion should be a private matter; or, put differently, that an assertive form of secularism which relegates religion to the private sphere is a necessary or desirable feature of a modern democratic society like Australia. Public expressions of religion of the kind pictured on the front page of this dissertation ostensibly violate Australia's secular ethos. This perception is underpinned by a second presumption, usually held unthinkingly, and often reinforced by the ethnocentricity of popular culture: that Muslims are generally resistant to the secularising forces of modernity, due to the inescapably 'other-worldly' and thus

politically 'fundamentalist' character of Islam. This presumption draws upon an historical line of literature which characterises Islam as an impediment to democracy, secularism and modernity. It is central to what Edward Said famously dubbed 'Orientalism': the perception of Eastern peoples as exotic, highly religious, other-worldly and less than civilised, and thereby prone to lapses of violence, authoritarianism and despotism (1978).

The power of these presumptions in the Australian context is not to be underestimated. Their grip can only be broken by developing a new perspective on the subject of secularism, modernity and Islam, one that is historically aware, theoretically sensitive and empirically well-informed. This dissertation pushes in this direction. It proceeds on two fronts. First, it proposes that the bigotry which has accompanied the growth of Australia's Muslim population is cause for rethinking the old, worn-out ideology of secularism. The dissertation argues that certain presumptions which dominate the public debate on religion and secularism generally, and the place of Islam in particular, should be firmly rejected. It sets out descriptively, using new methods, with a sense of the history and the normative implications, a fresh understanding of the role of religion in Australian society. The dissertation proposes a second reason why a new perspective is needed: it argues that the Australian case is important because it has the potential to serve as a blueprint elsewhere for understanding and rethinking the role of religion in modern, secular societies.

1. The political significance of Australia's growing Muslim population

On the 2006 census, 399,000 Australians identified as 'Muslim'. The Muslim population is predicted to swell to 714,000 by 2030 (Warne-Smith 2011). Given this projected growth, a broad re-examination of the appropriate relationship between religion and politics in Australia

is long overdue. This necessarily involves rethinking the meaning of 'secularism', as the ideology which governs the place of religion in society.

Secularism is a neologism of nineteenth century Europe, where in doctrinal form it championed the view that an irreversible process of religious extinction, or 'secularisation', was underway. Secularisation, another new word of this period, referred to a process by which secularism slowly acquired the upper hand through the course of modernisation. In a modern society, ran the argument, religion ought to be replaced by 'reason' and 'science'. This belief underpinned the work of countless social analysts and philosophers. Marx characterised religion as an 'opiate of the masses'; Nietzsche proclaimed that 'God is dead'; Freud suggested that religion is an illusion out of which we must be 'educated'; and Sartre claimed that there was either 'God or freedom'. The political doctrine of secularism emerged in this context, as a project to tame or eliminate religion. It was an attempt to confine religion to the private sphere because religion was seen as a foolish irrationality, an object of suspicion, an illusory force to be kept out of the public realm.

European secularisation theorists reinforced these deep-seated beliefs, highlighting the primitivism of religion and predicting its inevitable decline in the modern world. Beginning with Max Weber, through the twentieth century a substantial tradition of scholarship drew a necessary causal link between processes of modernisation and the declining social significance of religion in the fabric of modern life. This tradition presupposed a dualism between religion on the one hand, and secularism on the other. As secularism emerged, it was argued, religion would inevitably decline.

It is becoming clear in retrospect that processes of secularisation are neither universal nor one-dimensional. Especially when a more global perspective is adopted, including cases such as Australia, it is evident that secularisation is not a singular process, but that it rather comprises three distinct and detachable trends which may or may not overlap and reinforce each other (Casanova 1994). Secularisation can involve (i) the overall decline in people's lives of religious beliefs and practices; (ii) the privatisation of religion, in the sense of the elimination of religion from the public spheres of society; and (iii) the differentiation of secular spheres of life, such as the state, the economy and science, from religious institutions and norms. In this third sense, secularisation refers specifically to the transfer of persons, things and meanings from ecclesiastical or religious to civil or lay use, possession or control. It points to a different understanding of secularism as a policy of maintaining a measure of distance between secular institutions - such as the legal system, the parliament, or schools and universities - and religious principles and ways of life.

Although Weber supposed the coincidence of these three trends in post-Enlightenment Europe, the processes conspicuously diverge in most contemporary societies. Old ideologies of secularism based upon the coincidence and mutual reinforcement of these three processes are thus outdated. They assume that the secularisation of *society*, meaning religion's privatisation and decline, is synonymous with policies of secularism which mandate the independence and differentiation of institutions of the *state* from religious influence.

There is hypocrisy in this old doctrine of secularism, which must be seen as a sublimated form of Western European Christianity (Celermajer 2007; Taylor 2007). For the claim that religion can be contained in 'the private sphere', without violating its essential integrity, only makes sense in the context of Protestant Christianity, which locates the religious essence in a

personal, internal and private relationship with God, rather than in works or the arrangement of public institutions. Thus, the old secularism which demands the confinement of religion to the private sphere cannot treat all religions equally, because ‘different religions demand different types of commitments, spanning what we now think of as the public and private spheres in very different ways’ (Celermajer 2007: 112). As this traditional understanding of secularism cannot be applied to non-Christian religions, it must be rethought in the context of modern multi-ethnic and multi-religious Australia.

This dissertation proposes a dramatic shift in the meaning of the term ‘secularism’. We must discard the old ideology of secularism which sees the secularisation of society as equivalent to the privatisation or outright extinction of religion. A different way of thinking is proposed, backed up by a radically different understanding of a secular state, whose prime role is to enhance the free-thinking pluralism of democracy through a stance of active neutrality towards different religions, which are then able to flourish both in the public and private spheres. It is evident in the twenty-first century that a *religious society*, in which religion has not withered away or retreated to the private realm, can readily exist alongside a *secular state*, which stands at some distance from religious institutions and norms. The worn-out nineteenth-century ideology of secularism must be rethought to reflect this reality. This dissertation suggests that in Australia a new, twenty-first century paradigm for governing the relations between religion and politics - an entirely new understanding of secularism - has to make room for ‘religious secularity’, a phrase which rejects the obsolete dualism between ‘religion’ and ‘secularism’,¹ and promotes the flourishing of public religions in society, whilst maintaining the even-handedness of the state towards different religions.

What does this new secularism require? Neutrality of the state is not equivalent to its strict separation from religion; there can be interventions by the state into the lives of religious believers to ensure inter-religious harmony and social cohesion. Instead, it involves the freedom of state institutions from religious bias, alongside tolerance by the state of the flourishing of religions in the public and private spheres of society. A democratic state should attempt to enforce no one religion, to treat all believers and non-believers with equal respect, and to preserve a public space for the free exercise and expression of religions in society. This tolerance must be reciprocated by religions, which must respect the independence of the state to ensure its impartiality. This is achieved by a measure of ‘differentiation’ between state institutions and religious institutions and norms. Thus, the new secularism involves a multi-religious democracy defined by the independent existence and public expression of religion in the realm of *society* and recognition of the need for the independence of the *state* from religion, and thus an active neutrality of the state towards religions.²

More than a few Australian commentators fear that Muslims undermine this arrangement; since they presume the inherently political nature of Islam they suspect that it cannot respect nor tolerate the freedom of state institutions from religion. This presumption will be shown in this dissertation to be unfounded. There is great respect for the secular nature of Australia's institutions among Muslim communities, which implies - paradoxically - that they are an important active source of support for the new secularism. The presence of the Muslim diaspora may *enhance* the even-handedness of the Australian state towards religion, especially by forcing public debate on the proper place of the state in protecting religion in the public square. All public debates are informed by personal beliefs of some variety, and whilst religious beliefs must not be privileged in the public sphere, nor should they be excluded from

it by legal and political means. The ‘separation’ of religion from the state should not be confused with its role in protecting religious expression in society.

Any attempt to radically alter the meaning of secularism necessarily involves revisiting and probably discarding entrenched and confused presumptions about the proper place of religion in contemporary societies, and Islam’s incompatibility with this antiquated, ethnocentric form of secularism. Fierce debates informed by deep-seated and poorly-defined prejudices surrounding the Muslim presence in Australia have emerged in popular discourses.

Commentators like Sheridan adopt the language of secularism without the requisite awareness of the normative presumptions upon which this language is built. Some claim that Muslims threaten Australian secularism; others insist that secularism in the old sense is being disrupted by a publicly virile and thereby *primitive* religious minority.

This naiveté in popular discourses is a direct consequence of the lack of scholarly inquiry in Australia which challenges the dominant presumptions about secularism and Islam. By contrast, in Western Europe for instance,³ a sophisticated conversation about the proper place of religion, and especially a public religion like Islam, in modern democracies is taking place in response to rapidly increasing and deepening religious pluralism (see, e.g. Asad 2003; Casanova 1994; Taylor 2007). This dissertation points out that much can be learned about the Australian case by engaging this conversation.

Drawing upon this material, and with fresh local evidence, this dissertation argues that in Australia the old presumption that the retreat of religion to the private sphere is a necessary condition of democratic life is no longer relevant. It shows that religion is not dying away; and that for several strong reasons, religious pluralism is now a permanent feature of modern

Australia. Muslim communities are flourishing, both demographically and religiously, and are a visible feature of the Australian social and political landscape. Yet it does not follow that the object of secularism - to preserve peace among and within religions - is at risk. A new secularism is conceivable: the secularity of state institutions does not require the exclusion of religion from public life, nor the facilitation of its decline in society. Religious secularity is a real possibility.

This dissertation shows that Muslims are generally supportive of this new secularism. It reveals that there is no widespread push within Australian Muslim communities to undermine the ability of legal, political or educational institutions to operate without reference to religious principles. Contrary to mainstream perceptions, there is great respect among Muslim communities for Australia's secular institutional architecture.

2. Australia's universal implications: the role of religion in secular societies

It is contended in the pages that follow that the Australian case may have important universal implications for policies of secularism as public religions re-emerge globally. Australia's unique historical and legal landscape makes it an appropriate place for developing a cutting-edge model of new secularism.

The Australian trend has been largely ignored by scholars of secularism. Elsewhere, an ongoing conversation about the proper place of religion is taking place among theorists such as Jose Casanova (2006, 2009b, 2009a, 2011), Talal Asad (2003), and Charles Taylor (2007).⁴ Casanova ventures outside Europe and the United States for only one of five case studies, to Brazil. The Indian scholar Rajeev Bhargava (1998) injects a fresh, non-Western perspective

into the debate. Yet despite the oft-repeated need for a ‘global’ perspective, Western Europe and the United States remain the focus. Australia - a society of European heritage, facing similar demographic transformations to Western Europe in terms of rising religious pluralism, but with a very different historical and legal landscape - remains virtually unexplored.

This is unfortunate, if only because Australia has the potential to serve as a model of a different secularism which is consistent with the multi-ethnic and multi-religious nature of its society. Australia is an apt place for redefining secularism because the relationship between religion and society is legally imprecise and historically unsettled. This is unlike France, for instance, where *laïcité* is both legally enshrined and a deeply entrenched part of the national identity. In Australia, there is no well-articulated and sophisticated ideology of secularism, but rather an inchoate common sense understanding that religion and politics should not co-mingle. The Anglican Bishop Tom Frame points out that many Australians ‘imagine’ a wall of separation between church and state, when in practice, it does not rigidly exist (2006). Australia’s legal and historical ambivalence towards secularism thus makes it a fertile ground for rethinking the proper relationship between the secular democratic state, public life and religion.

The ambivalence stems from the fact that, until recently, religion was relatively uncontentious in Australian politics. Social commentators in the 1960s remarked that ‘churches no longer matter very much to most Australians’ and that the Australian attitude towards religion ‘is one of apathy’ (Horne 1964; McGregor 1968). This lethargy poses an opportunity for the new secularism. It means that those who champion democracy and share its aspirations to equality and religious freedom are likely to support the new secularism on those grounds, because they have no strong historical ties to a particular pattern of religion-state relations.

The capacity for reform is enhanced by uncertainty in the law. The ambiguous interpretation of secularism by the Australian courts creates substantial room to experiment with a new form of secularism. The legal relationship between the state and religion in Australia is enshrined in section 116 of the Constitution. This section precludes the Commonwealth from passing any law establishing a religion, or any law which prohibits the free exercise of religion. It has a narrow scope, applying only to Commonwealth, and not to State, laws. No law has yet been struck down as offensive to the clause, despite several High Court challenges. In the most authoritative case,⁵ as well as the most recent case,⁶ the High Court concluded that in order for a law to be offensive to the section, it must have the *purpose* of achieving an object which section 116 forbids, despite the law's *effect*. In interpreting the clause narrowly, the High Court left the parliament to decide what secularism means in Australia. This is in stark contrast to France, for instance, where it was left to the Conseil d'Etat in 1989 to decide that the wearing of religious dress in schools was compatible with *laïcité* (Gray 2011: 8).

This unique legal ambiguity and historical apathy points the potential for a new understanding of secularism in Australia. Its model of secularism could emerge as a global pace-setter. Countries around the world, but especially in Western Europe, are currently experiencing unprecedented levels of religious pluralism, and are responding badly. The old, dogmatic secularism is making a comeback in Western Europe. The public religiosity of Muslims has triggered a backlash. Laws which prohibit covering the face have emerged in France (April 2011) and Belgium (July 2011), and such laws are imminent in Italy, Denmark, Austria, the Netherlands and Switzerland (Chrisafis 2011).

The institutional adjustments required to achieve a multi-religious secularism in Europe are difficult to achieve because of the continent's history. European secularism arose in predominantly single-religion societies (Bhargava 2011). The historical development of religiously homogenous nation-states in Europe fostered a uniquely ethnocentric approach which has most recently led to the widespread abandonment of the policy of multiculturalism. The scale of migration from the Muslim world is also significantly higher in Western Europe than in Australia. The traditional ideology of "secularism" - often involving hostility to public displays of any religion but Christianity - is therefore so entrenched in much of Western Europe that few astute mainstream politicians dare openly advocate its reform at the present time.

By contrast, and despite the prejudice against Muslims in some quarters, Australia has recently reiterated its commitment to multiculturalism (Bowen 2011). As a nation of immigrants, it is not only more accepting of cultural 'Otherness', but is more comfortable with religious diversity, often for reasons of apathy. In Australia, the push to prohibit face coverings in public spaces (for instance) is thus a fringe policy, advocated only by those on the far right of the political spectrum. Here, then, is an opportunity. If an Australian working prototype of 'religious secularity' can be established, it could serve as an exemplar for other societies coming to terms with religious pluralism, especially those countries of Judeo-Christian heritage experiencing increasing Muslim immigration.

Australia could enlighten Western European democracies to the possibility that there is room within secularism for public religiosity on a societal level, as long as a measure of freedom of secular state institutions from religious influence is maintained. Religious secularity is a more inclusive form of secularism which befits a multi-religious, modern democratic society. It

appreciates that of the three processes of secularisation identified above, only one is a vital condition of modernity: the development of a secular state, operationalised through the differentiation of religious and government institutions. Crucially, Australian Muslim communities respect this key aspect of secularism, as is demonstrated in the pages that follow.

The argument in brief

On these premises, the central argument of this dissertation is three-dimensional. First, within Australian Muslim communities religion is flourishing. Religion shows no sign of declining, nor of retreating to the private sphere. Second: this dissertation argues that the presence of publicly religious Muslims is forcing a vigorous debate about the place of religion in modern society into the public domain. Crucially, upon closer examination, it becomes clear that the defensible core of the old secularism - the separation of religion from key secular institutions - is overwhelmingly respected by Muslim communities. A third key theme of the dissertation is that policies of secularism based upon outdated presumptions involving a uniquely Christian dualism between 'religion' and 'secularism' are no longer sufficient to deal with the complex dynamics of a modern democracy such as Australia. It is argued, instead, that we need a new form of secularism which recognises that a *religious society* can exist alongside a *secular state*. It is concluded that if Australia successfully adopts this more tolerant and multi-religious form of secularism, it might serve as a best-practice blueprint which could be adopted elsewhere, for instance by Western European states which are for the moment dealing badly with similar challenges to the old secularism.

This dissertation comprises three chapters. Chapter one provides the intellectual background to the two presumptions which are challenged in this dissertation: that Islam is antithetical to

secularism, and that secularism in the old sense is a necessary condition of modernity. It underscores the entrenched tradition of Orientalism in Western thinking. It goes on to detangle and reconceptualise the architecture of existing theories of secularisation. Chapter two argues that in the case of Australian Muslim communities, there is no evidence for either religious decline or religion's retreat into the private sphere, and that this is the primary trigger of apprehension in some quarters about the growing Muslim presence. Muslims are seen as a threat to the supposed 'secular' nature of Australian society. Against this apprehension, chapter three points out that there is substantial support within Australia's Muslim communities for a secular state. It argues for the vital importance of the differentiation of religious and secular sphere. Focusing on three key sets of institutions - the spheres of law, education and electoral politics - it is established that the interaction of Muslim communities with Australian secular institutions indicates an active willingness among Muslims to live in a society where government institutions operate independently of religious influence.

Through these lines of analysis, which are drawn together in the conclusion, it is demonstrated that traditional theories of secularisation are no longer adequate, and that policies based on the old secularism and its presumption that religious decline is progress towards 'reason' and 'science' are outdated. It is shown that the moral and political imperative for the new secularism is to ensure the even-handedness of the democratic state in the face of religious pluralism. This dissertation insists, against much of the literature, that the strict exclusion of religion from secular spaces and institutions is no longer necessary or justifiable in a democracy. Counter-intuitively, religion and secularism are seen to be compatible, and able to cohabit within everyday life and institutional settings. It is shown in the coming pages that if secularism is seen in this fundamentally revised way - as the fluid and malleable

modern democratic response to religious pluralism, adaptable to any cultural context, rather than as an inflexible and dogmatic brainchild of Christianity - then in the Australian context Islam is one of its protagonists. The oxymoronic phrase 'religious secularity' is an appropriate descriptor for this new secularism, not only because it rejects the dualism of 'religion' and 'secularism', but because it abandons the ideological suffix '-ism'. The old sense of secularism, evident in countries such as France, and sometimes still present in the popular discourse in Australia, belongs to former times, to a world of Western European Christianity in the nineteenth and twentieth centuries. It is no longer relevant in the twenty-first century world.

LITERATURE REVIEW

This study explores a virtually untouched subject area. It assesses the implications of Australia's growing Muslim communities for matters of law, education and politics. Whilst individually, these topics have been sparsely addressed, no study has thus far drawn upon, and fundamentally revised, the theoretical framework of secularism when analysing the relationship of Muslim communities with these institutions.

Two Australian scholars have explored the relationship between Muslims and modernity (Bahfen 2010) and secularism (Celermajer 2007), but their attention differs from the present work's focus on specific institutions, and the support within Muslim communities for a new secularism. Bahfen's study is criticised in the coming pages for failing to question mistaken presumptions which underlie the prejudiced discourse surrounding Muslims in Australia. Celermajer deals with the construction of Muslims as the 'Other' through the secularism discourse in Australia. Whilst she perceptively challenges the legitimacy of the old, Christian-centric secularism, the focus of Celermajer's piece is on *why* Muslims are regarded as radical enemies and threatening outsiders in Australia, whereas this dissertation proposes an alternative way forward from this impasse.

This dissertation draws together two bodies of literature: studies of Australia's Muslim communities, and sociological theories of secularisation and secularism. Several Australian social scientists have explored Australian Muslim communities, and their work is an important source of evidence in the present study. The subjects of these past works include histories of Muslims in Australia (Cleland 1993; Jones 1993a; Kabir 2004); issues of cultural integration and multiculturalism (Humphrey 1987, 2001); discrimination and Islamophobia

(Scott Poynting and Noble 2004); Muslim women and the veil (Jones 1993b); and ethnic and religious identities among certain Muslim communities (Bisin et al. 2007; Inglis 2010).

Australian studies of secularisation mostly predate or ignore the large-scale Muslim migration that has happened during the past half-century. Due to the decline in churchgoing and the rise in the numbers identifying with 'no religion', the prevailing view has been that Australia followed traditional European patterns of secularisation (see, e.g. Ely 1981; Hogan 1979, 2009; McAllister 1988; McCallum 1987, 1988; Mol 1985). A few theorists have observed a 'desecularisation' process (Possamai 2008), yet no theory has emerged which adequately accounts for the complex trends we see in Australia. No scholar has assessed the impact of migration on these processes, and no study has recognised the need for a new conception of secularism which would better suit Australia's religious diversity. This dissertation takes a preliminary step towards filling this gap.

METHODOLOGIES

How is the gap to be filled? The absence of existing analysis in this area necessitates an imaginative mix of methodologies to grasp the complexity of the subject matter at hand. My whole approach challenges the prevailing fact-value dichotomy between empirical ‘political science’ and normative ‘political theory’. It advocates the adoption of multiple methodologies.

Both quantitative and qualitative purists are convinced of the normative and empirical superiority of their methods. They each, implicitly if not explicitly, cling to Howe’s incompatibility thesis, which posits that qualitative and quantitative research paradigms cannot and should not be mixed (Johnson and Onwuegbuzie 2004: 14). Yet Gerring and Yesnowitz (2006) point out that ‘normative theorizing must deal in facts just as empirical work must deal in values; they do not inhabit different worlds’ (2006: 108). Facts are seen as artefactual. The recognition of this middle-way, post-empiricist approach is vital to the continuing relevance of political science to policymakers and citizens. One way of doing this involves employing a methodological compromise, which adopts ‘mixed’ or ‘multi-method’ approaches, combining the virtues of a sense of the historical contingency of things, the need for conceptual clarity and thick descriptions and other empirical work, in order to attack complex problems from many angles. Johnson and Onwuegbuzie observe that there are pragmatic reasons for employing a method and philosophy that ‘attempts to fit together the insights provided by qualitative and quantitative research into a workable solution’ (2004: 15).

A mixed methodology along these lines is especially relevant in an inquiry into Muslim diaspora communities, such as Australia's. In the study of people, one inevitably confronts complexity and dynamism in the verbalisation and interpretation by individuals of their own experiences. In studies of religion and the world, this complexity is compounded by the desire of individuals to meet the normative expectations of their faith, and consequently the tendency to see behaviour as either 'good' or 'bad'. Gabriele Marranci and Jocelyne Cesari, two veteran scholars of Muslims in the West, both advocate an interdisciplinary and multi-method approach for interpreting the complexity of the subject matter.

Marranci argues that since September 11, 2001 the discourse on Islam, secularism, democracy and the 'West' has become dangerously essentialised (2010: 1). He notes that we need a paradigm through which we can effectively study Muslims as human beings rather than as living symbols of a religion (2010: 4). He believes that 'to reintroduce the individual or "human" aspect, we need to observe the dynamics of Muslim lives within societies' (2010: 4). Marranci notes that debates should begin from 'Muslims' instead of 'Islam'; for this reason, the dissertation follows Jamila Hussain and Abdullah Saeed to speak of Australian Muslim *communities* rather than a Muslim *community*, to emphasise ethnic, religious and linguistic diversity (Hussain 2001; Saeed 2003).

Cesari similarly emphasises the need for a specific methodology to facilitate meaningful research on Islam and the West, to avoid essentialising Islamic identities (Cesari 2009b: 169). According to Cesari, it is 'increasingly clear that no single academic discipline is equipped to accommodate a complete understanding of Islam in the West...an interdisciplinary methodology is indispensable for pursuing this new field of research' (Cesari 2009b: 149).

One implication of these points is that something like a theoretically informed and historically sensitive political anthropology is now required in the subject area of secularism. A recent pioneering methodological analysis along these lines advocates the adoption of anthropological methods in political science (Chabal and Doloz 2006). Chabal and Daloz argue that political scientists are too quick to equate culture with values. Whilst culture studies have a long pedigree in political science - including pathbreaking work by Almond and Verba (1963, 1980) and more recent forays by Samuel Huntington (1997) - they almost always adopt a normative position which more or less blindly favours values thought to be conducive to 'liberal democracy' (2006: chapter 3). Chabal and Doloz point out that the entire framework is shot through with Westernising or Orientalist assumptions that take our own polity as the teleological endpoint towards which all others are converging (2006: 13-15). A more open-minded, empirically sensitive interpretive approach is therefore required.

The anthropologist Clifford Geertz famously advocated 'thick description' as the best way to make sense out of complex human experience. For him, thick description is a form of interpretive social science that supposes a philosophical attitude: 'Believing, with Max Weber, that man is an animal suspended in webs of significance that he himself has spun, I take culture to be those webs, and the analysis of it to be therefore not an experimental science in search of law but an interpretive one in search of meaning' (Geertz 1973: 5). In this dissertation I have supposed that an interpretive methodology is deeply attractive insofar as it liberates us from our own narrow-minded 'common sense' perspectives.

The complexities outlined both above, and in the introduction to this dissertation, require resourceful methods. My overall argument engages with the theoretical material and the empirical subject matter using three methodologies: qualitative interpretation, in the form of

thick descriptions of Muslim communities; quantitative data analysis; and the scrutiny and evaluation of concepts and theories. *Qualitative sources* include: an analysis of the writings of fieldworkers in the social sciences who have studied Muslim communities in Australia; a reading of the history of Muslims in Australia; speeches, government documents, and newspaper articles *about* Australian Muslims; and an analysis of websites, blogs and other publications which have been developed *by* Australian Muslims. *Quantitative data* is drawn from a variety of studies which provide insights into religious beliefs and practices, and attitudes towards religion in the public sphere. In order to make sense of the vast body of available information, finally, this dissertation engages with the *conceptual framework* of secularism in order to show the pressing need for its radical revision.

In addition to the normative arguments for the universal adoption of mixed methodologies, there are special reasons in this particular subject area for such an approach. Due to the pioneering nature of this study, its engagement with a virtually untouched area of research, this dissertation had to cope with the dearth of quantitative evidence available. Large-scale databases on the attitudes of Australian Muslims do not yet exist. Meanwhile, the diversity of the objects of study (i.e. the plurality of Muslim communities in Australia) implies that qualitative observations made about one group rarely hold when observing another group. Thus, in order to make meaningful generalisations some quantitative analysis remains a necessary strategy. But the converse is also true. The so-called facts, and interpretations drawn from quantitative and qualitative sources, need theories through which they can be understood and explained. Facts require theories, in that theories provide selection criteria for what should be considered as relevant or important facts. This need for theory becomes more compelling when one considers that the subject matter at hand - the relationship between Muslims and secularism - is so burdened by inherited presumptions, biased categories, and

taken-for-granted meanings that a critical analysis of preceding theories is imperative. A clear-headed conceptual methodology proved especially critical to this dissertation, due to the attempted bold re-description that takes place in the pages which follow. Revising and shifting the meaning of the term 'secularism' cannot be accomplished without a nuanced understanding of its deep history.

The dissertation acknowledges the contestability of its own claims. By using a mix of methods, it does not suppose that its own findings are instances of absolute Truth. Instead, it draws together 'instrumental and provisional truths that are a matter of degree, not stagnant, and that we must be willing tomorrow to call falsehoods' (Johnson and Onwuegbuzie 2004: 18). It endorses a form of fallibilism, in that its key conclusion - that a new form of secularism is thinkable, practicable and desirable - is seen as an empirically-guided conjecture that is certainly subject to contestation, and to further analysis and revision.

CHAPTER ONE

Background to the presumptions

The two aforementioned, and clearly related, presumptions are steeped in a long and distinguished history of intellectual thought. As these histories have profound consequences for depth and potency of the presumptions, they are exposed in this chapter. This facilitates a reconsideration of the purposes and objectives of secularism and how they are best achieved in a multi-religious society like Australia.

Presumption #1: Islam is incompatible with secularism

To understand why Islam is widely seen as an uncompromising religion self-insulated against forces of secularisation, we must familiarise ourselves with the historical category of 'religion'. It was during the eighteenth century that for the first time on a substantial scale a sustained reflection on 'religion' began. In that period, European travellers to the Ottoman Empire, the Persian lands and India began to encounter new religions, and thus to think comparatively. Was Muhammedanism understandable through the same category as Christianity, Hinduism or Sikhism? A definition of 'religion' emerged, at the most general and abstract level, which referred to a form of experience where human subjects feel themselves to be related to and dependent upon a transcendent force, relationship or process.

However the 'other-worldly', transcendent cosmology of this category excluded many 'Eastern' religions, such as Buddhism, Confucianism, Taoism and Shintoism. These religions are very much *of this world*, in that they do not rely upon a transcendental being.

Confucianism, for instance, is a system of moral, social and political thought which some

characterise as merely ‘quasi-religious’, or ‘philosophical’, withholding the category of ‘religion’. An encompassing definition of religion would hold that the existence of the sacred within the discourse of Confucianism (through, for instance, the worship of ancestors) qualifies it as a religion. If these traditions were included, the category of religion would necessarily be reduced to the abstract concept of an understanding of the sacred or the divine. It seemed that religion must be reduced to two forms: ‘this-worldly’ religions and ‘other-worldly’ religions.

Out of this debate on the categorisation of ‘religion’, a controversy emerged about whether certain religions are more prone to this-worldliness than others. The view developed that Christianity is a religion which is not only in touch with this world, but has an imminent tendency. This meant that although it was attached to the transcendent characteristics of God and other heavenly beings, it has a self-secularising quality. It was this self-disenchanted tendency that was noticed by Max Weber, and has recently been reconfirmed by Charles Taylor (2007). At the other end of the spectrum was Islam, which was understood as a stubbornly other-worldly religion. The identity of the Prophet Muhammad as not only a prophet and a teacher, but also a statesman, a ruler and a soldier, supposedly signified a conflation of the functions of religion and state in Islam. In the nineteenth century, the French theorist and politician Alexis de Tocqueville championed the view that it was the otherworldliness of Islam which was the cause of the underdevelopment, the economic misfortunes and what was seen as the legal mayhem of the Arab world. He wrote that:

‘Muhammadanism is the religion that most thoroughly conflated and intermixed the powers in such a way that the high priest is necessarily the prince, and the prince the high priest, and all acts of civil and political life are more or less

governed by religious law...[T]his concentration and this conflation...was the primary cause of the despotism and particularly of social immobility that has almost always characterized Muslim nations' (Notes on the Koran, March 1838).

Attitudes such as these were not uncommon, and were often spurs to 'motivated ignorance' of Islam and powerful justifications for 'the great violence of conquest perpetrated by European colonisers' (Keane 2009: 129).

These unquestioned assumptions perpetuate a parochial view of the Muslim world. In *Orientalism*, Edward Said noticed that much of the discourse which denigrates Muslims does so unintentionally. He saw Orientalism as a 'dogma that not only degrades its subject matter but also blinds its practitioners' (1978: 319). Orientalism was the lens through which the West distorted the reality of the places and people within 'the Orient', and framed the people in particular as strange and threatening (1978: 58). Said characterised Orientalism as political intellectualism bent on self-affirmation rather than objective study; a form of racism; and a tool of imperialist domination (1978: 12). Until recently, the Orientalist belief has prevailed in both public discourse and in a heavy weight of literature that Muslim attachment to the transcendent is so strong that it cannot and will not secularise. In *The Roots of Muslim Rage* (1990), Bernard Lewis coined the term 'clash of civilisations' to describe 'the perhaps irrational but surely historic reaction of an ancient rival [Islam] against *our* Judeo-Christian heritage, *our* secular present, and the worldwide expansion of both' (1990, my italics).

After September 11, 2001, this argument entered mainstream discourses. Huntington popularised the view that Islam is incompatible with democracy, secularism and therefore modernity. In *The Clash of Ignorance* (2001), Said characterised Lewis as a 'veteran

Orientalist', and accused both him and Samuel Huntington (who adopted Lewis' catchphrase) of 'demagogy and downright ignorance' in presuming to speak for a whole civilisation. In Huntington's infamous book *The Clash of Civilizations* (1997), he wrote that Western Christianity displays the *unique* dualism between God and Caesar, church and state, spiritual and temporal authority, a dualism that is essential for democracy to flourish. He reformulated the Christian adage to 'render to Caesar the things that are Caesar's and to God the things that are God's'. 'In Islam', Huntington proclaims, 'God is Caesar' (1997: 70).

This presumption remains prevalent in Australia. The only existing scholarly analysis of Australian Muslims, secularism and modernity which currently exists inadequately addresses this misconception; in fact, it may serve to reinforce it. Naysa Bahfen in 2010 stated that 'the Islamic viewpoint...does not support the notion that the church and state ought to be separated'. Bahfen does not observe that Islam has no conception of 'church'; she instead argues this is because Islamic ideology is at loggerheads with the idea that modernity strictly relegates religion to the sphere of the home with no place in public life (2010: 223). Such a position is often preceded by a holistic, encompassing and dogmatic conception of secularism. The argument that religion and state institutions ought to be separated must be distinguished from the fundamentally different idea of religion being relegated to the sphere of the 'home', with no place in the public spheres of civil society, political society or the state.

Casanova notes that despite its nature as a political as well as a religious community, 'it is totally inaccurate to argue that Islam has no differentiated religious and political spheres' (1994: 48). The eleventh-century Muslim theologian Abu Hamid Muhammad al-Ghazali stated in 1058 AD:

‘Know that you can have three sorts of relations with princes, governors, and oppressors. The first and worst is that they visit you, the second and the better is that you visit them, and the third and surest is that you stay far from them, so that neither you see them nor they see you.’⁷

Behind this lay a long-standing conviction that concentrated political power was not consonant with Islam. Keane points out that contrary to popular wisdom, Islam was a vital element in keeping alive, and redefining, the spirit and substance of democracy after the military defeat of Athens (2009: 133). It is only more recently that the ‘Oriental’ autocratic state emerged, caused largely by foreign conquest and colonisation, whose effect was ‘to maim or destroy the vibrant foundation of social partnerships on which the Islamic empire rested’ (Keane 2009: 135).

According to Casanova, al-Ghazali’s sentiment captures the ‘typical and traditional attitude of all salvation religions toward the world of politics, and toward the “world” in general’. Of the three options al-Ghazali outlines - (i) the state controlling religion; (ii) religion controlling the state; and (iii) a separation between religion and the state - the third is the preference of religious leaders. Although the second option, theocracy, enables religion to influence and shape the world according to God’s ways, it is a perilous option because ‘ultimately all theocratic attempts tend to succumb to the paradox of unintended consequences. The more religion wants to transform the world in a religious direction, the more religion becomes entangled in “worldly” affairs and is transformed by the world’. Consequently, the third option - distance, detachment and separation - tends to prevail. It is what both religious and worldly people prefer, since it protects the world from religion and religion from the world (Casanova 1994: 49).

Theological arguments that Islam is inherently ‘other-worldly’ and thus incompatible with secularism should therefore be treated with skepticism. The institutional form of secularism Australia has inherited is not religiously neutral, but rather is intrinsically linked with Christianity. Celermajer reminds us that ‘Islam is not the first religion to be decried as fundamentally incompatible with secular, democratic progress’. Protestants in nineteenth-century America labelled their Catholic foes un-American, and used a supposedly natural alignment with secularism as a means of excluding their highly religious Catholic rivals. Noting the presence of references to Christian values in the discourse of politicians, Celermajer concludes that religion in general is not problematic in Australia, but rather Islam in particular (2007: 112).

The prejudiced presumption that Islam is an impediment to secularism in Australia should therefore be rejected. This dissertation shows why. It argues that we should avoid a unilinear, Eurocentric and bigoted conception of secularism, which requires the extinction of religion from society or its relegation to the private realm. Muslims communities in Australia are supportive of a new form of secularism, religious secularity, whose objective is to foster inter-religious harmony and social cohesion through the independence of state institutions from religious institutions and norms. Although Australian Muslims remain strongly attached to religious credo, they have a remarkable capacity to live comfortably in this world, and to respect Australia’s secular institutional architecture.

Presumption #2: Secularism is a necessary condition of modernity

This respect among Muslim communities for the independence of the state from religion has gone largely unnoticed, because public and visible manifestations of religion generate the perception that Muslims are antithetical to Australia's modern, secular democracy. The old conception of secularism which requires the confinement of religion to the private sphere prevails. An appreciation of the history of theories of secularisation is critical to understanding the strength of this presumption that the privatisation and decline of religion are necessary conditions of modernity. The prevailing social science theory of secularisation has its roots in an account of Christianity's long-term impact on the 'modern' European West.

Pioneered in the modern social sciences by Max Weber and Emile Durkheim, sociological theories of religion emerged in the early twentieth century which drew a link between the trends of modernisation and secularisation, conceived as universal, unidirectional, teleological processes of religious decline. Though a connection between religious decline and modernisation has been noticed since the Enlightenment, Weber coined the term 'secularisation' in *The Protestant Ethic and the Spirit of Capitalism*. He argued that the rationalising forces inherent within modern society, Protestantism included, drove modern capitalist enterprise, and then ironically that this rationalism became the secularising force which ultimately undermined Protestantism itself (1992).

Weber conceived of secularisation as a process of 'disenchantment' that involved a shift from otherworldliness to this-worldliness. The shift followed three phases of rationalisation. Firstly, 'asceticism was carried out of monastic cells into every day life' and secular economic activities acquired the meaning and compulsion of a religious calling. Then, as the religious

roots dried out, the irrational compulsion turned into 'sober economic virtue' and 'utilitarian worldliness'. Finally, once capitalism 'rests on mechanical foundations' it no longer needs religious or moral support and begins to penetrate and colonise the religious sphere itself, subjecting it to the logic of commodification. Weber lamented the resultant bureaucratic form of rationality which characterised the 'modern' world; he perceived freedom and individualism as being endangered by the meaningless, religionless, kafkaesque rule of bureaucratic organisations.

The Protestant Ethic is frequently invoked as inspiration for more recent and comprehensive theories of secularisation. Yet Weber did not claim that Protestantism was the sole cause of secularisation; in fact, he does not directly confront the question of causal analysis (Moore 1998: 88). He criticised monocausal explanations of modernity and generally emphasised the interpretive quality of all social scientific descriptions of the world. His account is descriptive of the relationship between European Christianity and modernisation alone; Weber did not seek to generalise his observations into a paradigm that could explain and predict the secularising tendencies of modernisation globally. At the close of *The Protestant Ethic*, Weber allowed for the possibility that the process of secularisation might be reversed. He wrote: 'no one knows who will live in this cage [of bureaucracy] in the future, or whether at the end of this tremendous development entirely new prophets will arise, or there will be a great rebirth of old ideas and ideals'.

Sixty years on, Peter Berger developed Weber's conception of secularisation, empirically examining the causal connection between modernity and secularism. He argued that the rise of a modern secularised consciousness was a result of the pluralisation of social worlds. Christendom provided 'a social-structural and a cognitive unity that was lost, probably

irretrievably, upon its dissolution at the beginning of the modern age'. We now live in times in which 'discrepant worlds coexist within the same society, contemporaneously challenging each other's cognitive and normative claims' (Berger 1967: 9). Religion is plunged into a crisis of credibility (Swatos and Christiano 1999: 222). Berger argued that as a result of modernisation, this pluralisation - and thus secularisation - would become a *worldwide* phenomenon (1967: 12).

While Weber and Berger focused on the impact of secular-rational bureaucratic organisation and the new religious pluralism on individual belief, a related theory of secularisation originated from the work of Emile Durkheim (1912). Durkheim predicted the loss of the central role of religious *institutions* in society as a result of '*functional differentiation*' in modern industrial societies. Functional differentiation was a process by which specialised professionals and organisations (a secular bureaucracy) replaced most of the tasks once carried out by the churches. Stripped of their social purpose, Durkheim predicted that the importance of religious institutions would eventually fade away in industrial societies.

More recently, Thomas Luckmann followed Durkheim to observe the marginalisation of religion to the private sphere as a result of this functional differentiation. For Luckmann, religion became 'invisible' in the sense of being an individualised and privatised form of salvation, that is irrelevant to the functioning of the primary institutions of modern society (1967: 85). Functional differentiation and privatisation were, for Luckmann, processes associated with modernity in the Western European context. When a global perspective is adopted, however, it becomes clear that a highly *visible* religion can function alongside 'the primary institutions of modern society', though there may be a level of separation between religion and these institutions. The best known example of this possibility is the rise of the

vibrant, expressive, and highly public strand of Christian Pentecostalism alongside functioning liberal democracies in much of North and South America, and to a lesser but growing extent in Australia.

Conceptualising modernity

From these roots, a normative expectation developed that diverse societies inevitably ‘progress’ towards a singular modernity, defined by the irrelevance of religion. Though Weber suggests it, Charles Taylor in *A Secular Age* (2007) makes explicit the argument that secularisation is a process born of Christianity, for Christianity is a self-secularising religion. In the form of a detailed narrative, Taylor demonstrates that it was Christianity itself that created the conditions for the possibility of secularity and secularisation. Taylor makes this point to undermine the argument that universally and globally, processes of modernisation *necessarily* involve religious decline. Alongside Taylor, theorists such as Eisenstadt reject this conception of a singular, Western, secular modernity, pointing out that there can be *multiple modernities*. Eisenstadt rightly argues that the hegemonic assumptions that Westernisation and modernity are synonymous should be rejected in favour of a conception of modernity which recognises a multiplicity of cultural programs (2000: 1-2).

Desacralising secularisation theory

The most powerful criticisms of secularisation theories note that post-Enlightenment philosophers *presumed* the inevitable decline of religion. Secularisation, from its genesis, was not so much a theory as a presupposed and taken-for-granted ideology. Weber and Durkheim are representative of a tradition which traced the genealogy of religion to the impotence of

primitive humanity in the face of the superior forces of nature; to the first attempts of the human mind to understand its own psyche; or to the attempts of the first social groups to represent themselves. Religion was therefore seen as either primitive physics (naturism), primitive psychology (animism) or primitive sociology (totemism), all of which would inevitably be replaced by the corresponding modern scientific paradigms (Casanova 1994: 29; Durkheim 1912; Weber 1918). Modernisation was defined by the abolition of the *primitivism* of religion.

Secularisation is problematic when transferred to other world regions with ‘different dynamics of structuration of the relations and tensions between religion and the world’ (Casanova 2011: 257). For instance, to secularise means ‘to make worldly’, so the concept of secularisation can hardly be applied to religions such as Confucianism and Taoism, insofar as they are not characterised by high tension with ‘the world’ and have no ecclesiastical organisation.

Other persuasive criticisms of secularisation can be loosely grouped into three categories.

1. Secularisation is not a coherent theory, but rather ‘a hodgepodge of loosely employed ideas’⁸

Dobbelaere and Shiner have differentiated respectively three, and six, discrete meanings of the term ‘secularisation’. For Shiner, this plurality of meanings is fatal, as several of the meanings are infused with polemical and ideological overtones. Abandonment of the secularisation theory is seen as the only reasonable solution (1967: 216). However, for Dobbelaere, the theory remains useful, despite the confusion this plurality can potentially create (1987: 109).

2. Secularisation theory is unsupported by empirical evidence

As secularisation was self-evident, it did not require careful scrutiny. According to Glock and Stark, ‘none of the work done to assess the state of religion in America currently or historically meets even the minimum standards of scientific enquiry’ (1965: 84). Hadden posits that ‘there is no evidence to support a decisive shift either toward or away from religion’ (1989: 18). In fact, the failure of his predictions to eventuate caused a formerly prominent secularisation theorist, Peter Berger, to recant his earlier claims. Berger now confesses that the secularisation theory ‘has been empirically falsified’ and that ‘contrary to the theory, the contemporary world, far from being secularised, is characterised by a veritable explosion of passionate religion’ (2007: 20).

3. New Religious Movements have appeared and persisted in the most supposedly secularised societies

The point that secularisation tends to trigger backlashes was made by Stark and Bainbridge, who argue that in a free marketplace, new religious organisations will spring abundantly from established traditions. Competition encourages religious organisations to adopt market-based models, so new spiritual movements tailor their congregations to the needs of a modernised population, and attract greater participation (1985: 454).

It is evident from these criticisms that a straightforward narrative of progress from the religious to the secular is no longer sufficient to explain the complex dynamics of the modern world. Stark (1999) advocates the burial of secularisation in the ‘graveyard of failed theories’, on the basis that a reformulated, culturally and empirically sensitive theory of secularisation would carry the conceptual baggage of the original theory. However a ‘neo-secularisation’

paradigm has emerged which successfully confronts the critics by developing a global perspective. Jose Casanova is at the cutting edge of this counter-trend. He argues that the quagmire of the secularisation debate is the result of conceptual confusion.

Casanova addresses the paradigm's criticisms by clarifying its central premises in light of the resilience of public religions in the modern world. He begins by pointing to three separate theses, all of which have been taken, since Weber, to be necessary outcomes of modernity, and inseparable elements of the process of secularisation (1994: 19).

1. Secularisation leads to the progressive shrinkage of religion, especially the declining social significance of religious belief, commitment, and institutions.
2. This process leads to the privatisation and marginalisation of religion in the modern world.
3. That societal modernisation entails a differentiation and emancipation of the secular spheres - primarily the state, the economy, and science - from the religious spheres.

Casanova argues that only processes 1 and 3 are occurring (1994: 214). He demonstrates that the second element, privatisation, is not a modern structural trend, but rather an historical option. The proposition that modern differentiation *necessarily* entails the marginalisation and privatisation of religion, and its logical counterpart that public religions *necessarily* endanger the differentiated structures of modernity, has been the primary object of criticism, and is no longer defensible (1994: 7).

The normative expectation that secularisation is an essential civilising process is flawed. Once a global perspective is adopted, it becomes clear that the coincidence of these three processes in Western Europe is an exceptional phenomenon. In the United States, for example, there is

no evidence for the privatisation or decline of religion; yet the separation of state institutions from religion is constitutionally mandated. In distinguishing these three processes of secularisation, Casanova reveals the potential for variation within secularism as a policy and an ideology. Once the normative attachment to all three trends as ‘modernising processes’ is removed, the possibility for both the natural evolution and the intentional reshaping of policies of secularism, based on the aspirations of a particular society, is revealed.

The impetus for reform

In addition to the potential for reshaping secularism, there is a democratic imperative to consider a new secularism which avoids prejudice. There is often great hypocrisy where the old secularism prevails. European secularism is a tool for institutionalising intolerance, demonstrated by the double standards which exist. In France, the government shuns religious symbolism; yet there remains a cross atop the Pantheon, a monument to the country’s Christian history, unwittingly revealing the compromises between religion and *laïcité* that shape modern France (Calhoun 2010). Other European states have continued to privilege Christianity more overtly, through publicly funding religious schools (often with little pretension to neutrality), maintaining church property and clerical salaries, facilitating church control of cemeteries, and training the clergy (Bhargava 2010).

The same can be said for Australia. Christianity infiltrates state institutions with little resistance. In 1968, Craig McGregor remarked with disdain;

‘the influence of the churches is strong within the community and they form a vocal and powerful pressure group at the Government level...they [take] part in

attacks upon the academic freedom of universities and from time to time attempt to destroy the secular nature of the State education systems’.

The preamble to the Australian constitution remains overtly religious⁹, parliamentary prayer sanctifies Christian discourses in government, and Christian lobby groups have always had a dominant place in the political arena (Maddox 2005). State funding and tax exemption for religious schools, aged care, and private hospitals have a long history in Australian society (Democrats 2006).

These observations highlight that public expressions of religiosity have long been condoned, well before the Muslim presence was noticed, which prompts the observation that this old secularism is biased because it tolerates *one* public religiosity, as long as it is Christian (Frame 2006). A rethinking of secularism is in order.

What form of secularism is desirable in a democracy?

What is the ideal relationship between religion and politics in a democratic society? The justifications for the new secularism are in democracy: secularism should be the most democratic response of the state to religious pluralism. The object of this new secularism must be to treat all religions equally, to ensure inter-religious harmony, and to promote social cohesion in a multi-ethnic and multi-religious society.

Critical to achieving these objectives is freedom for religious individuals and organisations not only to worship privately, but to publicly advance their values in civil society and to sponsor organisations and movements in political society. In return, religious authorities must

tolerate the autonomy and freedom of democratically elected governments from religious doctrine. The theorist of democracy and religion Alfred Stepan advocates these dual freedoms, or ‘twin tolerations’, as an optimal means of attaining the objectives of religious equality, and the most democratic relationship between religion and politics (2001: 217).

How are these democratic objectives to be operationalised? A new secularism with these goals must be a policy directed at the nature of the *state* and its institutions, rather than at *society*, where it is likely to impair individual freedoms. A secular state should treat all religious and non-religious individuals with equal respect; enforce no one religion; and preserve a public space for the free exercise and expression of religions. These aspirations require a minimum level of differentiation of religious and secular institutions to ensure the even-handedness of the state towards diverse religious groups, and foster peaceful relations between them. Strict separation of religion from state institutions is both implausible and undesirable; equality may be enhanced by the state’s interference in the lives of religious believers to ensure harmony and inclusion. Instead, the institutions of a secular state must be free from religious bias, and tolerant of the flourishing of religions in the public and private spheres of society.

Public religions can exist in society, alongside differentiated institutions of the state. The philosopher Jurgen Habermas (2002) raises concerns that the separation between the religious and the secular has gone too far. He develops a discussion of ‘post-secularism’, arguing that the democratic public sphere loses the capacity to fully integrate public opinion if it cannot include religious voices, that it is deprived of possible creative resources, insights and ethical orientations if it is not informed by ideas with roots in religion. Habermas seeks to maintain religious insights that may still have liberatory potential, defending a liberalism which admits religion fully into public discourse, meanwhile maintaining a secular conception of the state.

Casanova takes this argument further, pointing out that public religions can *enhance* the operation of institutional differentiation. Because institutional differentiation can never be perfect, he argues that public religions can act as *counterfactual normative critiques* of dominant historical trends. By this he means that due to the difficulties in enforcing institutional differentiation, by crossing boundaries and raising questions publicly about the separation of the religious and secular spheres, public religions help to scrutinise the pretensions of the differentiated spheres to function without regard to moral norms or human considerations. At the very least, posits Casanova, public religions may mobilise people against such pretensions, contribute to a redrawing of the boundaries, or force a public debate on such issues (1994: 40-44).

The implication is that Australia must rethink the relationship between religion, society and the state, rejecting the exclusion of religion from the public sphere, and adopting a more inclusive model of secularism, compatible with democratic values in a multi-ethnic and multi-religious society. Secularism and religiosity should be understood as compatible. Islam as a public religion is flourishing in Australian society, perhaps undermining outdated, Christian-centric conceptions of secularism. But in its place will emerge a new form of secularism, which might be conceived of as a ‘religious secularity’: a secularism which is comfortable with the flourishing of public religions. The result is a situation where the secular state is independent from and equitable towards diverse religious and non-religious groups; but where those groups exist in, and enrich, the public sphere.

Chapter three takes up this point. It argues that Muslims in Australia accept, promote, and adhere to a form of secularism which fits this description. Islam is a public religion in

Australian society which shows no sign of declining or retreating to the private sphere, as is demonstrated in chapter two. However, chapter three establishes that Australia's Muslims overwhelmingly support the independence of key secular institutions from religious influence.

CHAPTER TWO

The flourishing of Islam as a public religion in Australia

The mass movement of people across the globe in the second half of the twentieth-century has seen most nations move in a religiously plural direction. Australia is no exception to this trend. A recent Pew Global Attitudes survey, widely circulated in the Australian press, predicted that Australia's Muslim community will grow from 399,000 to 714,000 by 2030 - an increase of 80% (Warne-Smith 2011).

These flourishing Muslim communities, in various ways, challenge the status quo in Australia. Public rituals draw attention, and outspoken attempts by Muslims to erode prejudices often make Muslims a conspicuous feature of the Australian social and political landscape. These intrusions of religion into Australia's public sphere are increasingly condemned as antithetical to Australia's secular ethos, making secularism a contentious issue. This chapter demonstrates why: among Australian Muslim communities, religion remains a potent, visible and socially significant force.

To grasp the scale of Muslim migration, the chapter begins with a reading of the history of Muslims in Australia. It is also important to take from this history a sense of the incredible diversity of Muslims in modern Australia, as well as an understanding of the unintended and unforeseen nature of this cultural and religious heterogeneity. Through the appreciation of prejudices which accompanied this long history, chapter moves to an analysis of the present situation of Muslim communities in Australia, and their persistent public religiosity. It notices how this quintessential public religion challenges the pretenses of Australian society to impartiality towards different religious groups.

History of Muslims in Australia

Australia's first Muslim visitors were Makassar fishermen from Sulawesi, who visited the northern coasts to collect *trepang* from at least 1720, possibly earlier. Whilst the fishermen did leave a linguistic and genetic mark in remote northern regions, the first lasting religious presence arrived with the Afghan camel drivers, introduced to Australia by some of the earliest European settlers. Racial vilification was commonplace, prompted by a perception that Afghans were undercutting wages and stealing jobs (Kabir 2004: 43). In 1892 a group calling itself the 'Charleville Camelphobists' attracted unemployed protestors in a campaign to rid Australia of the Afghan presence (Kabir 2004: 48). This was despite the fact that the total Afghan population never exceeded a few hundred by some estimates, or a few thousand by others (Kabir 2004: 50; Stevens 1993: 49). Though mosques were constructed in Perth, Adelaide, Broken Hill, and Brisbane from 1890-1907, the Afghans largely evaded religious prejudice, as mosques were confined to segregated Ghantowns (Kabir 2004: 70).

The *Immigration Restriction Act 1901*, the primary institutional vehicle of the White Australia Policy, reduced the flow of Afghans substantially. However, the Muslim population steadily grew due to migration of Muslims of European appearance or perceived European ethnicity: Ottoman Turks, Albanians in the 1920s and 1930s, and later Bosnians. Yet in total, Australia was only home to between 2000 and 4000 Muslims from 1911 to 1947. It was not until World War II ended that the demographic revolution of Australia's religious landscape began.

In 1945, Australia's religious composition was relatively stable and homogenous. Anglicans dominated the landscape, forming 39% of the population. Catholics were a sizable minority,

and there were smaller numbers of Methodists and Presbyterians. Since the end of World War II, Australia's religious fabric has been transformed. This was not intentional; little attention was paid by policymakers to the resulting religious diversity. The architect of the transformation, Minister for Immigration Arthur Calwell, was attempting to avert what was seen as an economic and national security crisis through an ambitious immigration program. Whilst the social implications of such large-scale immigration were considered, it was colour rather than religion that was the visible and decisive factor in manipulating the cultural composition of Australia.

Australia's geographical isolation from its allies, the vulnerability of a small population and the lingering wartime threat from Japan led to the perception that without rapid expansion, Australians could not defend the vast land they occupied from Asian invasion. Meanwhile, economists advised that without rapid population increase a higher standard of living was unachievable. The Government promoted its new immigration policy under the banner 'Populate or Perish!'. British migrants were preferred to preserve cultural homogeneity, and were offered assisted passages. However, given the scale of the immigration program (and with fewer British citizens volunteering than expected), the government was compelled to widen its selection criteria.

In 1947, the government agreed to accept 12,000 displaced Europeans each year, and committed to select refugees without discrimination of race or religion. In reality there was an ethnic pecking order, with a blanket ban on Jews, and blonde and blue-eyed Baltic people preferred. By 1954 Australia had received 170,000 displaced persons, bringing a plethora of new religious groups into the country. Among these refugees were the first substantial intake

of Muslims from Yugoslavia, Bulgaria, Cyprus, Poland, Hungary and Russia (Lack and Templeton 1995: 10).

As European economies began to recover and its refugee camps emptied, the flow of migrants dried up. Assisted passages were extended beyond Britain to other European countries. This was justified by Immigration Minister Harold Holt on the grounds of national security and economic development, with the assurance that these 'new Australians' would smoothly and speedily assimilate: 'The British...are a mixture of races. Australia, in accepting a balanced intake of other European people as well as British, can still build a truly British nation on this side of the world' (Lack and Templeton 1995: 14). The most desired nationalities were chosen first: agreements were signed with Italy and Holland in 1951, then with West Germany, Greece and Austria in 1952. In the late 1960s, when southern and eastern European emigration slowed due to economic prosperity at home, agreements were signed with Syria and Turkey (Jones 1993a: 94). In the early 1970s assisted passages were extended to the Lebanese, who were eager to leave their conflict-ridden homeland. Other Muslims continued to arrive as unassisted migrants or as refugees.

Colour, rather than race or religion, remained the driving factor behind immigration policy. The Lebanese case highlights the fact that White Australia was based on physical appearance rather than geographical origin - or religion. Whilst Lebanon is more Middle Eastern than European, and not majority Christian, the Lebanese were of 'European appearance', and by 1981 Australia had received around 16,500 Lebanese-born Muslims (Jones 1993a: 94). In contrast, Indians who were part of the British Empire, were excluded based upon their colour (Jupp 1991: 51).

Immigration policy appeared to be loosening. Yet the original purpose of retaining the homogenous cultural composition of Australia as a bulwark against Asian invasion remained. The *Nationality and Citizenship Act 1948* continued to operate as a formal tool of assimilation. British citizens could simply register for citizenship after twelve months residence, where Europeans faced a five year qualifying period, and were compelled to renounce previous allegiances at naturalisation ceremonies. Non-Europeans were not permitted to be naturalised. Ironically, whilst the Act forced new Australians to place allegiance to Australia over all others, the necessary implication of the naturalisation of these migrants was that they became entitled to the freedoms which citizens possessed: freedom of expression, of association, and importantly freedom of religion. Whilst purporting to be a tool of assimilation, the Act essentially codified the rights to difference which citizenship implies.

By 1972 the White Australia Policy was coming under increasing international and domestic criticism. With the fall of Saigon in 1975, Australia saw the arrival of several waves of 'boat people': refugees arriving on small craft from Indochina. The Buddhist religion of the new Indochinese community was virtually ignored amid the racially-based intolerance.

Nevertheless, these immigrants brought with them their religion, and formed the demographic basis for a significant Buddhist community in Australia (Hinnells 2007, 179). Meanwhile, immigration from Asia, the Middle East, Europe and Oceania between 1976 and 1986 saw the Muslim community more than double (Jones 1993a: 94). By 1996, there were over 200,000 Muslims living in Australia.

The gradual racial liberalisation of the nation's immigration policies had the unintended consequence of transforming Australia's religious landscape. Until relatively recently, the Muslim presence in Australia went largely unnoticed by the general public, the media, and

policymakers. In 1987 Michael Humphrey wrote that ‘since Australia is a secular state and religion is treated as a personal matter, the role of religion in the political arena has largely been ignored’ (1987: 233). Such a statement would, today, be ludicrous. A series of events occurred, probably beginning in the 1990s but certainly climaxing with the terrorist attacks of September 11, 2001, which altered the public discourse from concern with race to a fixation on religion. Australia’s involvement in the 1990-91 Gulf crisis, the arrival of unauthorised refugees, as well as the rise of militant Islamist groups in the 1990s, caused Muslims as a religious group to be targeted for discrimination. The September 11 terrorist attack, perceived as religiously motivated and deepening the characterisation of Islam as a violent and other-worldly religion, heightened the religious focus of Australia’s immigration debate (Brown 2011).

An age-old controversy re-entered the public consciousness with renewed vigour.

Commentators and individuals began to ask in large numbers, ‘is Islam compatible with secularism, and hence democracy?’ Samuel Huntington popularised the negative perspective; after the terrorist attacks he became ‘a prophet of sorts’ (Kepel 2011). Adopting the catchphrase ‘the clash of civilizations’, Huntington reinvigorated the historical Orientalist presumption that Muslim peoples are resistant to, or even inherently incompatible with, secularism, democracy and modernity.

Muslims, conceived as an homogenous group with religion as the defining characteristic, were accused of being unable to culturally assimilate. The Bali terrorist episode, in which more than 80 Australians were killed, strengthened these attitudes (Houlihan 2005; Morris 2003a). Mosques were attacked, and abuse of veiled women became commonplace. Phone-in radio shows, where bigotry flourishes, were flooded with anti-Muslim calls (Economist

2002). However it was the London bombings of July 2005, carried out by ‘homegrown’ terrorists which led to some of the most fervent vilification of Australian Muslims, due to a perception that Australian citizens were potential terrorists (Jupp 2006). At the end of 2005, sectarian riots broke out around Cronulla beach in Sydney’s south. Religion became a focal point of the public debate, and Muslims was firmly associated with extremism in the Australian consciousness. By this stage, around 400,000 Australians identified as Muslim. The escalating public awareness about religion in general, and specifically about the presence of Muslims in Australia, is exemplified in the discourse of populist politician Pauline Hanson. Best known for her 1996 maiden speech to parliament, vilifying Asians, by 2007 Hanson had shifted her tone from racially to religiously charged, calling for a moratorium on Muslim immigration (Ho 2007; S Poynting 2006).

Today, we face deep-seated prejudices in Australian society as a consequence the misplaced presumptions about Muslims and Islam outlined in chapter one. They usually rest upon two observable features of Australian Muslim communities, to which the remainder of this chapter now turns: Muslims in Australia remain a highly religious group, and Muslim communities are a conspicuous feature of Australia’s religious and political landscape. In the coming pages, evidence is assembled to show that despite the prolonged presence of Muslims in Australia, there is no sign of a withering away of religious beliefs and practices in Muslim communities, nor of religion’s retreat into the private sphere.

The public religiosity of Australian Muslim communities

Australia's Muslims show little sign of 'losing their religion', a trend which has been observed amongst the Australian population at large (Frame 2009). In fact, the experience of migration has, for many Muslims, prompted a deepening of religiosity.

Migration has been called a 'theologising experience' (Smith 1978: 1175). Attachment to religious organisations, beliefs and practices can increase as some immigrants use these to remind them of their origins, to distinguish themselves from other Australians and to help provide meaning, social support and community in the settlement process (G. D. Bouma 1994: 80). For Muslims in particular, travel, whether in the form of inner spiritual journeys or pilgrimages, is directed towards achieving greater religious consciousness (Humphrey 2005: 137).

Bouma, Daw and Munawar found in their interviews that it is not unusual for Muslims to say that they learn more about Islam after migrating to Australia. One interviewee said:

'I was not a religious person when I arrived in Australia. As the children grew up and the Pakistani community increased I also experienced an awakening of religious fervour...I reverted back to my cultural dress and became regular in my prayers...I even started arranging *milad* [a religious celebration] at my place once a month' (2001: 70).

Respondents reported that their practice in the homeland was 'automatic' or 'unreflective', whereas migration brought a new depth to their faith and religious practice became more

regular (G. Bouma et al. 2001: 69; Munawar 1997). Religion provided a sense of security and protection, through feelings of satisfaction and serenity during a time of uncertainty and change (2001: 69). This manifested in increased mosque attendance, wearing of the *hijab* and keeping dietary regulations among Muslim women in Australia (2001: 70).

The few quantitative studies which measure religiosity confirm its persistence amongst Australian Muslim communities. A comparative analysis of three primary sources of data demonstrates that all participants were overwhelmingly likely to pray regularly (see Table 1). In a recent and comprehensive survey of 307 Australian-born Lebanese and Turkish youth, Christine Inglis (2010: 149) found that around 73% of participants prayed at least weekly.¹⁰ In an older study, Bouma (1994) noted that more participants felt an increase in their religion than a decrease, although most perceived no change. Hassan (2002), in a survey of 78 Muslim residents of metropolitan Adelaide, reported that over three-quarters of respondents prayed at least five times daily.¹¹

Frequency of prayer (%)	Inglis (2010)	Bouma (1994)	Hassan (2002)
Once daily	15.9		3.9
Twice daily			5.2
Three times daily			2.6
Four times daily			1.3
Five times daily or more	43.8		77.9
More than weekly		70.8	
Once a week	12.4	20.8	
Only on Sundays			1.3
Monthly		8.3	

Frequency of prayer (%)	Inglis (2010)	Bouma (1994)	Hassan (2002)
Only on special occasions/ religious holidays	19.4		1.3
Occasionally			6.5
Never	8.5		0.0
Change: big increase		6.0	
Change: increase		26.9	
Change: no change		53.7	
Change: decrease		13.4	

Figure 2: Frequency of prayer (table)

That Australia's Muslim population is more religiously devout than the general Australian population is not an especially contentious claim. The approximations of some informed members of the Muslim community support this appraisal. Ramzi Elsayed, president of the Islamic Council of Victoria, estimates that 30 percent of Australian Muslims are currently practicing Islam (Roose 2010). Abdullah Saeed, who has studied Australian Muslims for over twenty years, makes an educated guess that '30 to 40 percent of Muslims' could be defined as 'fully committed to Islam and interested in manifesting Islamic ideas, values and practices in their lives', whilst another 30 to 40 percent of Muslims probably fall into the category of 'not particularly interested in being religious' and seeing 'Islam merely as an aspect of their cultural identification rather than a living faith that they practice' (Saeed 2003: 71). The remainder are believing, though not especially devout, Muslims. These figures are substantial relative to the number of practicing Christians. Churchgoing in Australia has been on the steady decline for decades, with figures at around 10 percent (2 million) and dropping, according to the Christian Research Association (Hughes 2006).

Although this personal and private religiosity is of interest, because it demonstrates that Islam is unlikely to disappear in Australia, of greater consequence are the *public manifestations* of that religiosity. Although practices vary substantially among Muslim communities, Islam is a ritual-rich religion, and those rituals are often highly visible in the public sphere. The focus of the next section is on two key forms of public religiosity which have recently generated the most vigorous debates: the prominence of religious symbols and rituals in public spaces, and public attempts by Muslim individuals and groups to dispel prejudices within the Australian community.

Public religious symbols



Figure 3: an artist in Sydney's Inner West publicly calls for a ban of the 'burqa'

Islam is the quintessential 'public religion' in Australia. No symbol of Islam has generated more heated debate than the *hijab*, or 'headscarf'. Whilst hostility is predominantly reserved for women wearing the *burqa* or *niqab*, most Australian Muslim women continue to wear

some form of the *hijab*, conspicuously setting them apart from non-Muslims. Inglis indicates that two thirds of Australian Lebanese women, and 29 percent of Australian Turkish women, cover their head (2010: 149). In a survey of participants at an *Eid* festival in Brisbane, Rane et al found that half of the respondents believed that Muslim women should wear the *hijab* in some form (2010: 5). The greatest vilification of conspicuously Muslim women occurred during the Cronulla riots in 2005, but recent laws banning full head coverings in Europe have reignited the debate.

The most recent calls to ‘ban the burqa’ appeared in the NSW Parliament after the arrest, conviction, and successful appeal of the Muslim woman Carnita Matthews for falsely accusing a police officer of ripping off her *hijab* during a traffic stop (McGovern and Fishwick 2011). In response to the overturn of her conviction, a media frenzy about the threat of Islam and specifically the ‘burqa’ to national security was unleashed. Though some uphold these justifications for objecting to the *hijab*, what is far more plausible is that the symbolism is rejected because the garment has become the most salient, contested and controversial emblem of contemporary global Islam (Casanova 2009a: 23). It is an expression of a stubbornly public religion. Liberal MP Bronwyn Bishop reflected this sentiment when she demanded that the government ban the headscarf from public schools. She argued that the headscarf was ‘not just a headscarf’, but an ‘iconic item of defiance’, and that it represented ‘a clash of cultures’ and ‘a challenge to our freedoms and way of life’ (2005).

The mosque is a second contested public symbol of the growing Muslim presence in Australia. Inglis reports that most Muslims are likely attend mosque at least monthly, with 37% of Lebanese and 22% of Turkish Muslim participants attending once a week or more (2010: 149). The construction of mosques has attracted considerable criticism from local

communities. Humphrey describes the ‘organic’ construction process which characterised much of the Muslim history in Australia, whereby community meeting halls often evolved into temporary prayer halls and became official mosques (2005: 136). The gradual development of Muslim institutions by local ethnic communities frequently gave rise to a perception by suburban communities that Australian suburbs were being invaded by an unfamiliar and perhaps hostile religion. When residents of Annangrove in suburban Sydney appealed to the Land and Environment Court against the local development of a prayer centre for the local Indian Shi’ite community, they argued that ‘holy war’ had been declared against the residents who opposed the centre (Humphrey 2005: 136). Some residents are disturbed by the public broadcast of the call to prayer; others apprehensive after seeing images in the global and local media of hundreds of Muslims spilling onto the streets during prayer times, creating a public spectacle. Disgruntled communities are often further perturbed by overseas funding which is often received for the building of mosques. The Turkish government’s mosque-building program, for instance, entrenched for some the perception of Islam as a transnational religion whose adherents could not be loyal to Australia.

Deliberate attempts to advance a positive impression of Islam



Figure 4: ‘Jesus, a prophet of Islam’ billboard

Usually in reaction to the unbalanced focus on negative portrayals of Muslims, attempts are made by Muslims to publicly advance a positive debate on Islam. One example of this is the recent endeavour of the Muslim group MyPeace at interfaith dialogue in a billboard (pictured above), which had the opposite effect to that intended. The organiser, MyPeace founder Diaa Mohamed, said that the signs were a response to misunderstandings about Islam and vilification of Muslims (McKenny 2011). The three signs around Sydney have been vandalised numerous times, and Mr. Mohamed has received several offensive phone calls (Hall 2011). The billboard was the subject of a series of complaints to the Advertising Standards Bureau, on the grounds that the statement was insulting to Christians, and that Jesus ‘must not be associated with such [an] aggressive religion’ (McKenny 2011).

Other instances of public outspokenness are readily found in the deliberate engagement in mainstream creative industries by Australian Muslims. These include works of fiction by Randa Abdel-Fattah, Hanifa Deen and Irfan Yusuf, *Salam Cafe* on SBS, and the music of the Muslim hip-hop outfit, *The Brothahood*. Peta Stephenson (2010) documents the phenomenon of often younger, Australian-born Muslims reinterpreting and mediating their religious and cultural identities through a creative lens. This form of public engagement attempts to normalise the Muslim religious identity and demonstrate its compatibility with Australian-ness. It does not proselytise, but nor does it ignore religion. One episode of *Salam Cafe* features the prominent Muslim commentator Waleed Aly asking a woman ‘Do you know what Ramadan is?’, to which she responds ‘is it the same as a pappadam?’ The point is, whether through deliberate outspokenness of individuals or groups endeavouring to project a more positive image of Islam, or through Muslims unwittingly gaining attention through adherence to religious practices, Muslims are a pronounced element of Australia’s public sphere.



Figure 5: Salam Cafe, SBS

From this evidence emerges a complex picture. The traditional Australian apathy towards religion and secularism has been disrupted by the growing and conspicuous Muslim presence. It is clear that far from withering away, Muslims remain an enduring element of Australia's religious landscape. The conspicuous presence of Islam in public spaces, combined with the deep-seated and persistent religiosity of the community, reinforces the view that Islam obstructs processes of secularisation, and therefore that the growing Muslim population endangers Australian secularism. Chapter three argues that the secular ethos of Australian society remains unthreatened, because there is broad acceptance within Australian Muslim communities of the need for differentiation of religious and secular institutions. This is key to the new secularism proposed by this dissertation.

CHAPTER THREE

Differentiated institutions

The process of institutional differentiation noticed by Durkheim involved the emancipation of secular institutions from ecclesiastical control. In twentieth-century Australia, it refers to a level of freedom of secular institutions from religious norms. We have already noted that institutional differentiation cannot be absolute. Instead, a sufficient level of separation between religion and state institutions must be respected to ensure the equal treatment of religions by those institutions. This chapter demonstrates, contrary to popular perceptions, that this separation is respected by Muslim communities.

Apprehension about the growing Muslim presence in Australian society has generated speculation that Muslims will either establish parallel religious or political institutions, or infect secular Australian institutions with religious principles. Such fears are based upon the presumptions outlined in chapter one: that Islam is inherently political and other-worldly, and that religious decline, privatisation and institutional differentiation go hand in hand, so that a religion which is flourishing publicly necessarily undermines processes of institutional differentiation. This chapter challenges this dominant discourse by examining three particular institutions: the legal, educational and political systems.

Firstly, there exists a belief that Muslims, because of a unique religious requirement that religious 'laws' permeate all facets of worldly life, overwhelmingly advocate the supremacy of divine law over secular, human law (Zwartz 2007). Bill Muehlenberg, a commentator in *Quadrant* recently argued that *shari'a* is 'creeping' into Australian law, and if it does not stop we will end up 'with only one legal system: sharia law'. This will lead to a new segregation,

with Westerners who do not embrace the totalist Islamist agenda being turned into second class citizens, or '*dhimmis*' (2011a). These views are reinforced by the use of the Arabic term '*shari'a*' to ideologically reify Muslims and their laws as the 'Other' (Salaymeh 2011). It obfuscates the distinct varieties of Islamic law that exist in codified form. By definition *shari'a* requires *ijtihad*, or interpretation, and codifications by states like Iran and Saudi Arabia reflect not just Islam, but also the history and culture of their societies (Aslam 2006: 865). Nevertheless, thanks to abundant misrepresentations by the press, the term '*shari'a*' conjures images of stoning, amputations, public executions and the oppression of women.

Secondly, a widespread perception exists that Muslims are deliberately forging a separate community, and resisting assimilation by fusing religious and secular education. In the Western European process of functional differentiation observed by Durkheim, responsibility for education passed from religious institutions to the state. These state-operated schools became increasingly based on rational, secular principles. Religion-based schooling has a long history in Australia, with state funding available for all religious schools. Yet there exists a perception that the education of Muslims in Islamic schools isolates these children from Australian society, reinforcing differences, fostering resentment and entrenching a defiant religiosity. Islamic religious education is thought by many commentators to be the most important source of anti-Western attitudes among Muslims, perhaps even serving as a breeding ground for terrorism and violence (Saeed 2005: 63). Muehlenberg even argues that Australia is undergoing a process of 'Islamisation', due to the funding of Islamic schools, the implementation of Muslim religious instruction in state schools, and the failure to ban Islamic dress in these schools (2011b).

Thirdly, elected Muslim representatives within the Australian political system have been accused of inappropriately representing religious beliefs rather than geographical constituencies. In 2010 in the NSW Parliament, Labor MP Tony Stewart denounced the Lebanese Muslim Association for undermining Australian democracy by running its own candidate at the State election (Parliament 2011). Stewart was ‘perplexed’, because he felt that the LMA is undermining the principle that Australian governments represent ‘the people’, not religious faiths. This chapter demonstrates that these fears and accusations are unfounded. It concludes that there is overwhelming support for a new secularism which requires the exclusion of religion from secular institutions.

LEGAL INSTITUTIONS

Shari’a politics

The Australian anthropologist Ghassan Hage identified the fear of an alien legal system operating in Australia as the primary source of objections to public displays of Muslim religiosity. For Hage, Australians are confronted by the *hijab* not because it is a source of cultural otherness, but rather because it symbolises the threat that the law of the ‘other’ will be imposed upon Australian law (2008).

The perception that Muslim communities threaten the separation of religious principles from secular law in Australia is flawed. It is usually based upon two misleading presumptions: (i) that to conform to *shari’a* undermines or violates the secular legal system, and (ii) that the implementation of all *shari’a* principles has widespread support among Australia’s Muslims. This section argues, contrary to common perceptions, that in most cases *shari’a* and secular law can coexist; and that the aspects of *shari’a* which cannot conform to Australian law gain

little mainstream support within Australian Muslim communities. It is clear that these communities overwhelmingly respect the freedom of secular legal institutions from religious influence.

Public debate on the place of religious laws and principles in Australian society is usually based upon the misplaced assumption that Islamic and secular legal systems cannot coexist. This is exemplified by the recent exchange between the president of the Australian Federation of Islamic Councils, Ikebal Patel, and Attorney-General Robert McClelland. Patel, in a submission to the parliamentary enquiry on multiculturalism, voiced support for ‘legal pluralism’, including tentatively advocating the introduction of *shari’a* arbitration bodies. He emphasised that *shari’a* can be applied in a way that complies with Australian law. The Attorney-General responded by stating that there ‘is *no place for sharia law* in Australian society and the Government strongly rejects any proposal for its introduction...Australia’s brand of multiculturalism promotes integration. *If there is any inconsistency* between cultural values and the rule of law then Australian law wins out’ (Karvelas 2011b, my italics). This exchange reveals the toxic misrepresentations that exist within the *shari’a* debate. The Attorney-General’s statement is almost oxymoronic. He states that there is no place for *shari’a*, but in the next sentence reveals that there *is* a place for cultural values, usually comprised of *shari’a* principles, so long as they are consistent with the rule of Australian law.

Patel later retracted his contentions, largely due to pressure and criticism from within the Muslim communities, including the state-based Islamic Councils, which had no input into this request (Merritt 2011a). Though Patel had never intended to imply the subordination of civil law to religious law, the meaning of his submission was misinterpreted. He later said he supported secular law and it had been a mistake to even mention legal pluralism. He

emphasised that *shari'a* dictates that Muslims in non-Muslim societies must respect the law of the country (Merritt 2011a).

Muslims for more than a century have worked, studied, raised families, worshipped and lived their lives in accordance with the tenets of Islam whilst also adhering to Australian law (Black and Sadiq 2011: 83). Fears of Muslim communities' 'hidden agenda' to create a parallel legal system ignore the fact that other religious groups have observed their religious laws harmoniously alongside civil processes in Australia for centuries without substantial opposition (Buckley 2010: 98; Muehlenberg 2011b).

There exists an unfounded assumption that where institutions exist (such as halal butchers, or private bodies for resolving disputes between consenting Muslims) which conform *by choice* to *shari'a* principles, this constitutes the imposition of a parallel legal system in Australia. This involves a fundamental misunderstanding of legal principles. Instead, when behaviour exists which conforms to more than one legal system, we should speak of '*legal pluralism*', not in the juristic or formal sense of separate courts, but in the social science sense where official and unofficial, dominant and subordinate forms of law coexist. It is only where inconsistencies arise between Australian law and these practices which conform to *shari'a* principles *or* where there is an enforcement of *shari'a* principles upon unconsenting individuals that one can speak of the creation of a 'parallel legal system'.

In a recent *Sydney Morning Herald* article entitled 'What is Sharia?', the legal scholar Jamila Hussain wrote that 'for the most part, if you live in Australia, you can still obey sharia because there is very little conflict. That is something that a lot of the media and politicians simply do not get' (Kwek 2011). Accusations of unwillingness to participate in secular legal

institutions ignore the many ways in which Muslim communities have already found space to observe their own customs within the Australian legal system. Muslims submit themselves to Australian law when they obtain state authorisation of Islamic marriage celebrants; organise visas for imams from overseas; obtain permission to bury their dead according to Muslim burial rites; contest misrepresentations about Islamic culture and practice; establish Islamic schools; and expand the role of Islamic welfare with the privatisation of government welfare (Humphrey 2001: 41). Practising Islam in conformity with the existing legal framework can be seen, for example, in development applications for mosques and Islamic schools in the Local Council and the Land and Environment Court; the discussion of religious law in the Family Law Council and the Australian Law Reform Commission; and the recruitment of imams in the Department of Immigration and Multicultural Affairs (Humphrey 2001: 41).¹²

Family law: marriage and divorce

The most contentious aspect of the *shari'a* debate in Australia relates to family law.

According to Black and Sadiq (2011), this is what mainstream Australian discourse perceives as 'bad *shari'a*'. This section examines the compatibility of Islamic marriage and divorce law with both Australian law, and Australian norms of gender equality.

Marriage

It is possible for Muslims to comply with both the Marriage Act and Islamic law when they wish to wed (Hussain 2001: 163). Imams may be appointed as celebrants, and there are no stringent requirements as to the form of the ceremony. The desire of a minority of Muslims for polygamous marriages has posed a far greater issue. Under *shari'a*, polygamous marriages

are allowed only in exceptional circumstances, which differ according to particular interpretations of Islamic law. A few men have contracted polygamous marriages in Australia through a religious ceremony which is not recognised as a legal marriage under Australian law, but is rather considered a de facto relationship (Hussain 2001: 169). Since there is no legal obstacle to a person living with a married spouse and a de facto partner, there is no inherent conflict with Australian law. Yet this is seen by some as violating Australian principles of gender equality, because polygamy is a privilege accorded only to men.

However there has been a push from Muslim feminists to challenge common interpretations of Islamic law. Much of the gender inequality which is perceived in *shari'a* principles draws upon the interpretations forged within economically underdeveloped countries with patriarchal histories and cultures. As there is no 'essential' or 'pure' *shari'a*, it is susceptible to reform through reinterpretation of Islamic texts. Muslim feminists and modernist scholars have scrutinised Islamic family law texts, and have concluded that the predominantly male jurists who developed these laws from the tenth to the twelfth century did so in ways that reflect the gendered roles and expectations existing at their time (Buckley 2010: 83). Yvonne Haddad notes that the migration experience to the West can empower Muslim women to question these gender norms, and the validity they draw from Islamic texts (2005: 115).

Divorce

In Islamic law, divorce has always been permitted, though it is 'the thing most hated in the eyes of God' (Hussain 2001: 175). Only men may exercise the right of *talaq*, divorcing the wife by the pronouncement of the word '*talaq*' three times. This is seen by some as discriminatory towards women, who do not possess this right. Women are only able to

divorce their husbands by making an application to the court. They can 'buy' their divorce by returning their *mahr* to the husband, or they can establish that their husband is guilty of desertion, failure to maintain them, cruelty or other grounds allowed by *shari'a*, the court may grant them a divorce (Hussain 2001: 176).¹³

Under Australian law, the irretrievable breakdown of marriage, evidenced by twelve months separation, are the only grounds for divorce. Whilst most Muslim women can comply with these criteria, and obtain a legal divorce, Muslim communities will not recognise the divorce unless they also comply with *shari'a*. Whilst this does not pose a problem for men (as they can simply pronounce *talaq*), women have no recourse to a *shari'a* court in Australia to obtain a religious divorce. This has also posed a considerable problem for women in the Jewish community (Hussain 2001: 176), with husbands taking advantage of gaps between the civil and religious systems to deny wives a religious divorce while granting them a civil one (Buckley 2010: 95).

Thus, ironically, Muslim women in Australia can often be placed in a more difficult position in relation to divorce than their counterparts in Muslim countries, because there are no official bodies which can arbitrate disputes under religious law (Buckley 2010: 90-91; Jamal 2007). The resulting dilemma of 'limping marriages' has led some Muslim leaders to put forward proposals for reform, which usually involve establishing systems *within* the Australian law to facilitate conformity with *shari'a* practices. Such measures are both in the interests of Australian Muslim communities, and in the interests of gender equality. However they have been met with great resistance, as '*shari'a* has no place within the Australian legal system' (Merritt 2011b).

Two prominent options are (i) the creation of religious authority bodies that advise Muslims on the Islamic family law process; and (ii) the changing of secular legislation to recognise Islamic divorce procedures (Buckley 2010: 95-96). The first proposal involves no violation of or change to secular law, but merely the creation of religious advisory bodies (similar to the Beth Dins founded by Jewish communities). Since individual imams have long been consulted for advice and decisions regarding divorce, and have been able to persuade husbands to divorce their wives through *talaq*, clearly the better option for women would be to have available a local religious authority, which can grant an Islamic divorce. These bodies have been variously called the ‘Shari’ah councils’ (Britain), the Australian National Imams Council (Australia) and Islamic arbitration councils (Canada). Whilst the Canadian arbitration councils have been recognised under the existing family law system, the British and Australian models operate outside the formal system in an extra-judicial sense (Buckley 2010: 96).

Ghena Krayem (2010: 117-18) argues that a demand for these bodies should not be perceived to be a separatist one, in that it does not require a parallel legal system to be set up that operates alongside the mainstream legal system. She notes that in the UK context, when Muslims have asked for such accommodation, it has been in the context of fitting into - and not replacing - the alternative dispute resolution system already in place in the family law arena. As Lord Phillips (Lord Chief Justice of England and Wales) emphasised, ‘it is [already] possible for those who are entering into a contractual agreement to agree that the agreement shall be governed by a law other than English law’, and the use of Islamic family law with the consent of both parties is no different (2008: 9). This is confirmed by the UK Muslim Arbitration Tribunal, which states its purpose as to resolve family law disputes in harmony with both UK law and *shari’a*.¹⁴ The tribunal achieves this by including at least one scholar of

Islamic law and one solicitor or barrister registered to practice in England or Wales.

Unfortunately, proposals to introduce these religious advisory bodies have so far encountered great hostility in Australia (Bibby 2010; Hole 2011; Karvelas 2011a; Namazie 2011).

The second measure to address the dilemma of ‘limping marriages’ involves the amendment of secular laws to account for religious considerations. The Australian Law Reform Commission recommended such a measure in 1992, publishing a report on multiculturalism and family law. The ALRC proposed granting courts the ability to withhold a civil divorce if the applicant had not done enough to remove any religious barriers to their spouse’s remarriage. However the Family Law Council decided that the Family Law Act should not be amended or reformed (Buckley 2010: 97). Whilst some may interpret this push for minor legal reform as undermining the differentiation of secular legal institutions from religious institutions, it actually lies within the scope of secularism, vis-a-vis the mutual respect and toleration of secular practices by religious groups. It is likely to enhance the standing and equality of Muslim women, and is therefore consonant with ‘Australian values’ of gender equality.

Contrary to media accusations, such measures have only been endorsed by a minority of Australian Muslims. The support among Muslim representative bodies for these requests is volatile and mixed. The Muslim Women’s National Network of Australia supports the establishment of *Shari’a* Councils, while the Islamic Women’s Welfare Council of Victoria has rejected the idea (Buckley 2010: 98).

Certainly, no prominent Muslim body is advocating the enforcement of *shari’a* principles on either Muslims or non-Muslims in Australia. Where *shari’a* ‘courts’ have been established

overseas, such as in the UK, they make judgments only with respect to consenting individuals who have chosen not to use the civil court system. They operate within British law, and there is an appeal process by which decisions of these Muslim bodies are reviewable by civil courts. As Krayem argues, 'it is not about creating a separate legal system but about allowing such minority groups to be better accommodated in the existing institutions and legal structures' (2010: 118). She goes on to emphasise that Muslims are not seeking an enforcement or official recognition of *shari'a*: 'there is no evidence to suggest that any proposal has been put forward for any multicultural state to recognise the content of Islamic law within its legal system. To do this would be to involve the state in matters of religion and its interpretation' (Krayem 2010: 118). As there is no universal interpretation of *shari'a* principles, inevitably controversies would arise. This brings us back to the main point of this thesis: both religious and worldly people tend to prefer institutional separation, because it not only protects the world from religion, but it protects religion from the world (Casanova 1994: 49).

EDUCATIONAL INSTITUTIONS

Indoctrinating the youth?

The distinguished Australian Muslim scholar Shahram Akbarzadeh has written that 'contrary to the views of former treasurer Peter Costello, devout Muslims do not champion the establishment of sharia law in Australia. What is important for them is no different to other groups. Education opportunities and employment prospects for themselves and their kids rates much higher than any other concerns' (2008).

He has a point. Contrary to common perceptions, Australia's Muslim communities overwhelmingly support the separation of secular education from Islamic religious teachings. Most Muslims are neither pushing to establish a distinct religious school system, nor are they attempting to introduce religious education into state schools. Rather, attempted reforms are restricted to ensuring that their children are educated with Islamic *values* in mind. These values are generally not specific to Islam, but rather apply across many different religions. This is evident in the striking numbers of Muslim parents who send their children to Christian schools - around 30-40% - due to the single-sex environment at secondary level, and the strong moral education foundation (Morris 2003b; Saeed 2003). There is overwhelming support for a new secularism which requires the separation of religious and secular institutions.

Those parents who do not send their children to Christian schools overwhelmingly prefer the state education system. Only around 10 percent of all Muslim children attend Islamic schools (Clyne 2001: 117). One dominant justification which surfaced in Irene Clyne's 2001 study¹⁵ was the perceived sub-standard secular education provided by many Islamic schools. Clyne's interviewees showed themselves to be supporters of the new secularism by overwhelmingly choosing not to send their children to Islamic schools because of the poor academic standards and limited resources, and thus choosing a good secular education over religious instruction (2001: 133).

Clyne identifies two competing expectations that Muslim parents possess: the expectation that their child will gain the high standard of education that has become essential to achieve a secure future, and the expectation that education is shaped by their own cultural background and the strengths of their religious beliefs (2001: 119). This involves a trade-off between a

good education, which will ensure participation in broader Australian society, and religious identity, which will ensure full participation in the Muslim or ethnic communities. The prioritisation of the first expectation indicates that the requirement of a comprehensive secular education has trumped the desire for religious teachings. Instead, parents ensure that their children obtain a religious education through special after-school or weekend classes or religious teaching at home. They believe that ‘on balance, their children should receive a good secular education at school and a good religious education at home’ (Clyne 2001: 133). This attitude is reflected in the words of one Muslim teacher who criticised Islamic schools for allowing parents to opt out of their responsibilities:

‘By sending their children to Islamic schools, parents are washing their hands of their responsibility to teach Islam to their children’ (Clyne 2001: 133).

Adherents of this view generally feel that being accepted by peers in a conflict-free manner and learning to live within the new society is more important than comprehensive religious education. This involves the literal confinement of education to two different spheres: religious education to the home and mosque, and secular education to the school.

Where controversies arise over the fusion of religion and secular education, they usually involve a push for education which is consonant with Islamic *values*, rather than a call for Islamic *religious education*. Parents feel that state schools are not promoting the type of behaviour which is expected. For the Muslim parents involved in Clyne’s consultations, correct behaviour was defined in cultural terms such as ‘protecting family name’ or ‘shaming the family’ rather than Islamic terms. One respondent suggested that their idea of correct behaviour involved ‘respect for authority, a reserved and modest manner, consideration for

others, integrity and honesty in all dealings and negotiation before conflict' (Clyne 2001: 123). An example of this distinction is the debate over calls to outlaw religious symbols in schools. Battles surrounding the *hijab* as a public religious symbol are often fought in the classroom. Yet those who contest the presence of religious symbols in public schools in effect force many Muslims to send their children to private, Islamic schools, where the *hijab* is a uniform requirement (Haywood 2004). In this case, the creation of separate religious schools would be the result of an inability to gain a secular education whilst adhering to Islamic values.

These parents would prefer to place their children in the secular mainstream education system, if the curriculum is monitored for anti-Muslim sentiments and activities which undermine Islamic values (Clyne 2001: 117). However, Muslim parents often lack confidence to negotiate changes to the school curriculum (Clyne 2001: 132). Some possible ways to operationalise this approach include monitoring education programs and textbooks for anti-Muslim sentiments, and finding alternatives for inappropriate activities such as mixed swimming classes or sex education. These actions require the Muslim community to be proactive in ensuring that teachers and educational authorities are informed about Muslim beliefs and values. In May 2010, substantial progress was made in developing this approach. The document *Bringing Muslim Perspectives into Australian Schools* purportedly assists teachers in state and private schools to integrate the study of Islam and Muslims into the curriculum, and to ensure that activities are sensitive to Islamic values. A similar attempt was made in 1998 to suggest strategies for meeting Muslim needs within the secular education system (Abdel-Halim 1998). Such strategies enhance the ability of Muslims to participate in the secular education system.

POLITICAL INSTITUTIONS

Representing religions

Further support for the main argument of this dissertation is the fact that Muslims in Australia overwhelmingly both respect and support the secular nature of political institutions, and their independence from religious influence. This section looks to a recent report, *Political Participation of Muslims in Australia*, which supports this argument. It then moves to analyse the policies and campaigns of the first and only Muslim elected to the federal parliament (in 2010): Ed Husic. Whilst the election of a Muslim to the federal parliament inevitably fulfills the desire of Muslim communities to have their religion physically represented and, thus, feel themselves to be part of the Australian political community, it is of interest that Husic emphasises that he does not represent Australian Muslims.

In June 2010, the Department of Immigration and Citizenship commissioned a study of the political participation of Muslims, which involved in-depth interviewing of thirty individuals who were politically active, or influential within and beyond Australian Muslim communities (Al-Momani et al. 2010: 9). It made an important finding: that *all* participants universally rejected any suggestion that they represented a specifically Muslim constituency. One interviewee declared that ‘we all live under one roof: the Australian political system’ (Al-Momani et al. 2010: 61). All emphasised that they represented their geographical constituents, regardless of religion, and that they were careful to make all political decisions on their merits (Al-Momani et al. 2010: 4).

A political Muslim’s religiosity tends to foster an *intentional secularity* in terms of policymaking. One participant - Hicham Zraika, Labor Mayor of Auburn - felt that his

identification with his religious community put an additional onus on him to be consciously fair and equitable at all times and to demonstrate that he is not just speaking for Muslims, especially when issues such as the development of religious facilities come up for debate (Al-Momani et al. 2010: 19). Zraika emphasised that 'I represent the whole community, and I'm not in it to say I'm a Muslim candidate for the Muslim people. I'm an Australian candidate for the Auburn community'. We might say, to put things paradoxically, that the religiosity of the Lord Mayor is the condition of possibility of his emphatic secularity as a representative of Auburn.

Such secularist views are found not only among those running for election, and who wish to attract a wide constituency. The report cites one participant explaining their decision to vote for a particular individual:

'Even if he's a Muslim, that means nothing. There are many non-Muslim MPs who understand what is happening to Muslim communities and we can talk to them openly...Whether representatives are Muslim or Christian it doesn't matter, we just want them to treat us as equals' (Al-Momani et al. 2010: 61)

The report suggested that among younger Muslims especially, there may be a shift from the traditional Labor Party vote to the Greens (Al-Momani et al. 2010: 47). This reflects a desire to be publicly heard and acknowledged, more than anything. Many felt that Muslims' traditional Labor voting had made the Party complacent and unresponsive to their concerns (Al-Momani et al. 2010: 47). This is reinforced by a recent article on the website Muslim Village. It asks Muslims to vote in whichever way would ensure that their electorate would become a 'swing seat', allowing them to gain a voice (Village 2010). This followed a call by

Samier Dandan, president of the Lebanese Muslim Association, to do the same. In a speech, he said: ‘We have reasonable and solid expectations of what our community deserves, not as Muslims, but simply as Australian citizens’ (2010). Dandan urged Muslims to focus on the issues - both religious and secular. As well religious burial¹⁶ and mosque construction¹⁷, he cited concerns over access to healthcare, and rising unemployment in Bankstown and Lidcombe.

In 2004, the group which edits the MuslimVillage website, along with a coalition of Muslim organisations, put together the Australian Muslim Electoral Taskforce, which settled on a number of key issues and approached the major political parties. The issues included ‘Palestine...pornography, censorship of media, settlement...freedom of religion, Islamic schools [and] anti-discrimination’. The Greens and Democrats responded, whilst Labor and Liberal ‘just didn’t really care’ (Al-Momani et al. 2010: 24). It was the willingness of the Greens to be responsive to the needs of Muslim communities, rather than any cultural or religious affinity with Greens principles, that was the most important factor in attracting the Muslim vote. The increase in support for the Greens has occurred despite the incompatibility with many of the party’s policies with Islamic principles. This is exemplified by the issue of same-sex marriage, which is prohibited in Islam. Many of the interviewees who were members of the Greens supported the party’s position on same-sex marriage, and *all* agreed that they could not support human rights for their own communities whilst denying those rights to the gay and lesbian community (Al-Momani et al. 2010: 45). The rising vote for the Greens despite these ostensible ‘moral’ disagreements perhaps indicates that in matters of party politics, Muslim communities are very much for the new secularism.

The election of the only federal Muslim parliamentarian, Ed Husic, the Member for Chifley, further demonstrates the commitment of Muslim representatives to the secular nature of political institutions. From a Bosnian family, Mr Husic describes himself as a non-practising, ‘cultural’ Muslim. Yet he was the first Australian MP to be sworn in with the *Qur’an*, and he does report experiences of religiously-based prejudice in his political pursuits (Wilson 2010). Husic has accused elements within the Liberal party in Western Sydney of repeatedly seeking to use his Muslim background as a divisive political issue (Dikeos 2010). Whilst running in 2004 for the neighbouring seat of Greenway, traditionally a Labor stronghold, the issue of his Muslim faith was targeted directly. Fake flyers describing him as a devout Muslim working hard to get a better deal for Islam in Greenway were distributed (pictured below). Though successful in Chifley in 2010, there was, as a result, an 11.6% swing away from Labor in that seat.

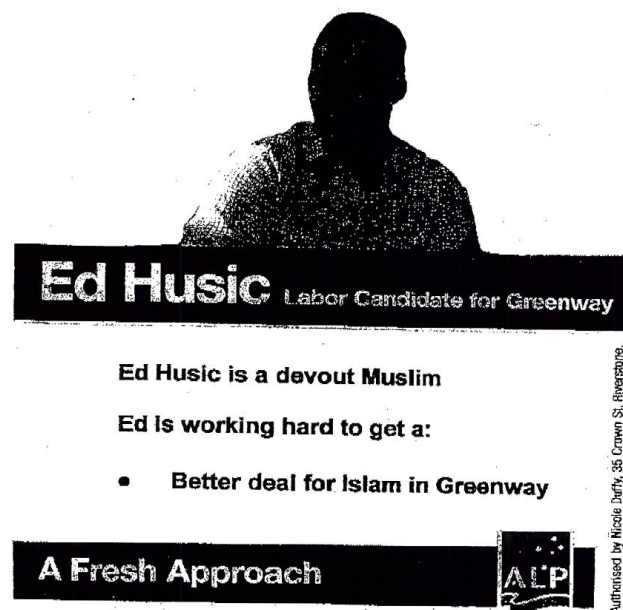


Figure 6: the fake flyer distributed by Husic's opponents in the 2004 Greenway election

That Australia now has a Muslim representative in its federal parliament is significant for two reasons. First, it suggests a determination by the broader Australian community that a person's

religion is not necessarily their defining feature. Secondly, it is a reaffirmation that Muslims are choosing a different path than that offered by extremists (Husic 2006: 96). Husic maintains that he does not see himself as a religious vessel in the political arena. In a 2006 speech in which he dealt with the 2004 campaign against him, Husic stated,

‘I always saw myself as just a regular Australian, who happened to be Muslim. I never saw myself as a Muslim candidate. I ran because I wanted to get things done for the area I grew up in’ (Husic 2006: 92).

Husic’s attitude emphasises that Australian Muslims are eager to participate in Australian political institutions in their capacity as Australian citizens, rather than as representatives of their religion. There is not only a toleration of the secular nature of these institutions, but vigorous support for it. A Muslim identity forces a candidate to be *consciously* even-handed equitable towards their constituents, regardless of religion. Rather than threatening the secularism of Australian political institutions, it seems that the participation of Muslims enhances it.

CONCLUSION

The evidence assembled above demands a rethinking of secularism in Australia. This dissertation called into question entrenched presumptions, demonstrating that accusations that Islam inherently conflates religious and political power are misplaced; and that traditional theories of secularisation can no longer adequately explain the complex dynamics of the contemporary world. Conversations and beliefs based upon these presumptions must be challenged, and a culture of tolerance fostered through acceptance of the place of public religions in Australian society. This dissertation has shown that commentators, intellectuals and politicians who adopt the language of secularism often have little understanding of its history. Ignorant of the past, they inevitably misunderstand the present. Policies of secularism based upon these presumptions and misunderstandings mistakenly view religious decline as a civilising process, with Islam as an impediment to that process.

This dissertation uncovered evidence, hitherto shockingly ignored, to argue that contrary to common perceptions Australian Muslims overwhelmingly support the independence of the secular state from religious institutions and norms. Whilst Islam will continue to flourish in the Australian public sphere, the apprehension which accompanies this public religiosity is misplaced. Chapter three revealed that there is no mainstream desire in the fields of law and education to establish parallel religious institutions, or to institutionalise a distinctly Muslim religious perspective into Australian politics. Instead, there exists great tolerance for the autonomy of secular institutions, and recognition of the need to work within the existing institutions to find ways to accommodate the diverse needs of Muslim communities.

The themes of this dissertation are not unique to Australia, yet if Australia embraces religious secularism, it may help to inspire profound reforms on a global level. Australia might emerge as a pioneer of good practice. Its new, more tolerant and democratic secularism could serve as an important model for Western Europe, which is currently fortifying its public spaces against religious intrusion, exacerbating social exclusion. Conflicts between Muslims and the old secularism in Europe are commonplace - from the Rushdie affair in 1998, to the *hijab* disputes in France and elsewhere, to the cartoons crisis of 2005. Despite all this, and mirroring the situation in Australia described in chapters two and three, Muslims in Europe acknowledge and praise the secular character of European *states* (Cesari 2009a: 287). That being so, the battles that have arisen are principally to do with the ostensibly secular nature of European *societies*: the status of Islam in public life, the delimitation of the public and private sphere, religious freedom, freedom of expression, and the visibility of religious practices.

In the face of such disputes, in Europe as in Australia, a redefinition of secularism may resolve some of the difficulties produced by Muslim integration. The new secularism has great political potential. Further study is crucial. Methods of enhancing the inclusion of Muslims within secular institutions must be further developed. Studies could specifically engage with the views of Muslim individuals and communities through in-depth interviews about the old and new secularisms. An examination of the relationship between the new secularism and policies of multiculturalism would be invaluable. From such studies, it is conceivable that policy changes could take place in line with this new way of thinking. Room could be made within secular institutions for Islamic values and practices. Representative bodies of different Muslim communities might be supported in the political arena, to ensure that Muslim voices are heard. Importantly, political parties should be forced to clarify their positions as to what secularism in Australia entails, to minimise uninformed speculation in the

media based upon archaic European ideologies of secularism. The implication: religious
secularity is a real possibility in Australia.

BIBLIOGRAPHY

- Abdel-Halim, Aziza (1998), 'Meeting the Needs of Muslim Students in the Australian Education System', (Sydney: Self-published).
- Akbarzadeh, Shahram (2008), 'Muslim majority wants secular law', *The Australian*, April 15.
- Al-Momani, Kais, et al. (2010), 'Political Participation of Muslims in Australia', in Centre for Research on Social Inclusion (ed.), (Sydney: Macquarie University).
- Almond, Gabriel and Verba, Sidney (1963), *The Civic Culture: political attitudes and democracy in five nations* (New York: Princeton University Press).
- Anonymous (2005), 'Bishop defends headscarf comments', *The Age*, August 29.
- Asad, Talal (2003), *Formations of the Secular: Christianity, Islam, Modernity* (Stanford: Stanford University Press).
- Aslam, Jehan (2006), 'Judicial Oversight of Islamic Family Law Arbitration in Ontario: Ensuring Meaningful Consent and Promoting Multicultural Citizenship', *New York University Journal of International Law and Politics*, 38.
- Bahfen, Naysa (2010), 'A State of Islam: Modernity and Muslim Life in Twenty-First Century Australia', in Gabrielle Marranci (ed.), *Muslim Societies and the Challenge of Secularization: An Interdisciplinary Approach* (London/New York: Springer Science and Business Media), 219-30.
- Baker, Jon (2011), 'Religion and Secularism: A False Dichotomy?', *The Religion and Globalisation Initiative*.
- Bawer, Bruce (2006), *While Europe Slept: How Radical Islam is Destroying the West from Within* (New York: Broadway Books).

- Berger, Peter (1967), 'A Sociological View of the Secularization of Theology', *Journal for the Scientific Study of Religion*, 6 (1), 3-16.
- (2007), 'Pluralism, Protestantization, and the Voluntary Principle', in Thomas Banchoff (ed.), *Democracy and the New Religious Pluralism* (New York: Oxford University Press), 19-30.
- Bhargava, Rajeev (1998), 'What is Secularism For?', in Rajeev Bhargava (ed.), *Secularism and its critics* (Oxford: Oxford University Press).
- (2010), 'States, Religious Diversity, and the Crisis of Secularism', *The Hedgehog Review*, 12 (3).
- (2011), 'Beyond moderate secularism', *The Immanent Frame*, September 16.
- Bibby, Paul (2010), 'Muslim leader wants elements of sharia in Australia', *Sydney Morning Herald*, March 8.
- Bisin, Alberto, et al. (2007), 'Are Muslim Immigrants Different in Terms of Cultural Integration?', (Institute for the Study of Labor (IZA)).
- Black, Ann and Sadiq, Kerrie (2011), 'Good and Bad Sharia: Australia's Mixed Response to Islamic Law', *UNSW Law Journal*, 17 (1), 82-99.
- Bouma, Gary, Daw, Joan, and Munawar, Riffat (2001), 'Muslims Managing Religious Diversity', in Abdullah Saeed and Shahram Akbarzadeh (eds.), *Muslim Communities in Australia* (Sydney: University of NSW Press), 53-72.
- Bouma, Gary D (1994), *Mosques and Muslim Settlement in Australia*, ed. Bureau of Immigration and Population Research (Canberra: Australian Government Publishing Service).
- Bowen, Chris (2011), 'Why Sheridan and the Immigration Minister parted company on road to multiculturalism', *The Australian*, April 16.

- Brown, Andrew (2011), 'Why 9/11 was good for religion: resurgence of religious debate after September 11 challenges the notion that theism is doomed', *The Guardian*, September 10.
- Buckley, Anisa (2010), 'Shari'ah, State Law and the 'Divorce Dilemma': Challenges Facing Muslim Women in Western Countries', in Shahram Akbarzadeh (ed.), *Challenging Identities: Muslim Women in AUstralia* (Melbourne: Melbourne University Press), 76-104.
- Calhoun, Craig (2010), 'Rethinking Secularism', *The Hedgehog Review*, 35-47.
- Casanova, Jose (1994), *Public Religions in the Modern World* (London: University of Chicago Press).
- (2006), 'Rethinking Secularization: A Global Comparative Perspective', *The Hedgehog Review*, Spring and Summer 06, 7-22.
- (2009a), 'Religion, Politics and Gender Equality: Public Religions Revisited', in United Nations Research Institute for Social Development (ed.), (Washington DC: Berkley Center for Religion, Peace and World Affairs; Georgetown University).
- (2009b), 'Immigration and the New Religious Pluralism: A European Union-United States Comparison', in Geoffrey Brahm Levey and Tariq Modood (ed.), *Secularism, Religion and Multicultural Citizenship* (Cambridge: Cambridge University Press), 139-63.
- (2011), 'Cosmopolitanism, the clash of civilizations and multiple modernities', *Current Sociology*, 59 (2), 252-67.
- Celermajer, Danielle (2007), 'If Islam is our 'other', who are we?', *Australian Journal of Social Issues*, 42 (1), 103-23.

- Cesari, Jocelyne (2009a), 'Islam and the Secularized Nation: A Transatlantic Comparison', in Nigel Biggar and Linda Hogan (eds.), *Religious Voices in Public Places* (Oxford: Oxford University Press), 286-304.
- (2009b), 'Islam in the West: From Immigration to Global Islam', *Harvard Middle Eastern and Islamic Review*, 8, 148-75.
- Chabal, Patrick and Doloz, Jean-Pascal (2006), *Culture Troubles: Politics and the Interpretation of Meaning* (Chicago: University of Chicago Press).
- Chrisafis, Angelique (2011), 'France's burqa ban: women are 'effectively under house arrest'', *The Guardian*, September 19.
- Cleland, Bilal (1993), 'The Experience of an Anglo-Celtic Muslim in Australia', in Mary Lucille Jones (ed.), *An Australian Pilgrimage: Muslims in Australia from the Seventeenth Century to the Present* (Melbourne: Victoria Press), 105-16.
- Clyne, Irene Donohoue (2001), 'Educating Muslim Children in Australia', in Shahram Akbarzadeh and Abdullah Saeed (eds.), *Muslim Communities in Australia* (Sydney: University of NSW Press), 116-37.
- Democrats, Australian (2006), 'Australian Democrats Discussion Paper: Separation of Church and State - Politics, religion, policy and law in Australia', (Canberra: Australian Democrats).
- First Muslim MP* (Australian Broadcasting Corporation, 2010), Dikeos, Thea (dir.).
- Dobbelaere, Karel (1987), 'Some Trends in European Sociology of Religion: The Secularization Debate', *Sociological Analysis*, 48 (2), 107-37.
- Durkheim, Emile (1912), *The Elementary Forms of the Religious Life*, ed. Mark Cladis, trans. Carol Cosman (London: Oxford World's Classics).
- Economist, The (2002), 'Australia: Tough on Muslims', *The Economist*, 38.
- Eisenstadt, S N (2000), 'Multiple Modernities', *Daedalus*, 129 (1), 1-29.

- Ely, Richard (1981), 'Secularization and the sacred in Australian history', *Historical Studies*, 19 (77), 553-66.
- Frame, Tom (2006), *Church and State: Australia's Imaginary Wall* (Sydney: UNSW Press).
- (2009), *Losing My Religion: Unbelief in Australia* (Sydney: UNSW Press).
- Gerring, J and Yesnowitz, J (2006), 'A normative turn in political science?', *Polity*, 38 (1), 101-33.
- Glock, Rodney and Stark, Charles Y (1965), *Religion and Society in Tension* (Chicago: Rand McNally).
- Gray, Anthony (2011), 'Religious freedom and section 116 of the Australian Constitution: would a banning of the hijab or burqa be constitutionally valid?', *Forum on Public Policy: a Journal of the Oxford Round Table*, 3, 1-33.
- Habermas, Jurgen (2002), *Religion and Rationality: Essays on Reason, God, and Modernity* (Cambridge: MIT Press).
- Haddad, Yvonne (2005), 'The Study of Women in Islam and the West: A Select Bibliography', *HAWWA: Journal of Women in the Middle East and the Islamic World*, 3 (1).
- Hadden, Jeffrey (1989), 'Desacralizing secularization theory', in Jeffrey Hadden and Anson Shupe (ed.), *Secularization and fundamentalism reconsidered* (New York: Paragon House).
- Hage, Ghassan (2008), 'Multiculturalism and the 'Islamic' question', in National Centre of Excellence for Islamic Studies Australia (ed.), (Melbourne: University of Melbourne).
- Hall, Louise (2011), 'Billboard loses prophet margin', *Sydney Morning Herald*, May 30.
- Hassan, Riaz (2002), 'On Being Religious: A Study of Christian and Muslim Piety in Australia', *Australian Religion Studies Review*, 15 (1), 87-114.

- Haywood, Ben (2004), 'Hijab ban under fire', *The Age*, February 2.
- Ho, Christine (2007), 'Muslim women's new defenders: women's rights, nationalism and Islamophobia in contemporary Australia', *Women's Studies International Forum*, 30, 290-98.
- Hogan, Michael (1979), 'Australian Secularists: The Disavowal of Denominational Allegiance', *Journal for the Scientific Study of Religion*, 18 (4), 390-404.
- (2009), 'Is Australia losing its religion?', *Australian Review of Public Affairs*.
- Hole, Jacquelyn (2011), 'Muslim group wants sharia law in Australia', *ABC News*, May 17.
- Horne, Donald (1964), *The Lucky Country: Australia in the sixties* (Melbourne: Penguin Books).
- Houlihan, Liam (2005), 'Hate wave hits Australian Muslim Women', *Herald Sun*, October 21.
- Hughes, Phillip (2006), 'Comparison of Church Attendance Trends in the UK and Australia', *Christian Research Association*.
- Humphrey, Michael (1987), 'Community, Mosque and Ethnic Politics', *Australian and New Zealand Journal of Sociology*, 23 (2), 233-45.
- (2001), 'An Australian Islam? Religion in the Multicultural City', in Abdullah Saeed and Shahram Akbarzadeh (eds.), *Muslim Communities in Australia* (Sydney: University of NSW Press), 33-52.
- (2005), 'Australian Islam, the new global terrorism and the limits of citizenship', in Shahram Akbarzadeh and Samina Yasmeen (eds.), *Islam in the West: Reflections from Australia* (Sydney: University of NSW Press), 132-48.
- Huntington, Samuel P (1997), *The Clash of Civilizations and the Remaking of World Order* (London: Simon & Schuster).

- Husic, Ed (2006), 'Islam and Australia: Can a Muslim get elected to parliament in a war on terror?', *The Sydney Papers*, Summer, 88-99.
- Hussain, Jamila (2001), 'Family Law and Muslim Communities', in Shahram Akbarzadeh and Abdullah Saeed (eds.), *Muslim Communities in Australia* (Sydney: University of NSW Press), 161-87.
- Inglis, Christine (2010), 'Inequality, Discrimination and Social Cohesion: Socio-Economic Mobility and Incorporation of Australian-born Lebanese and Turkish Background Yoth', in The Integration of the Australian Second Generation Project (ed.), *National Action Plan to Build on Social Cohesion, Harmony and Security* (Sydney: University of Sydney).
- Jamal, Nadia (2007), 'Until two legal systems do us part', *Sydney Morning Herald*, May 5.
- Johnson, R Burke and Onwuegbuzie, Anthony J (2004), 'Mixed Methods Research: A Research Paradigm Whose Time Has Come', *Educational Researcher*, 33 (7), 14-26.
- Jones, Mary Lucille (1993a), *An Australian Pilgrimage: Muslims in Australia from the Seventeenth Century to the Present* (Melbourne: Victoria Press).
- (1993b), 'Muslim Women: Both Sides of the Veil', in Mary Lucille Jones (ed.), *An Australian Pilgrimage: Muslims in Australia from the Seventeenth Century to the Present* (Melbourne: Victoria Press), 117-24.
- Jupp, James (1991), *Immigration* (Sydney: Sydney University Press/Oxford University Press).
- (2006), 'Terrorism, immigration and multiculturalism: the Australian experience', *Immigration policy after 9/11: US and European perspectives* (University of Texas, Austin).
- Kabir, Nahid (2004), *Muslims in Australia: Immigration, race relations and cultural history* (New Yor: Columbia University Press).

- Karvelas, Patricia (2011a), 'Australian Muslims call for aspects of Sharia law to be considered', *The Australian*, May 17.
- (2011b), 'Attorney-General Robert McClelland says there is 'no place' for sharia law in Australia', *The Australian*, May 17.
- Keane, John (2009), *The Life and Death of Democracy* (Sydney: Simon & Schuster).
- Kepel, Gilles (2011), 'Beyond the Clash of Civilizations', *The New York Times*.
- Krayem, Ghena (2010), 'Multiculturalism and Its Challenges for Muslim Women', in Shahram Akbarzadeh (ed.), *Challenging Identities: Muslim Women in Australia* (Melbourne: Melbourne University Press), 105-29.
- Kwek, Glenda (2011), 'What is sharia?', *Sydney Morning Herald*, July 19.
- Lack, John and Templeton, Jacqueline (1995), *Bold Experiment: A documentary history of Australian Immigration since 1945* (Oxford: Oxford University Press).
- Lewis, Bernard (1990), 'The Roots of Muslim Rage', *The Atlantic*, September.
- Luckmann, Thomas (1967), *The Invisible Religion: The Problem of Religion in Modern Society* (New York: Macmillan).
- Maddox, Marion (2005), *God Under Howard: The rise of the religious right in Australian politics* (Sydney: Allen and Unwin).
- Marranci, Gabriele (2010), 'Introduction', in Gabriele Marranci (ed.), *Muslim Societies and the Challenge of Secularization: An Interdisciplinary Approach* (New York: Springer).
- McAllister, Ian (1988), 'Religious Change and Secularization: The Transmission of Religious Values in Australia', *Sociological Analysis*, 49 (3), 249-63.
- McCallum, John (1987), 'Secularization in Australia between 1966 and 1985: a research note', *Australian and New Zealand Journal of Sociology*, (23), 407-22.

- (1988), 'Belief versus church: beyond the secularization debate', in Jonathan Kelly and Clive Bean (ed.), *Australian Attitudes: Social and Political Attitudes from the National Social Science Survey* (Sydney: Allen & Unwin).
- McGovern, Alyce and Fishwick, Elaine (2011), 'Cops, robbers and shock jocks: the media and criminal justice policy', *The Conversation*.
- McGregor, Craig (1968), *Life in Australia* (Sydney: Southern Cross International Pty Ltd).
- McKenny, Leesha (2011), 'Christians not vilified by Islamic billboard', *Sydney Morning Herald*, June 28.
- Merritt, Chris (2011a), 'It was a mistake to mention sharia law, admits Australian Islamic leader', *The Australian*, June 17.
- (2011b), 'No place in legal system for sharia: Jim Spigelman', *The Australian*, June 2.
- Migliorino, Pino (2011), 'FECCA head blasts The Australian's Sheridan's anti-Muslim tirade', *Institute for Cultural Diversity*.
- Mol, Hans (1985), *The Faith of Australians* (Sydney: Allen & Unwin).
- Moore, Robert (1998), 'History, Economics and Religion: A Review of 'The Max Weber Thesis' Thesis', in Sahay (ed.), *Max Weber and Modern Sociology* (London: Routledge).
- Morris, Linda (2003a), 'Muslims the new bogeymen of racist Australia, says surveyq', *Sydney Morning Herald*, February 19.
- (2003b), 'Islam leads in rush to faith education', *Sydney Morning Herald*, June 23.
- Muehlenberg, Bill (2011a), 'Creeping Sharia Again', *Quadrant Online*.
- (2011b), 'Sharia Apologists', *Quadrant Online*.
- Munawar, Riffat (1997), 'Intergenerational Cultural Difference Among Muslim Women in Wollongong', (University of Wollongong).

- Namazie, Maryam (2011), 'Australia must fight calls for sharia law', *The Australian*, August 12.
- Parliament 'Parliament of New South Wales', <<http://www.parliament.nsw.gov.au/prod/parliament/hansart.nsf/V3Key/LA20101203029#>>.
- Phillips, Chief Justice of England and Wales Lord (2008), 'Equality before the law', (East London Muslim Centre).
- Phillips, Melanie (2006), *Londonistan* (New York: Encounter Books).
- Possamai, Adam (2008), 'Australia's 'shy' de-secularisation process', in Basia Spalek and Alia Imtoul (eds.), *Religion, Spirituality and the Social Sciences: Challenging Marginalisation* (Bristol: The Policy Press), 23-35.
- Poynting, S (2006), 'What Caused the Cronulla Riots?', *Race and Class*, 48, 85-92.
- Poynting, Scott and Noble, Greg (2004), 'Living with Racism: The experience and reporting by Arab and Muslim Australians of discrimination, abuse and violence since 11 September 2001', in Human Rights and Equal Opportunity Commission (ed.), (Sydney: Centre for Cultural Research, University of Western Sydney).
- Rane, Halim, et al. (2010), 'Towards understanding what Australia's Muslims really think', *Journal of Sociology*, 1-21.
- Roose, Joshua (2010), 'The Truth of the Matter: Competing Claims to Islamic Legitimacy in the Context of Australian Multiculturalism', in National Centre of Excellence for Islamic Studies (ed.), (Melbourne: The University of Melbourne).
- Saeed, Abdullah (2003), *Islam in Australia* (Crows Nest: Allen & Unwin).
- (2005), 'Islamic religious education and the debate on its reform post-September 11', in Shahram Akbarzadeh and Samina Yasmeen (eds.), *Islam and the West: Reflections from Australia* (Sydney: University of NSW Press), 63-76.
- Said, Edward (1978), *Orientalism* (London: Penguin).

- (2001), 'The Clash of ignorance', *The Nation*, October 22.
- Salaymeh, Lena (2011), 'Notes from the field: the politics of inaccuracy and a case for "Islamic law"', in *The Immanent Frame* (ed.), (New York: Social Science Research Centre).
- Sheridan, Greg (2011), 'How I lost faith in multiculturalism', *The Australian*, April 2.
- Shiner, Larry (1967), 'The Concept of Secularization in Empirical Research', *Journal for the Scientific Study of Religion*, 6 (2), 207-20.
- Smith, T L (1978), 'Religion and Ethnicity in America', *American Historical Review*, 83, 1155-85.
- Stark, R and Bainbridge, W (1985), *The future of religion: Secularization, revival and cult formation* (Berkeley: University of California Press).
- Stark, Rodney (1999), 'Secularization, R.I.P', *Sociology of Religion*, 60 (3), 249-73.
- Stepan, Alfred (2001), 'The World's Religious Systems and Democracy: Crafting the "Twin Tolerations"', *Arguing Comparative Politics* (Oxford: Oxford University Press), 218-25.
- Stephenson, Peta (2010), 'Home-growing Islam: The role of Australian Muslim youth in intra- and inter-cultural change', *National Centre of Excellence for Islamic Studies Research Papers*, 3 (6).
- Stevens, Christine (1993), 'Afghan camel drivers: Founders of Islam in Australia', in Mary Lucille Jones (ed.), *An Australian Pilgrimage: Muslims in Australia from the Seventeenth Century to the Present* (Melbourne: Victoria Press), 49-62.
- Swatos, William H., Jr. and Christiano, Kevin J. (1999), 'Secularization Theory: The Course of a Concept', *Sociology of Religion*, 60 (3), 209-28.
- Taylor, Charles (2007), *A Secular Age* (Cambridge, Massachusetts and London: Harvard University Press).

Village, Muslim (2010), 'Australian Muslims fed up with political neglect',

muslimvillage.com, November 17.

Warne-Smith, Drew (2011), 'Muslim numbers to rise 80pc in 20 years', *The Australian*,

January 29.

Weber, Max (1918), 'Science as a Vocation', (Munich).

--- (1992), *The Protestant Ethic and the Spirit of Capitalism*, trans. T Parsons (London and

New York: Routledge).

Wilson, Lauren (2010), 'New MP is first in Australia to be sworn in with Koran', *The*

Australian, September 28.

Zwartz, Barney (2007), 'Limit Muslim migration, Australia warned', *Sydney Morning*

Herald, February 17.

ENDNOTES

¹ Proceeding on the basis that the supposed separation between ‘religion’ and ‘secularism’ is a false dichotomy (Jon Baker, 'Religion and Secularism: A False Dichotomy?', *The Religion and Globalisation Initiative*, (2011)).

² Bhargava advocates a ‘positive’ form of neutrality, which he calls ‘principled distance’, and involves occasional interventions by the state into the lives of religious believers, to ensure *equality* between religions of differing size and thus social influence. This is perhaps a worthy aspiration. However, a more realistic, incremental goal is state *neutrality* towards religions, alongside tolerance within society of the flourishing of religions in the public sphere. This kind of secularism is likely to facilitate social cohesion and inclusion in a multi-religious society.

³ See, for example, Bruce Bawer, *While Europe Slept: How Radical Islam Is Destroying the West from Within* (New York: Broadway Books, 2006), Melanie Phillips, *Londonistan* (New York: Encounter Books, 2006).

⁴ Much of the content of this debate can be found on The Immanent Frame blog, at <http://blogs.ssrc.org/tif/>.

⁵ *Adelaide Company of Jehovah's Witnesses Incorporated v Commonwealth* (1943) 67 CLR 116

⁶ *Kruger v Commonwealth* (1997) 190 CLR 1

⁷ Cited in Jose Casanova, *Public Religions in the Modern World* (London: University of Chicago Press, 1994) at 48.

⁸ Jeffrey Hadden, 'Desacralizing Secularization Theory', in Jeffrey Hadden and Anson Shupe (ed.), *Secularization and Fundamentalism Reconsidered* (New York: Paragon House, 1989).

⁹ Due to lobbying of the framers by the churches, it reads ‘Humbly relying on the blessing of Almighty God - a deliberately universal formula, not necessarily applicable only to Christians.

¹⁰ Though not representative, the focus of the study on Australian Muslims of Lebanese and Turkish heritage loosely reflects the distribution of ethnicities among Australia’s Muslims. The two major groups of overseas-born Muslims in Australia are those from Lebanon and Turkey (see Figure 1). Humphrey argues that the image of Islam in Australia has been strongly shaped by these two communities due to their size and their urban concentrations (Michael Humphrey, 'Australian Islam, the New Global Terrorism and the Limits of Citizenship', in Shahram Akbarzadeh and Samina Yasmeen (eds.), *Islam in the West: Reflections from Australia* (Sydney: University of NSW Press, 2005), 132-48 at 136.). The focus on Australian-born Muslims is similarly favourable: in 2006, 36% of Muslims were born in Australia. Of these Australian-born Muslims, around 30% claim Lebanese ancestry, while 18% claim Turkish ancestry (Ibid.).

¹¹ An Adelaide-based study which measures religiosity amongst 87 Christian and 78 Muslim residents of metropolitan Adelaide, gathered through their membership in religious organisations.

¹² One example of this legal approval requirement is the document 'Guidelines to Current Burial Procedures in New South Wales, Australia with Janazaah Supplement', 1984, produced in cooperation with the Islamic Burial Trust, The Funeral and Allied Industries Union of NSW, Dignified Funerals Pty Ltd, Lakemba and Rookwood Cemetery. The document was produced only after a long battle with unions and the Anglican Church over Muslim burial on consecrated Anglican ground. See Michael Humphrey, 'An Australian Islam? Religion in the Multicultural City', in Abdullah Saeed and Shahram Akbarzadeh (eds.), *Muslim Communities in Australia* (Sydney: University of NSW Press, 2001), 33-52 at footnote 19..

¹³ However the husband must pay the balance of the unpaid *mahr* (similar to a dowry) to the wife on divorce.

¹⁴ www.matribunal.com/index.html

¹⁵ A PhD study which used community-based methods of data collection including bilingual consultations with parents from Lebanese and Turkish backgrounds, a questionnaire in English, Arabic and Turkish sent to all Muslim community organisations throughout Australia and in-depth interviews with key Muslim educators

¹⁶ Rookwood Cemetery (the local) will soon have no more burial spots for Muslims left. To alleviate this, the LMA purchased a whole existing cemetery in Narrellan. It did this without any support, financial or non-financial from government, despite the fact that it is a matter of the Health Portfolio and Land Ministry to administer burials.

¹⁷ Roselands mosque purchased an existing place of worship, with the intention of providing for Muslims of that locality, and reducing traffic density at Lakemba mosque, but ended up with a mosque that is limited to three prayers a day, three days a week.