

Religious Freedom in ‘Islamic’ Australia

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Australia is described as a secular state. It is secular in the sense that the country’s constitution does not favour any particular religion or religions and in fact the constitution is silent on the subject of religion; yet, the constitution is not an anti-religious document because the Commonwealth of Australia Constitution Act of 9th July 1900 invoked “the blessing of Almighty God” in its preamble. All established religions except perhaps Buddhism believe in the existence of a Supreme Being called God, and therefore indirectly, the Australian constitution has some link with religion. This is an important point to bear in mind because very often religious people identify secularism with atheism and anti-religion. What a secular state actually does is that it keeps equidistance from all religions and in matters of legislation and execution of laws logic and reason through debate and discussion prevail over scriptural commandments from religious sources.

This secular state of Australia is also a vibrant democracy; and in that capacity, and in addition, as a signatory to the UN conventions on human rights, all freedoms that are enshrined in those conventions and in the principles of democracy, are legally protected and promoted. There is therefore, not only freedom **of** religion but also freedom **from** religion. Although Australia is a Christian majority country in the sense that the majority of believers declare their religion as Christianity when completing their census forms, it is a country that equally belongs to a number of other religions such as Judaism, Islam, Buddhism, Hinduism, Sikhism and Bahaism, just to name a few.

In the title of this presentation I have described Australia as ‘Islamic’. This may puzzle some of you because according to the 2006 census of population there are only 320,000 Muslims out of a total of more than 20 million Australians. Since a large number of Muslims are reluctant to fill the religion column in the census forms either due to a perceived fear of possible harassment under the recently enacted anti-terror laws or due to other opportunistic reasons the actual number of Muslims in Australia is estimated to be around 400,000 to 450,000. Yet this higher number is

also too small to warrant one to describe Australia as Islamic. I describe the country as Islamic for the following reason.

There are two sides to any religion. On the one hand, each religion has its own set of rituals, organizational structures, and historical narratives; and on the other, each religion has its set of values and principles. The first set is unique to a particular religion and is familiar to the ordinary masses that practice that religion. Even the most illiterate in a religious community is bound to know what the religious rituals are, who are the religious leaders, what organization/s to go to regarding religious matters, and what are some of the icons, myths and narratives regarding that religion. It was Professor Cantwell Smith the well known Canadian Orientalist who, when writing on Islam distinguished among Quran Islam, or Islam as it is embedded in the scriptures, *imam* Islam or the Islam as taught by the ulema, and *awam* Islam or the Islam practiced by the masses. I think that this tripartite division could be extended to all religions that have sacred scriptures. Between the two sets that I referred to it is the first set that falls in to Smith's last category; and it is this set that often acts as a divisive factor in the society. For example, take the case of the religious riots in South Asian countries. In one instance, an innocuous Buddhist religious procession with drums and music that passed through in front of a mosque created a riot between the Buddhists and Muslims in one of those countries. What was considered as a celebrative ritual by one mass of religionists became an insult to another. In another instance and in another country, the ritual sacrifice of a cow to celebrate a festival by one religious group provoked a riot because the cow was deemed to be a holy creature to be worshiped by another religious group. The cow and the music have nothing to do with the values and principles of their respective religions but were everything to the masses that practice those religions.

Instead, if one looks at the core set of values and principles of any religion one will find a lot of commonality among those religions. Take for example, the values of tolerance, justice, generosity, kindness and love, respect for law and order and so on, which religion preach against these values? Therefore in terms of values all religions are the same and these values are the values that form the edifice of Australian democracy. As a Muslim I find the values embedded in the Quran and the *sunnah* of Prophet Muhammad are the values the are implemented and practiced by the vast majority of Australians and the Australian government. I therefore see Australia as an Islamic country just as much as a Christian sees it as a Christian country or a Buddhist or a Hindu sees it as a Buddhist or Hindu country.

In this beautiful multi-religious, multi-ethnic, and multi-cultural country there is no legal impediment to practice any religion. The independence of the judiciary is the protector of the last resort to anyone who feels that his or her religion is being vilified deliberately. The infamous “Catch the Fire” case in the Victorian court between a Christian group and the Islamic Council of Victoria (ICV), in which the verdict was in favour of ICV is a silent testimony to religious freedom and protection in Australia.

Let me draw your attention to another index of religious freedom in secular Australia. This is something unique to a Western secular country. There are currently thirty-five Muslim denominational schools in Australia just as there is other Christian and Jewish schools. These schools are allowed to teach their respective religions to their respective students in addition to the normal curriculum prescribed by the state governments. What is unique to this system is that these schools are largely funded by the Australian tax payer through the Federal Government. We know that western countries have allowed Christian and Jewish schools to operate as private schools for a long time. But how many of these schools are funded by their governments? How many Western governments can match the Australian record today? There are also more than one hundred and thirty mosques and Muslim places of worship all around the country just as there are Christian churches, Jewish synagogues, Buddhist and Hindu temples, Sikh gruduwaras and Bahai places of worship. The laws of the country protect them all. In one instance, a Muslim group bought a disused church in Sydney and converted it into a mosque. The shire council took this group to the magistrate court for opening a mosque without permission. The plaintiffs argued that the building was used for the same purpose for which it was originally built. The court, on a strange interpretation of a mosque decided that a mosque is not a church and gave a verdict in favour of the shire council. The group appealed to the high court and there the verdict was overturned. Like this there are obstacles faced by Muslims now and then. Very recently and again in Sydney, another Shire council disallowed a Muslim group to build a school in Camden. The council gave into the pressure of some evangelical hardliners and rejected the school application on the flimsy ground of possible traffic jam and planning structure. However, the Muslims have taken up their case with the planning authority and awaiting a decision. I am sure that justice will prevail eventually. In short, in secular democratic Australia the laws of the land and an independent judiciary protect the rights of every religion and non-religious humanists.

Australia is also a leader in promoting interfaith dialogue and understanding. The government of Australia has taken this dialogue as a mission internationally. With generous funding and in alliance with neighbouring countries it has convened four international conferences on interfaith dialogue, the first in Jakarta in 2005, second in the Philippines in 2006, third in New Zealand in 2007, and the fourth in Kampuchea in 2008. The fifth is expected to be held in Sydney in 2009. Once again, a secular democracy is in the forefront of promoting inter-religious understanding. By getting actively involved in these inter-faith dialogues Australia is giving a new meaning to the concept of secularism.

Finally, as a believer in Islam I look at the status of the values taught by my religion as enshrined in the Quran in Muslim majority countries. It is with great disappointment that I confess of their almost non-existence. Muslim countries with the exception of perhaps Turkey and Indonesia have made Islam as their state religion but their practices are totally un-Islamic. Whereas Australia with no state religion and with a secular democracy protects all religions equally, and the values the country practices, promotes, and implements are without a shadow of doubt is Islamic. I am proud to live in an 'Islamic' Australia.