

# FREEDOM of RELIGION and BELIEF in an AGE of UNCERTAINTY



By Conrad Gershevitch



We all have our 9/11 stories. For me, the night of 11 September was the first for over a week that I went to bed late, as I had been recovering from influenza. I had watched *Lateline* and was about to turn the television off when a breaking story was announced.

Photo: Dreamstime.com

**T**he ABC played the CNN feed and the drama unfolded. At about midnight I woke my wife and we sat, transfixed, in front of the television for hours.

A century that seemed to promise a better future, with the fall of the Soviet empire and the threat of nuclear war receding, a century heralded with the relaxed, global, multicultural atmosphere of the Olympic Games in Sydney – shifted seismically in that moment.

Apart from triggering that shift from a mood of public optimism to one of fear, paranoia and xenophobia, 9/11 was the major symbolic event that highlighted the persistence of religious belief – and a particularly violent and extreme expression of it:

'The events of September 11<sup>th</sup> were symptomatic of and brought to the surface long-term trends that can be

neatly summed up in two complex words, 'religion' and 'globalisation'. The terrorist attacks also brought home to us that religion...is at the centre of world stage. The anti-religion ideologies of Communism and Nazism have been consigned to the dustbin of history... however ... one of the major features of twentieth century history (is) the enduring stability of religion and its institution."<sup>1</sup>

But plenty of evidence attested to this endurance prior to 9/11. Some of it was remarkably positive and inclusive – good news seldom attracts headlines – but we also saw the emergence of religious fundamentalism which, while not necessarily a problem, can lead to a path of violence and segregation.

In the Muslim world, we witnessed the apparently sudden rise of a fundamentalist state in Iran when the Shah fled and an Islamic Republic was established under the political and religious leadership of Ayatollah Khomeini in 1979.

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At the same time, the organised religious right in the USA assumed prominence, with Christian political activists, such as Jerry Falwell, founding the Moral Majority (also in 1979), which helped to forge major voting constituencies that have influenced US politics ever since.

During the Bosnia War of 1992-95, the world witnessed the siege of Sarajevo and the genocide of Muslims from Srebrenitsa (the most bloody European violence since 1945), and the subsequent crisis in Kosovo (1996-99), with the further slaughter of Muslims by Christian militias. These crimes against humanity are still being prosecuted.

The genocide committed in Rwanda in 1994, when up to one million Tutsis and moderate Hutus were massacred, shocked the world. This time, it was in Africa's most Christian nation that Anglican Bishops, Catholic nuns and other spiritual leaders across Christian denominations often directly colluded to exterminate their co-religionists along ethnic and political lines: this has posed enormous moral and institutional failures to be resolved by the various churches.

The bloody series of wars, ethnic cleansing and civil wars in Chechnya, and ongoing civil unrest in Algeria (both largely Muslim countries) also appeared, with greater or lesser visibility, on our television screens throughout the 1990s.<sup>2</sup>

But these examples of religious conflict over the last 30 years have often occurred in unfamiliar places, and to people with whom the Western world could not easily relate. And, while the numbers of people slaughtered in these faith-based conflicts may have numbered in the millions, it was the 2,975 confirmed deaths in New York, Washington, and a field in Somerset County, Pennsylvania, that brought home that reality in the most startling, confronting and frightening way to those hitherto living in largely secure complacency in America, Europe and Australasia.

### SCOPING SOME OF THE ISSUES

The issues relating to human rights and freedom of religion and belief are many, varied and complex. Nor are they new. The terrorist attacks of September 2001, however, did add a number of things to the discussion.

Firstly, they had a polarising effect globally. Samuel Huntington's thesis of the 'clash of civilisations' had not received much attention when first expounded in 1993,<sup>3</sup> but appeared more compelling in the aftermath of 9/11 to explain how and why Islam seemed to be in conflict with the 'enlightened' West. Islam was now perceived – simplistically and quite erroneously – as synonymous with terrorism and violence and, because terrorism is such a threat, the tightening of security (and the accompanying legislation) was rapid, often draconian, and had serious human rights implications.

Ongoing divisions in Australian society, and in many other countries across the world, have only aggravated tensions between Muslims and the communities in which they live. This, alone, is a vast topic but highlights how faith and secular society have come into sharp conflict in an era of heightened security fears; furthermore, they raise

specific challenges and ethical dilemmas for human rights institutions, as argued in a recent report.<sup>4</sup>

And the fear of faith-based violence has tended to foster not acceptance and understanding, but exclusion. In the long run this tendency is likely to be detrimental. The media – particularly commentators (rather than journalists) – have adopted a siege mentality and promoted ostracism, policing, and loyalty to cultural norms as appropriate forms of protection, rather than building open communication, respect and a return to an inclusive multiculturalism.

Furthermore, the focus on security since 2001 has led to a general neglect of alternative vectors of hate, such as cyber-racism, and anti-discrimination laws have not been updated to reflect either evolving technologies or demographic changes.

Finally, the general culture of apprehension seems to have led to an unhealthy conservatism, especially as it relates to religion and human rights. Freedom of religion and belief are enshrined internationally as core human rights.<sup>5</sup> However, many religious institutions suspect that freedom of religion and freedom from religious vilification, if made a part of domestic law, would threaten their ability to preach, practise and proselytise their faith. Such resistance may be about maintaining a possibly unsatisfactory status quo, rather than attempting to build a culture that (within reasonable limitations) is more inclusive towards all faiths and beliefs.

### LEGAL AND CONSTITUTIONAL ISSUES<sup>6</sup>

Probably the best place to start a discussion on the legal issues associated with religion in Australia is the Constitution which, as is well known, contains no protection against discrimination, except on the narrow grounds of state residency. Various clauses have led Australia to be described as a secular country, most specifically s116, which states that the Commonwealth government cannot pass legislation:

'establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion and no religious test shall be required as a qualification for any office or public trust...'

This has been interpreted to mean that the Australian federal government (as opposed to the state governments) cannot pass laws that create a religion, endorse one specific 'state religion', require particular religious observances, or prohibit an act done in the practice of religion. Moreover, the government cannot require that a prospective holder of public office be affiliated with a particular religious view.

Federal parliament has passed laws to prohibit racial discrimination and vilification on the basis of the external affairs power under the Constitution. This has been held to extend to passing laws to ensure compliance with international human rights obligations. Generally, Australia's laws provide limited protection from religious discrimination and vilification. The uneven protection that is available exists mostly under laws relating to racial discrimination, and in some state legislation these cover religious discrimination and vilification.

**Racial discrimination and the law**

Australia ratified the 1966 *International Convention on the Elimination of All Forms of Racial Discrimination* (ICERD) in 1975; this has been implemented through the *Racial Discrimination Act 1975* (RDA). The central prohibition against racial discrimination is contained in s9(1) of the RDA, which provides that:

'any act involving a distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life'.

As well as this general prohibition, the RDA makes racial discrimination unlawful in a range of areas including employment, housing and the provision of goods and services.

The RDA prohibits both direct and indirect discrimination. An example of direct discrimination (also called 'disparate treatment' discrimination) is refusing to serve a person of a particular race at a hotel.

Indirect discrimination (also called 'disparate impact' discrimination) refers to the imposition of policies or rules that unreasonably disadvantage people of a certain race, colour, descent or national or ethnic origin, even if it is applied equally and appears to provide equality of treatment (in some situations this kind of discrimination may be reasonable if it has a clearly demonstrable purpose).

Despite the RDA's broad application, it is not against the law to make racial distinctions if they are considered to be 'special measures'. The special measures exemption is intended to permit positive discrimination for disadvantaged racial groups that have suffered social and economic disadvantage or exclusion compared to other groups, and may require assistance to enjoy their human rights at the same level as others.

The RDA recognises the need to balance rights and values; for example, between the right to communicate freely ('freedom of speech') and the right to live free from racial vilification. To manage these potentially conflicting human rights, the racial vilification provisions apply only to an act done 'otherwise than in private'. Further, s18D exempts acts done 'reasonably and in good faith' (such as in the production of an artistic work, or a statement made for genuine academic or scientific purpose).

**The Australian Human Rights Commission and freedom of religion**

The Australian Human Rights Commission (the Commission) was established by the *Human Rights and Equal Opportunity Commission Act 1986* (Cth) (HREOC Act). Among the Commission's functions is a responsibility to inquire into, and attempt to conciliate allegations, that an act or practice of the Commonwealth (including things done 'on behalf of the Commonwealth') is inconsistent with any human right.

'Human rights' mean the rights and freedoms recognised

in the international instruments that are declared or scheduled to the HREOC Act. Two such instruments have particular relevance to the freedom of religion:

- the *International Covenant on Civil and Political Rights* (ICCPR), and
- the *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief* (Religion Declaration).

The freedom to hold and manifest religions and other beliefs is guaranteed by article 18 of the ICCPR, which also provides that:

- advocacy of religious hatred that amounts to incitement to discrimination, hostility or violence must be prohibited by law (article 20);
- everyone is entitled to equality before the law and equal protection of the law without discrimination on the ground of religion among other grounds (article 26); and
- minority groups are entitled to profess and practise their own religion (article 27).

The Religion Declaration is a comprehensive statement of the right to freedom of religion and belief and elaborates on the ICCPR guarantees. This freedom is not to be inhibited by discrimination on the ground of religion or other beliefs (article 2). Some of the elements of the freedom to manifest one's religion or belief are listed in article 6, and include the freedoms to assemble for worship, to use the articles and materials related to rites or customs, to write and

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disseminate publications, and to teach religion.

Under the HREOC Act, the Commission must also investigate and attempt to conciliate complaints of discrimination in employment or occupation on a number of grounds, including religion. This part of the Act has its basis in the International Labour Organisation *Discrimination (Employment and Occupation) Convention* 1958 (ILO Convention 111), which defines discrimination to mean any distinction, exclusion or preference made on the basis of, among others, religion, that has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

The definition of discrimination in s3 of the HREOC Act, however, recognises that a distinction, exclusion or preference will not amount to discrimination when it is based on the inherent requirements of a particular job, or in connection with employment at an institution that is conducted in accordance with the beliefs or teachings of a particular religion or creed, and is made in good faith to avoid injury to the religious susceptibilities of adherents of that group.

Other laws, such as the *Workplace Relations Act* 1996, prohibit discrimination in the area of federally regulated workplace agreements and terminations. The *Public Service Act* 1999 and the *Equal Employment Opportunity (Commonwealth Authorities) Act* 1987 also impose some obligations on Commonwealth authorities and public service agencies to combat race discrimination.

### Religion and other laws

As well as Commonwealth law, state and territory legislation addresses racial discrimination and vilification in various ways, although only Victoria, Queensland and Tasmania have specific laws that prohibit religious vilification.

Probably the most significant case of religious vilification in Australia, and one that aroused considerable media interest as well as intense debate within religious communities, was the *Islamic Council of Victoria v the Catch the Fires Ministries* case. The Islamic Council of Victoria (ICV) sought to apply s8 of the Victorian *Racial and Religious Tolerance Act* 2001, which provides remedies for religious vilification, against the Catch the Fires Ministries (a non-denominational evangelical group) to apologise for its defamation of Muslims.

This Victorian Act prohibits conduct 'that incites hatred against, serious contempt for, or revulsion or severe ridicule' of others on the grounds of religious belief.

ICV complained that, during a seminar organised by the Catch the Fire Ministries in March 2002, Pastor Daniel Scot made a number of statements, including that the Koran promotes violence, killing and looting; Muslims are liars and demons; Muslims intend to take over Australia and to declare it as an Islamic nation; and that Muslims in Australia are increasing in numbers and influence the migration of people to Australia.

A newsletter, written by a second respondent, Pastor Danny Nalliah, described Muslims as 'the enemy' and

suggested that Muslims will eventually rape, torture and kill Christians in Australia. Other material on the Catch the Fires Ministries' website further suggested that Islam is a violent religion, and implied that Muslims endorse killing people based on their religion.

The Victorian Civil and Administrative Tribunal ruled in 2004 that the ordinary, reasonable person would understand from Pastor Scot's seminar that they were being incited to hatred or serious contempt or ridicule of Muslims and it, along with the newsletter and article, breached s8 of the Act.

This decision caused an outcry from a wide spectrum of Christian groups, which argued that the ruling denied their freedom of speech. Other Christian groups – the Roman Catholic and Uniting Churches – in fact sought to intervene in the case to support the ICV.

The Catch the Fires Ministries appealed the ruling in the Supreme Court of Victoria, where all three judges upheld the appeal and set aside the decision of the Tribunal for varying reasons.<sup>7</sup> The only findings common to the reasoning of all three judges were that:

1. s8 requires consideration of the effect of the impugned conduct on a reasonable member of the class of persons to whom the conduct was directed, rather than the effect on an ordinary reasonable reader;<sup>8</sup> and
2. for the purposes of s8, the motivation of the impugned conduct is irrelevant.<sup>9</sup>

Nettle JA<sup>10</sup> and Ashley JA<sup>11</sup> both held that the Tribunal had erred by failing to take into account aspects of the seminar, which ameliorated any risk of inciting hatred of Muslims, and the Supreme Court set aside the penalties laid down by the Tribunal and sent it back to be heard again, ordering the ICV to meet half the appeal costs. The parties subsequently resolved the matter through conciliation.

Generally, then, limitations to existing legislation relate to religious discrimination and vilification, although there have been attempts to test the law and apply race discrimination provisions to religious discrimination. For example, in NSW the anti-discrimination laws do not expressly prohibit religious discrimination. However, the *Anti-Discrimination Act* 1977 prohibits race discrimination and defines 'race' to include 'ethnic origin' or 'ethno-religious origin'. 'Ethnic origin' has been interpreted broadly in the federal context<sup>12</sup> as including some religious groups, and a man who was discriminated against on the basis of his Muslim faith and middle-eastern appearance succeeded in his race discrimination complaint under the NSW legislation, as such discrimination was considered by the Tribunal to be ethno-religiously based.<sup>13</sup>

### Other Issues

A number of other areas relate directly and indirectly to religion and laws; there is insufficient scope here to do other than acknowledge their importance:

- Since 2001, the Australian government has introduced more than 40 pieces of legislation designed to respond to the threat of terrorism, ostensibly the activities of groups who associate themselves with particular interpretations

of Islam. These legislative amendments have prompted considerable criticism from both human rights advocates and Muslim communities, who believe it is unfairly targeted at them.<sup>14</sup>

- Cyber-racism, or the use of a range of online methods to promote racism, is a common and growing problem. Generally, laws that address cyber-racism require updating, given well-reported cases of cyber-racists ignoring court rulings<sup>15</sup> or the inadequacy of the processes taken to complain and remove material to keep up with the dynamic, online environment. Cases not directly related to cyber-racism have developed important precedents for the prosecution of web-based racism.<sup>16</sup>
- The meaning of 'ethno-religious' as a category under various laws needs re-interpretation. Under NSW law, Jews are defined as a particular ethno-religious group that offers protection from religious vilification. However, this selective application is contestable, and it has been argued that others (in particular, Sikhs and Muslims) should also fall under this category so as to be protected by the law. Complex ethical and legal arguments are linked to this descriptor and need to be addressed in the context of any changes to legislation pertaining to religious freedoms and freedom from religious vilification.<sup>17</sup>

### CURRENT, RELATED WORK OF THE AUSTRALIAN HUMAN RIGHTS COMMISSION

The Commission has recommended that a federal law be introduced making unlawful discrimination on the ground of religion or belief, and vilification on the ground of religion or belief.<sup>18</sup> Alternatively, the RDA could be amended to make religious vilification unlawful – as many advocates have already argued.<sup>19</sup>

One of the Rudd government's election commitments was that it would consult with the Australian people on ways in which human rights could be better protected. This is likely to occur during 2009 and, prior to these consultations, the Commission will submit its preferred options. Whether this is achieved through Constitutional amendment or legislative change, it is to be hoped that freedom of religion and the protection from vilification will be guaranteed.

The Commission, through its Community Partnerships for Human Rights Program, is also actively involved in research and consultations related to religious freedom and vilification. In September 2008, it launched a major research project into freedom of religion and belief in Australia in the 21st century. At the launch, the Race Discrimination Commissioner, Tom Calma, emphasised the persistence, importance and pervasiveness of religion, still, in our lives:

'The relationship between religion, other belief systems, and society is less an intersection than a total intertwining of how humans live their lives, fill their time, frame their conduct, make moral judgements, form and maintain relationships, spend their assets, construct their environment and evolve cultural landscapes.'<sup>20</sup>

The report will include an analysis of relevant legal, constitutional and international laws issues. It will also comprehensively report on, among others, many of the

related issues such as the health implications (social and cultural determinants), the arts, gender, education, indigenous issues and the media. This report is due to be released in early 2010 and, in the meantime, the public may send submissions on the issue to the Commission (this can be done through its website at [www.humanrights.gov.au](http://www.humanrights.gov.au) until late January 2009).

The Commission is also conducting a rolling initiative on the intersections between the law and religion – in particular, the issue of judicial accommodation of people from minority ethnic, cultural or religious communities, who appear before the courts. The Commission is partnering several agencies, including a state justice department, professional bodies, academic institutions and highly regarded practitioners in this project. The results will be published later in 2009.

### CONCLUSIONS

Freedom of religion and belief, as fundamental human rights, are among the most complex and contentious.

As has been argued,<sup>21</sup> religion and its institutions can provide some of the most potent means of addressing hatred, conflict and misunderstanding across the world. Equally, it can breathe life into embers of misunderstanding and ignorance, inflame inter-cultural, racial and generational enmities, and sustain stereotypes and fear between groups. >>



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The challenge of the 21st century is to channel and recruit the good within adherents of faiths to act for peace and reconciliation.

It is important to note that it is the adherents, interpreters and leaders of faith who must be so persuaded. No religion itself is inherently responsible for the harm its faithful commit. Indeed, most religions, at their centre, promote convergent values of respect, charity, compassion, truthfulness, peace: all compatible with concepts of human rights.

Human rights can flourish only in a civic culture of mutual respect and shared trust. Paradoxically, such a culture can be most threatened by a group that exploits liberal society in order to harm it. One of the fundamental risks – and challenges – for both progressive interpretations of the faith, and for a democratic rights-based civil society, is this threat. The survival of both will depend upon a consensus between them to present a positive alternative to religious and secular extremes. ■

**Notes:** **1** Bouma, Cahill, Dellal and Leahy, *Religion, Cultural Diversity and Safeguarding Australia*, Commonwealth of Australia, Canberra, 2004, p7. **2** For a description of these conflicts, see M Burleigh, *Blood and Rage: A Cultural History of Terrorism*, Harper Press, London, 2008 pp361-414. **3** Huntington's thesis was first published in 1993 in a journal article, but fully elaborated in *The Clash of Civilizations and the Remaking of World Order* (1996). **4** See *Talking About Terrorism: Risks and Choices for Human Rights Organisations*, International Council on Human Rights Policy, Versoix, 2008. **5** See article 18 of both the *Universal Declaration of Human Rights* (1948) and the *International Covenant on Economic, Social and Cultural Rights*, which came into force in 1976. **6** I would like to acknowledge the assistance of the Australian Human Rights Commission's Legal Department in preparing this section. **7** (2006) 15 VR 207. **8** *Ibid* [18] (Nettle JA), [123] (Ashley JA), [162] (Neaves JA). Neave JA, Ashley JA agreeing, held that the standard should be the effect on an 'ordinary' member rather than a reasonable one (*Ibid* [132] (Ashley JA), [158] and [160] (Neaves JA)). **9** *Ibid* [24], [30] [70], [71] and [81] (Nettle JA), [129]-[131] (Ashley JA) and [140], [161] (Neaves JA). **10** *Ibid* [37]-[63], [72]-[79]. **11** *Ibid* [189], [194], [195]-[196]. **12** The Explanatory Memorandum, Racial Hatred Bill 1994 (Cth), 2-3 states 'The term "ethnic origin" has been broadly interpreted in comparable overseas common law jurisdictions (cf *King-Ansell v Police* [1979] 2 NZLR per Richardson J at p531 and *Mandla v Dowell Lee* [1983] 2 AC 548 (HL) per Lord Fraser at p562). It is intended that Australian courts would follow the prevailing definition of 'ethnic origin' as set out in *King-Ansell*. The definition of an ethnic group formulated by the Court in *King-Ansell* involves consideration of one or more of characteristics such as a shared history, separate cultural tradition, common geographical origin or descent from common ancestors, a common language (not necessarily peculiar to the group), a common literature peculiar to the group, or a religion different from that of neighbouring groups or the general community surrounding the group. This would provide the broadest basis for protection of peoples such as Sikhs, Jews and Muslims... The term 'race' would include ideas of ethnicity so ensuring that many people of, for example, Jewish origin would be covered. While that term connotes the idea of a common descent, it is not necessarily limited to one nationality and would therefore extend also to other groups of people such as Muslims.' **13** *Abdulrahman v Toll Pty Ltd trading as Toll Express* [2006] NSWADT 221 – decision upheld on appeal by the Appeal Panel of the ADT in *Toll Pty Ltd trading as Toll Express v Abdulrahman* [2007] NSWADTAP 70. **14** There are two broad critiques of the legislation: human rights-based (for example, see M Head, 'Counter-terrorism Laws Threaten Democratic Rights', *Alternative Law Journal*, vol. 17 No. 3, June 2002), and ethno-religious (for example, see Parliamentary

Joint Committee on Intelligence and Security, *Review of Security and Counter Terrorism Legislation*, chapter 3, pp23-38). **15** For example, the case of Frederick Toben's defiance of court rulings as reported in *The Australian* newspaper on 1 December 2007. 'Dr Toben yesterday published a response on his Adelaide Institute website declaring "it's on", and that he would cease removing the banned material from his website as ordered by the court.'

**16** For example, *Silberberg v The Builders Collective of Australia Inc* and *Dow Jones v Gutnick* – see the Australian Human Rights Commission paper, *Combating Defamation of Religions* (July 2008) section 2.4.1 at: <http://www.humanrights.gov.au/partnerships/religiousdefamation/index.html> **17** 'Race' is a contested term and racism does not necessarily exist because of the existence of what are commonly thought of as races. Scientific racism theories are becoming increasingly indefensible, with studies of human genetics demonstrating that race is a meaningless concept, and many scholars now maintain race to be a social construct with potent social and political effects, but with no basis in biological science.

Because an individual cannot change their physiology, 'race' is not a matter of choice. Religion, on the other hand it could be argued, is a matter of opinion, or choice, although many groups identify themselves with ethnic, cultural and religious characteristics. When a group, or a member of a group, is discriminated against it is not always clear on what grounds, and whether the person doing the discriminating or vilifying is motivated by 'race', culture or faith, especially when a person's identity is enmeshed in a pattern of cultural and religious connectedness.

While some groups, such as Jews and Sikhs, have been classed as 'ethno-religious' because the aspects of their religious and 'racial' identity are so hard to disaggregate, other groups, who do not fall under the category are not protected by anti-discrimination laws, even though they may have equal claims to persecution on grounds of both religion and racial appearance, especially when this may be accompanied with modes of dress that do not conform to mainstream norms. The challenge in Australia, as elsewhere, is that Muslims tend not to be seen as belonging to an ethno-religious group. However, especially since the events of September 11, and the subsequent increase in Islamophobia in many parts of the world, Muslims have often been victims of what must be described as discrimination and vilification that blends faith, culture and race hatreds. **18** Human Rights and Equal Opportunity Commission, *Isma – Listen: National Consultations on Eliminating Prejudice against Arab and Muslim Australians* (2004), p129. **19** For example: HREOC's report, *Article 18*, recommends that religious discrimination should be made unlawful under a religious freedoms Act; the National Human Rights Network of the National Association of Community Legal Centres Australian Non-Governmental Organisations' Submission to the Committee on the Elimination of Racial Discrimination, 2005 (<http://info.humanrights.curtin.edu.au/pdf/NGOExecSumm2005.pdf>) recommends that both the Commonwealth and state/territories enact legislation to prohibit discrimination and vilification on the grounds of religion, and criminalises such activity; FECCA Submission on Australia's compliance to the UN International Convention on the Elimination of all Forms of Racial Discrimination, 2008 ([http://www.fecca.org.au/Submissions/2008/submissions\\_2008003.pdf](http://www.fecca.org.au/Submissions/2008/submissions_2008003.pdf)). **20** *Like Oil and Water?* Speech by Commissioner Calma on 17 September 2008, see [http://www.hreoc.gov.au/about/media/speeches/race/2008/20080917\\_freedom\\_religion.html](http://www.hreoc.gov.au/about/media/speeches/race/2008/20080917_freedom_religion.html) **21** Bouma et al, *op.cit.*

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