

EDITORIAL

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The role of religion in shaping Australian law is a hotly contested issue, characterised by spirited discussion by citizens, politicians and the media over the extent to which a country's laws can, or should, reflect the religious beliefs of its citizens. In recent years, attention has focused on the changes to Australia's 'religious profile',¹ as growing numbers of Australians identify themselves as adherents of non-Christian religions such as Buddhism, Hinduism, Judaism and Islam.²

As illustrated in this edition, the increasing number of followers of Islam in Australia has prompted vigorous debate over the desirability and feasibility of integrating aspects of Sharia law into our secular legal system. Yet this *Forum* edition also demonstrates the continued relevance (and contentiousness) of Australia's Christian heritage through the discussion of issues like religious education and blasphemy laws.

However, it must be argued that these two debates regarding the accommodation of religious principles in the overarching Australian legal framework are emblematic of a deeper, irreconcilable tension at the heart of the relationship between religion and the law. That is to say, it is the consequence of the clash of views between those who perceive the presence of religious beliefs in the public sphere as an unwelcome attempt at forcing non-believers to adhere to moral standards to which they do not ascribe – and those for whom acting in a secular manner in the public sphere would be defying the commands of a belief system that is a defining part of their identity.³ These two views cannot be reconciled, but instead exist in a perpetual tug-of-war that continues to influence public debate and the evolution of the law. It is my hope that this *Forum* adds to

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1 Gary Bouma et al, Australian Human Rights Commission, *Freedom of Religion and Belief in 21st Century Australia* (2011) 4.

2 While only five per cent of Australians in 2001 identified themselves as members of non-Christian faiths, this number is rapidly increasing. Most notably, between 1996 and 2001, the number of people who identified with non-Christian religions increased by 79 per cent for Buddhism, 42 per cent for Hinduism, 40 per cent for Islam and 5 per cent for Judaism: Australian Bureau of Statistics, *Year Book 2006: Religious Affiliation* (20 January 2006) <<http://www.abs.gov.au/Ausstats/abs@.nsf/0/BFDDA1CA506D6CFACA2570DE0014496E?opendocument>>.

3 For example, the Christian faith encourages believers to 'always' have Christ-centric answers: *King James Bible*, 1 Peter 3:15.

the debate not only with original and thoughtful analysis in the otherwise long-pitched battlegrounds of freedom of speech and religious education, but also by illustrating the role of this tension in influencing discussion of such diverse areas as finance, animal law and counter-terrorism legislation.

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