



UNIVERSITY OF CALIFORNIA PRESS  
JOURNALS + DIGITAL PUBLISHING

---

New Religions in Australia: Public Menace or Societal Salvation?

Author(s): James T. Richardson

Reviewed work(s):

Source: *Nova Religio: The Journal of Alternative and Emergent Religions*, Vol. 4, No. 2 (April 2001), pp. 258-265

Published by: [University of California Press](#)

Stable URL: <http://www.jstor.org/stable/10.1525/nr.2001.4.2.258>

Accessed: 26/02/2012 09:55

---

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <http://www.jstor.org/page/info/about/policies/terms.jsp>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).



University of California Press is collaborating with JSTOR to digitize, preserve and extend access to *Nova Religio: The Journal of Alternative and Emergent Religions*.

<http://www.jstor.org>

# New Religions in Australia: Public Menace or Societal Salvation?

---

James T. Richardson

## NEW RELIGIONS IN AUSTRALIA: AN OVERVIEW

New religions in Australia have had their share of controversy, although not as much as in some European and former Communist countries.<sup>1</sup> Indeed, as Gary Bouma has noted, the situation with most new religious movements (NRMs) has been remarkably peaceful in Australia, which has come to be more tolerant with its new, more pluralistic approach to religious and ethnic differences.<sup>2</sup> However, there are some who would dispute this assessment and who claim either that NRMs cause many problems in Australian society,<sup>3</sup> or that NRMs themselves suffer considerably at the hands of authorities and the media.<sup>4</sup> And some scholars, most notably Rowan Ireland, argue that the increasing religious and cultural diversity of Australian society might be considered a positive feature because many of the new religions, by virtue of their teachings and practices, actually contribute to a new kind of societal integration in Australia.<sup>5</sup> This brief essay will attempt to assess the current situation in Australia concerning NRMs.<sup>6</sup>

## HISTORICAL, SOCIAL, AND LEGAL CONTEXT

One could easily argue, as does Bouma, that Australia is a land peopled by new religions on a regular basis, since it has always been a society with a heavy inflow of immigrants who carry their cultural values and practices with them. This influx of different peoples began almost immediately because of the presence of Irish Catholics among the convicts sent to Australia in the late eighteenth century. Catholics coming to Australia either as convicts or free citizens encountered significant numbers of Methodists, Presbyterians, and Congregationalists who had joined with the dominant Anglicans to form a mostly Protestant new nation.

While many smaller religious groups were allowed to exist and even prosper in early Australia, some groups were devalued and effectively left out of the amalgam that became Australia, especially groups such as the Seventh-day Adventists and Jehovah's Witnesses, which were viewed with suspicion, as were Jews. That suspicion continues into the present and has spread to other, more recent religious groups, especially those making more life-changing demands on participants. But that suspicion of certain foreign groups did not dominate public policy, and indeed the demand for workers to assist with Australia's booming economy overwhelmed such concerns, especially after World War Two. Workers, no matter their religious and cultural affiliations, were desperately needed to build the Australian economy, and thus the Anglican-Protestant hegemony began to crumble under this pressure.

Thus, a "White Australia" immigration policy, with a strong preference for British and Irish immigrants, eventually gave way to a formal policy in the 1970s that declared Australia a multicultural nation which officially welcomed all comers, as long as they were willing to fit into Australian society and become productive citizens in the growing economy. Thus we see Australia's religious demographics clearly showing a shift from the Anglican-dominated Protestant hegemony of earlier times. As Bouma notes,<sup>7</sup> in 1947, the nation of 7.6 million people was 88 percent Christian, with one half of one per cent in the "other" category (Buddhists, Hindus, Jews, Muslims, Other), and the rest (11.4 percent) not claiming a religion or not answering the question. By 1996, the population had grown to 17.8 million, but the rapid immigration that contributed greatly to the growth resulted in only 70.6 percent claiming to be Christian, a dramatic growth to 3.5 percent in the "other" category, and a whopping 25.5 percent claiming no religion or not stating a clear preference.

What may seem remarkable to some is that this sort of diversity was achieved without the benefit of a federal constitutionally based Bill of Rights guaranteeing freedom of religion.<sup>8</sup> Early in Australia's history the effort to establish a Bill of Rights that included religious freedom with the initial Constitution was beaten back by those who wanted the dominant religious traditions to exercise more control. Indeed, the religious freedom/Bill of Rights issue has also been defeated twice since then by the voters, with religion being a focal point of those subsequent campaigns. The initial campaign and those since have used the United States as a problematic example of what can happen with such formal guarantees of religious freedom. Those efforts struck an apparently resonant chord with the Australian voters, who voted 69 percent to 31 percent against adding a Bill of Rights in 1988.

The Australian Constitution does include clause 116 which seems modeled after the language in the United States Constitution concerning religion, but the clause is more symbolic in its meaning since it does

*Nova Religio*

not apply to the individual states and is virtually without legal force at this time. It states:

The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.

There is an effort currently being made to develop the legal meaning of this clause by doing something analogous to what happened with the Fourteenth Amendment to the United States Constitution, which contains the famous “equal protection clause” that has been used to force federal constitutional guarantees of individual rights and freedoms upon the separate states. However, this movement, led by those, including some prominent judges, who think Australia should formally adopt and abide by international norms for human rights, has not gained momentum yet, leaving religious freedom protections mainly with the states.

Of the six Australian states, only one, Tasmania, has a guarantee of religious freedom in its state constitution, and that protection can be overridden by legislative action. New South Wales (Sydney) has explicitly rejected adding religious freedom to its anti-discrimination statutes, mainly because of opposition from traditional religious organizations. This rejection occurred in the face of thorough documentation about problems being faced by a number of religious minorities in New South Wales.<sup>9</sup> Included in the large study by the New South Wales Anti-Discrimination Board were details concerning the famous Lindy Chamberlain case in which Mrs. Chamberlain, a Seventh-day Adventist, spent three years in prison after being found guilty of killing her baby at Ayers Rock (Uluru) in 1980. She was eventually freed after some extraordinary efforts by those who believed she had been wrongly convicted, and that a dingo had actually taken the baby. (The movie, “Cry in the Dark,” starring Meryl Streep and Sam Neil, chronicled this tragic episode.) The 1978 Hilton bombing case, in which three members of the Ananda Marga group were convicted after a massive, but apparently wrong-headed and misleading campaign by the police and media to convict them of setting off a bomb that killed two people during an international conference in Sydney, was also described. Again, these defendants were eventually freed after further investigation, suggesting some checks and balances within the Australian system of justice, but not before they had spent five years in prison.

Further removed in time are some famous episodes in Australian history concerning discrimination against minority faiths. Australia became, in 1941, the second country in the world to ban the Jehovah’s Witnesses (the other was Nazi Germany). After being banned under

Australia's sedition statutes (and having their property confiscated), however, the Witnesses continued to operate and even doubled their membership within two years. Shortly thereafter, in June 1943, the High Court of Australia overturned the specific act under which the Witnesses were banned, making the ban inoperative.<sup>10</sup>

More recently, some of the controversial NRMs that have gained notoriety in other societies have also been the target of efforts at social control by Australian officials. The Family, formerly known as the Children of God (COG), experienced considerable attention from authorities at the federal level and within some states, and some 17 COG homes across Australia were raided in 1976 by immigration officials (no violations were found, however). This official scrutiny culminated in massive synchronized raids in May 1992 against Family communal homes in Victoria and New South Wales that resulted in 153 children being taken into custody.<sup>11</sup> The two states eventually failed in their efforts to have the children declared wards of the state and subsequently had to release the children and deal with various claims against the state made by the Family members affected. Again, the outcome of these cases, which engendered considerable media attention, suggests that there are some checks and balances within the Australian justice system.

The Unification Church (UC) has also garnered much attention in Australia over the past few decades, as documented by the New South Wales Anti-Discrimination study. Questions were raised at the federal level as well as by the NSW government about the operation of the UC within Australia. Specific concerns were raised about their requests to build training centers within Australia, and only after a two-year battle was the church even allowed to build a worship center, its initial request for a residency based ministry being denied and lost on appeal. The controversy sparked (or was sparked by) much extremely negative news coverage of the UC, focusing on claims made from overseas about activities of the UC in other societies, particularly England. UC members in Australia have been forcibly deprogrammed, as documented in the New South Wales Anti-Discrimination study.

Scientology has also come in for its share of negative attention in Australia over the years. Several states have, at one time or another, banned Scientology, making it illegal for the organization to register as a religion, advertise, teach their doctrines, or receive payments for services rendered to individual practitioners. At one time the federal "Companies Code" prohibited the use of the terms "scientology" and "dianetics" in any advertising materials. Scientology also lost a major High Court case in 1983 in which it appealed a decision that allowed the Australian Security Intelligence Organization (ASIO) to engage in ongoing surveillance of Scientology members. This surveillance involved the reporting of personal information on individual members when they applied for jobs with federal agencies. The ASIO case seemingly dem-

onstrates little concern for religious freedom of members of Scientology (or for religious freedom in general). However, that same year the High Court handed down a resounding victory for Scientology by overturning a Victoria Appeal Court decision that had declared with much verbiage that Scientology was not a religion for purposes of tax exemption. This High Court decision is considered the major case on the definition of religion in Australia, and its careful delineation of what constitutes a religion makes the decision one of international import.<sup>12</sup>

Lynne Hume has written insightfully about the treatment of Wiccans and other Pagans in Australia, noting that the southern hemisphere context makes the practice of Wicca especially challenging and interesting. She also applies the criteria developed in the 1983 Scientology tax case to Wicca, concluding that it meets those criteria and should be considered a religion for legal and tax purposes. She notes the changing legal climate in Australia concerning the practices of Wiccan groups, making it less likely that Pagans will be prosecuted at either the state or federal levels for engaging in their faith.<sup>13</sup> It is noteworthy also that a 1998 major federal report entitled *Article 18: Freedom of Religion and Belief* issued a number of findings more positive toward Wiccans and Pagans, among them that: "There is no evidence to suggest that individuals or the community require specific protection from witchcraft or fortune-telling practices." The report goes on to state that any problems of fraud that might arise from such activities can best be dealt with under general criminal and civil laws, and it further recommends that states having laws against sorcery, witchcraft, fortune-telling, and enchantment (some dating from the 1800s) should repeal those statutes since "Wiccans and Pagans have the right to manifest their beliefs either individually or in concert with others in the practice of witchcraft and fortune-telling."<sup>14</sup>

This same federal report, *Article 18*, presents a more mixed picture when considering new religious movements in general. After beginning the discussion with an examination of the terms "cult" and "new religious movement," the report opts to use both somewhat interchangeably, dismissing the extreme negative connotations of the term "cult."<sup>15</sup> The report then goes on to attempt to "split the baby in half" by showing some recognition of the fact that many participants in such groups join voluntarily and claim to have positive gains from so doing, while at the same time giving considerable credence to anticult views of participation and listing several pages of alleged negative characteristics of involvement in such groups. In the end, however, the report shifts markedly in the critical direction concerning "cults" and new religions by using the term "brainwashing" as if it has scientific meaning, and using a brainwashing-based rationale to justify some recommendations about such groups.<sup>16</sup> The findings include several which assume that coercion is a regular part of decisions to participate in new religions ("Coercion includes the use of covert or brainwashing techniques to recruit new

members, . . .”) and that guidelines or principles for what are acceptable religious practices need to be developed. The report also recommends that the Attorney General’s department should convene “an interfaith dialogue” to “examine the question of methods of coercion in religious belief and practice . . .”; to “consider whether legal limitations should be imposed on religious groups regarding coercive tactics”; and to “formulate an agreed upon list of minimum standards for the practice of religious groups.”<sup>17</sup>

### **DISCUSSION AND CONCLUSIONS**

Whether anything will come of the just-cited recommendations of the federal report entitled *Article 18* is not at all certain.<sup>18</sup> There is evidence that the report has been shelved by the Attorney General’s Office, as indicated by Bouma. Apparently the Attorney General received considerable negative reaction to the idea of federal legislation guaranteeing more religious freedom, and then claimed that the problems uncovered were not of a magnitude as to require federal intervention.<sup>19</sup> Still, the report does suggest more animus exists toward new faiths in Australia than one might expect, given the long history of relative openness toward new religious groups. And the report also is relatively devoid of appreciation for the important theoretical point made by Rowan Ireland that the increasing religious diversity in Australia might actually contribute to a new type of societal integration not based on similar beliefs and values, but on a new negotiated social identity that could serve Australia and Australians well.

Australian history appears to ebb and flow with regard to religious freedom for newer and minority religious groups, with some sad chapters in that history, but also some definite bright spots, as operation of the checks and balances inherent in the Australian justice system have demonstrated on occasion. It remains to be seen whether the relatively optimistic views about Australia expressed by Bouma and by Ireland will be borne out, or whether the difficulties so well chronicled by Juliet Sheen will increase and become the way that Australians relate to and define NRMs.

### **ENDNOTES**

<sup>1</sup> See special issue of *Social Justice Research* (12, 1999) edited by this author under the theme, “Social Justice and Minority Religions,” which describes the situation in a number of European and Former Communist Countries in a series of eleven articles. Also see James Richardson and Massimo Introvigne, “‘Brainwashing’ Claims in Governmental Reports of Cults and New Religions in Europe,” *Journal for the Scientific Study of Religion* (forthcoming).

<sup>2</sup> See Gary Bouma, "Social Justice Issues in the Management of Religious Diversity," *Social Justice Research* 12 (1999): 283-96.

<sup>3</sup> See Rachael Kohn, "Cults and the New Age in Australia," in *Many Religions, All Australian*, ed. Gary Bouma (Adelaide: Open Book Publishers, 1997), 149-62.

<sup>4</sup> See Juliet Sheen, "Living within the Tensions of Plurality: Human Rights Law and Policy," in *Many Religions, All Australian*, ed. Gary Bouma (Adelaide: Open Books Publishers, 1997), 163-82. See also the very thorough report (written by Juliet Sheen), New South Wales Anti-Discrimination Board, *Discrimination and Religious Commitment* (Sydney: NSW Anti-Discrimination Board, 1984). On media coverage of such issues in Australia, see James Richardson, "Journalistic Bias Against New Religion Movements in Australia," *Journal of Contemporary Religion* 11 (1996): 289-302.

<sup>5</sup> See Rowan Ireland's thoughtful paper, "Religious Diversity in the New Australian Democracy," *Australian Religious Studies Review* 12 (1999): 94-110.

<sup>6</sup> I am relying on my own work, some of which is cited herein, as well as some recent scholarly overviews of the area of new religious movements, including Lynne Hume, "New Religious Movements: Current Research in Australia," *Australian Religious Studies Review* 13 (1999): 27-39; and Rowan Ireland, *ibid.*

<sup>7</sup> See Bouma, "Social Justice Issues," 287. Australia has long allowed a question on religious identification on its federal census, which makes the kind of comparison offered by Bouma quite meaningful.

<sup>8</sup> See James T. Richardson, "Minority Religions ('Cults') and the Law: Comparisons of the United States, Europe, and Australia," *University of Queensland Law Journal* 18 (1995): 183-207.

<sup>9</sup> See New South Wales Anti-Discrimination Board, *Discrimination and Religious Commitment*.

<sup>10</sup> Christine King, *The Nazi State and the New Religions* (New York: Edwin Mellen Press, 1982). The Witnesses in Germany were not so fortunate, as thousands were imprisoned and died at the hands of the Nazis.

<sup>11</sup> See James Richardson, "Social Control of New Religions: From 'Brainwashing' Claims to Child Sex Abuse Accusations," in *Children in New Religions*, eds. Susan Palmer and Charlotte Hardman (New Brunswick, NJ: Rutgers University Press, 1999), 172-86, for details on these raids.

<sup>12</sup> See New South Wales Anti-Discrimination Board, *Discrimination and Religious Commitment*, and Richardson, "Minority Religions ('Cults') and the Law," for more details on Scientology's treatment by governmental bodies in Australia.

<sup>13</sup> See Lynne Hume, *Witchcraft and Paganism in Australia* (Melbourne: Melbourne University Press, 1997); *idem*, "Exporting Nature Religions: Problems of Praxis Down Under," *Nova Religio* 2 (1999): 287-89; and *idem*, "Witchcraft and the Law in Australia," *Journal of Church and State* 37 (1995): 135-50.

<sup>14</sup> Quotes taken from p. 66 of Human Rights and Equal Opportunity Commission, *Article 18: Freedom of Religion and Belief* (Sydney: Commonwealth of Australia, 1998). This report was supposedly a harbinger of dramatic changes in laws against various kinds of discrimination in Australia, but, as will be recounted herein, the effort has apparently gone for naught because of pressures similar to those that have kept Australia from adopting a Bill of Rights over the years.

<sup>15</sup> On problems using the term "cult" see Lynne Hume, "A Reappraisal of the Term 'Cult' and Consideration of 'Danger Markers' in Charismatic Religious Groups," *Colloquium* 28 (1996): 35-52; Jane Dillon and James T. Richardson, "The 'Cult' Concept: A Politics of Representation Analysis," *SYZYGY: Journal of Alternative Religion and Culture* 3 (1994): 185-98; and James T. Richardson, "Definitions of Cult: From Sociological-Technical to Popular-Negative," *Review of Religious Research* 34 (1993): 348-56.

<sup>16</sup> This is similar to many other governmental reports in Western Europe, which are analyzed in Richardson and Introvigne, "Brainwashing Claims in Governmental Reports."

For a thorough critique of “brainwashing” based claims about participation in new religions see James T. Richardson, “The Ethics of ‘Brainwashing’ Claims,” *Australian Religious Studies Review* 7 (1995): 48-56.

<sup>17</sup> Quotes from Human Rights and Equal Opportunity Commission, *Article 18*, 81-82.

<sup>18</sup> A more recent official report that is somewhat critical of the *Article 18* report has been called to my attention by Michael Hill. This report, produced for the Parliament of the Commonwealth of Australia by the Joint Standing Committee of Foreign Affairs, Defense, and Trade, is entitled *Conviction with Compassion: A Report on Freedom of Religion and Belief* (November, 2000) and adopts a more critical stance toward “cults” (a term it insists on using). However, the report ends up recommending support for the idea of the Commonwealth Attorney General “convening an inter-faith dialogue to formulate a set of standards for the practices of cults” (184).

<sup>19</sup> See Bouma, “Social Justice Issues in the Management of Diversity in Australia,” 292.