

**If we Australians can't have mercy on children, then why should God the creator**



## Religious conservatives to the battle stations

### Swinging arms and chins

Recently, Australia's most religious have been pressing the federal government to pursue legislation that would increase the rights of the religious. The government is responding in kind with telling enthusiasm. A clear sign is that rather than dealing with a balance of rights and obligations amongst all Australians, religious or not — and which would properly be *human rights* legislation — the government's bill for legislation is accommodatingly titled "*Religious Discrimination Bill*".

This highly improper and unbalanced approach deserves greater national debate.

As former High Court justice Michael Kirby wrote in the foreword of Part 1 of this series:

*"The right to swing my arm stops when I hit someone else on the chin. My entitlement to religious liberty must be accommodated to the rights of others to be themselves."*  
— Kirby in Francis (2021), page ix.

What religious conservatives intend happens between swinging arms and chins is handsomely illustrated by their political machinations on VAD, abortion, family planning, LGBTI staff and students, and other matters.

Religious conservatives are arguing that religious arms should have the right to swing with extensive freedom, and chins that those arms might contact can be lawfully demanded to withdraw themselves.

Equally, the argument entails that non-religious swinging arms must be legally restricted, lest they connect with religious chins.

In response to the second exposure draft of the government's Religious Discrimination bills, the Australian Human Rights Commission (2020) (AHRC), while endorsing the principle of religious (and other) rights has commented that:

*...the Bill "sets a dangerous precedent" and gives the impression of "increasingly becoming a collection of exemptions for different kinds of religious organisations", granting privileges which "seek to favour one right over all others."*

— Australian Human Rights Commission (2020)

The AHRC further stated that the bills:

*"...would provide protection to religious belief or activity at the expense of other rights";*

*"...would permit discriminatory statements of belief to be made, whether they amount to racial discrimination, sex discrimination or discrimination on any other ground prohibited by law";*

*"...permit religious discrimination in any area of public life covered by the Bill, including employment, education and the provision of goods, services and facilities"; and even*

*"...that some forms of intimidation by way of discriminatory statements of belief will also be permissible."*

— Australian Human Rights Commission (2020)

In respect of healthcare services, the AHRC warned that the bills would:

*"...increase the risk that patients may lose the ability to obtain 'information, prescriptions, or referrals' or to have procedures related to services such as abortion, euthanasia, contraception or sterilisation where, in all the circumstances, it would be reasonable to require health practitioners to provide those services or to make referrals to another health practitioner who is willing to do so."*

— Australian Human Rights Commission (2020)

The proposed reforms wouldn't grant balanced religious freedom, they would grant religious *privilege*. They wouldn't act as a **shield**. Rather, they would act decisively as a **sword**.

The irony is that furnishing the religious — especially institutions — with special privileges doesn't serve even the nation's most religious, the 11% who are Devouts. As illustrated in Part 1 of this series, many Devouts support abortion, VAD, and marriage equality.

Similarly, a significant majority of Australian Catholics support abortion, VAD, and marriage equality. Catholic institutions banning the practices are an offence against the consciences even of their own flock.

Allowing religious institutions to unilaterally extinguish the real consciences of Australians, including Devouts and most of their own flocks, supposedly in their service and even on their own purse, is an unconscionable offence against Section 18 of the UN's Declaration of Human Rights.

Is all this necessary? As Robyn Whittaker, Bromby Senior Lecturer in Biblical Studies at Trinity College at the University of Divinity, and a member of the Centre for Research on Religion put it, "*Christians in Australia are not persecuted, and it is insulting to argue they are.*" (Whittaker 2018a).

**Summary:** Religious conservatives are urging the federal government to bring legislation that further entrenches religious "protections". The reforms propose special privileges for the religious that are not offered to others. In some cases the proposed legislation authorises the religious to *require* that others' chins be withdrawn from all spaces that religious arms wish to swing themselves, while *restricting* where non-religious arms may swing if a religious chin might be present. This is to argue for special privileges: a religious sword, not a shield.

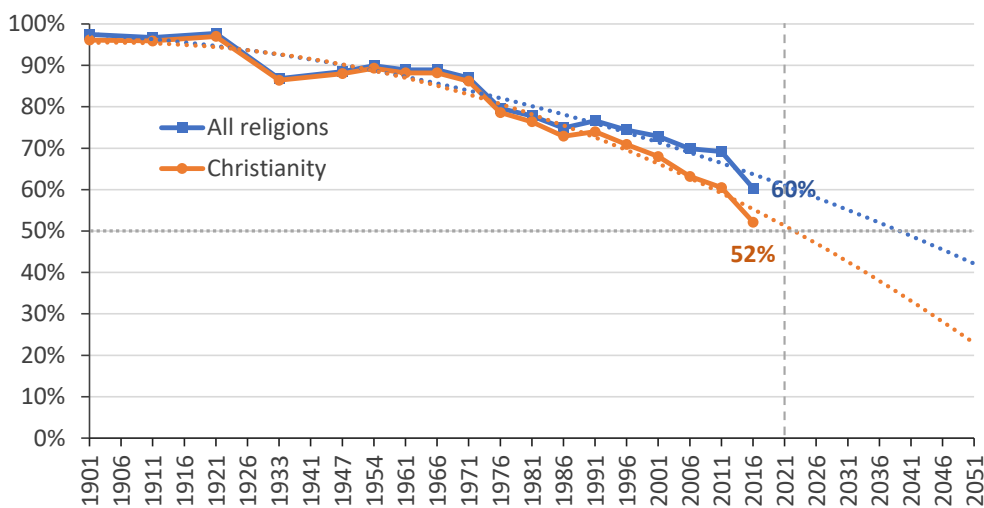
The Australian Human Rights Commission has criticised the bills as "*setting a dangerous precedent*".

## Why now?

Amongst political operatives and observers, a key question about emerging political activism is not just “why?”, but “why now?”. Religious conservatives in Australia are suddenly much more politically active than before. There have been multiple attempts to stack Coalition party branches, and tenacious wandering of the corridors of power in search of “religious discrimination” protections. Why now?

Obviously, one answer is the recent legalisation of marriage equality, which was vigorously opposed by religious conservatives. This is far from the whole answer, however.

Another is the ongoing abandonment of Christian denominations by the laity, especially Notionals and Occasionals. Indeed, the 2016 census results will have come as a serious shock to religious conservatives, with its major drop in religious affiliation from even the long-term downward trend (Figure 58).



**Figure 58:** Religious affiliation by census year

Source: Australian Bureau of Statistics census reports. Note: Second-order polynomial trendlines.

If the deconversion trend is repeated in this year’s census, which seems likely, Christianity would for the first time since Federation become a minority religion. Even religion in total might drop below 50%, though that is far less likely. And the Nones could come within 10% of total Christianity. No longer would Christian conservatives be able to refer to a presumed Christian “moral majority”: not that it has existed in reality for some time given the numbers of religious who never attend religious services and say they don’t belong to their religious organisation.

Therefore, it’s important to religious conservatives to achieve greater religious “protections” now, in case the Coalition government loses office at

the next federal election — due by May 2022 — since Labor has shown less enthusiasm. And to get the job done before the ABS has a chance to announce Christianity to be a minority, around the middle of next year.

### **A range of tactics**

Conservative religious coalitions have been employing a range of tactics. For example, they've adopted the tricky tactics of the USA's religious right, claiming to be the victim while acting as the aggressor (Shepherd 2021). As Whitaker (2018a) argues, Christians in Australia are not persecuted, and it is insulting to argue that they are.

They've indulged in historical revisionism to claim that Australia is founded on Judeo-Christian tradition or values and would fall apart without them (e.g. Australian Christian Lobby 2021; Australian Christian Values Institute 2021; Australian Christians 2021). However, in Australia, the expression "Judeo-Christian values" only makes its first appearance in 1974, and appears mostly in post-9/11 conservative rhetoric (Patton 2014). It too was imported from the US, where it only appeared after the second world war (Almond 2019b).

They've attempted to paint Australia's religiously affiliated as all spiritual believers (e.g. Debien & Calderwood 2016), even though only a small minority are (see the following section, *The truth about religiosity in Australia*).

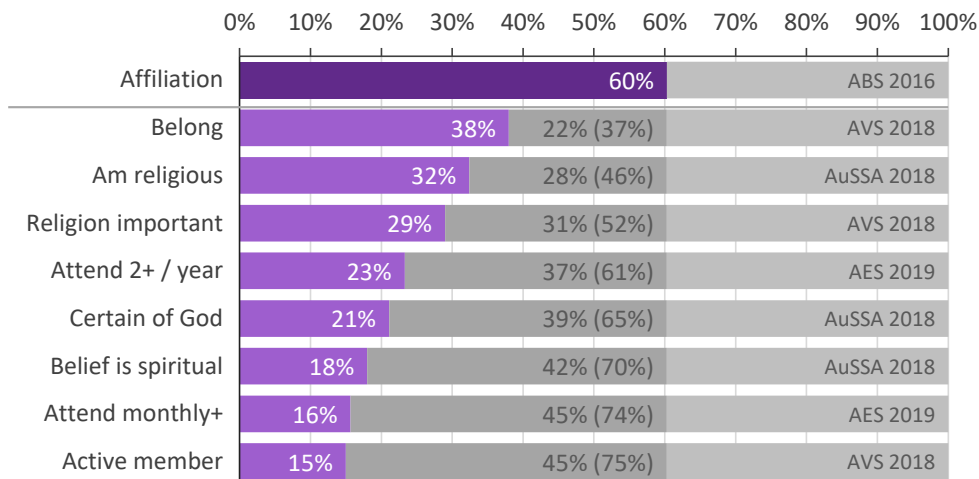
And they've attempted to appropriate non-religious Australians, SBNRs, as really their people just missing in action (e.g. Debien & Calderwood 2016; Stobbe 2021). But SBNRs are in fact quite anti-establishmentarian, most don't believe in God, and most oppose church doctrine on social matters (see the section *SBNR: 'Spiritual but not religious'* on page 63).

This is *not* to argue that religion should be banned from the public square; that the religious should not be able to voice their views or seek representation. It *is* to argue that numerous sources of robust evidence establish that most Australians disagree with conservative religious views and believe they shouldn't be privileged, or condition the rights and respect of fellow citizens.

**Summary:** Religious conservatives are working hard to achieve greater legal protections for religion before the 2022 federal election and announcement that Christianity is in the minority. Some tactics have been imported from America's religious right. Religious conservatives should have the right to put their case and seek representation. However, numerous sources of robust evidence show that Australians don't agree such views should be privileged.

## The truth about religiosity in Australia

The truth is that census and survey headlines suggesting some 60% of Australians are (or were in 2016) religious, radically overstates Australia’s real religiosity. In fact, Australians’ relationship with religion is considerably softer (Figure 59).



**Figure 59:** Real religion versus notional affiliation in Australia

Sources: ABS 2016, AuSSA 2018, AVS 2018, AES 2019. Note: Percentages in parentheses are the negative answer as a proportion of those who said they were affiliated with a religion.

While 60% of Australians ticked a religious denomination box at the 2016 national census, that doesn’t mean that religion is meaningful in all their lives.

### By *meaningful* measures, only:

- 38% of Australians say they actually *belong* to a religion.
- 32% describe themselves as religious.
- 29% say that religion is important in their lives.
- 23% attend religious services more than once a year.
- 18% are religious for real spiritual rather than family or habitual reasons.
- 16% attend religious services at least monthly.
- Just 15% describe themselves as active members of their religious organisation.

### Put another way, of Australians **who marked a religious denomination on the 2016 census:**

- More than a third (37%) say they *don’t* belong to a religion.
- Nearly half (46%) *don’t* describe themselves as religious.
- More than half (52%) *don’t* say that religion is important in their lives.

- Well over half (61%) never or almost never attend religious services.
- Two thirds (65%) are *not* certain that a God even exists.
- Seven in ten (70%) are affiliated for cultural/family reasons, rather than genuine spiritual reasons.
- Three quarters (74%) attend religious services less than once a month, or are *not* active members of their religious organisation (75%).

Clearly, these are not statistics that religious conservatives would volunteer for the nation's attention. Instead, some have tried to appropriate SBNRs (hint: "not religious" is in the name), to bolster supposed headline figures of "religion".

The religiosity figures in this report are real and concrete, not illusory. They are meaningful. And they matter.

They matter as a realistic appraisal of our national selfhood. They matter to parliamentary representation and legislative reform. And they matter to government policy and to funding of religious and secular institutions alike.

**Summary:** Australians' relationship with religiosity is much weaker by any practical measure than a headline "affiliation" statistic suggests. Nor do SBNRs validly boost apparent "religiosity", at least not in the way that the social or legal definition of religion implies.

Parliaments and governments should acquaint themselves with the facts so as to properly inform themselves when making decisions on behalf of all Australians.



## Little voter appetite for religious conservatism

Australians' substantially lower religiosity than the headline affiliation figure implies, belief that the churches have too much power, distrust in them, and majority disagreement with their socially conservative religious views, are not mere academic curiosities. They translate into votes at the ballot box.

In 2017, Senator Cori Bernardi quit the Liberal party in response to his perception that it was too liberal. A devout Catholic, Mr Bernardi opposed abortion and marriage equality and had expressed hostility towards Islam, suggesting that multiculturalism in Australia had failed. He told the Senate that *"concern about the direction of our nation is very, very strong"* and that *"the body politic is failing the people of Australia"* (Massola 2017).

### **New political party to represent the Christian right**

Mr Bernardi established the Australian Conservatives party, which, while conservative on a range of issues, was largely a religious and specifically Christian alliance. Mr Lyle Shelton, then managing director of the Australian Christian Lobby, quit his post to become the federal communications director of the party.

Conservative party Family First, co-founded by Pastor Andrew Evans of the Pentecostal Assemblies of God and promoting "Christian heritage", then merged with the Australian Conservatives. So did the Australian Christians party, and individuals from other Christian-right organisations such as the Democratic Labour Party and the Q Society of Australia.

Despite polls showing that majorities of voters in even the most conservative Coalition seats backed marriage equality law reform (Massola & Peatling 2017), the Australian Conservatives vigorously opposed it.

### **Voters reject the party**

In South Australia's 2018 election, Family First, now the Australian Conservatives, lost more than half its primary vote, down from 6.2% to 3.0% (ABC News 2018). Former Family First MLC Robert Brokenshire lost his seat. The other former Family First MLC, Dennis Hood, defected to the Liberal party a few days after the election (Harmsen & MacLennan 2018). None of the 33 candidates it stood for the lower house came anywhere near being elected.

In the March 2019 NSW election, the Australian Conservatives achieved just 0.5% of primary votes for the lower house, and 0.6% for the upper house, electing no candidates (NSW Electoral Commission 2019).

At the 2019 federal election, the Australian Conservatives didn't field candidates for the House of Representatives. The remaining Christian right

parties lost significant portions of their already small primary votes for the House of Representatives: the Christian Democratic Party down from 1.31% to 0.68%, the Australian Christians down from 0.32% to 0.17%, and Rise Up Australia down from 0.51% to 0.10%. The Australian Conservatives ran candidates for the Senate in every state but failed to win any seats.

### **Australian Conservatives party folds**

Some two years after its registration, in 2019 Mr Bernardi deregistered the Australian Conservatives party, citing poor electoral performance and financial challenges (Figure 60) (Duran 2019).

Mr Bernardi formally resigned from the Senate in early 2020. Mr Shelton has been tapped to replace the Rev. Fred Nile in the NSW parliament, on Mr Nile's retirement (O'Mallon 2021).



**Figure 60:** The *Australian Conservatives* party is deregistered after two years  
Source: Duran (2019)

**Summary:** Australian voter appetite for conservative religious representation in parliaments is very limited. The Christian right's Australian Conservatives political experiment failed at the ballot box. Indeed, conservative Christian party votes decreased across several parliamentary elections.

## Religious privilege triggers a counter-effect

Perhaps one of the clearest messages for Australia's federal legislators, and the "religious discrimination" bill slated for a third draft later this year, is a warning against overreach.

Federal Coalition MP Mr Warren Entsch has warned his government colleagues to be careful with this bill, describing the existing exposure draft as a "*Christian Bill of Rights*" (OutInPerth 2021). He has threatened to cross the floor if the bill walks back recent anti-discrimination reforms against minority groups. Mr Entsch is wise to issue this warning. While education, affluence, even persecution, are often given as the major drivers of decreases in religiosity, globally these are not the most important reasons.

A newly-released study, comprising an extensive analysis of data from 166 countries, found that *state privilege for Christianity through laws and policies* is the greatest threat to the religion's vitality (Saiya & Manchanda 2021). The association is not a mere correlation: the study establishes a causal relationship. Christianity thrives most in environments of religious pluralism (including non-religion). Indeed, as described earlier in this report, where religion is at its most strident, disaffiliation grows and non-religious groups multiply.

The study concludes that, paradoxically, Christianity does best when it has to fend for itself. That means no special funding for religious purposes, no special access to state institutions, and no exemptions from general regulations (Saiya 2021).

### Significant risks for politicians

All MPs — government, opposition, and crossbench — would be wise to carefully judge and weigh such a bill before voting on it. Granting religious privileges is likely to have the opposite of any intended effect.

And, given the religious Nones are the largest and fastest growing group of voters in contemporary Australia, MPs who support unbalanced "religious discrimination" legislation may find themselves voted out at the next election. Even in the far more religiously conservative USA, the political power of the religious Nones is on the rise (Byler 2019; Lovett & Ailworth 2018).

**Summary:** A new global study shows that state privileging of Christianity is a causative factor for Christianity's decline. MPs would also be wise to consider the possible negative electoral reaction of Nones to any privileging of religion in upcoming legislation.

