

# Freedom of Religion



## Introduction

Freedom of religion is a basic human right recognised in the Australian Constitution.<sup>1</sup> As a secular, multicultural, and pluralist society, Australia is home to people of many religious faiths, beliefs, and practices, as well as those who profess no faith or religion.

Section 116 of the Constitution of Australia 1901 prohibits the Commonwealth Government from establishing any religion, imposing any religious observance, or prohibiting the free exercise of any religion. According to the law, people living in Australia are able to practice their religion and beliefs without fear of prejudice, coercion, or discrimination. Freedom of religion should be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, morals, and the fundamental rights and freedoms of others.

As a community organisation and provider of aged care and family and children services, it is important that Baptcare aligns deeply with these rights and freedoms that emerge from our commitment to human rights as a nation, and also as a direct expression of our mission to ‘partner for fullness of life with people of all ages, cultures, beliefs, and circumstances’.

## History and background

Australia’s religious diversity has grown continuously since early European settlement, but particularly since the 20th century. Colonialization and Christianity, often marching hand in hand, also had a significant impact on Indigenous Australians.

The churches both facilitated the loss of Indigenous Australian culture and religion and facilitated its maintenance. Around the year 2000, many church organisations officially apologised for past failures to adequately respect indigenous cultures and address the injustices of the dispossession of indigenous people.<sup>2</sup>

The 2011 census<sup>3</sup> identified that 61.1% of Australians classify themselves Christian: 25.3% identifying themselves as Catholic, and 17.1% as Anglican. A further 7.2% of Australians identify themselves as followers of non-Christian religions. The second-largest classification was the 22.3% who categorised themselves as having ‘No religion’. This is most evident among younger people, with 29% of people aged 18–34 choosing that option (it was 12% in 1976).

According to the time series data released with the 2011 Census, the fastest growing religious classifications over the ten years between 2001 and 2011 were:

- No religion – up from 15.2% to 22.1%
- Hinduism – up from 0.5% to 1.3%
- Buddhism – up from 1.9% to 2.4%
- Islam – up from 1.5% to 2.2%

Meanwhile, the greatest decreases were in the major Christian denominations. All Christian denominations combined decreased in numbers from 67% in 2001 to 61% in 2011, and it is expected that the 2016 Census will document further decline.

## *Current context and situation*

Baptcare's clients and residents are also representative of this diversity. While some prejudice and discrimination will always be present in multicultural societies, it is demonstrably true that since the September 2011 terrorist attacks in the United States of America, heightened irrational fear and intolerance of non-Anglo cultures and religions has been evident in Australia. While evidence suggests that religious and ethnic intolerance is openly practiced by only a small minority of Australians, the experience of racism by non-Anglo Australians remains prevalent.<sup>4</sup>

Baptcare intentionally serves people of all ages, cultures, beliefs, and circumstances across its programs and services. Client rights to freedom of religion are actively supported by the Pastoral Care Team who seek to connect clients and residents with other people and faith communities as relevant to their beliefs and faith orientation. Baptcare also intentionally works at the margins with people who often fall outside of the dominant cultural profile and so require a broader approach to spiritual care.



## *Baptcare's Mission & Christian Witness*

Baptcare is a faith-based organisation that grew out of practical and passionate concern for disadvantaged people in our community. Our mission specifically articulates that the non-discriminatory core of our approach to helping people across the spectrum of our services and operations is crucial to our identity and practice.

The mission philosophy that undergirds our commitment to 'partner for fullness of life with people of all ages, cultures, beliefs, and circumstances' is based on the conviction that we meet people where they are in their experience of life, validating and affirming their particular human reality, including their religious identification or spiritual practices. Contemporary expressions of the Christian faith affirm activities that promote personal growth and holistic transformation. This requires us to take seriously the personal and social circumstances of our clients and residents.<sup>5</sup>

Informing Baptcare's mission philosophy is an enduring conviction in our Baptist heritage that values and affirms 'freedom of conscience'. This distinctive arises out of the non-Conformist tradition that Baptists belong to, and has found expression in strong advocacy for social and religious freedom that can be traced back to the very beginnings of the Baptist movement in the seventeenth century.

Thomas Helwys (c.1575–c.1616) started the first Baptist church in England, and appealed for full religious liberty in his seminal tract *The Mystery of Iniquity* (1612), the first English book in history to defend religious liberty. Helwys called for full liberty for all people, whether Christian or not: 'Let them be heretics, Turks, Jews, or whatsoever, it appertains not to the earthly power to punish them in the least measure'.<sup>6</sup>

The strong evangelical orientation of many Baptist churches in Australia today, may appear to be in tension with the above commitment to religious freedom and respect for the beliefs of others, yet the deep commitment to freedom of conscience remains part of that same evangelical tradition.

The famous saying attributed to English author Evelyn Beatrice Hall would be held by many Baptists: 'I disapprove of what you say, but I will defend to the death your right to say it'.<sup>7</sup> A corollary of religious freedom is the friendly separation of religious organisations and government authority (separation of church and state). Baptists have long championed this concept, and continue to do so.

## *A better future / what needs to change*

Religious freedom is a key feature in Australia's commitment to basic human rights and by extension, Australian organisations must also respect this right. In addition to this, respect and affirmation of a person's particular religious and spiritual journey remains a central expression of Baptcare's mission philosophy and faith heritage. Our whole-person approach to care affirms this and finds particular expression in our practice of spiritual care based on a relational model of spiritual wellbeing that considers all connections with self, creation, others, and the transcendent as critically important aspects of meaning and purpose in a person's life.<sup>8</sup>

Residents and clients in Baptcare homes and programs have the right to feel safe and affirmed in their particular religious (or non-religious) expression. While Baptcare is a Christian faith-based organisation, our commitment to this freedom emerges out of Jesus's example of honouring the integrity of faith and, where necessary, criticising religious or official attitudes when they discriminate against or limit a person's expression of faith or freedom.<sup>9</sup>





## Policy position

- 1 Baptcare makes an open and public policy commitment to religious freedom within our aged-care communities and home-based support programs. We proactively support individual expressions of religious and spiritual identity as a matter of policy and best practice. We encourage all faith-based organisations providing aged care and community services to do the same.
- 2 We call on politicians and other public figures to refrain from making comments that directly or by implication reflect negatively on a particular religious or faith group, or that fans prejudice, misinformation, or generalisations about that particular group.
- 3 We call upon all institutionalised religious organisations, including denominational bodies, to be openly committed to religious freedom and refrain from any public comment that diminishes or discriminates against the rights and freedoms of religious groups or individuals different to their own. We encourage the same organisations to engage in respectful conversation with their religious counterparts with the aim of promoting understanding, mutual respect, and freedom to express beliefs and practices in keeping with the principles expressed above.
- 4 We call on Baptists and other religious groups within Australian society to defend and advocate for religious freedom and other human rights when these are threatened by the policies or actions of any organisation, or by the state.

## End Notes

- 1 The right to freedom of thought, conscience and religion is recognised in Article 18 of the ICCPR. Australia agreed to be bound by the International Covenant on Civil and Political Rights (1966) on 13 August 1980.
- 2 The Baptist Union of Victoria's Assembly issued a public apology to Aboriginal and Torres Strait Islanders in March 1988.
- 3 [http://stat.data.abs.gov.au/Index.aspx?DataSetCode=ABS\\_CENSUS2011\\_B14](http://stat.data.abs.gov.au/Index.aspx?DataSetCode=ABS_CENSUS2011_B14). 2016 Census data is not yet available.
- 4 The right to freedom of thought, conscience and religion is recognised in Article 18 of the ICCPR. Australia agreed to be bound by the International Covenant on Civil and Political Rights (1966) on 13 August 1980.
- 5 See Baptcare's Mission Philosophy Statement.
- 6 Thomas Helwys, *A Short Declaration of the Mystery of Iniquity*, ed. Richard Groves (Macon, GA: Mercer, 1998), 34, 53. Cited in Joe L. Coker, 'Social Conscience and Political Power among Nineteenth-Century English Baptists', *Pacific Journal of Baptist Research* 1:1 (2005), 22.
- 7 Beatrice Hall (1906) *The Friends of Voltaire Provide*
- 8 Our Chaplains have a strong professional commitment to this model of spiritual wellbeing and the honouring of each individual resident's or client's journey of faith or spiritual life. While Baptcare chaplains are always able to talk about Christian faith, proselytising in any form is not permitted.
- 9 There are numerous examples of this in the Gospels. See, for example, Luke 13:10-17; Luke 19:1-10; John 8:1-11.

Baptcare is a customer focused, faith centred and purpose driven organisation working across Victoria and Tasmania, providing residential and community care for older people and support to children, families, and people with disability, financially disadvantaged people and people seeking asylum.