

Factsheet on church and state in Australia

This factsheet on church and state in Australia puts it all in a nutshell - from 1836, when an exasperated Australian Governor Bourke wished the churches would roll off state support like saturated leeches to 2008 when Bishop Tom Frame said they must be weaned off state support and not rely on the secular state to discharge their heavenly charter

CHURCH AND STATE INFORMATION SHEET AT APRIL 2012

1788 British colonisation of Australia **1789** French Revolution ends monarchy and the power of the Catholic Church in France: 95 per cent of the population paid tax while the top 5 per cent: monarchy, nobility, clergy, did not; the concept of the citizen with rights is idealised as Liberty, Equality and Fraternity **1791** *First Amendment* to the American Constitution states: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof **1827** Anglican Church receives one-seventh of the land of NSW from the British government; later, most taken back but the church is left very well endowed **1836** *NSW Church Act* allows funding for main religions in the colony; exasperated Governor Bourke says he looks forward to a time when churches would roll off state support like saturated leeches **1840** William Charles Wentworth says in the Parliament the NSW Constitution will be a British, not a Yankee Constitution; there is thus no section separating church and state in this or any other Australian state constitution; later, the British government overrules a move towards separation by South Australian authorities **1870s** Secular publicly-funded education commences in Australia and New Zealand **1897** During Convention debates about the formation of the Commonwealth of Australia, Edmund Barton, later the first prime minister, says the whole mode of government, the whole province of the State is secular **1901** Australian Constitution: religion clause s.116 is based on the US *First Amendment* **1905** France formally separates church and state by an act of parliament **1910** A referendum in Queensland removes the requirement for public education to be secular from the *Education Act*; this still applies today **1925** State of Tennessee bans teaching of evolution; teacher John Scopes is tried for teaching evolution in a public school; Scopes loses but fundamentalism is discredited; however, a pall is cast over the teaching of biology in US schools **1929** Mussolini regime arranges Concordat with Vatican establishing it as a separate nation state in Italian territory with tax exemptions **1930** Anne Lennon criticises tax exemptions for religion on her soapbox in the Sydney Domain; she is arrested; Rationalist Association of Australia appeals her conviction and loses **1947** *Everson* Supreme Court case formalises separation of church and state in US; Americans United for Separation of Church and State formed in Washington to defend separation **1948** *McCollum* US Supreme Court case finds religious instruction classes in public schools unconstitutional **1950s** Australian Labour Party split; Catholic Democratic Labour Party formed using preferences to keep ALP out of power **1952** Blasphemy laws declared unconstitutional by US Supreme Court **1954** Under God added to Pledge of Allegiance and In God We Trust added to US currency **1960** John Kennedy, a Catholic, is elected President **1961** John Kennedy says: I believe in an America where the separation of church and state is absolute - where no church or church school is granted any public funds or political

preference
1962-3 Three Supreme Court decisions remove prayer and Bible reading from US public schools
1969 *Menhenitt* case in Supreme Court of Victoria finds abortion will be legal if it is believed the abortion is necessary for the physical and mental wellbeing of the woman; other states and territories later follow
1970 District Court of Columbia in *Green v Connally* finds discrimination on account of race is inconsistent with an educational institution's tax-exempt status
 integrated schools commence, as does, in response, the rise of the Religious Right in the US
1971 National Right To Life organisation is formed in the US to combat abortion; Catholic Church stays in the background fearful of losing its tax-exempt status for engaging in overt political action
1972 Gough Whitlam agrees to fund Catholic schools to lock in the Catholic vote
1973 *Roe v Wade* US Supreme Court decision in favour of abortion
1975 *The Age* of 11 November 1975 details Anglican Church report *The Politics of Living* written by the church's Social Responsibilities Commission: "In a truly democratic society no group may claim exclusive privileges as a right" Australia is a pluralist society, not a Christian society "any attempt to argue the church, because it is the church, has some inherent superior right to privilege is bound to backfire as it becomes clearer that Australia is and must be a secular society"
1977 Anglican Dean of Sydney asks his congregation to pray for the rescue of Bob Hawke from agnosticism
1981 *Defence of Government Schools* case, Australian High Court denies s.116 of the constitution means separation of church and state, approving government funds for religious schools, a turning point in Australian history
1983 Scientology Australian High Court case defines religion as any belief in a supernatural being, thing or principle and canons of conduct that give effect to that belief
1983 Australian Council of Churches publishes *Changing Australia*; ignoring their own tax exemptions they declare: "avoiding tax is theft" and "when taxes are not paid, either necessary services are not provided or else other people have to pay more"
1983 Juliet Sheen "Who pays the church?"
Australian Society 1 May: "some religious groups have had uneasy consciences about the justice of continuing to take advantage of the financial benefits the state holds out to them simply for being religious. However, the signs are that self-denial comes at the bottom of church priorities. They can always use the money and prefer the kind of autonomy that allows them to do much what they like without accounting to anyone"
1984 Queensland Premier Joh Bjelke-Peterson criticises newly-elected federal Labor members for affirming rather than swearing an Oath of Allegiance on the Bible: "Let's get people who acknowledge there is a God, instead of atheists and agnostics". that is why Australia is heading down the chute
 later, the Fitzgerald Royal Commission reveals significant corruption in Queensland
1986 National Prayer Breakfast arrives in Canberra, organised by Parliamentary Christian Fellowship
1992 Conservative Liberals form religionist Lyons Forum in Australia
1994 Oregon becomes first US state to approve voluntary euthanasia
1994 Liberal member of Parliament, Chris Miles, starts "Say No To Sodomy" campaign in Tasmania
1994 John Hewson, who supported the gay Mardi Gras, replaced as Liberal leader by Alexander Downer, replaced in turn by John Howard
1995 Australian Christian Lobby formed in Canberra: against abortion, gay marriage etc
1996 John Howard is elected Prime Minister, pictured at his swearing-in clutching a Bible; Chris Miles made a parliamentary secretary
1996 Commonwealth Employment Service abolished and replaced by mainly Christian agencies with lucrative contracts; dramatic increases in private, religious school funding
1997 After a nine year campaign, including a human rights appeal to the United Nations, gay law reform passed by Tasmanian parliament
1997 Northern Territory voluntary

ethanasia legislation overruled by Federal Parliament **1997** Senator Watson claims in parliament, 20 October, that the Governor-General used his authority to include the words "O God who made this ancient land" in a verse of the National Anthem **1999** Referendum on whether Australia should become a republic; it fails; there was no reference to separation of church and state **2000** ABC's Cox Peninsula transmitter near Darwin sold to UK's multi-million dollar Christian Voice; now broadcasts fundamentalism daily to the Pacific and South Asia in many languages **2001** An Australian Tax Office determination allows extremely generous fringe benefits for retired pastors **2001** Family First party founded in South Australia **2002** John Howard opens Hillsong's Pentecostal Church in Sydney's north-west; previously, Hillsong's leader, Brian Houston, published his book *You Need More Money: Discovering God's Amazing Financial Plan For Your Life* **2002** Joe Hockey, Liberal member for North Sydney, says in parliament: "This is not a church and I am not standing at a pulpit" **2002** Significant reforms in WA re: abortion, prostitution and laws discriminating against gays **2003** Peter Hollingworth resigns as Governor-General after a report concerning an abuse issue in Brisbane **2004** Inaugural National Day of Thanksgiving launched by coalition of Pentecostal /evangelical churches with a speech in a church by federal treasurer Peter Costello **2004** Professor of constitutional law at Sydney University, Helen Irving, writes in the *Sydney Morning Herald* 3 June that Australia's founding fathers intended a secular not a Christian nation **2005** Australian government passes a law making it a crime to use telephone, fax, email or internet to discuss assisted suicide **2005** Catholic Monsignor David Cappo is appointed to executive positions within the South Australian government by the Labor Government; Liberal MLC Julian Stefani criticises the appointments and says that his side of politics supports "the total independence of separation of powers and functions between church and state" **2005** Senator Allison reveals that 60-75 of the 226 members of parliament attend Bible reading groups during sitting weeks; this is the Federal Parliamentary Fellowship; later, historian Ross Fitzgerald estimates the figure may be as high as 90 and asks "So how is the political culture of a large secular nation such as Australia being seemingly hijacked by the nation's Christian churches?" (*Australian* 23 February 2009) **2005** Secular Party of Australia founded **2006** The Howard Government loses a vote on the abortion-related pill RU-486 **2006** First national Newspoll concerning what Australians think about separation of church and state; finds clear majority support **2006** First conference on separation of church and state at University of Melbourne **2006** Howard Government funds religious chaplains in state schools with evangelical organisations as suppliers of chaplains **2006** Anglican bishop Tom Frame publishes *Church and State: The Imaginary Wall* (UNSW Press) **2006** Lyn Allison moves a motion in the Senate to move Australia towards a true separation of church and state, lost 7-50. Prime Minister John Howard later mistakenly defines separation of church and state in Australia as only an absence of an "established church"; all Greens senators vote for the motion **2006** Barack Obama says separation of church and state is "critical because in the end, democracy demands that the religiously motivated translate their concerns into universal rather than religion-specific values; it requires that their proposals be subject to argument, and amenable to reason" **2008** Catholic World Youth Day (WYD) held in Sydney. NSW state government later invokes freedom of information legislation to deny full revelation of the cost to government of the event **2008** Attempt by disaffected Catholics to argue WYD funding unconstitutional is derailed before it reaches the full bench of the High Court **2008** Abortion decriminalised in Victoria **2008** Christopher

Pearson, *A swing and a prayer* *The Australian* 8 March, relates former Labor Senator John Black's detailed survey analysis of Christian voters; concludes that without the evangelical vote in key Queensland seats Labor may not have won the 2007 election **2008** Malcolm Turnbull, a Catholic, elected Leader of the Opposition; later surprises Australian Christian Lobby with his support for abortion and gay rights **2008** Bishop Tom Frame writes in March *Quadrant* that the church must be weaned off state support, it should not rely on the secular state to discharge its divine calling and heavenly charter **2008** Head of Uniting Church in NSW is reported 30 September *Sydney Morning Herald* as saying his church's assets in NSW alone are worth \$3.9B and with land, the assets of the church could be double that **2009** Writing in *Australian Humanist*, Perkins & Gomez estimate the gross cost of religion to Australian taxpayers through exemptions, grants and other benefits to be \$31B annually **2009** In her Freilich lecture at ANU, Marion Maddox, a member of the Uniting Church, declares, contrary to Barak Obama above, that asking religious citizens to justify their arguments on non-religious grounds puts an unfair burden on them inviting dissimulation thereby compromising transparency concerning their true motives **2009** Tony Abbott elected Leader of the Opposition **2010** In a Macquarie University debate Marion Maddox claims why we don't want to go down the French path [of formal separation of church and state] is because, apart from any ideological or philosophical argument ... *it doesn't work.* **2010** First Global Atheist Convention in Melbourne **2011** High Court hears *Williams v Commonwealth* arguing federal funding of chaplains in public schools is unconstitutional, first church-state related case in 30 years, decision pending **2012** Concerned parents take Victorian government to Civil and Administrative Tribunal arguing religious instruction in public schools within school hours segregates and discriminates against their children **2012** Second Global Atheist Convention, Melbourne.

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ASL: <http://www.australiansecularlobby.com>

HSQ: <http://www.hsq.org.au>

NSS: <http://www.secularism.org.uk>

Also: www.concordatwatch.eu