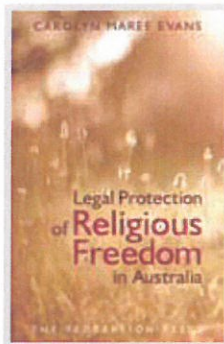


The Reading List

Book reviews for Society members, by Society members

Legal Protection of Religious Freedom in Australia



Carolyn Maree Evans
June 2012
Federation Press
RRP \$64.95

In my first week at law school, I was caught off guard when the lecturer invited me to share my thoughts on the Australian Constitution. I reached over to a classmate's pocket-sized copy, read the preamble, and tried to sound as intelligent as possible as I commented, "It is... interesting, that there is a reference to 'God.'" The lecturer then launched into a discussion on the (ir)relevance of a deity in the Constitution when Australia is a secular society. This was my introduction to the balance of religious freedom in secular Australia, and I am excited about the timely release of this book as it provides a good overview of the key issues that come into play in the Australian context as our society becomes increasingly multi-religious.

The book consists of eight chapters, each focusing on a particular aspect of religious freedom. Chapter 1 provides an overview of the changing demographics and the philosophical underpinnings of the freedom in Australia. Chapter 2 discusses the wider concept in International Law, being that of 'Freedom of Religion or Belief'. Chapters 3 to 8 drill down into the particular aspects of how the freedom manifests in Australia, eg the Constitution,

legal approaches, non-discrimination laws, religious vilification/hate speech laws, and the Courts. I especially enjoyed Chapter 3 — *The Concept of a Religion in Australian Law*, which contained a rigorous analysis of how the terms 'religion' or 'religious' appear in the Constitution and various legislation.

However, reading this book from cover to cover (as opposed to individual chapters separately) reveals some ironies that have not been addressed. For instance, the philosophies that have impacted Australian thought on religious freedom have strong Western roots (eg Locke, Rawls, the American Constitution) — but current issues that are discussed seem to be related more so to the influence of non-Western religions (eg religious apparel and use of religious law in the Courts). It would have been helpful if there was more detailed exploration of such religions' views on what religious freedom entails, including whether certain facets of the freedom may be genuinely incompatible (eg the right to change one's religion). Another irony was the comment on how Courts try to avoid deciding matters of religious doctrine (Chapter 8 — *Religious Freedom and the Australian Courts*), yet such determinations may be inevitable for instance in cases involving non-discrimination laws which require Judges to do precisely just that (Chapter 6 — *Non-Discrimination Laws: Friend or Foe of Religious Freedom*).

The difficulties of regulating peoples' beliefs and its manifestations in society make religious freedom a fascinating subject to consider and Professor Evans' discussion of different rationales and trends around the world provides much food for thought. I highly recommend this book if you are looking for a clear and concise summary of the key issues surrounding this topic.

Stella Loong, Solicitor

Focus: Contract Law, 4th Edition



**L Wiseman;
M Backstrom
and P Trowse**
December 2012
LexisNexis
RRP \$199

The 4th edition of *Contracts* is a great introductory text book to contract law. The book clearly sets out the main principles of contract law in an easy to read format with key cases and examples. At the beginning of each chapter, a clear set of objectives are explained to the reader which set out the expected outcomes of the chapter as well as relevant key cases and legislation.

At the end of each chapter there are problem questions and further discussion questions which require the reader to apply contract law principles to everyday problems. This provides an excellent opportunity especially for law students to gain an understanding of how contract law operates in real life situations.

One of the notable features of this book is the use of diagrams and flowcharts to illustrate how contract law principles operate and interrelate to one another. It is a helpful tool for visual learners to understand the complexities of contract law and a useful study aid for students.

I would recommend this book to any law student studying contract law or legal practitioners wanting a refresher on contracts law.

Shefali Vaishnav, ACT Government Solicitor