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# MUSLIMS IN THE MILITARY: A CAUSE OR A SOLUTION FOR ISSUES OF NATIONAL SECURITY

Luke Wessell\*

**Abstract:** Australian Muslims rarely join the Australian Defence Force. There is no evidence this statistic is changing, no sign it is likely to change in the near future, and meanwhile the Australian Muslim population continues to grow faster than the general Australian population. If statistical trends continue, at best the situation will become far more noticeable, and at worst it will become an issue of national security and societal cohesion. This paper discusses the risks of long-term segregation of Australian Muslims from the nation's defence forces, and considers them alongside the risks of acting to deliberately increase in numbers of Muslims serving in the ADF. Muslim jurists face a dilemma, where the scholar who is against Islamic service in the ADF risks being perceived as not supportive of Australia's efforts to fight ISIS, et al, and the scholar who comes out in support of ADF service risks being perceived by their own community as endorsing Western imperialism and the collateral damage suffered by innocent Muslims in the same geographical areas. Similar dilemmas for ADF leadership also exist and are the cause of apparent contradictions between public statements and grassroots reality.

**Keywords:** *defence, defense, Muslim, recruitment, Western, military*

## INTRODUCTION

In March 2015, Australia's then Assistant Minister for Defence delivered a parliamentary speech that thrust the issue of Muslim recruitment to the Australian Defence Force (ADF) into the public spotlight.<sup>1</sup> Although the chosen language focused on "cultural and linguistic diversity," the context of the speech, and simultaneous announcement that an imam would be appointed to the ADF Religious Advisory Committee, made it clear that recruitment of Muslims to the ADF was now a point of significant interest for the Australian government. To date, there is still no reputable Islamic organisation in Australia that has outright endorsed or rejected the Assistant Minister's assertion that it would be beneficial if more Muslims served in the ADF. In fact, with the exception of a few conservative Christian antagonists who reacted

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<sup>1</sup> Stuart Robert, *Defence: Capability Through Diversity*, Ministerial Statements, Parliament of Australia, March 2, 2015, accessed March 15, 2015, <http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansard%2Fdc5babf6-d13a-4d24-9679-f44e8a7ac864%2F0154%22>.

with predictable hostility,<sup>2</sup> it would appear that almost nobody in the public domain, Muslim and non-Muslim alike, has any opinion on the matter at all. This paper will demonstrate that lack of publicly stated opinion does not equate to lack of controversy; rather, the silence is indicative of the difficulty Muslims and non-Muslims have in articulating their often vague and conflicting, but very real concerns about increasing the number of Muslims serving in the ADF.

Western nations have only recently started to pay close attention to Muslim recruitment of Muslims to their respective militaries,<sup>3</sup> and as a result there is no precedent that can be directly compared with ADF efforts to increase Muslim recruitment. Compounding this problem are a number of factors that hinder accurate research; first, the very small number of serving Australian Muslims and significant diversity of the Australian Islamic community dictates that researching the motivations and experiences of current serving Muslims carries significant academic limitations; second, all non-Christian religions in Australia are underrepresented in the ADF<sup>4</sup> and any author critical of the Australian Muslim community for discouraging ADF service could be quickly dismissed as prejudiced for not similarly criticising Jews, Buddhists or Hindus; and third, there are a significant number of cultural and demographic considerations prevalent within the Australian Muslim community that are not specifically attributed to Islam, yet greatly impact levels of ADF service. The prevalence of first and second generation Australians, preconceptions of military service from migrant nations, impact of experiencing effects of war in home nation on the likelihood of choosing to become a soldier, etc., can be contemplated independent of Islamic theology, yet are presently inseparable from the Australian Muslim community.

For these reasons, this paper does not focus on past or present experiences of individuals inside the ADF. Instead, the aim is discussion of organisational and community attitudes and the reasons behind them. Discussion commences with the question “do enough Muslims serve in the ADF?” This will be achieved through presenting statistics and drawing links between those statistics and problems they either cause or exacerbate. The contemporary problems in Israel associated with the ultra-Orthodox Jewish community being chronically segregated from the Israeli Defence Force will then be used as a case study alongside predicted demographic changes in Australia, inviting the reader to draw comparisons between the two.

Once an understanding of the risks of inaction have been articulated, reasons for lack of resolve by the ADF and Islamic leaders will be considered. The ADF appears privately satisfied

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<sup>2</sup> Bernard Gaynor, *Stupid is as Stupid Does: The Australian Defence Force Ordered to Recruit More Muslims*, BernardGaynor.com.au, March 4, 2015, accessed September 29, 2015, <http://bernardgaynor.com.au/stupid-is-as-stupid-does-the-australian-defence-force-ordered-to-recruit-muslims>.

<sup>3</sup> Soeren Kern, “European Armies Recruiting Muslim Soldiers,” The Gatestone Institute: International Policy Council, July 13, 2012, accessed December 4, 2016, <http://www.gatestoneinstitute.org/3160/european-armies-recruiting-muslim-soldiers>.

<sup>4</sup> Hindus are approximately seven times less likely to join the ADF than the average Australian; Buddhists are approximately six times less likely; and Jews are approximately three times less likely to serve. Christian groups are no more and no less likely to join the ADF than average, while Atheists and Agnostics are over-represented. Although other religious minorities are not the topic of this paper, the issue of non-Christian recruitment to the ADF is comprehensively discussed in Phillip Hoglin, “Religious Diversity in the Australian Army: The Next Diversity Frontier,” *Australian Army Journal* 10, no. 3 (2013).

to ignore its public overtures of diversity and do nothing decisive, while generally, Islamic community leaders avoid endorsement of Muslim service in the ADF in spite of the potential benefits for their community. Very good reasons exist on both sides, yet such reasoning can be difficult to discuss publicly for fear of misinterpretation and subsequent accusation of being either racist or extremist. This paper does not endorse or propose any specific policy, but instead examines multiple perspectives so future ADF policy makers and Muslim community leaders may be better placed to assess the risk of any particular course of action, including the risk of taking no action.

## STATISTICS ON MUSLIM REPRESENTATION IN THE ADF

The full-time ADF has approximately 57 000 personnel.<sup>5</sup> This represents approximately one ADF member per every 377 members of the general population (based on Australian population of 21 507 717 from the 2011 census). In 2015, there were 96 Muslims serving in the ADF,<sup>6</sup> representing approximately one member per every 4 961 members of the Australian Islamic population (based on Australian Islamic population of 476 300 from the 2011 census).

In essence, Australian Muslims are more than 13 times less likely to join the ADF than the rest of the population, and this statistic is conservative for the following reasons; first, the Muslim population in Australia is projected to have been growing faster than the average population since the last available census information from 2011,<sup>7</sup> making the 2015 figure of 96 Muslims in the ADF even less representative of the population; second, according to the 2011 census, the Australian Muslim population is comparatively young with a higher percentage of Muslims inside the 17-35 year old recruitment demographic of the ADF than the wider population; and third, in spite of higher education standards than the rest of the population, the unemployment rate of Australian Muslims is double that of the general population,<sup>8</sup> making it more noteworthy that the relatively well-paying Defence Force, which has a clearly implied goal of attracting more Muslims, does not attract Muslim recruits.

It is easy to argue that, while there remains no push from Muslims for the ADF to change its policies to recruit more Muslims, and while the majority of serving ADF members are not complaining about the lack of Muslims inside the ADF, the statistics can, and perhaps even should, be ignored. The reality is different. In spite of the seeming indifference by almost the full spectrum of stakeholders, these statistics can be clearly linked with identifiable issues within Australia, and any decision to ignore these statistics needs to carefully consider the side effects of allowing chronic under-representation of Muslims in the ADF to continue.

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<sup>5</sup> Robert, *Defence*.

<sup>6</sup> Ibid.

<sup>7</sup> Pew Research Center, "The Future of World Religions: Population Growth Projections, 2010-2050," April 2, 2015, accessed September 12, 2014, <http://www.pewforum.org/2015/04/02/religious-projections-2010-2050/>.

<sup>8</sup> Kaitlin Thals, "Australia: Muslims Face Employment Discrimination," muslimvillage.com, May 30, 2015, accessed June 26, 2015, <http://muslimvillage.com/2015/05/30/82191/australia-muslims-face-employment-discrimination>.

## IMPACT OF CURRENT STATISTICS ON THE AUSTRALIAN MUSLIM POPULATION

The single biggest impact of these statistics on Australian Muslims is reputational. A recent University of Queensland study notes “The frequent depiction of Muslim youth by the media as individuals who pose a threat to the national security of Australia by being radicalized and ready to join ISIS is another step in marginalizing and excluding this minority group.”<sup>9</sup> Such an observation is not unique and is consistent with theories that describe how the treatment of minority groups as criminals or terrorists will ultimately become self-fulfilling prophecies.<sup>10</sup> In simple terms, consistent and public depictions of Muslim youth as radicalised and ready to join ISIS makes Muslim youth more likely to become radicalised and join ISIS. It is a simple solution to blame the media, but when statistics demonstrate there are an estimated 120–150 Australian Muslims who have travelled overseas to participate in the operations of terrorist organisations,<sup>11</sup> yet less than 100 are serving in the ADF, it becomes difficult to accuse the media of bias. These statistics provide evidence and credibility to arguments that a growing Muslim population is bad for Australia, they support arguments that Muslims are less loyal to Australia than other groups,<sup>12</sup> and also help nullify any claims by Muslim leaders that the Islamic faith is broadly consistent with Australian values. Having more Muslims fighting for ISIS than in the ADF has potential to become fuel for the self-fulfilling prophecy about Muslim youth in Australia being easily radicalised.

As Muslim loyalties are increasingly questioned, so is the credibility and influence of Muslim leaders in the eyes of policy makers. In 2014, in response to new anti-terror laws proposed in Australia, a joint statement by the Australian Islamic community containing 97 imams, activists, leaders, community organisations and student bodies as signatories, claimed, among other things, “... racist caricatures of Muslims as backwards, prone to violence and inherently problematic are being exploited.”<sup>13</sup> Not only was the relative lack of influence of Muslim leadership reflected by the eventual passing of the laws with minimal amendments,<sup>14</sup> the statement arguably attracted more attention for the irony that this statement describing the

<sup>9</sup> Laya Matindoost, “Media Representation of Muslim Youth in Australia,” *World Association for Christian Communication*, August 16, 2015, accessed December 18, 2015, <http://www.waccglobal.org/articles/media-representation-of-muslim-youth-in-australia>.

<sup>10</sup> Francesco Finucci, *Self Fulfilling Prophecies of Terrorism: The Basic Mistake that all Countries Commit*, (n.p.: Global Security Organization, 2014), accessed December 13, 2015, <http://www.globalsecurity.org/security/library/report/2014/self-fulfilling-prophecies-of-terrorism.pdf>.

<sup>11</sup> George Brandis, “Securing our Freedoms,” (speech to the Center for Strategic and International Studies, Washington DC, April 8, 2014), accessed September 29, 2015, <http://www.attorneygeneral.gov.au/Speeches/Pages/2014/Second%20Quarter%202014/8April2014SecuringourFreedoms.aspx>.

<sup>12</sup> Some Muslims compare Australian Jewish citizens serving in the Israeli Defence Force and cite Israel’s continued occupation of Palestinian territory in similar terms to Muslims fighting overseas. They make the point that the loyalty of Australian Jews is not questioned, but Muslims are. While there is some merit to this objection, the situation of Australian Jews in the Israeli army is not analogous in relevant ways to joining ISIS. Further, there are more representative numbers of Australian Jews in the ADF.

<sup>13</sup> “Muslim Community Denounces ‘Anti-terror’ Law Proposals,” *Islaminaustralia.com*, August 20, 2014, <https://muslimsinaustralia.files.wordpress.com/2014/08/statement8.pdf>.

<sup>14</sup> Emma Griffiths, “Explainer: What do the New Anti-Terror Laws Involve and How Will They be Rolled Out,” *ABC News*, May 28, 2015, accessed December 29, 2015, <http://www.abc.net.au/news/2014-09-22/new-anti-terrorism-laws-explained/5761516>.

Islamic-based threat as exaggerated was issued on the same day ISIS publicly executed an American journalist and issued a strong warning to Western governments.<sup>15</sup>

A key maxim of Islamic law is to reduce harm before attracting benefit;<sup>16</sup> therefore, any theological or legal argument opposing Muslims serving in the ADF must demonstrate that the harm caused by their service in the ADF is greater than the harm caused by the damage to Muslims' reputation and subsequent self-fulfilling prophecies about extremism in the general public, and the continued underemployment of Muslims in Australia. Such theological arguments will be discussed later.

## IMPACT OF CURRENT STATISTICS ON THE ADF

There are two main arguments suggesting the ADF suffers from a lack of diversity, including a lack of Muslim members. The first argues that militaries benefit from having members from culturally and linguistically diverse backgrounds who have useful knowledge and skillsets specific to regions in which those armies will operate.<sup>17</sup> This line of argument was pushed heavily by the then Assistant Minister in his parliamentary address, and given the geographic location of Australia's recent engagements in the Middle-East, Central Asia and South-East Asia, the argument is naturally weighted towards Muslims. There has been no credible rebuttal to this logic in the ADF context since the Assistant Minister's speech,<sup>18</sup> and it can comfortably be accepted as fact that the current low recruitment rate of Australian Muslims represents a degree of missed opportunity for the ADF.

The second argument suggests chronic exclusion of any particular demographic reduces the talent pool of prospective recruits and the ADF will inevitably miss out on generically talented individuals, not just on specific skillsets. This line of reasoning features heavily in recent arguments for increasing female recruitment in the ADF.<sup>19</sup> Although this argument is applicable to Muslims in a generic sense, at present it remains almost impossible to substantively link a lack of Muslim military service with any defined gap in ADF capability because the 2.2% of Australians who are Muslim is small enough not to have any significant impact. If the Muslim population was to grow, this line or argument would become far more relevant; in fact, the Australian Army's workforce analysis has determined that population

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<sup>15</sup> Andrew Bolt, "Muslim Leaders Continue to Betray Australia by Condemning Tony Abbott," *Herald Sun*, September 7, 2014, accessed February 6, 2016, <http://www.heraldsun.com.au/news/opinion/andrew-bolt/muslim-leaders-continue-to-betray-australia-by-condemning-tony-abbott/news-story/9842bd1d289e7f07af86b45e6037922e>.

<sup>16</sup> Luqman Zakariyah, *Legal Maxims in Islamic Criminal Law: Theory and Applications* (Boston: Brill, 2015), doi: 10.1163/9789004304871, 158–172.

<sup>17</sup> Mike Copenhaver, "The Integration of Minorities into Special Operations: How Diversity Enhances Operations," (US Army War College Fellowship manuscript, US Army War College, 2014).

<sup>18</sup> There are many arguments against the recruitment of Muslims, but they centre on associated risks and do not deny the potential benefits if the risks can be overcome.

<sup>19</sup> Elizabeth Broderick, "Review into the Treatment of Women in the Australian Defence Force" (speech to the Australian Human Rights Commission, Australia, August 22, 2012), <https://www.humanrights.gov.au/news/speeches/review-treatment-women-australian-defence-force>.

trends in Australia over the coming decades demand that recruitment strategies must make the ADF more reflective of the Australian population.<sup>20</sup>

Any firm predictions about if/when the Muslim population will become large enough for this second line of argument to become relevant would be speculative and beyond the scope of this paper; however, in considering the question “do enough Muslims serve in the ADF?” it is prudent to examine lessons to be learnt from other nations. Such lessons for Australia can be found in the seemingly unlikely context of ultra-Orthodox Jews in the Israeli Defence Force.

## A COMPARISON WITH ISRAEL

In 1990, ultra-Orthodox Jews made up about 3% of the Israeli population,<sup>21</sup> and an almost non-existent percentage of the military due to a long-standing exemption from conscription.<sup>22</sup> The ultra-Orthodox did not want to serve and the remainder of Israeli soldiers did not want to serve alongside them. Ultra-Orthodox soldiers who volunteered to serve usually did so against the wishes of their community, reducing integration even further.<sup>23</sup> The problem remained small enough to ignore for many years and was never treated; however, due to high birth rates of the ultra-Orthodox, in 2013, they suddenly accounted for approximately 9% of the Israeli population,<sup>24</sup> yet still only a very tiny percentage of the Israeli Defence Force.<sup>25</sup> The problem had become too large to ignore. Facing a reduced military capability resulting from a large percentage of the population excluded from military service, and a society becoming fed up with their lack of participation, the Israeli government acted to artificially accelerate the integration process. The Israeli parliament passed a bill defining a quota for ultra-Orthodox enlistment with a provision to removing conscription exemptions for ultra-Orthodox males in 2017 if the community has not met the quota.<sup>26</sup>

This forced and rapid integration is having significant side effects.<sup>27</sup> The ultra-Orthodox beliefs regarding interaction with women and modesty, along with specific dietary

<sup>20</sup> David Morrison, “Lieutenant General David Morrison, AO, Chief of the Australian Army” (speech at the United Nations International Women’s Day Conference, New York, March 8-9, 2013), <http://103.11.78.168/Our-work/Speeches-and-transcripts/United-Nations-International-Womens-Day-Conference>.

<sup>21</sup> Sever Plotzker, “What Do They Mean When They Say ‘Haredim Must Share the Burden?’” Institute for Israel Studies, February 2013, accessed October 4, 2015, <http://israelstudies.umd.edu/position-papers.html>.

<sup>22</sup> Guy Ben-Porat and Bryan Turner, *The Contradictions of Israeli Citizenship: Land, Religion and State* (Milton Park, Abingdon, Oxon, UK: Routledge, 2011), 143.

<sup>23</sup> Moran Azulay, “IDF: Harassment of Haredi Soldiers Reminiscent of Der Stumer,” Ynetnews, January 7, 2013, accessed October 22, 2015, <http://www.ynetnews.com/articles/0,7340,L-4399276,00.html>.

<sup>24</sup> Maya Choshen et al, *Jerusalem: Facts and Trends* (Jerusalem: The Jerusalem Institute for Israeli Studies, 2013).

<sup>25</sup> Although statistics are not publicly available from the Israeli government, it is undisputed among Haredi and other Jews that Haredi very rarely serve in the IDF.

<sup>26</sup> Lahav Harkov, “Knesset Approves Hared Conscription Law,” *Jerusalem Post*, March 13, 2014, accessed October 22, 2015, <http://www.jpost.com/Diplomacy-and-Politics/Haredi-conscription-bill-passes-67-1-345110>.

<sup>27</sup> Daniel Eisenbud, “Secular Jews Express Awe and Contempt at Massive Haredi Protest,” *Jerusalem Post*, March 3, 2014, accessed October 22, 2015, <http://www.jpost.com/National-News/Secular-Jews-express-awe-and-contempt-at-massive-haredi-protest-344052>.

requirements and prayer timings, make integration culturally and logistically challenging. A dilemma exists where a majority of serving IDF feel the ultra-Orthodox should be made to serve, but they do not want to serve alongside them. What the full outcome will be of this decision to artificially speed up the integration process, on both IDF capability and cohesion of Israeli society, remains to be seen, but since the bill was introduced to parliament, ultra-Orthodox volunteer service has actually decreased.<sup>28</sup> Some within the IDF also claim it will set back the advancement of women and cause fractures within the IDF, and more extreme ultra-Orthodox leaders are claiming the decision may result in civil war.<sup>29</sup>

It is noteworthy that Australian Muslims currently represent a similar percentage of the Australian population, as ultra-Orthodox Jews represented of the Israeli population in 1990. Considering that between the 2006 and 2011 census the Australian Muslim population grew by 39.9%,<sup>30</sup> and this growth is set to continue due to a combination of immigration, high fertility rates and conversion,<sup>31</sup> an Islamic population nearing 9% in Australia is not entirely unrealistic at some point in the coming decades. Although the contested borders and conscript military of Israel are a far cry from the situation in Australia, the similarities are relevant for learning generic lessons. When considering if there are negative consequences attributable to the low percentage of Muslims' military service, it is necessary to consider future scenarios, including what might happen if military conscription requires reintroduction at a future time when the Muslim population makes up 9% of the potential conscript demographic, but there is almost no precedent for Muslims serving in the ADF and the integration needs to happen quickly and by legislation.

## EXISTING INITIATIVES BY GOVERNMENT AND ADF SENIOR LEADERSHIP

The circumstances described so far have not gone unnoticed by the government and the ADF; however, as will be illustrated, the resulting initiatives to rectify the statistics are symbolic rather than decisive in nature. For example, in 2012, the Royal Australian Navy appointed an Islamic advisor to guide strategic decision making on Islamic issues,<sup>32</sup> in 2014 an all-Islamic Navy cadet unit was established in Western Sydney,<sup>33</sup> and in 2013 the senior staff

<sup>28</sup> Jeremy Sharon, "Hared Enlistment Slows Following Conscription Law," *Jerusalem Post*, June 24, 2014, accessed October 22, 2015, <http://www.jpost.com/Defense/Haredi-enlistment-slows-following-approval-of-conscription-law-in-March-360441>.

<sup>29</sup> Timothy Guzman, "Haredim Orthodox Jews Oppose State of Israel Militarism: Is There a Civil War Brewing in Israel?" *Global Research*, February 6, 2014, <http://www.globalresearch.ca/the-haredim-community-opposes-the-state-of-israels-draft-law-is-there-a-civil-war-brewing-in-israel/5367698>.

<sup>30</sup> Australian Bureau of Statistics data cited Jason Thomas, "What is the fastest growing religion in Australia?" *SBS News*, September 15, 2016, accessed December 18, 2015, <http://www.sbs.com.au/news/article/2015/06/25/whats-fastest-growing-religion-australia>.

<sup>31</sup> Thomas, "What is the fastest growing religion in Australia?"

<sup>32</sup> Natalie Staples, "Chief of Navy Appoints an Advisor on Islamic Cultural Affairs," *Navy Daily*, July 23, 2013, <http://news.navy.gov.au/en/Jul2013/People/172/Chief-of-Navy-appoints-an-Advisor-on-Islamic-Cultural-Affairs.htm#.WQaHBhOGO00>.

<sup>33</sup> Thea Cowie, "Meet the Young Muslims Getting Ready to Fight for Australia," *SBS News*, August 18, 2014, <http://www.sbs.com.au/news/article/2014/08/18/meet-young-muslims-getting-ready-fight-australia>.

officer for workforce analysis at Australian Army headquarters, Lieutenant Colonel Phillip Hoglin, published an article entitled *Religious Diversity in the Australian Army: The Next Diversity Frontier?* This paper highlighted that, although the *2013 Defence White Paper* and the *2012-2017 Defence Corporate Plan* discussed the importance of increasing religious diversity in the Australian Army, “this has not yet permeated through other aspects of Army’s policy.”<sup>34</sup> Two years after its publication, Hoglin’s article was cited in parliament by then Assistant Defence Minister Stuart Robert, MP, to support his statement that “It is clear the growth of a culturally and linguistically diverse workforce, that represents the changing face of modern Australia, is moving too slowly. This is going to change.” The Assistant Minister added “I have asked my department to move as quickly as possible to identify a part-time Islamic Imam to join the ADF’s religious advisory committee to ensure those 96 ADF members of an Islamic faith have appropriate representation.”<sup>35</sup> This was ratified on 5 June 2015, when Imam Mohamadu Nawaz Saleem was appointed to the ADF religious advisory committee.<sup>36</sup> Later that same month, the chief of the Royal Australian Navy stated “we are aiming to fairly represent in our ranks every ethnicity and faith community but we need to be proactive and drive this change forward.”<sup>37</sup> In August 2015, the Australian Army launched a survey of “Culturally and Linguistically Diverse (CALD)” personnel serving in the Army in order to use the knowledge of currently serving members who identify as CALD to assist with understanding the most effective way to increase CALD participation in the ADF.<sup>38</sup>

When compared with ADF policies for increasing recruitment of Indigenous Australians and women, which are well defined, involve overt positive discrimination, and are effective,<sup>39</sup> ADF actions regarding Muslim recruitment are largely symbolic, and have ultimately had little impact. One probable explanation is that ADF leadership harbours significant concerns about negative consequences of practical policy to increase recruitment of Muslims, but are unable articulate those concerns, or at least are unwilling to do so publicly for fear of appearing intolerant. Without clear articulation of what such concerns are and why they exist, it is not possible to plan a strategy to overcome them; therefore, an uncomfortable discussion is

<sup>34</sup> Hoglin, “Religious Diversity in the Australian Army.”

<sup>35</sup> Robert, *Defence*.

<sup>36</sup> Stuart Robert, “Assistant Minister for Defence – Appointment of a Muslim Representative to the Religious Advisory Committee to the Service,” Australian Government Department of Defence, media release, June 5, 2015, accessed July 6, 2015, <http://www.minister.defence.gov.au/2015/06/05/assistant-minister-for-defence-appointment-of-a-muslim-representative-to-the-religious-advisory-committee-to-the-services> on 6 July 2015.

<sup>37</sup> Tim Barret, “Speech by Chief of Navy to the Royal Australian Navy’s Inaugural Ramadan Iftar Dinner” (speech presented at Royal Australian Navy’s Inaugural Ramadan Iftar Dinner, Australia, June 23, 2015), [www.awm.gov.au/talks-speeches/speech-royal-australian-navys-inaugural-ramadan-iftar-dinner](http://www.awm.gov.au/talks-speeches/speech-royal-australian-navys-inaugural-ramadan-iftar-dinner).

<sup>38</sup> Results of the survey are not publicly available

<sup>39</sup> The Australian Army set a deliberate target of having raising the percentage of female members from 9.9% to 12% by not later than 2015, and a clear strategy involving positive discrimination was outlined to achieve this defined target (Chief of Army Directive 16/2012). Statistics as at April 2015 show the target was met. In 2014, the Army set a target of having Aboriginal Australians comprise at least 2.7% of its members, and again outlined clear strategies involving positive discrimination to reach this defined target (Chief of Army Directive 25/2014). Although the time limit for the goal has not yet expired, measurable progress has been made and the intent of senior leadership is very clear.

necessary about why the ADF and so many of its members, at all rank levels, are uncomfortable with deliberately recruiting more Muslims.

## ISLAMOPHOBIA IN THE ADF

Eighty per cent of the ADF comprises men who speak English at home, while this demographic accounts for less than 40% of the Australian population.<sup>40</sup> When this is added to the low levels of tertiary education among the enlisted ranks of the ADF,<sup>41</sup> and considering the findings of a University of New South Wales report suggesting being male, not speaking a language other than English, and not having tertiary education are all statistically associated with higher levels of racist attitudes in Australia,<sup>42</sup> then it becomes easy to argue the traditional ADF recruitment demographic is statistically more racist than the general population, and conclude that racism is likely to be more acute within parts of the ADF than in general society.

Negative attitudes within the ADF towards Islam are not entirely based on attitudes within its recruitment demographic. War and violence inevitably bring out the worst in a society, and in spite of the positive social reforms brought about by Prophet Muhammad to the previously lawless Arabian Peninsula,<sup>43</sup> there is no evidence to suggest the religion he left behind, nor any other religion for that matter, provides protection from the decay of humanity that manifests in impoverished and war stricken societies. Given the geographic locations of recent ADF deployments, these societies have been almost entirely Muslim; therefore, Islam and Muslims have been observed unfavourably through the eyes of Australian soldiers for more than a decade. To be slightly more blunt, after more than a decade of military commitments in Iraq and Afghanistan that saw the ADF living and working closely with respective local populations and military forces, the key memories many ADF personnel are likely to hold of those Islamic cultures involve buggery and child abuse,<sup>44</sup> suicide bombings, corruption, inequality, torture, suppression of women's rights, and the hijacking of religion as a tool of self-advancement.<sup>45</sup> Additionally, from 2011 to 2012 in Afghanistan, seven Australian soldiers were killed by their Muslim counterparts in "green on blue" attacks.<sup>46</sup> While the exact motivations for each of those attacks will never be universally agreed upon, what remains certain is that the murder of colleagues by Muslims leaves a deeper impression of the Islamic

<sup>40</sup> Broderick, "Review into the Treatment of Women in the Australian Defence Force."

<sup>41</sup> Statistics are not publicly available; however, tertiary education is not required for any enlisted position in the ADF, and enlisted members who obtain degrees are more likely to seek commissioning as an officer.

<sup>42</sup> Kevin Dunn, "Racism in Australia: Findings of a Survey on Racist Attitudes and Experiences of Racism" (paper presented to *The Challenges of Immigration and Integration in the European Union and Australia* conference, University of Sydney, February 2003), [https://openresearch-repository.anu.edu.au/bitstream/1885/41761/4/dunn\\_paper.pdf](https://openresearch-repository.anu.edu.au/bitstream/1885/41761/4/dunn_paper.pdf).

<sup>43</sup> Fethullah Gulen, *Prophet Muhammad as Commander*, 2nd ed. (Turkey: Kaynak AS, 1998).

<sup>44</sup> Rustam Qobil, "The Sexually Abused Dancing Boys of Afghanistan," *BBC News*, September 8, 2010, accessed October 18, 2015, <http://www.bbc.com/news/world-south-asia-11217772>.

<sup>45</sup> Khaled Abou El Fadl, "Injustice in God's Name: The Corruption of Modern Islam," *ABC Religion and Ethics*, September 24, 2012, accessed October 10, 2015, <http://www.abc.net.au/religion/articles/2012/09/24/3596547.htm>.

<sup>46</sup> The term "green on blue" is used to describe the murder of a NATO soldier by a member of the Afghan security forces.

faith on those involved than a moderate Muslim quoting Qur'an surah 5:32, "whoever killed a person ... it would be as if he killed all mankind," could ever hope to have.

The ADF does make some genuine attempts to remove xenophobic attitudes through cultural briefs prior to deployments, equity and diversity training, and aspects of the professional military education. Like many attempts to diffuse religious tension, the focus is often on highlighting the "proper" Islamic teachings and separating the behaviours developed in war-stricken countries from religious teachings. A prime example is the launch of the *Guide to Religion and Belief in the Australian Defence Force*, which provides a description of Islam that in no way reflects the reality of the Islamic culture ADF personnel have witnessed. It is understandably difficult for many to reconcile such theoretical arguments with their first hand observations of Islamic societies, which are entirely contradictory. While some attempts to change attitudes towards Islam are ineffective, others have been outright counterproductive; for example, the official Twitter account of the Navy's Islamic Advisor, Captain Mona Shindy, was shut down by the Chief of Navy due to her improperly using the federal government resource to voice her own opinions about domestic politics,<sup>47</sup> and the final page of the *Guide to Religion and Belief in the Australian Defence Force* was removed because it contained a link to an Islamic website that describes Islam as entirely incompatible with democracy.<sup>48</sup>

If we consider that the ADF is recruited largely from a demographic with statistically high levels of racism; we then expose soldiers to disturbingly bad examples of Islamic societies; we expose the same soldiers to superficial initiatives to improve the image of Islam that actually backfire and reinforce the negative stereotypes; we have statistics showing more Australian Muslims choose to fight for ISIS that join the ADF; and to top it off, memories of Muslim security forces who murdered their Australian colleagues are still painfully fresh, then it becomes entirely predictable that distrust of Islam and Muslims might become culturally engrained in parts of the ADF. It would be unwise to entirely dismiss this reality when developing any plan to increase Islamic recruitment in the ADF.

## SECURITY VETTING

Not all resistance to Islamic recruitment has its basis in subjective attitudes and there are highly valid concerns that rely on practical rather than ideological opposition to increased Muslim presence in the ADF. Given the relative small size of the Muslim community and close cultural and family relationships in many parts of the community, the balance of probabilities suggests even the most patriotic of young Muslim recruits to the ADF will have a few degrees of separation between them and persons who pose a genuine security threat, and they will

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<sup>47</sup> Kate Aubusson, "Muslim Navy Officer Captain Mona Shindy Silenced after Controversial Tweets," *Sydney Morning Herald*, January 6, 2016, accessed February 6, 2016, <http://www.smh.com.au/national/muslim-navy-officer-captain-mona-shindy-silenced-after-controversial-tweets-20160105-glzzi9.html>.

<sup>48</sup> Michael Smith, "Updated with Note to Defence – The ADF has Removed the Guide to Religion and Belief from its Website," *Michael Smith News*, January 25, 2016, accessed February 6, 2016, <http://www.michaelsmithnews.com/2016/01/update-the-adf-has-removed-the-guide-to-religion-and-belief-from-its-website.html>.

naturally face more difficulty obtaining the security clearances required for most aspects of service. Any government that directed an increase to Muslim recruitment, and later denied those Muslims recruits the security clearances required to perform their roles, would likely do more harm than good to the overall intent. For example, in Victoria in 2015 a Muslim youth<sup>49</sup> was questioned by State Police at his family home the day after he had inquired at a military recruitment office based on a report raised to police by the civilian recruitment agency used by the ADF. The youth was questioned regarding his motivation for joining the ADF, his level of commitment to Islam and also how many times per day he prayed. To determine if the decision to immediately involve the police was based on prudent caution, misplaced fear or something else is the subject of a separate discussion, but what is certain is, although police cleared the youth of any ill motivation, based on this experience he decided not to further pursue an ADF career. It can also be safely presumed this experience was circulated among other potential young Muslim recruits.

This problem of security vetting is difficult to overcome. The highly networked nature of the migrant communities comprising the bulk of Australia's Muslim population increases the difficulty in distinguishing between desirable and undesirable members of those communities. Vetting agencies are understandably fearful of getting it wrong, given the existence of extremist views held within some parts of the Australian Muslim community. For example, if anybody associated with the planned attacks against Holsworthy Barracks in 2009<sup>50</sup> had been able to either join the military or exert influence over a friend or relative who did serve as a soldier and had access to military establishments and weapons, the outcome may have been different. The seriousness of the potential consequences certainly justifies strong precautions, but this makes it almost inevitable that at some point one or more patriotic and well-intentioned Australian Muslims will be denied a security clearance due to misunderstood links with less desirable members of their ethnic or religious community. The outcome where a young patriotic Australian Muslim is encouraged by generals and politicians to join the ADF, then rejected because of false association with extremists may exacerbate the problem of division we already have, and is exactly the type of scenario that would see good intentions backfire and contribute to continuing segregation of a growing demographic. The apparent dilemma posed by the need to avoid the long term circumstances in which Israel finds itself, yet also keep our military safe in the short term, is a key aspect of any potential Islamic recruitment strategy that needs careful consideration.

## **PRACTICE OF ISLAM VS ADF CUSTOMS AND TRADITIONS**

Adherence to Islamic practices is not always practical in a Western military setting. When a Muslim requires to pause work to face Mecca and pray they see themselves as one of a billion Muslims equal in supplication to God; it is almost inevitable, however, that one or more of

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<sup>49</sup> Name withheld at the request of the individual.

<sup>50</sup> Andrew Zammit, "The Holsworthy Barracks Plot: A Case Study of an Al-Shabab Support Network in Australia," *CTC Sentinel* 5, no. 6 (2012): 13–15, <https://www.ctc.usma.edu/v2/wp-content/uploads/2012/06/CTCSentinel-Vol5Iss67.pdf>.

their fellow soldiers may see an individual receiving special treatment, particularly if adherence to prayer timings means avoiding unpleasant work. When a Muslim soldier fasts during Ramadan, their devotion to self-discipline will be quickly forgotten if their physical performance drops to the point it negatively impacts their team.<sup>51</sup> When a female recruit chooses to wear a hijab instead of wearing the same uniform as the rest of her unit, it may be seen as an overt symbol that her loyalty to Islam outweighs her loyalty to the ADF, and some mixed gender environments may be incompatible with cultural teachings.

In spite of these and other examples, practical issues of superimposing Islamic laws and customs with military laws and customs are easily surmountable if emotion is removed from the equation. ADF commanders maintain, and will reasonably use, their own discretion to allow for the needs of individuals. In the event specific circumstances remove this discretion of commanders, all mainstream schools of Islamic law also have provision for extenuating circumstances, and they define alternate actions a Muslim could take. A potential Muslim recruit may be uncomfortable when asked to rely entirely on the discretion of a non-Muslim military commander to dictate whether it is appropriate for them to stop a task and pray, to have leave to celebrate an Islamic holiday, or be able to continue to adopt a cultural form of Islamic dress, etc; however, it is important to note a solution where the ADF is required to prescribe more specific religious freedoms into military law is fraught with difficulties.

The more defined exemptions to the norm given to Muslim recruits, the greater the perception their loyalty to Islam must outweigh their loyalty to the ADF. Just as a recruitment campaign focused on asking Muslims to compromise aspects of their beliefs in order to join the ADF would be poorly received by the Muslim community, any deliberate strategy to increase recruitment of Muslims that focuses on making religious concessions for Islamic recruits would be poorly received by the ADF community and have significant potential to backfire. Instead, if the ADF was more exposed to the Islamic legal methodology and inherent flexibility of adapting Islamic principles to new situations, there would be measurably less concern. This methodology and flexibility is well-defined by Muslim, former Royal Australian Air Force officer and former president of the Islamic Council of Victoria, Hyder Gulam, who discusses practical issues of military service from the perspective of all four major schools of Sunni jurisprudence.<sup>52</sup> Islam and the ADF have inherent flexibilities in their approach. The willingness of both to exercise existing levels discretion is sufficient for Sharia and military law to coexist without friction. To demand permanent changes to military laws for the purpose of accommodating Islamic laws and customs would serve only to amplify the perception of Islam as an inflexible doctrine incompatible with Australian institutions, and to increase the already unhelpful level of emotion in this debate.

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<sup>51</sup> Friedrich Schmahl and Birgit Metzler, "The Health Risks of Occupational Stress in Islamic Industrial Workers during the Ramadan Fasting Period," *Polish Journal of Occupational Medicine and Environmental Health* 4, no. 3 (1991): 219–28.

<sup>52</sup> Hyder Gulam, "Fiqh for Military Service: Guidance for Muslims in Australia," *Australian Defence Force Journal* 192 (2013): 45–55.

If it can be agreed that the Australian Muslim community has much to gain by increasing its participation rate in the ADF, and if it can also be agreed that the practicalities of service can be accommodated through the inherent flexibility of Sharia, then it stands to reason there must be compelling reasons why Australia's Grand Mufti, the newly appointed Islamic advisor to the ADF, nor any other high profile Australian Imam has ever encouraged, or even clearly endorsed, Muslims joining the ADF based on public knowledge. Even when speaking at the Australian War Memorial, immediately after Chief of Navy had spoken of increasing recruitment of Muslims, the Grand Mufti carefully avoided any endorsement or encouragement of Muslims serving in the ADF throughout his entire speech.<sup>53</sup>

The most likely reason for the deafening silence of Islamic scholars on this issue is that no clear answer exists in the primary sources of Islamic law, meaning there is no clear answer in the Qur'ān and no example provided by the *sunnah* that is useful. Secondary sources of Islamic law<sup>54</sup> are equally inconclusive. There is no *ijma* (consensus) among Islamic scholars, no relevant *urf* (customary practice of Muslims), and any application of *qiyas* (analogy) is troublesome due to the sheer complexity of the issues described earlier, which makes determination of the *ratio legis* (legal principle)<sup>55</sup> almost impossible. Regardless of which school of jurisprudence one belongs, the only remaining option for an Islamic authority to make a ruling on this topic is to use *ijtihad* (independent reasoning).

A scholar who performs *ijtihad* and comes out against Islamic service in the ADF risks being perceived as not supportive of Australia's efforts to fight ISIS, et al, and any scholar who comes out in support of ADF service risks being perceived by their community as endorsing Western imperialism and the collateral damage suffered by innocent Muslims in the same geographical areas. This is a lose-lose situation, and it is understandable that without concrete evidence to support change it is safer to remain silent and less controversial on the issue. The lack of any publicly stated position on Muslims joining the ADF by almost every high profile Muslim leader in Australia suggests the vast majority of Muslim leaders are opting for the safe option of silence. The reality is that silence will maintain the status quo, and the status quo is that Muslims rarely serve in the ADF. While this may be ultimately appropriate, it should be done as the result of a deliberate decision and not simply an easy default position to be taken without understanding the potential long-term consequences.

Broadly, there are three positions a Muslim scholar can take, each with its own consequences. The first is outright opposition to ADF service, the second is endorsement of ADF service with caveats, and the third is outright support for ADF service. Examples of each of these perspectives will be discussed to identify respective risks.

<sup>53</sup> Ibrahim Abu Muhammad, "Speech of the Grand Mufti of Australia to the Royal Australian Navy's Inaugural Ramadan Iftar Dinner" (speech presented at Royal Australian Navy's Inaugural Ramadan Iftar Dinner, Australia, June 23, 2015), <https://www.awm.gov.au/talks-speeches/speech-grand-mufti-australia-royal-australian-navys-inaugural-ramadan-iftar-dinner>.

<sup>54</sup> Wael Hallaq, *An Introduction to Islamic Law* (Cambridge University Press: England, 2009), 9–26.

<sup>55</sup> Hallaq describes the process of determining the *ratio legis* for the purpose of *qiyas*. Finding a previous legal case that shares *ration legis* with the myriad complexities described in this paper is unlikely to ever be achieved in a way that will attract universal endorsement. Hallaq, *An Introduction to Islamic Law*, 23.

### ***Islamic Opposition to Western Military Service***

In the United Kingdom, perhaps the next closest society experiencing a similar debate, Shayk Asrar Rashid told BBC radio “I totally disagree with joining institutions like the Army ... they want to put a brown face and a Muslim name on it to commit the same oppression and they won’t be accused of racism.”<sup>56</sup> Rashid’s opinion is typical of outspoken and controversial Muslims whose ideals clash with those of Western civilisations across a spectrum much broader than just military service. It is noteworthy that Rashid and many others with similar sharp views do so based on ideological and political rather than any carefully constructed Islamic jurisprudential argument. In fact, his opinions would resonate strongly with many non-Muslim organisations that oppose the use of military force more generally. Regardless of reasoning, any public statement by a Muslim authority suggesting Islam was incompatible with ADF service would likely serve to validate the opinions of many that Islam is not compatible with loyalty to Australia. Given the ramifications for Muslims, it would be inappropriate for a Muslim jurist to make such an inflammatory ruling in the absence of any valid evidence from the sources of Islamic law.

### ***Caveats to Western Military Service***

The closest outcome to majority view on the issue would be along the lines of “yes Muslims can serve in a Western military, but with caveats.” Issues then arise when the caveats cannot be adequately defined. A prime example is found in a 2013 interview by leading Muslim intellectual and Oxford Professor Tariq Ramadan with Islamic scholar and author Syed Inayatullah Andrabi on the topic of “Should Western Muslims join the Army?”<sup>57</sup> The result was, at the end of the 20 minute interview, on a single topic that was known in advance, no clear ruling on the matter was made and any potential Muslim recruit watching the discussion would likely be more confused at the end than at the beginning. Andrabi agreed there are positive aspects associated with Muslims serving in Western armies, relating the requirement of Muslims to serve their homeland to the requirement of the Jews of Medina to defend Medina. He further agreed there are aspects of military service that would clash with Islamic principles. The sticking point of the discussion, and what Andrabi was unable to articulate, was how to measure the consequences of Muslims being disloyal to their country by refusing specific aspects of military service in comparison to the consequences of an individual Muslim participating in operations that conflict with their religious values. This sticking point is typical of most jurisprudential discourse on the subject.

The significant risk associated with this “yes but with caveats” approach is the knowledge or suspicion of all parties that the loyalty of Muslim soldiers extends only so far. This cavalier approach to a military contract risks the relationship between the Muslim and non-Muslim

<sup>56</sup> MuslimVideos92, “Shaykh Asrar Rashid on Muslims Joining the British Army and the Queen,” YouTube video, 22:24, posted January 2013, <https://www.youtube.com/watch?v=7GjntGIQg-w>.

<sup>57</sup> Tariq Ramadan, “Islam and Life: Should Western Muslims join the army?” video, 24:29, May 3, 2013, posted by Islam and Life, June 3, 2013, <http://tariqramadan.com/english/press-tv-should-western-muslims-join-the-army-may-3-2013/>.

communities in Australia suffering the same fate as the relationship between the Muslim and Jewish tribes in Medina when the Jews failed to uphold their pact to fight with the Muslims, as discussed in Ramadan's interview.

### ***Endorsement of Islamic Service in Western Militaries***

The third position is that taken by a joint *fatwa* issued in response to concerns about Muslims in the US military participating in offensive military action in Islamic countries post-11 September 2001. The *fatwa* states "The Muslim here is part of the whole. If he resigns his position, his departure will result in a greater harm, not only for him but also for the Muslim community in this country."<sup>58</sup> According to this *fatwa*, Islamic jurisprudence allows for American Muslims to participate in the US-led invasion of Afghanistan, and does so on the basis that those Muslims cannot control nor prevent the war, and because failing to participate would cause harm to the reputation of Muslims and impact their rights as citizens. The *fatwa* states Muslims may request to be moved to a non-combative role only if it will not cause their loyalty or the loyalty of the American Islamic community to be called into question. In essence, this *fatwa* is very clear on the position that caveated loyalty would cause greater harm to the *ummah* than the discomfort to the individual arising from complete loyalty. This *fatwa* makes clear that it is often preferable for a Muslim to serve in a less combative role and provide support in ways that are less likely to involve killing Muslims.

Endorsement of service in Western militaries is also not without risk. In 2007, prominent Islamic community leader Jamal Rifi became the first, and to date only, high profile Australian Muslim to openly encourage Muslims to join the ADF,<sup>59</sup> and in 2014 he was subjected to death threats from within the Islamic community based on belief he was too close to an un-Islamic government.<sup>60</sup> In the UK, Islamic extremists attempted to kidnap and behead a British Muslim soldier for a propaganda video to discourage British Muslims from joining the Defence Force.<sup>61</sup> In the United States, many Muslim soldiers use fake last names to avoid being singled out by insurgents as traitors and to prevent retribution against their families elsewhere in the world.<sup>62</sup> Although such violent opposition to Muslims serving in a Western military has no basis in Islamic law, it remains a reality that young Muslims considering joining a Western military

<sup>58</sup> Yusuf al-Qaradawi et al, "Fatwa Against 9/11," September 27, 2001, cited in Basheer M. Nafi, "Fatwa and War: On the Allegiance of the American Muslim Soldiers in the Aftermath of September 11," *Islamic Law and Society* 11, no. 1 (2004), 81.

<sup>59</sup> Richard Kerbaj, "Young Muslims Urged to Enlist," *The Australian*, May 2, 2007, accessed August 23, 2014, [www.theaustralian.com.au/news/nation/young-muslims-urged-to-enlist/story-e6frg6nf-1111113451962](http://www.theaustralian.com.au/news/nation/young-muslims-urged-to-enlist/story-e6frg6nf-1111113451962).

<sup>60</sup> Emily Bourke, "Death threats against Muslim leader Dr Jamal Rifi who spoke out against radicals," *ABC News*, August 14, 2014, accessed October 18, 2015, <http://www.abc.net.au/news/2014-08-14/death-threats-against-muslim-leader-who-denounced-radicals/5670774>.

<sup>61</sup> Duncan Gardham, "Man Guilty of Muslim Soldier Beheading Plot," *The Telegraph*, February 15, 2008, accessed October 18, 2015, <http://www.telegraph.co.uk/news/uknews/1578753/Man-guilty-over-Muslim-soldier-beheading-plot.html>.

<sup>62</sup> Yochi Dreazen, "Muslim Population in the Military Raises Difficult Issues," *The Wall Street Journal*, November 9, 2009, accessed February 6, 2016, <http://www.wsj.com/articles/SB125755853525335343>.

will be influenced by the reaction they think they will get from their own community, and any plan to increase Islamic service in the ADF must consider this issue.

## KEY CONSIDERATIONS

The following four key considerations must be adequately addressed for any proposed future solution to be successful in addressing the challenges discussed in this article:

1. **Racism and Islamophobia:** Service personnel drawn from the statistically racist ADF recruitment demographic then subjected to uniquely terrible examples of Muslim behaviours are unlikely to ever change their opinion of Islam based on any theological or philosophical argument that portrays Islam as tolerant and peaceful. If the ADF is serious about following through on its commitment to Islamic recruitment, its members must be better educated regarding forecast Australian demographics and lessons learned from other societies. Understanding the risks and sacrifices a Muslim must make to join the ADF in the presence of potential family and cultural resistance is key to educating ADF members and the wider population that Muslims with this courage are the most effective tools available to nullify extremist beliefs within the Islamic community. If such realities were more widely understood, Muslims volunteering for the ADF would be celebrated as the solution to a security problem rather than potentially ostracised as the cause of one.
2. **Security vetting:** There will never be a perfect formula to entirely eliminate the genuine threat posed by Islamic extremism, and at the same time eliminate the probability of genuine recruits to be improperly categorised as a security risk. The more barriers to joining the ADF, the less likely many Muslim recruits will decide to risk incurring the displeasure, or worse, from members of their own community. This dilemma will never be solved by the ADF in isolation. If Muslim community leaders want a tangible way to demonstrate commitment to Australia as their homeland, to improve levels of Muslim unemployment, and to reduce the grip of Islamic extremists on the reputation of Australian Muslims, it is in their interest to engage with ADF recruitment agencies to develop programmes that target the right potential recruits. Without the full support and cooperation of Islamic community leaders to attract recruits through programmes that capitalise on the deep community knowledge of Islamic leaders, individual Muslim recruits will automatically be subjected to disproportionately invasive security assessments with high levels of inaccuracy. Cooperation between Muslim leaders and state and federal authorities in the sphere of counter terrorism already exists. This framework of cooperation must be extended to ADF recruitment.
3. **Compatibility of Sharia and military law:** Changes to military regulations for the sole purpose of accommodating Muslims carries significant risk of exacerbating resentment towards Muslims and encouraging their loyalties to be questioned. Muslim recruits must become comfortable relying on commanders' discretion and applying the inherent flexibility of Sharia, rather than requiring specified exemptions to facilitate

their religious practices. Likewise, ADF commanders must acknowledge the importance of exercising their own inherent levels of discretion to accommodate reasonable religious requirements when operational outputs are not affected. If it is demonstrated to ADF commanders that Muslims can, and will, use the flexibility inherent within their religion when required to perform effectively as a soldier, there will be less trepidation about granting exceptions in ordinary circumstances. Trust needs to be developed both ways, and it will only come about through appropriate application of circumstantial discretion from both sides, not by forcing one to permanently change to accommodate the other.

4. **The choice of lesser harm:** Theological and moral concerns about the ADF being part of an invading force to a Muslim country are a major concern for Muslim scholars; therefore, unconditional support for service in Western militaries is unlikely. However, the established norm of Islamic leaders in Australia either staying silent on the issue of ADF service, or placing vague caveats on Islamic service in the ADF is not sustainable. This absence of clear guidance from religious and community leaders is condemning the Australian Muslims that do choose to serve, the very people that offer one of the best prospects of reducing the grip of Islamic extremists on the reputation of Australian Muslims, to a lifetime of suspicion from the ADF and parts of their own communities. Islamic scholars are left with a choice: either say outright they do not consider service in the ADF is reconcilable with Islam and acknowledge the implications this has for the reputation and status of Australian Muslims; or adopt the position of Qaradawi, et al, and acknowledge the inherent flexibility of Islam to allow Muslims to choose the path of lesser harm. Both courses of action have risks, but the very nature of their position as scholars and community leaders dictates they must occasionally make difficult decisions.

## CONCLUSION

Underrepresentation of Muslims in the ADF is statistically undeniable. The ADF and Muslim community have much to lose by maintaining these statistics in the long term. The longer Australian Muslims remain segregated from key aspects of society and the longer they are subject to low employment and self-fulfilling prophecies about extremism, the more difficult it will become to fix the problem in future. If the example of Israel is used as a predictor of possible military and social problems that may result if the demographics of our nation and military continue on current trajectories, then the consequences of failing to act may be more significant than anybody has yet publicly acknowledged.

Similarly, both groups have much to lose from attempting to fix the situation but getting it wrong, and all stakeholders are understandably apprehensive about taking action. The ADF is doing very little that is practical about Muslim recruitment in spite of its politically correct overtures of diversity, and Australian Muslim leaders are equally non-forthcoming with endorsement of ADF service, in spite of their overtures of loyalty to Australia. Such pessimistic

assessments aside, a realistic way forward can still be found. It is not the intent of this paper to detail an exact solution, but to provide a checklist that can be used to assess the merits of any future policy.

Failure to address the issues highlight, looks like the ultra-Orthodox situation in Israel at its worst; a divided society and diluted military capability. Success looks like full strength military with no internal security threats, drawn from the full spectrum of society. If the newly appointed imam on the ADF Religious Advisory Council wishes to become anything other than a symbol of political correctness, it seems he has a significant challenge on his hands.

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