

TERRORISM, IMMIGRATION AND MULTICULTURALISM; THE AUSTRALIAN EXPERIENCE

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Summary:

Australia is officially a multicultural society with 24 per cent born overseas. Among these are substantial numbers from the Middle East, 300 000 of its people are Muslim and over 200 000 normally use Arabic at home(Saaed 2003). Yet it has had no terrorist incidents on its own soil, despite the death of eighty-eight Australians in the Bali bombings of October 2002.

Terrorism was seen as essentially related to immigration control until the London bombings of 2005 revealed that the bombers were locally-born. Arrests of suspects in Australia during 2005 similarly showed locally-born and converts to be significant. Immigration policy was not significantly altered in response to these findings, though the intake of Muslims remained limited. Muslim asylum seekers from Afghanistan, Iran and Iraq were effectively discouraged by internment and arrests at sea. Muslims are not excluded and their numbers have risen steadily for over thirty years.

The main concern of governments was to improve border controls, the supervision and if necessary arrest of alleged terrorist sympathisers, and the limitation of legal protection for suspects. A series of measures were passed between 2002 and 2005, influenced by the US Patriot Act and UK legislation. Official activity was directed towards assuaging the alienation of Muslim communities and the encouragement of moderate elements among them. While repeating that security measures were not specifically directed against Muslims, media and public statements to the contrary increased hostility, culminating in a major race riot in Sydney at the end of 2005.

The main policy dilemmas were that immigration restrictions and deportations could not be used against citizens and that Muslim communities lacked authority structures and acceptable leaders with which government could work.

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Three defining events have shaped public policy in Australia towards the 'war on terrorism'. The attack on New York in September 2001 was obviously the first. This prompted legislation in the following year which expanded the powers of the main intelligence body, the Australian Security and Intelligence Organisation (ASIO), and expedited its move from intelligence collection to security operations. The second was the bombing attacks in London in July, 2005, which shifted the emphasis from immigration control to domestic vigilance. The third was the major race riot at Cronulla(Sydney) in December 2005 This alerted authorities to the deterioration in ethnic relations created by these previous events and led to increased penalties against violence. No terrorist attacks have happened in Australia. Only a handful of arrests have been made and are awaiting trial, Loss of life has been confined to the Bali bombing of October 2002. This resulted in greatly improved co-operation between Indonesian and Australian security and police, which had started to develop in response to the prevention of unauthorised asylum seeker arrivals, most of whom came through Indonesia. Thus the major policy shifts were from border protection to internal security. But the public debate was more concerned with immigration, multiculturalism and the integration of the Muslim population. Both the 2001 and 2004 elections were fought essentially on security, to the advantage of the ruling Liberal-National coalition led by John Howard (Warhurst & Simms 2002; Simms & Warhurst 2005).

Planned, Selective and Controlled Immigration

Australia has been organising, planning and regulating immigration since the British convict colony of New South Wales was established in 1788.(Freeman & Jupp 1992). It continues to do so. There is nothing random about Australian immigration. Everyone entering for whatever purpose must have a visa unless a New Zealand citizen. New

Zealanders are nominally visaed on arrival. Others arriving without a valid visa may be returned to their place of origin or given a 'bridging visa' which allows them to remain while their status is determined. Those seeking asylum under the UN Convention and Protocol on Refugees (1951/ 1967) will also be given a bridging visa if they arrive on another visa. If they have no such visa they are mandatorily detained until their status is determined. This has been the case since 1993 (Jupp 2002)..

Those arrested at sea were often deported to two Pacific Islands (Nauru and Manus) under the now suspended 'Pacific Solution' of 2001(Mares 2002).. Refugees and humanitarian settlers are processed overseas mainly through the UN High Commissioner for Refugees or by Australian migration posts. Ideally, then, nobody enters Australia other than in transit without the permission of the Australian government. This was clearly stated by prime minister John Howard during his victorious 2001 election campaign as "we will decide who comes to this country and under what circumstances". While this implicitly breached the UN Convention of which Australia is a signatory, the principle of national sovereignty has been rigorously asserted ever since. This was easily sustained. Regular passenger access to Australia is now exclusively by air and there are fewer than twenty regulated points of entry (Brennan 2003)..

This tightening of admission criteria follows a long history of planned and financially assisted immigration (1831-1982) which allowed Australian colonial authorities to select those immigrants they favoured without excluding others. Once fully self governing in 1901 assisted immigration continued, but admission was denied to those not of European origin under what was popularly called the White Australia policy(Jupp 1998, pp.68-82). White British subjects enjoyed free admission (subject to some health and criminal limitations) until 1973. Non-British white aliens could be restricted in various ways, either by direct prohibitions or more usually by quotas or landing charges. Steadily over the years the visa system was extended until it became one of the tightest in the world. But state intervention also involved actively encouraging immigration, usually by financial inducements such as paid or subsidised passages. Just as no other developed society so rigidly imposed visas, so no other so generously encouraged those it wanted to

settle. This degree of state control is not fully understood in Australia even now. In public debates which break out from time to time many seem to think that anyone can come to Australia. This is far from being the case. The annual program is fine tuned in terms of qualifications and, less publicly, of sources. While illegal entry is quite limited, about 50 000 visa overstayers are recorded, the largest numbers being from the US, Britain and China(Australia 2005a).

This selective and exclusive policy was originally aimed at maintaining Australia as a white British society. It was remarkably successful to the point where in 1947 the Census showed the population to be over 90% British and 99% 'white'. It was also overwhelmingly Christian, although Australia is a secular society by its constitution (s. 116). One consequence has been that the proportionate Muslim population of Australia(1.5%) is lower than that of France(7.5%), Germany(3.7%), the Netherlands(6%), Britain(2.7%), Canada(1.9%) or the United States (3%). While Australia has been declaring itself a multicultural society since the 1970s, the reality is that it is less so in religious and racial terms than many comparable others. It is, however, much more so than it was fifty years ago. Much of the tension around immigration policy in Australian public discourse is due to this fairly rapid change.

Thus when Islamist terrorism began to strike directly at similar societies, Australians felt themselves to be in the firing line. This view was repeated frequently by prime minister Howard and led to many changes in immigration and security policies and relatively massive increases in budgets and staffing. Official statements claimed that the Muslim population was not being targeted but this was obviously hard to credit. Also hard to believe was the official and often repeated denial that Australian support for the US in Iraq made it vulnerable. Eventually in 2005 and 2006 the Labor Opposition leader, Kim Beazley, specifically stated that Australia (and Britain and the US) should withdraw their forces from Iraq as intervention was making Australia a terrorist target.. While evidence is lacking or disputed, it seems probable that Australia's support for East Timorese independence also created resentments, especially among those Indonesian Muslims loosely grouped around Jemaah Islamiyah. Beazley is no pacifist (being known

locally as Bomber Beazley) and strongly favoured effective prosecution of local terrorists and a national coast guard to protect the very extensive sea border (Beazley 2005, Prime minister Howard rejected the Iraq connection, stating after the London bombing that "Australia was a terrorist target before the Iraq operation; we were a terrorist target before the 11th of September 2001." (*Age* 20 July 2005).

The Muslim and "Middle Eastern" Populations

Tables 1, 2 and 3 show that Muslim immigration to Australia has increased steadily since the final ending of the White Australia policy between 1966 and 1972. However the Muslim total is only 1.5%, over one-third were born in Australia, others come from a variety of sources and many immigrants from Muslim states are not Muslims but often refugees from Muslim governments (Bouma 1994). While not specifically stated, refugee policy has often favoured Christian and Jewish applicants and been subject to consistent pressure from their organisations, which also take a major role in migrant settlement. Only Turks, who were treated as a 'white' source from the 1960s, correspond to the European situation of deliberate recruitment of industrial workers who are overwhelmingly Muslim. The major British Muslim sources, Pakistan and Bangladesh, have been very weakly represented and the majority from India until recently have been Christians. North Africans are also very weakly represented with only a handful from Algeria and Morocco. Moreover non-refugee recruitment policy has favoured the well educated and highly skilled. Again in contrast to Britain and Europe, Muslim industrial workers (other than Turks) have not been sought. Those who become manual workers are more frequently drawn from refugees. Many from Muslim societies such as Malaysia or Indonesia are students on temporary visas, most from Malaysia being Chinese.

Terrorists are not, of course, drawn exclusively from the working classes. On the contrary they are very likely to be well educated (Gunaratna 2002). But it is from the socially disadvantaged that much Muslim discontent has arisen in Britain, France, the Netherlands

and elsewhere. A large Muslim working class provides a good recruiting ground for terrorists and other militants. This is much less probable in Australia. Community cohesion based on large ethnic groups is also less likely than in many other immigrant situations. Only the Lebanese Muslims form a large potential reservoir for a committed movement and they are divided between Sunni and Shia. No such reservoir exists for Egyptians, Iraqis, Iranians, Maghrebis, Pakistanis, Bangladeshis, Indonesians, in all of which the Muslim numbers are small and are usually outnumbered by non-Muslim compatriots. Afghans are overwhelmingly refugees from Taliban Muslim extremism, many being Hazaras. The large Turkish population holds aloof from Arabic-inspired politics and imams.

None of this means that individual terrorists will not emerge from the variegated Australian Muslim population. But it does mean that a mass base is unlikely to develop. On the other hand it also means that any official attempts to consolidate Muslims behind counter-terrorism is likely to be frustrated in a welter of differing traditions and loyalties. In so far as Australian Islam has any unity, this centres around a limited range of resentments: opposition to Zionism, fear of racist hostility, anxiety about a hedonistic and materialistic society, unpromising employment and promotion prospects - in short alienation. This is only exacerbated by public denunciations of Lebanese gangs, the hijab headscarf, the clash of civilizations, and the litany of hostile references by public figures and especially by talk-back radio. This is most acute in Sydney where the majority of Muslims live. There is a perceived contradiction between the official rhetoric of multiculturalism and the reality of unpopularity which found its expression in the Cronulla race riot ("kill the Lebs") just before Christmas 2005.

Recent Developments in Border Control

Until the London bombings, official and public opinion linked terrorism with immigration. Many were so confused that they assumed asylum seekers in their leaky boats were actually terrorists coming to attack Australia. While the government did not think this, it did little to correct this view. Immigration selection, refugee policy,

multiculturalism, immigrant settlement and advocacy of a continuing migration program, are all under the supervision of the Commonwealth Department of Immigration, Multiculturalism and Indigenous Affairs (DIMIA). This broad and often burdensome portfolio was made even more difficult in 2001 by adding Aboriginal Affairs, the most intractable and challenging of all official responsibilities. DIMIA expanded its role, budget and staffing to deal with the asylum seeker crisis at the same time. The burden was arguably too great. After several incidents of maladministration, a critical report by a former senior police official called for "urgent reform of cultural problems" and singled out inadequate training for compliance officers, a fundamentally flawed detention contract, and the correctional norms at the Baxter detention centre which was managed by a multinational prison corporation. (*SMH* 15/7/2005). Senior officers were transferred by October 2005 and replaced by those from other departments. The Minister, however, escaped criticism on the grounds that many of the problems arose under her predecessor, who had been promoted to Attorney General in charge of the new security system.

This crisis prompted the Leader of the Opposition, Kim Beazley, to claim that "the Immigration Department is one of a handful of Departments on the front line of national security. It determines who is allowed into this country and monitors which countries Australians visit. The London bombings have shown how important that monitoring role is. In that context, we need the Department of Immigration to be one of the smartest and sharpest of all government agencies. Instead it is among our dumbest and our dullest."(Beazley 2005, p.124). Beazley's alternatives included the creation of a coastguard and a department of home security, both obviously inspired by the United States. He opposed continual involvement in Iraq but supported a greater effort in Afghanistan. At home he enthusiastically supported the legislation proposed to the Council of Australian Governments (COAG) in September, 2005. This was of great value to the Howard government as all other governments in Australia are controlled by Labor. Those powers relating to immigration included greater control and supervision at airports and changes to citizenship qualifications. Essentially most immigration controls were already in place, including the right to deprive a citizen of his passport, which was applied against the radical Abdul Nacer Benbrika in August 2005. New ePassports with

an information chip were introduced from 25 October 2005, partly to conform to US entry requirements.

Recent Developments in the "War against Terrorism"

There have always been strong links between DIMIA and ASIO since both were founded after World War Two. ASIO frequently vetted visa and citizenship applications and was especially vigilant about pro-Communist groups among European immigrants. But the collapse of the Communist systems left it with limited functions and with staff who were not proficient in new methods of invigilation. Communist and Leftwing organisations were relatively easy to penetrate, conducted their affairs in English, had clearcut structures and never engaged in terrorism let alone suicide bombing. Communist embassies expected to be watched and engaged in the complex game of mutual spying within understood limitations. None of this is very useful for modern terrorism and neither are language skills and cultural understanding based on Eastern Europe. Under a new Director, Dennis Richardson (transferred from Immigration), a major reform was undertaken which greatly improved ASIO's competence. But as the terrorist incidents increased from 2001 there was still an urgent need to establish new contacts and recruit new staff. This need was met by the national government greatly expanding the organisation's budget from 2001. The same expansion was enjoyed by other security organisations - ASIS for overseas work, SIGINT for monitoring electronic signals, the Federal Police, and the Office of National Assessments(ONA) which researched foreign information.

Legislative and administrative changes between 2002 and 2005 greatly expanded the power and capacity of these various agencies with the possible exception of ONA. The measures proposed to the COAG meeting of 27 September 2005, were broadly agreed by the States, whose police would implement some of them. These powers included:

- Control orders on those posing a terrorist risk, including tracking devices and travel restrictions. To be administered by the Federal and State police
- Preventative detention for up to 48 hours in a terrorist situation, supplementing existing ASIO and police powers. The States limited the detention period to 48 hours.
- New Federal Police powers to demand information
- Access to airline passenger information
- Stop, question and search powers extended for the Federal Police
- Extended control of baggage at passenger terminals and use of CCTV cameras.
- ASIO powers over search, communication and electronic warrants.
- New offences of leaving unattended baggage in airports
- New offences of inciting violence against the community and Australia's forces and supporting Australia's enemies
- Strengthening existing offences for financing terrorism
- Clarifying definitions of terrorist organisations
- Extending the citizenship waiting period from two to three years. and strengthening monitoring of applications
- Improving control of terrorist funding through charities or otherwise.

(Australia 2005b)

Once accepted by COAG these measures were incorporated in the *Anti-Terrorism Bill 2005*. It supplemented the *ASIO Legislation Amendment(Terrorism) Act 2003* and the *ASIO Act 1979*. In contrast to those Acts which were extensively debated in the Senate, the government allowed only one day for Senate consideration of the new law, having in the meantime gained a Senate majority. The new Act amended the existing *Criminal Code Act 1995*, from which it took its definition of terrorism. However the antique definition of sedition and treason from the *Crimes Act 1914* was amended after some public ridicule. This had included "bringing the Sovereign into hatred and contempt" which some thought the Royal Family had already done for themselves. However a rich field for the suppression of opinion remained, causing concern in a system where there is no constitutional guarantee of free speech or a Bill of Rights.

Co-opting the Islamic Communities

As it became clear that the terrorist threat (if any) was likely to come from within Australia rather than through immigration, the need to recruit support from the Muslim population was increasingly stressed. This was a difficult task and has yet to reach a successful conclusion. Australia has been officially multicultural at national and State level for thirty years. Yet this remains a contested term. Both the small influx of asylum seekers and the threat of terrorism naturally exacerbated social tensions and attacks on a concept which many had never accepted. Conservative assimilationists reverted to attitudes common in the past and given temporary political force by the One Nation movement which flourished briefly between 1996 and 2001. John Stone, a former senior public servant and senator, recommended the ending of Muslim immigration, the outright abolition of multicultural policies, an extended waiting period for naturalisation, English and knowledge tests for citizenship applicants and an absolute requirement of English competence for permanent settlers. How this would control terrorism or appeal to neighbouring Indonesia, the world's largest Muslim nation, was not fully explained. Two Liberal Party Members of Parliament, Sophie Panapoulos and Bronwyn Bishop, wanted the French example to be followed by banning the hijab in schools. Similar views were expressed by journalists who had been opposing multiculturalism for years and were given much space in the Murdoch press.

All this made it difficult for the government to take a stand in favour of co-opting Islamic leaders to oppose terrorist advocacy. The Howard government had been lukewarm to multiculturalism since its election in 1996, most critics were on its side of politics, and most Muslims lived in areas controlled by the opposition Labor Party. Nevertheless immediately after the London bombings of 7 July 2005, Muslim leaders began asking for a summit and the prime minister responded by calling one. Their fear was that attacks on individuals and property would break out, as in September 2001 when a mosque in Brisbane was burned down following the attack on New York(Goot & Tiffin 1992). At

the same time it was in the interest of the Australian Federation of Islamic Councils to assert its leadership over a population which had no acknowledged leaders or structure. The AFIC chairman, Ameer Ali, took a major role in calling for a summit and was favoured consequently by the government as a 'Muslim leader', although not an Arab. AFIC had built its organisation by controlling the profitable licensing system for halal meat exported to Arab countries.

Because Australia had pursued multiculturalism for so long, government agencies had some contacts throughout the Muslim population. There are no Muslim MPs at the national level and only two in the States (both Turks in Victoria). Prominent Muslims were, therefore, predominantly imams of mosques, of whom there were about 180 throughout the country. Not all of them followed the AFIC, which was also making a bid to control the growing network of Islamic schools. Two or three, notably Sheikh Mohamed Omran of Melbourne, were suspected of supporting terrorism because of their anti-American stance. Others, like Sheikh Tajeddin al-Hilaly, had been nominated as mufti of Australia by AFIC, but was not accepted as such by others and had an ambivalent attitude on many issues. However he denounced what he called 'hate clerics' and wanted the banning of books promoting armed jihad. This was a world with which Australians in authority had little contact. Even ASIO, the main domestic security service, admitted in a fit of honesty that it had no effective Arabic-speakers on its payroll though recruitment was a top priority.

Eventually a summit of a dozen chosen leaders was convened by the prime minister on 23 August 2005. It was also attended by the Attorney General, the Minister for Immigration and the Minister for Multicultural Affairs. Ameer Ali was included, as was Hilaly (who did not attend) and the moderate Sheikh Fehmi el Imam of Melbourne, two women members and two Shi'ites, and at least six Arabs. But as is often the case many who were not invited (including Omran who was specifically excluded) claimed that the gathering was unrepresentative.

The core of the summit went on to form a Muslim Advisory Council for the prime minister, to join the existing Aboriginal and Multicultural Advisory Councils. The dilemma remained, as for these other bodies, that it represented the conservative and respectable face of Islam and has yet to earn much influence over youth and potential terrorists. One potentially controversial proposal to strengthen the 'community' was the registration of imams, who are otherwise only answerable to their congregations. Possibly a structured Islamic community will emerge from these changes - but there is no guarantee that it will influence militant jihadists. The prime minister's hope was that they would "assume positions of leadership in their own community" (*Sydney Morning Herald* 23/8/2005). Unhappiness with the representative claims of the official advisory council was met by calling a much wider summit of selected Muslims under AFIC auspices in January 2006. But the problem remained that a structured and disciplined community was inconsistent with previous Muslim practice in Australia, which rested on autonomous mosques, schools and secular organisations (Humphrey 1998; Saaed & Akbarzadeh 2001).

Are there any "lessons" for others?

Australia has considerable experience in immigration, refugee policy and the selection of suitable settlers. This has given it influence, for example in the UNHCR, and the ability to discuss policy in a fruitful way with British, Canadian and European Union officials. Its relative remoteness and low profile has militated against this to some extent. It seems unlikely that major receiving nations such as the United States, Germany or France pay it much attention. Essentially Australia has limited problems, the prevention or solution of which have been relatively successful. Such solutions are not necessarily of much relevance to states with land borders, or readily accessible to disturbed areas such as Africa, the Middle East or Latin America. Australian experience of actual terrorism or mass people smuggling is very limited, despite the controversies aroused nationally and internationally by its exclusion and detention policies over the past decade. There is no

guarantee that it will never be attacked. But so far a combination of effective public policies and good fortune have prevented this.

Australia has done what was required to secure its borders and to identify possible terrorists. By 2006 it was considering further changes, including the issue of an identity card which had been rejected in 1985. Apart from the prime minister, the most influential person in all this was Philip Ruddock, first as Minister for Immigration and then as Attorney General. His role guaranteed a degree of continuity and consistency. The searching criticism of DIMIA and the prior reform and subsequent expansion of ASIO, ensured that their previous rather dubious efficiency was being remedied. There was no terrorism. Was this due to the major changes in law and administration? Or was Australia not the 'target' that all official statements, government and opposition, had suggested? All that has emerged from arrests so far is that some youths went to Pakistan or Afghanistan, that Lebanese Muslims had links with their homeland, that a handful of Wahabi imams were preaching militancy and that many Muslims were unhappy about the war in Iraq. The closest threat seemed to come from Jemaah Islamiyah, which was implicated in the Bali bombings (Barton 2004).. Its 'spiritual leader' Abu Bakar Ba'asyir, had visited Australia nine times from the mid-1990s, with the apparent object of creating a local network. But this raises the unanswered question of what ASIO and DIMIA were doing letting him in!

Essentially it is very hard to get to Australia without official approval or to settle permanently without careful selection. It is much easier to be visaed as a student, tourist or temporary employee. It is through these avenues that terrorists are most likely to move into the country. But as suggested above, immigration control is not the only weapon which must be used to 'win the war on terrorism'. The recruitment of support from the Muslim communities, the effective supervision of those born or permanently settled in Australia, and the strengthening of social harmony through effective multiculturalism are arguably even more important. But suicide bombers are very hard to deal with. They are motivated by individual beliefs rather than being simply 'products of society'. They are not necessarily immigrants, or of 'Middle Eastern appearance'. The only Australian sent

to jail so far was a local convert. Few if any come as refugees or asylum seekers. Like Australia's one and only Guantanamo detainee, David Hicks, they may just be the boy next door.

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TABLES:

ONE The Growth of Australian Islam since 1971

1971	22 311
1976	45 205
1981	76 792
1986	109 523
1991	147 507
1996	200 885
2001	281 578

Sources: Australian Bureau of Statistics Censuses of Population and Housing.

TWO Birthplaces of the Australian Muslim population in the 2001 Census

Birthplace	Muslim Number	B/P% Muslim	% of Muslim Total
Australia	102 566	0.75%	36.4%
Lebanon	29 321	41.0%	10.4%
Turkey	23 479	78.7%	8.3%
Afghanistan	9 923	87.8%	3.5%
Bosnia/Herzegovina	9 892	41.5%	3.5%
Pakistan	9 238	77.5%	3.3%
Indonesia	8 087	17.1%	2.9%
Bangladesh	7 596	83.7%	2.7%
Iran	6 353	33.8%	2.3%

(Others 23.9%)

Source: 2001 Census

THREE**Birthplaces of Arabic Speakers in the 2001 Census**

Birthplace	Arabic Number	% of Birthplace	% of Language Users
Australia	87 276	0.6%	41.7%
Lebanon	64 698	90.7%	30.9%
Egypt	15 671	46.9%	7.5%
Iraq	10 824	43.6%	5.2%
Syria	4 762	71.0%	2.3%
Sudan	3 626	74.0%	1.7%
Jordan	2 719	81.6%	1.3%
Kuwait	1 809	74.2%	0.9%
Palestine	1 793	66.8%	0.9%
Eritrea	924	57.8%	0.4%

(Others 15 275)

Source: 2001 Census The question is "language used in the home".

FOUR**Non-Arabic and/or Non-Muslim Immigrants from the Middle East**

Birthplace	Minority	% of Birthplace
Iraq	Assyrians	41.0%
Iran	Assyrians	8.6%
Iran	Bahai	26.5%
Lebanon	Catholic/Maronite	40.0%
Lebanon	Orthodox	10.5%
Egypt	Coptic	28.6%
Egypt	Catholic	29.0%
Egypt	Greek Orthodox	17.8%
Sudan*	Coptic	36.4%

Source: 2001 Census. *There has been an increase in mainly Christian Sudanese.

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