

EDITOR'S NOTE**LAW, RELIGION AND SOCIAL INCLUSION**

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Law and religion have a long history of connection as well as competition. Whether they are two different sets of norms or are influenced by each other are still disputed questions. The claimed separation between religion and law effected by the Liberal conceptual device of private and public spheres has not succeeded in creating a clear boundary between the two normative systems. While there is considerable legal scholarship critiquing the claimed separation of law and religion, there is not enough attention given to conceptualising the possibility of the two complementing each other as normative systems. To a large extent this is due to each of them conceiving its authority to be the final and exclusive arbiter of human ethical and social conduct. Constitutional developments typically are engaged in deciphering and marking the boundaries of religious authority and legal regulation. The rise of the socio-political power of religion in contemporary times, however, demands a more imaginative resolution to the competing claims of law and religion.

It is widely accepted that the Liberal separation of law and religion was a way of dealing with religious pluralism. The secular State, while never completely dissociated from religion, could at least claim that religion was a private matter. In the context of the globalisation of present times and the reality of multicultural societies, most first-world States have to contend once again with cultural and religious pluralism. The Liberal strategy of privatisation of religion has not served marginalised minorities well. While the debate about the efficacy of rights discourse to deliver justice to religious minorities continues, the much discussed French measure of banning public display of religious symbols has become a *cause célèbre*.

This legal response is also an apt illustration of how law, religion and social inclusion are intertwined. It was to explore some of these issues that Macquarie Law School and the Centre for Research on Social Inclusion jointly hosted a seminar series on the broad topic of Law, Religion and Social Inclusion. The

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articles in this special issue of the *Macquarie Law Journal* come from some of the presentations in the series and from a wider call for papers to the academic community.

This special issue of the *Macquarie Law Journal* has come together as a result of the willingness of a large number of people to give their time and expertise. I thank them all and in particular the contributors who without fail met the time deadlines. Grateful thanks also go to the anonymous referees who readily gave their time and expertise. The student sub-editors deserve a special acknowledgement for their cheerful efforts. I therefore thank Peter Furst, Tarryn Peckham, Michelle Aitken, and Michael Bussing. Faye Brinsmead's efficient help in editing and layout for printing was crucial for finalising the volume for publishing.