



Edmund Rice Centre

Awareness. Advocacy. Action

ERC JUSTICE UPDATES

July 2023 No.95

Dear Friends,

This 95th Edition of ERCJCE Justice Updates, our regular newsletter from the Edmund Rice Centre, on matters relating to human rights, first nations, refugees and people seeking asylum and environmental justice.

As one faces this ever changing, complex, unjust and unequal world let us always remember Blessed Edmund Rice's three main tenets:

COMPASSION LIBERATION & PRESENCE

When the power of love overcomes the love of power, the world will know peace. Jimi Hendrix

Please note that if you come up against a paywall in "any of the articles below - please contact me at: mmcinerney@edmundrice.org and I will send you the full article.

Previous editions are available at <https://www.erc.org.au/newsletters>

Peace & Blessings

Marita

Communications Project Officer,

Marita McInerney

Aboriginal and Torres Strait Islander readers are advised that there may be articles in this publication with names and images of deceased people.



The Voice and the problem of race

Henry Reynolds, Pearls & Irritations, July 13th 2023

Defeat for the Voice referendum will reverberate internationally. Surviving suspicions about our racist past will be refreshed. It will come at the same time as our renewed embrace of our ‘forever friends’ in Britain and the United States and our growing enthusiasm for closer ties with NATO.

Race is constantly referred to by both sides in the contentious debate about the Voice to Parliament. This is only to be expected. Australia has wrestled with the problem since the end of the Second World War. It became a matter of the highest priority for our foreign policy during the 1960's. Two questions stood out—the White Australia Policy and the treatment of the Aborigines. It was a case of two settled and still widely supported policies which were increasingly out of time and serious liabilities as world opinion underwent rapid and dramatic change.

The global commitment to racial equality intensified with the foundation of the United Nations and the passage of the Universal Declaration of Human Rights in 1948. Rapid decolonisation increased the momentum for change. Within a generation 96 erstwhile colonies gained their independence and by 1961 African and Asian countries had gained a majority in the U.N's General Assembly. White settler states – Australia, United States, Canada and New Zealand – came under mounting pressure to reform their common legacy of racial discrimination. South Africa's fate was a continuing warning. Deeply committed to Apartheid it was expelled from the U.N in 1974 and suffered from rapidly intensifying hostility.

Australia attempted to tough it out until the 1960's using well-worn rhetoric. The Aborigines, it was traditionally argued, were unique stone-age people who needed to be protected from the modern world not incorporated within it. Policy adopted towards them was an internal domestic matter as were our immigration programmes. These arguments had served Australia well during the first half of the 20th but by the 1960's they were totally discredited. Criticism rained down on Australia from many parts of the world. The Department of External Affairs, as it was at the time, collected critical editorials sent in, as requested, from their far flung ambassadors but, in reply, instructed them to avoid any public reaction. But it was clear that Australia had been left isolated as the currents of world opinion had swirled out of reach. The General Assembly passed a Declaration on the Elimination of all Forms of Racial Discrimination in 1963 the principles of which were embodied in the resulting Convention in 1965.

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Defeat for the referendum will reverberate internationally. It may be as consequential as the Mabo judgement. Surviving suspicions about our racist past will be refreshed. And it comes at the same time as our renewed embrace of our 'forever friends' in Britain and the United States, our renewed allegiance to the English king and our growing enthusiasm for closer ties with NATO and an increasingly xenophobic Europe.

Read full story:

<https://johnmenadue.com/the-voice-and-the-problem-of-race/>



AAP Image/Diego Fedele

**The Voice alone won't solve the issues facing Indigenous people.
Everyone has to do that work**

Kelly Mendez, The Conversation, June 28th 2023

During this year's Reconciliation Week I asked the group of non-Indigenous

students I was teaching “who is responsible for doing Reconciliation work?”.

They all quickly put their hands up and said “us”.

I then asked them “what does this work look like? What can you actually do?”

They all looked a bit blank and admitted they didn’t know what it really meant to “do the work” or what “the work” looks like.

Non-Indigenous people often don’t know how they should address racism and social inequity brought about by colonisation and white privilege. This may be why many Australians are expressing hope the Voice to Parliament is going to solve such problems.

For example, Minister for Aboriginal Affairs Linda Burney has said if the Voice to Parliament had been in place, the so-called crime crisis in Alice Springs would have been better addressed.

There have also been claims the Voice will “fix what is broken”.

Indigenous leaders, scholars, activists and community members have spent decades suggesting solutions to inequities in this country, which still haven’t been implemented.

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Even if we get the Voice, non-Indigenous people still need to ‘do the work’

After I asked my students who is responsible for reconciliation work we discussed the kind of work that needs to be done by all non-Indigenous peoples to address the ongoing damage of colonisation.

This (ongoing) work requires everyone to:

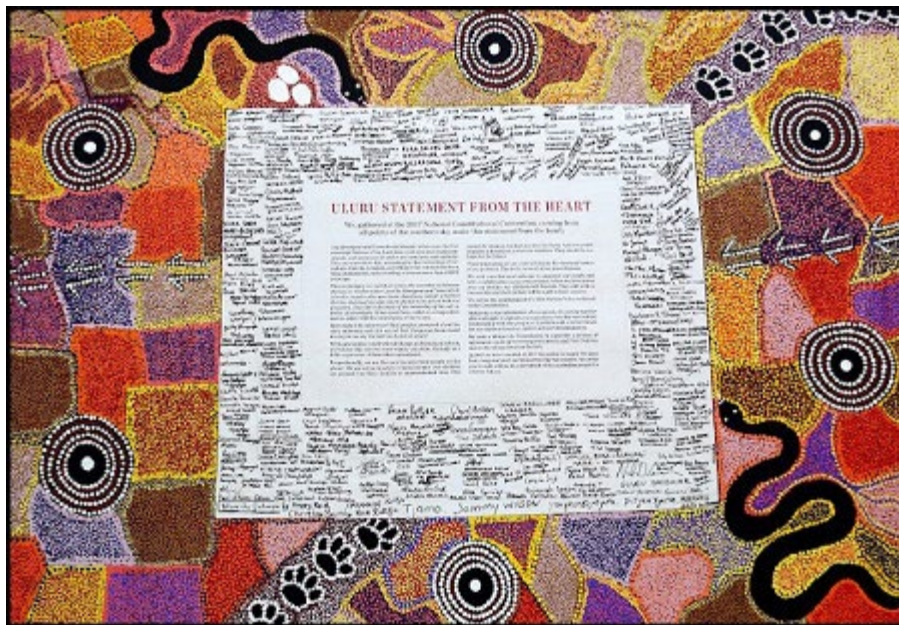
- recognise your position in the world. Learn who you are and where you come from. This means recognising your privilege and being mindful of how this informs your attitude, beliefs, behaviour and how you communicate with others. And learn to remain silent while those with less privilege than you speak about their experiences, even if your instinct is to respond defensively
- acknowledge oppressive histories and systems that enable you to occupy the land you now live on. Learn the sociopolitical history of Australia, and the Peoples whose land you are occupying
- find out how you benefit from colonial structures and ways to utilise your privilege to dismantle the oppression of others. An example of this is to cede the space for Indigenous voices, Peoples and communities to determine what happens in our communities. Do not sit in an Indigenous identified position, or speak on issues that effect us or think you can swoop in and fix us. All people have the right to autonomy and to determine what is right for our own communities
- remind your peers that addressing racism and the negative effects of

colonisation is the work of everyone, all of the time.

It is not the work or responsibility of the Voice to Parliament, or Indigenous People, to do this work.

Read full story:

https://theconversation.com/the-voice-alone-wont-solve-the-issues-facing-indigenous-people-everyone-has-to-do-that-work-206676?utm_medium=email&utm_campaign=Latest%20from%20The%20Conversation%20for%20June%2028%202023%20-%2020666226911&utm_content=Latest%20from%20The%20Conversation%20for%20June%2028%202023%20-%2020666226911+CID_1c044b7cad5da5c601e4062bfe3b344&utm_source=campaign_monitor&utm_term=The%20Voice%20alone%20wont%20solve%20the%20issues%20facing%20Indigenous%20people%20Everyone%20has%20to%20do%20that%20work



Australia's deepest yearning

Bishop Philip Huggins, Pearls & Irritations, July 23rd 2023

Is our deepest yearning to be 'Us', together, on our islands of Australia? A reflection on the Voice referendum and life, after a conversation this week at a swimming pool.

On Monday, changing after swimming, a bloke struck up a conversation. "I am voting 'No' at the Referendum", he said. He then went into some diatribe full of various resentments.

I don't generally invite conversations after my 'aqua therapy'!

I just said to him softly, “but the Uluru Statement from the Heart is such a beautiful invitation ... ‘We invite you to walk with us in a movement of the Australian people for a better future’...” I have memorised that last line because of its poetic generosity.

That’s all I said.. I expected a lot of angry language back and began looking to leave as quickly as possible.

To my surprise this soggy middle aged man of European appearance then said.. “Maybe I haven’t studied this enough.. maybe I should read that Statement from Uluru..”

Recognising that, unexpectedly, I was not of the same negative view about the Referendum, he changed his tune.

Without over interpretation, it was clear that what he wanted was belonging and a popular opinion might have seemed a vehicle for that..

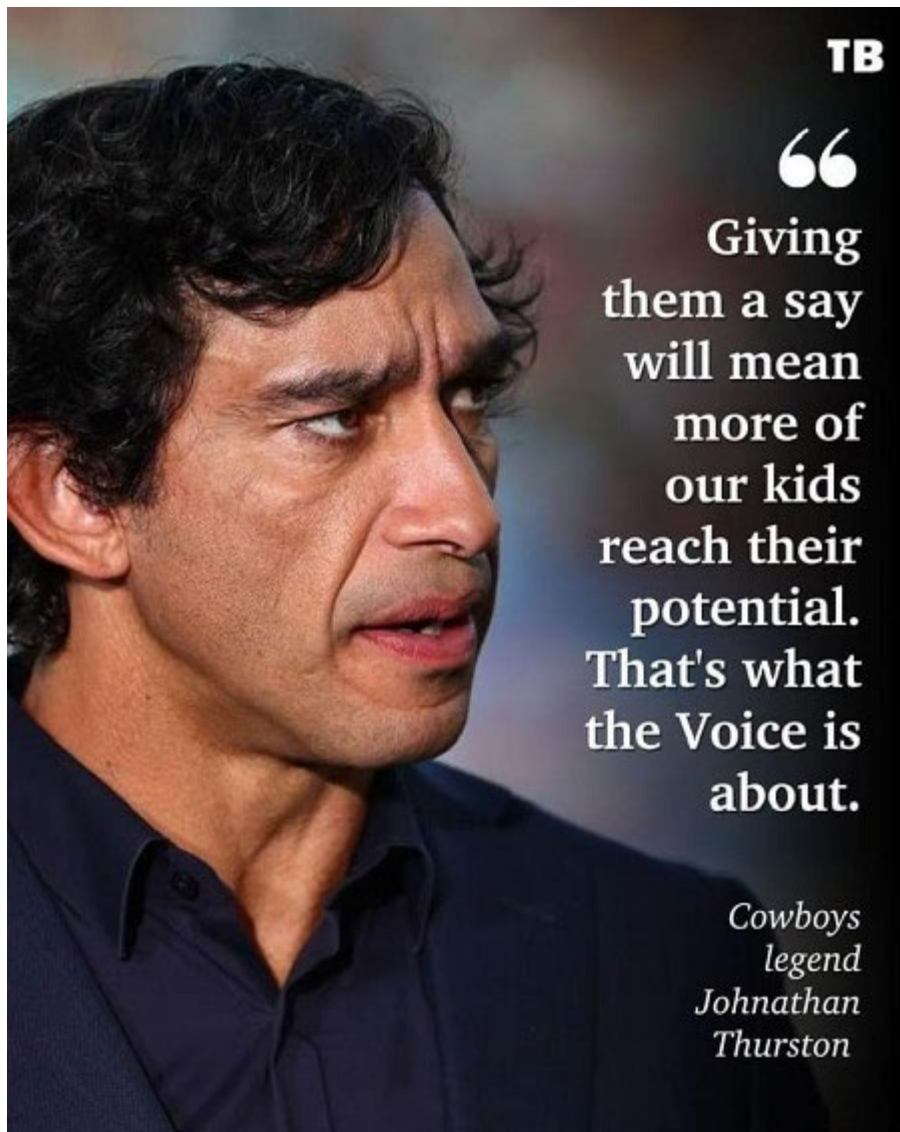
I felt sad for him but also frustrated that such unreflective negativity was seemingly becoming so mainstream.

How many are like him?

People who are seeking belonging in a public culture that amplifies conflicting voices and expects you to choose sides. How many others?

Read full article:

<https://johnmenadue.com/australias-deepest-yearning/>



Mostafa Azimitabar gestures before entering a bus outside of the Park Hotel in Melbourne, 2021 (Image: AAP/James Ross)

My client, Moz, was deprived of 'ordinary human decency' — and it was entirely legal

Michael Bradley, Crikey, July 14th 2023

In summarising Mostafa Azimitabar's case, the judge made the unusual choice to remark on the 'lack of care and humanity' in his detainment.

In Victorian courtrooms, solicitors sit across the bar table from the barristers, their backs to the judge and facing the body of the court (in New South Wales, we sit behind the barristers). It means that you can see your clients, and they can see you.

Last week, I was sitting in the Federal Court in Melbourne, watching my client Moz's face register the serial blows the judge was delivering him. Agony is hard to watch.

Moz — Mostafa Azimitabar — had taken the federal government to court, supported by Amnesty International and my firm, challenging the legality of the system of hotel detention, the so-called APODs (alternative places of detention) that the government maintains around the country as an alternative to the few properly established immigration detention centres.

Moz was medevac'd from Manus Island in 2019 to obtain treatment for his PTSD and depression. He was held for 14 months in two hotels in Melbourne, which were supposed to be used for short-term detention of medical transfers and others but were routinely deployed by the previous government as places of indefinite detention.

Our legal case was that the Migration Act confers no authority on the minister to establish or maintain these APODs, therefore any detention in them is unlawful. The case turned on the interpretation of a definition section in the act. We lost; Justice Bernard Murphy found that the provision does give the minister the requisite power by implication. It's a fine distinction, determining the lawfulness of the detention of literally thousands of people.

In court, the judge read out the first paragraphs of his written judgment, starting with the bare facts of Moz's story and the legal arguments we had raised. It wasn't until the fourth paragraph that we knew the outcome: "I do not consider the applicant's detention in the hotels to have been unlawful, and his application must therefore be dismissed." We'd lost, and Moz read it in my face before the words had registered with him. He froze.

Read full article:

https://www.crikey.com.au/2023/07/14/mostafa-moz-azimitabar-hotel-detention-case/?utm_campaign=daily&utm_medium=email&utm_source=newsletter



‘Work, food, freedom’: Afghan women protest beauty parlour ban *Al Jazeera, 19th July 2023*

Security forces in Kabul have dispersed a demonstration by dozens of women protesting against a Taliban order to shut down beauty parlours, the latest curb to squeeze them out of public life.

Security forces used fire hoses, tasers and shot their guns into the air to break up the protest in the Afghan capital on Wednesday.

Since seizing power in August 2021, the Taliban government has barred girls and women from high schools and universities, banned them from parks, funfairs and gyms, and ordered them to cover up in public.

The order issued last month forces the closure of thousands of beauty parlours nationwide run by women – sometimes the only source of income for households – and outlaws one of the few remaining opportunities for them to socialise away from the home.

“Don’t take my bread and water,” read a sign carried by one of the protesters on Butcher Street, which boasts a concentration of the capital’s salons. Public protests are rare in Afghanistan, and frequently dispersed by force, but about 50 women took part in Wednesday’s gathering and quickly attracted the attention of security personnel.

Protesters later shared videos and photos with journalists that showed authorities using a firehose to disperse them as shots could be heard in the background.

“Today, we arranged this protest to talk and negotiate,” said a salon worker, whose name has not been published for security reasons.

Read full story:

<https://www.aljazeera.com/news/2023/7/19/work-food-freedom-afghan-women-protest-beauty-parlour-ban>



Rarotonga, Cook Islands. The nation is studying the feasibility of harvesting minerals through deep-sea mining within its waters.

Photograph: Holger Leue/Getty Images

Cook Islands PM ‘proceeds with caution’ on deep-sea mining as critics warn over risks

Jon Letman, The Guardian, 7th July 2023

Deadline tied to the regulation of controversial plans to extract seabed minerals looms amid division over the practice

Days ahead of a deadline that highlights the pressure to develop rules on deep-sea mining, Cook Islands prime minister Mark Brown said pursuing the controversial practice is “the right thing to do for our country.”

Brown told the Guardian the small Pacific nation continues to “proceed with caution” as it studies the feasibility of harvesting seabed minerals within its waters. As the Cook Islands moves ahead, opposition to the nascent industry is widespread – including among Pacific states – with some countries calling for a moratorium or outright ban. Those against deep-sea mining are concerned about the environmental impact it could have on marine ecosystems.

“Exploring this opportunity is not only the right thing to do for our country, it is the responsible thing to do,” Brown said in an email interview, while stressing his government hasn’t made a decision on whether it will mine the sea floor. His remarks come ahead of the 9 July deadline that compels the UN-affiliated International Seabed Authority (ISA) to complete regulations governing deep-sea mining. Those regulations are unlikely to be ready, however countries and companies will still be able to apply for permits to begin exploitation of the sea floor.

The Cook Islands is a nation of 15 small islands located between Tonga and French Polynesia, with a population of about 18,000. It estimates there is vast mineral wealth embedded in around 7bn tonnes of polymetallic nodules sitting on the seabed within its territorial waters. Forming over millions of years, the typically black, round potato-sized nodules are rich in cobalt, copper, nickel, and manganese. Brown has previously said the Cook Islands could become a source of critical strategic metals with enough nodules to meet the world’s current demand for cobalt for 80 years.

Along with Nauru, Tonga, and Kiribati, the Cook Islands is a state sponsor of international companies preparing to apply for a permit to mine the ocean floor in sovereign and international Pacific waters.

Proponents say deep-sea mining offers states a chance to develop their economies using ocean resources while contributing to a transition away from fossil fuels. While no companies are currently mining the ocean floor, significant exploration work is under way. In 2022, the Cook Islands issued three exploration licences within its exclusive economic zone. As a result, Brown says 20,000 sq km of Cook Islands’ seafloor has been mapped and biological and geological samples collected.

Read full story:

https://www.theguardian.com/world/2023/jul/07/cook-islands-deep-sea-mining?utm_term=64a771a586b3723ebaa703af76f884c1&utm_campaign=GuardianTodayAUS&utm_source=esp&utm_medium=Email&CMP=GTAU_email

Climate crisis deepens with El Niño

Joëlle Gergis, The Saturday Paper, July 1 – 7, 2023, No. 456

As a climate scientist, it's becoming increasingly hard to know what to say to the public as horrifying evidence of a worsening crisis continues to mount.

In recent weeks record-setting megafires burned through Canada, unleashing a plume of toxic smoke stretching more than 3000 kilometres across North America. It turned the skies above New York an apocalyptic orange, choking residents with air pollution worse than New Delhi. In South-East Asia, the tropical nations of Thailand, Vietnam and Laos endured brutal heatwave conditions that shattered records throughout the region. Thailand recorded its hottest day in history, reaching 45.4 degrees on April 15. When factoring in humidity, the heat index “feels like” temperature reached an unimaginable high of 54 degrees. Meanwhile in Antarctica, although frozen areas of the ocean have been very low since 2016, sea ice recently plummeted to record lows for this time of the year. Coastal areas in the Bellingshausen Sea fringing west Antarctica are alarmingly ice-free for the first time – even though the southern hemisphere is deep in winter – causing more than 60 polar scientists to issue an urgent call to action stating their deep concern that further “irreversible change is likely to occur without accelerated efforts to reduce greenhouse gas emissions”.

Humanity is now literally on very thin ice.

Like many people, my disbelief, rage and anxiety keeps rising as an endless stream of disasters inundates our newsfeeds. Exactly how bad are we going to let things get? We can already see the destruction caused by the 1.2 degrees of global warming that has already played out. We don't need to use our imaginations to grasp the impacts of a rapidly destabilising climate – the evidence is all around us. The Intergovernmental Panel on Climate Change's (IPCC) Sixth Assessment Report issued seven volumes documenting the science, impacts and solutions in exhaustive detail, so we can't say we weren't warned. The only question really left to ask is: Are we genuinely prepared to push our planetary system past the point of no return?

As many people would be aware, a number of weather services around the world have issued an alert that an El Niño event is very likely to intensify in the Pacific Ocean in the second half of 2023. During an El Niño, the south-easterly trade winds that usually maintain warm waters to the north of Australia weaken, resulting in localised ocean cooling and warmer-than-usual water off the coast of South America. This releases more heat into the atmosphere, causing hot and dry weather to prevail over Australia as our rainfall shifts towards the eastern Pacific. When this happens, we face an increased risk of heatwaves,

bushfires and drought over much of the country. And because global temperatures are rapidly rising – the 10 warmest years on record have all occurred since 2010 – the presence of an El Niño will almost certainly set new records as the planet's relentless warming trend continues.

Read full story for subscribers:

<https://www.thesaturdaypaper.com.au/opinion/topic/2023/07/01/climate-crisis-deepens-with-el-nino>

Note from Editor: if you are not a subscriber and would like a full copy of this article please contact me mmcinerney@edmundrice.org



Albanese: Time to dismantle Israel's "carceral regime"

United Nations, Pearls & Irritations, July 14th, 2023

"Over 56 years, Israel has governed the occupied Palestinian territory through stifling criminalisation of basic rights and mass incarcerations," said Albanese in a report to the UN Human Rights Council on 10 July.

GENEVA (10 July 2023) – Israel's military occupation has morphed the entire occupied Palestinian territory into an open-air prison, where Palestinians are constantly confined, surveilled and disciplined," a UN expert said today.

"Over 56 years, Israel has governed the occupied Palestinian territory through stifling criminalisation of basic rights and mass incarcerations," said Francesca Albanese, UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, in a new report to the Human Rights

Council.

“Under Israeli occupation, generations of Palestinians have endured widespread and systematic arbitrary deprivation of liberty, often for the simplest acts of life and the exercise of fundamental human rights,” Albanese said. Without condoning violent acts that Palestinians may have committed during decades of Israel’s illegal occupation, most of their criminal convictions have resulted from a litany of violations of international law, including due process violations, that taint the legitimacy of the administration of justice by the occupying power.

The report finds that since 1967, over 800,000 Palestinians, including children as young as 12, have been arrested and detained under authoritarian rules enacted, enforced and adjudicated by the Israeli military. Palestinians are subject to long detention for expressing opinions, gathering, pronouncing unauthorised political speeches, or even merely attempting to do so, and ultimately deprived of their status of protected civilians. They are often presumed guilty without evidence, arrested without warrants, detained without charge or trial and brutalised in Israeli custody.

“Mass incarceration serves the purpose of quelling peaceful opposition against the occupation, protecting the Israeli military and settlers, and ultimately facilitating settler-colonial encroachment,” the Special Rapporteur said.

“Bundling Palestinians as a collective “security threat”, Israel has used draconian military orders to punish the exercise of basic rights. These measures have been used as tools to subjugate an entire population, depriving them of self-determination, enforcing racial domination and advancing territorial acquisition by force,” she said.

Read full story:

<https://johnmenadue.com/albanese-time-to-dismantle-israels-carceral-regime/>



A U.S. Army M113 armored personnel carrier guards a street near the destroyed Panamanian Defense Force headquarters building during the second day of Operation Just Cause. Image: US Department of Defence/Wikimedia Commons.

Pope Francis declares “No to war.” Is anyone listening?

Tony Magliano, Catholic Outlook, 16th July 2023

“We are living at a crucial moment for humanity, in which peace seems to give way to war. Conflicts are growing, and stability is increasingly put at risk. We are experiencing a third world war fought piecemeal, which, as time passes, seems to become ever more widespread,” warned Pope Francis to members of the United Nations Security Council during their recent meeting at U.N. headquarters in New York.

Due to the Holy Father’s post-surgical recovery at the time of the Security Council’s meeting, Archbishop Paul R. Gallagher, Vatican foreign minister, read the Holy Father’s dynamic message, which went on to say, “As a man of faith I believe that peace is God’s dream for humanity. Yet sadly I note that because of war, this wonderful dream is becoming changed into a nightmare.”

In highly critical language to weapon producing corporations, and thus to the individuals who comprise them, and those who hold stock in them, Pope Francis says, “From the economic point of view, war is often more enticing than peace, inasmuch as it promotes profit, but always for a few and at the expense of the wellbeing of entire populations. The money earned from arms sales is thus money soiled with innocent blood” (see Pope Francis’ powerful video illustrating this hellish reality <https://bit.ly/3CaoOgp>).

With inspiringly prophetic language the Holy Father attempts to move us to a morally higher way of thinking and acting. He says, “It takes more courage to renounce easy profits for the sake of keeping peace than to sell ever more sophisticated and powerful weapons. It takes more courage to seek peace than to wage war. It takes more courage to promote encounter than confrontation, to sit at the negotiating table than to continue hostilities.”

And his powerful language continues, “In order to make peace a reality, we must move away from the logic of the legitimacy of war: If this were valid in earlier times, when wars were more limited in scope, in our own day, with nuclear weapons and those of mass destruction, the battlefield has become practically unlimited, and the effects potentially catastrophic.”

Read full article:

<https://catholicoutlook.org/pope-francis-declares-no-to-war-is-anyone-listening/>

Read Pope's full address to UN:

<https://bit.ly/3pEoCEi>

REFLECTIONS



The most important
hour is always the
present.
The most significant
person is precisely the
one sitting across from
you right now.
The most necessary
work is always love.

Meister Eckhart

MindfulChristianityToday.com

To the One who is there for us,
who is beyond all we know.
Catch us into the winds of your freedom.
Take hold of us in your generous arms
so we too can care for these people, this earth.

Let us know what enough means.
Loosen our grip on greed and status,
so we can stand open-handed
in your wide-open world.
And when we fall off the edge of things
let us find your invisible holding.

Julie Perrin

a prayer, a plea, a bird: Blessing, p.34

"Let us develop respect for all living things. Let us try to replace violence



and intolerance with understanding and compassion. And love." – Jane Goodall

Pace - e - Bene Nonviolence Inspirations

"Let us love, since our heart is made for nothing else."

St. Therese of Lisieux

"Washing one's hands of the conflict between the powerful and the powerless means to side with the powerful, not to be neutral."

Paulo Freire

"Not everything that is faced can be changed, but nothing can be changed until it is faced."

James Baldwin, As Much Truth As One Can Bear

"I will set my face to the wind and scatter my handfuls of seeds. It is no big thing to scatter seeds, but I must have the courage to keep facing the wind."

Arabic Proverb

"What we cannot imagine cannot come into being." bell hooks

"It's in communication that relationship arises; it's in relationship that community arises; and it's in the community that the soul arises." Roshi
Joan Halifax



We acknowledge the Aboriginal and Torres Strait Islander Peoples of Australia as the traditional owners and custodians of the land. We commit ourselves to actively work alongside them for reconciliation and justice. We pay our respects to the Elders; past, present and future. As we take our next step we remember the first footsteps taken on this sacred land.

The Edmund Rice Centre wholeheartedly supports and endorses the
ULURU STATEMENT FROM THE HEART
and urges all Australians to get behind this wonderful statement.

Our mailing address is:

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