

**ERC JUSTICE UPDATES**  
**September 2019 No.13**

Dear All,

Welcome to the 13th Edition of ERC Justice Updates your regular newsletter from the Edmund Rice Centre, on all sorts of matters relating to social and environmental justice.

**REMEMBER WE ARE HERE TO HELP!**

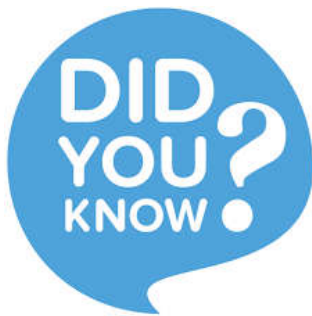
Thanks so much for your wonderful feedback, it is really appreciated. Please do send us your feedback or any information you think would be good to include in further updates.

Don't forget to forward Justice Updates onto anyone or let me know their email address and I will subscribe them.

Regards

*Marita*

Communications Project Officer,  
Marita McInerney



In July 2017 the United Nations adopted the Treaty on the Prohibition of Nuclear Weapons (TPNW) with the support of 122 states.

- Australia was one of the first countries to state it would not sign the Treaty and to this day has not done so.
- According to an IPSOS Poll in November 2018 - 75% of the Australian community were in favour of our government signing and ratifying the Treaty - with only 8% opposed.
- In December 2017 an Australian founded Group ICAN (The International Campaign to Abolish Nuclear Weapons) was awarded the Nobel Peace Prize.

In 2018 The Indigenous Marathon Foundation reported that since 2010

- 75 - 18-30year old have completed at least one international marathon
- Several thousand adults & children of all ages across 20 communities, have participated in Deadly Running Australia events, training groups & fun runs.

The Australia Institute's recently released Report 'Climate of the Nation' shows:

- 81% of Australians are concerned climate change will result in more droughts & flooding, up from 78% in 2018
- 78% of Australians are concerned climate change will lead to water shortages in our cities, up 11% points in the last 2 years (67% in 2017; 72% in 2018).
- 83% of 18-34 year olds are concerned about climate change (compared to 67% of those aged 55+ years)
- 68% of Australians agree that the government should plan for an orderly phase-out of coal so that workers and communities can be prepared.



Vincent Lingiari and Gough Whitlam Prime Minister Gough Whitlam pouring sand into the palm of Gurindji leader Vincent Lingiari, August 1975.

### **The Old Man and the voice of God: The untold story of the Wave Hill walk-off**

*Justine Toh, 23rd August, 2019, ABC Religion & Ethics Report*

It's been 53 years since Vincent Lingiari led 200 Gurundji people – Aboriginal stockmen, domestic workers and their families – on a walk-off from the Wave Hill cattle station in protest against atrocious housing and working conditions, meagre provisions and unequal pay.

That event is remembered as “Freedom Day” at Kalkarindji (formerly Wave Hill settlement) in the Northern Territory, and celebrated as the beginning of the land rights movement in Australia. For the walk-off didn't end with negotiations over better working conditions, but became an eight-year campaign to reclaim the traditional lands of the Gurundji people – an outcome immortalised in the photo of Prime Minister Gough Whitlam pouring red dirt into Vincent Lingiari's hands in 1975.

At least, that's the official history of the walk-off.

But there's a little-known dimension to this story that complicates a wholly secular take on these events and their contribution to the struggle for Aboriginal land rights – and not just because Whitlam sounded vaguely god-like when he told Vincent Lingiari, “This land will be the possession of you and your children forever.”

Vincent Lingiari, it seems, believed that no less than God himself had called him to lead his people out of Wave Hill. That sense of conviction, as well as the resonances between the conditions the people endured at Wave Hill and the biblical story of the enslaved Israelites in Egypt, meant that Vincent Lingiari came to be seen by the next generation of Aboriginal Christians as a Moses figure who led his people out of captivity and cruelty to a land of their own.

Not the Promised Land flowing with milk and honey, as in the biblical account, but land that had been stolen from them, its original owners.

\*

No doubt this claim sits awkwardly with many. The accepted wisdom is that Christianity colonised the Aboriginal experience. Surely something of the same must be occurring here, with the story cast in such a light?

But that's the account received by Mark Yettica-Paulson, Aboriginal and Torres Strait Islander community leader and activist who has campaigned for constitutional recognition of Aboriginal people through the Recognise Campaign, and who is now working with charity Australians Together to promote reconciliation.

Read More: <https://www.abc.net.au/religion/vincent-lingiari-the-untold-story-of-the-wave-hill-walk-off/11441360>



Anastacia Palaszczuk's government extinguished native title over 1,385 hectares of Indigenous land without publicly announcing the decision. Photograph: Cole Bennetts/Getty Images

### **Queensland extinguishes native title over Indigenous land to make way for Adani coalmine**

Ben Doherty, *The Guardian*, 31st August 2019

#### ***Palaszczuk government did not announce decision Wangan and Jagalingou people say makes them trespassers on their own land***

The Queensland government has extinguished native title over 1,385 hectares of Wangan and Jagalingou country for the proposed Adani coalmine in Queensland's Galilee Basin - without any public announcement of the decision.

The decision could see Wangan and Jagalingou protesters forcibly removed by police from their traditional lands, including lands used for ceremonies.

W&J Council leader Adrian Burragubba, and a group of Wangan and Jagalingou representatives, had been calling on the government to rule out transferring their land, arguing they had never given their consent for Adani to occupy their country.

In a meeting with government officials Friday, seeking a halt on leases being issued for mine infrastructure, they learned the state government had instead granted Adani exclusive possession freehold title over large swathes of their lands on Thursday, including the area currently occupied for ceremonial purposes.

"We have been made trespassers on our own country," Burragubba said. "Our ceremonial grounds, in place for a time of mourning for our lands as Adani begins its destructive processes, are now controlled by billionaire miner Adani.

Adani has a ILUA over the land: five of the 12 native claimants have opposed it, but have lost successive legal challenges in court to prevent it. Seven, a majority, of the native title claimants support the Adani mine.

Burragubba and a group of supporters set up camp on the land ahead of its legal transfer to Adani. He said they will refuse to leave.

He said a notice received by the council said their country "is to be handed over to Adani on 3 August 2019". The notice also says "Adani will request the assistance of police to remove Mr Burragubba and his supporters from the camp".

Read More: [https://www.theguardian.com/business/2019/aug/31/queensland-extinguishes-native-title-over-indigenous-land-to-make-way-for-adani-coalmine?](https://www.theguardian.com/business/2019/aug/31/queensland-extinguishes-native-title-over-indigenous-land-to-make-way-for-adani-coalmine?CMP=Share_AndroidApp_Facebook&fbclid=IwAR02M_IePyId6My3PSk6rMzYG2QoH5KfZtbNWaT05QC_ur5HLw5KVHCQmg)

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### **The continuing litany of lies on boat arrivals and border protection.**

Posted on 6 September 2019 by John Menadue ,*Pearls & Irritations* (John Menadue was Secretary of the Department of Immigration and Ethnic Affairs , 1980-83, during the massive outflow of Indo Chinese asylum seekers and refugees.)

I am sorry if I keep repeating what I have been saying for four years but when will we finally accept that we have been consistently conned and lied to about boat arrivals and border protection for a long time. Our national policies on asylum seekers have been built on the shifting sands of government deception which the main stream media has failed to expose. Our borders are now less secure than ever before despite all the spin.

Government policies and public discussion on border protection are based on several lies and never-ending spin. The government continues to deny and the media shows little interest that when in opposition Tony Abbott and Scott Morrison triggered the surge in boat arrivals . Abbott and Morrison then claimed that in government they stopped the boats when in fact they didn't. Scott Morrison and Peter Dutton now refuse to acknowledge that our borders are being overwhelmed by asylum seekers who are coming by air and not by boat in record numbers.

It is a disgraceful story of cynical manipulation of the facts by the Coalition with the cooperation of a lazy and compromised media.

We are all entitled by our own opinions but we are not entitled to our own 'facts'.

.....  
Malaysian asylum seekers coming by air are only part of the problem. As a result of the failure of Peter Dutton and the demoralised Immigration department, asylum seekers from other countries, including China are winging it to Australia by plane in record numbers. As one mode of travel closes people smugglers force open another door. I don't think we have ever had our borders so out of control. But with a few exceptions the media and most politicians continue to ignore it. Or are they just covering their backs because of past failure to get behind Coalition spin on boats?  
.....

In summary FIRST, Tony Abbott and Scott Morrison triggered the surge in boat arrivals. SECOND they did not stop the boats. THIRD, asylum seekers are now coming by air in record numbers.

Government policies built on lies and spin, assisted by the media, have resulted in massive policy failure. We have allowed it to happen. The cruelty to the family in Biloela is an inevitable consequence of government deception and complicity by the media. It punishes a family to distract from policy failure and the lies that have accompanied it.

The Coalition has been so mesmerised by its own spin that it has persuaded itself and the media that if it shows any decency to the Tamil family the boats will start again. That nonsense is built on a litany of lies.

Read more: <https://johnmenadue.com/category/immigration/>



### **Secret whistleblower trial will only add to Australia's shame over spying cover-up**

*Anthony Whealy, SMH, August 29, 2019*

Anthony Whealy, QC, is a former judge of the NSW Court of Appeal, chairman of the Centre for Public Integrity, and former chair of Transparency International Australia.

The prosecution of witness K, a former intelligence agent, and his lawyer Bernard Collaery has raised considerable outrage. At issue is the right of the public to be given details of wrongful and shameful behaviour by the Australian government. In this case, it is alleged Australia bugged the offices of East Timor's prime minister in 2004 in an operation designed to betray a close and trusting nation, and to gain an unfair advantage in commercial dealings over gas and oil resources.

The perception is that the prosecutions are a payback for disclosure of information that has undoubtedly humiliated Australia in the eyes of the world. Secondly, the perception is that the shrouding of the forthcoming trials in secrecy is designed to cover up further shameful revelations.

The contrary arguments to these perceptions appear to be:

- Prosecution is always justified where a security officer discloses classified or secret information, no matter the circumstances;
- Prosecution is necessary to deter others from acting in a similar manner; and
- National security secrecy in the trial is necessary to prevent the disclosure of information harmful to Australia's economic and international interests.

The problem with these arguments is that no one from the government or the security agencies has actually articulated these propositions. Nor has the government outlined how they play out against the broader public belief that the prosecutions are contrary to the public interest.

Read More: <https://www.smh.com.au/national/secret-whistleblower-trial-will-only-add-to-australia-s-shame-over-spying-cover-up-20190827-p52ldh.html>



*The following is a wonderful piece by a tireless campaigner for Timor- Leste and its people,*

Sr. Susan Connolly RSJ PhD

## **REVENGE AND WARNING**

Quis custodiet ipsos custodes? Who will watch the watchers? The Roman poet Juvenal penned these lines, which have come to express the age-old problem of people having to oppose their own governments. Who will protect us from the “protectors”?

Two of the problems which lie at the base of the persecution of Witness K and Bernard Collaery are governments’ desire for revenge, and governments’ desire to warn.

First, there is a deep desire to take revenge on these men. The outcome of the truth-telling by our two heroes included the display to the world of Australian greed, and the Australian willingness to feed that greed by illegal and fraudulent means. We spied on a trading partner to whom we owed, and promised, “good faith” negotiations. Spying on a partner just emerging from a brutal oppression. Spying on a partner whom we were pretending to help, using AusAid to camouflage a grubby confidence trick.

The upshot was that we have been humiliated internationally:

- We received orders from the International Court not to use material confiscated in a raid on these men’s homes;
- We were forced to take part in a hitherto unused UN instrument, the Compulsory Conciliation, to sit down and talk “border” with the Timorese;
- We saw all of our six objections to the jurisdiction of that body shot down in flames;
- The whole world can see how low Australia will go to slurp up more money.

But, horror of horrors, the establishment of the border (a direct result of the willingness of Witness K and Bernard Collaery to tell the truth) has reduced the profits we thought we’d make. Australia is going to get LESS MONEY as a result of the integrity of these men. We’ve made a LOSS!

### ***So, how good is revenge?***

Second, the pursuit of Witness K and Bernard Collaery is all of one piece with the mistreatment of other people who speak truth to power, including David McBride, also appearing here at the ACT Supreme Court today.

The parliament has passed oceans of national security legislation since the September 11, 2001 attacks. So much so, that these efforts to protect Australians are themselves becoming a threat. They are being used to conceal government fraud. Laws designed to uphold freedom, democracy and safety are morphing into instruments of oppression and unfettered control.

Those who challenge this abuse are the first to be attacked. Witness K and Bernard Collaery are basically being accused of treason. Their families and livelihoods are placed under enormous pressure, and they themselves endure unmerited personal duress. This is happening to them after a lifetime of service to the very government system now intent on destroying them.

### ***How good is a warning this huge!***

The whole Australian community is being warned. The warning is this:  
If you dare to obey your conscience in a manner which challenges government, this is what will happen to you. You will be pursued, persecuted, prosecuted. We will find people willing to grind you down, working tooth and nail to break you under the pressure.

Australia is turning on its “best and fairest” like some mad Sports Club kicking out the top players because they caught the General Manager with his hand in the till.

Who will protect us from these “protectors”? There is no one to protect us. There is no one but ourselves. That is why civil resistance is crucial. We must resist until the tipping point is reached and Australians gather together to reclaim our democracy.

Witness K and Bernard Collaery are men of integrity, patriots, heroes. They deserve this nation’s highest honours.

***Sister Susan Connolly RSJ PhD 22 August 2019***



## The Global Climate Strike

On Friday 20 September 2019, millions of people across the globe will take part in the student-led Global Climate Strikes, to demand strong and urgent climate action from their governments, in the lead up to the United Nations Climate Action Summit in New York on 23 September 2019.

To support this historical event, the PCP and its parent organisation, the Edmund Rice Centre for Justice and Community Education (ERC), will shut its doors on 20 September, in order to attend the Sydney strike.

From 11.30am on 20 September, ERC and PCP staff will stand together at the corner of Phillip Path and Central Avenue, The Domain (opposite the Art Gallery) – see map attached. Look out for the ERC and PCP banners.

In Sydney alone, more than 60,000 people are expected to attend the strike and we would love you to join us.

If you are not in Sydney, click here (<https://www.schoolstrike4climate.com/sept20>) for other events across Australia - there are many!

Every single person attending makes a difference. Thank you for taking action.

In hope,

Corinne Fisher

Coordinator Pacific Calling Partnership

Edmund Rice Centre for Justice and Community Education

See Map Here for Sydney Meeting Place:

[https://drive.google.com/file/d/1ke400gKWOpdxo\\_a8rjLJL9RM7il51GJj/view](https://drive.google.com/file/d/1ke400gKWOpdxo_a8rjLJL9RM7il51GJj/view)



Emele Ugavule is a Tokelauan (Te Kaiga o Fagatiale, Nukunonu, Te Kaiga o Koloi, Uea) Fijian (Kaideuba) multidisciplinary storyteller and the creative director of Talanoa.

### The real threat of climate change

*Emele Ugavule, The Saturday Paper, 24-30 August 2019*

I've never met anyone with a memory as sharp as my mother, Lesina Ateli-Ugavule. She is a true orator, passionate about honouring the stories of our peoples. Each story she spins breathes life into my ancestors, weaving together family trees that extend more than seven generations, conjuring vivid images of the events that disrupted their lives.

I asked Mum recently if she remembered seeing or feeling climate change affecting Tokelau, the Pacific Islands nation where she was born. "1966 was when we first noticed the difference," she told me. "1966 was my first hurricane in Tokelau. I was only four, but I remember that hurricane. Grandma actually tied me to this small coconut tree with a lavalava [sarong]...

"It was all about timing. My grandma tied me to the coconut tree, waiting for the big waves to go. Once the big wave came from the ocean, it would come past our house, into the lagoon and round to the outer islands. She waited until the big wave passed to untie me. And then we ran for our lives. Elderly were pushed in wheelbarrows or piggybacked. Some of the elderly people who weren't strong enough to hold on to anything were taken out by the waves. Luckily, a few days later, they were found on other islands, but for a few days they were alone with no food and no help. There was no form of transport – no cars, no bikes, no boats – nothing."

Oceanic peoples, my peoples, are threaded through the backbone of the British colony's economic success in Australia, and Scott Morrison's recent actions at the Pacific Islands Forum in Funafuti, Tuvalu, only reinforce how they continually attempt to sever our tongues.

Deputy Prime Minister Michael McCormack's comments after the forum, which reduced Pacific peoples to nothing more than labour for Australia's economy, were similarly hurtful and unsurprising. This colony is built on the enforced removal of custodians from their land, their Country. How can we, their Oceanic neighbours, expect compassion?

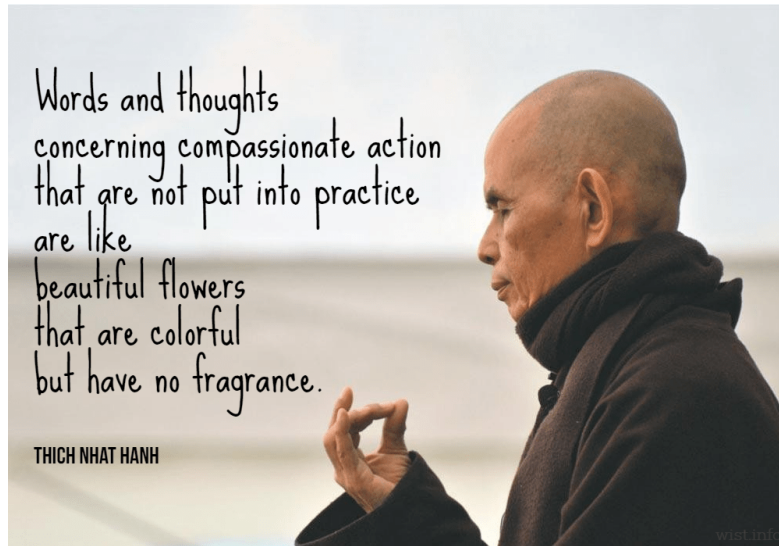
A few years ago, I became curious about the Pacific slave trade, known as blackbirding, when I was filming for a TV series titled *The Code*. Working in Far North Queensland, I learnt about how blackbirding displaced the South Sea Islander community, forcibly bringing them to Australia to tend to sugarcane plantations.

Of all crops, sugarcane is one of the most brutal. It takes about 12–16 months to grow. What follows is six months of intensive and gruelling labour, harvesting under the Queensland sun. There is the crushing humidity, and the constant fear of being bitten by snakes. Those trafficked into slavery in Australia had to negotiate language and cultural differences between

South Sea Islanders, Chinese immigrants who came with the gold rush, and Aboriginal and Torres Strait Islanders. There was little to no food; their wages were stolen. This is the reality South Sea Islander peoples endured to build Australia's sugar economy. This month, South Sea Islanders celebrate 25 years of national recognition from the Australian government.

**Today, Tokelau is the world's first truly renewable nation; all of our power comes from renewable sources. We are watching our own Pacific leaders cry as they are drowned by world leaders who refuse to even attempt to follow our lead.**

Read more: <https://www.thesaturdaypaper.com.au/opinion/topic/2019/08/24/the-real-threat-climate-change/15665688008648>



## REFLECTIONS

Come, Lord,  
do not smile and say you are already with us.  
Millions do not know you,  
and to us who do,  
what is the difference?  
What is the point of your presence  
if our lives do not alter?  
Change our lives,  
shatter our complacency.  
Make your word our life's purpose.  
Take away the quietness of a clear conscience.  
Press us uncomfortably.  
For only thus  
that other peace is made,  
your peace.

*Dom Helder Câmara*

*this is the recipe of life  
said my mother  
as she held me in her arms as i wept  
think of those flowers you plant  
in the garden each year  
they will teach you  
that people too  
must wilt  
fall  
root  
rise  
in order to bloom*

*rupi kaur , 2017, the sun and her flowers*

*The command to love others as we love ourselves is not, of course, a uniquely Christian expression; rather, it is evidence of a universal truth - we cannot diminish others without diminishing ourselves.*

*Fr. Rod Bower, Archdeacon for Justice ministries in Anglican Diocese of Newcastle, 2019.*



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.

**Our mailing address is:**

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