

Presentation Society Justice Newsletter



Issue No. 4

Dear Sisters and Associates

In this issue of the Society Justice Newsletter we have taken the aspect of the Presentation Society Vision which focuses on

Bringing forth a sustainable society founded on Universal human rights.

The Universal Declaration of Human Rights, which was adopted by the United Nations on 10 December 1948, represents a watershed in the history of humanity's life on the planet. For the first time the majority of the nations of the planet proclaimed, in many voices, one vision for humanity.

There are 30 articles in the Declaration. In this newsletter we take time to review where we stand in relation to several of the articles.

Australia has had a proud record as a founding nation in drawing up and becoming a signatory to the Declaration. However, in the past 10 years the groups around the world who act as a conscience for human rights have begun to see a different picture.

Two issues in particular have put Australia into the spot-light when issues of violation of human rights are raised:

- Australia's treatment of its Indigenous people
- Australia's policy of mandatory detention of asylum seekers.

Many of us have raised our voices to challenge our government's policies and actions on these two issues.

An issue which has now emerged is Industrial Relations Reform. We look at this in more detail on page 2.



Presentation Society Vision 2004-2006

- Bringing forth a sustainable society founded on:
 - * Respect for the earth
 - * Universal human rights
 - * Economic justice
 - * Culture of peace
- Listening to and hearing the cry of the earth and of those made poor
- Nurturing a contemplative stance in keeping with our Presentation identity
- Channelling our resources so we can act in partnership.

Our Presentation Constitutions also challenge us to raise our voices against the abuse of others' rights:

3 ... She [Nano] identified with those who, because of unjust laws, had been denied their religious heritage and the right to worship and education... Nano Nagle reflected in her own life the preference of a compassionate and just God for those who are poor and powerless.

#4 ... Like Nano, we are called to enter into the mystery of Christ Jesus and to keep our hearts open to the voices which challenge us to conversion and action both personally and communally. The choices we make about our

shared life – our ministries, our spirituality, our manner of living, our governance – reflect fidelity to that charism.

The challenge to speak with and on behalf of those who are marginalised, and those who are denied their rights, is basic to the call to follow Jesus in the footsteps of Nano Nagle.

Joan Power, Kathleen Tynan, Peta Anne Molloy and Anne Shay
Society Justice Committee

Everyone is entitled to all the rights and freedoms set forth in this declaration without distinction of any kind such as race, colour, sex, language or religion.

Universal Declaration of Human Rights #2

No-one shall be subjected to arbitrary arrest, detention or exile.

Universal Declaration of Human Rights #9

Australian Presentation Society

PO Box 458
Tugun Qld 4224
Australia

Phone: (61 7) 5598 4347
Fax: (61 7) 5598 4386
Mobile: 0413 922 276
Email: ktynan@pbvm.org.au
Web: <http://pbvm.org.au>

Human Rights and Industrial Reform

Everyone has the right to work ... to form and join unions.
Universal Declaration of Human Rights #20

Everyone has the right to a standard of living adequate for health and well-being.
Universal Declaration of Human Rights #25

“Australia has a long and proud tradition of settling industrial disputes and promoting co-operation by its almost unique system of arbitration and conciliation. This system has helped to defend the rights of workers and promote their well-being, while at the same time taking into account the needs and the future of the whole community.” – *John Paul II, when addressing workers in a Parramatta factory, 1986*

154 years ago, a child was born in County Down, Ireland, who was to have a major impact on Australian society. Justice Henry Bournes Higgins was the President of the Commonwealth Court of Conciliation and Arbitration who in 1907 delivered the landmark Harvester judgement, enshrining in law the basic wage as a measure of what was reasonable for the worker’s family to live on.

The subsequent century of tradition in industrial relations is to be radically altered by the proposed Commonwealth workplace reforms. These imminent changes include:

- removing state industrial systems which settle industrial disputes;
- giving a federal government body power to set minimum wages
- changing enterprise bargaining.

The current unfair dismissal laws will no longer apply to businesses with fewer than 100 employees.

Lawyers, union leaders, theologians and Church leaders have voiced their concerns about these changes; an indication of this opposition is evident in the Govern-

ment’s placing full page advertisements in major newspapers. These are some of the concerns of Church leaders:

“Those seeking to restrain minimum wage increases often argue that it impedes employer demand and keeps people who are unemployed out of work. But a failure to appreciate the common interests and experiences of the unemployed, the underemployed and the low paid is likely to result in unjust proposals for the reduction of minimum wages and the creation of jobs.” – *Bishop Christopher Saunders, Broome*

All workers need “the security of knowing that they cannot be dismissed arbitrarily, without reason and due process... The test of a workplace relations system is whether or not ordinary workers have safe and healthy conditions, wages sufficient to support themselves and their families with dignity... I would hope that in the new legislation, our cherished tradition of solidarity, mateship and fairness would not be dealt a blow in the name of productivity and profits.” – *Bishop Kevin Manning*

Suggested Action

Reflection on these statements leads us to propose that you write to the new senators who hold the balance of power:

- Senator Steve Fielding, Family First, and
- Senator Barnaby Joyce, Nationals.

Both have already expressed some concerns about the impact of Industrial Relations reforms on low paid workers.

Human Rights and Trafficking

Human beings must not be owned, bought or sold. No-one has the right to enslave anyone else.
Slavery is a crime.

Universal Declaration on Human Rights #4

Torture is forbidden at all times and in all circumstances. No-one should suffer treatment or punishment that is cruel or makes them feel less than human.

Universal Declaration on Human Rights #5

Stop the Traffic

No! We are not talking about cars, trucks and fuel consumption and their effect on the environment. We are talking about trafficking of women (and children) and Australia is not immune to this violation of human rights.

Trafficking in Australia

Although it is an illegal industry and exact statistics are difficult to gather, it is estimated that there are as many as 1,000 women at any one time under contract here in Australia. Mostly these women engage in trafficking in order to be able to send money home to their families –

parents and children.

The majority of women here come from South-East Asia, especially Thailand, and China while a smaller number are known to be from Europe and Latin America.

Upon arrival, the women are subjected to a breaking-in time where violence and rape are inflicted upon them – to create a sense of powerlessness and to ‘teach’ them compliance and that they are employed to ‘satisfy their customers’. Once this stage has been passed the women are subjected to daily hours of prostitution. Many suffer

(Continued on page 3)

Human Rights and the Church

All human beings are born free and equal in dignity and rights.
Universal Declaration of Human Rights #1

In a culture where inclusive language and equal opportunity are mandatory at every level of society, a disregard for these regulations within the Church is becoming increasingly inappropriate and offensive to women. A lack of inclusive language perpetuates a situation of subservience and gives a powerful negative message to women.

In the words of Karl Rahner, *the Church runs weeping after history*. – *Women and Men One in Christ Jesus*, 1999

Year of the Eucharist

Jesus proffered communion to all. His table fellowship included prostitutes and sinners. Judas was present at the last supper.

A recent press release from the Vatican listing those who are not worthy to come to the table of the Lord is very concerning in that it is diametrically opposed to the open hospitality offered by Jesus.

Human Rights and Indigenous Australians

All are equal before the law and are entitled without any discrimination to equal protection of the law.

Universal Declaration of Human Rights #7



Boy jailed for an ice-cream

A 15 year old Aboriginal boy has been held in custody for the past 12 days after being sent more than 1,500 km from his home for attempting to steal an ice-cream. West Australian authorities spent about \$10,000 escorting the teenager on a flight to Perth, where he faced the Children's Court yesterday.

'Joshua' stuffed a cold hazelnut roll down the back of his shorts and when confronted by a staff member initially denied having it. However, when asked again, he confessed and the roll was returned to the Onslow store uneaten and undamaged.

'Joshua' was refused bail and driven 300 kms to be held in custody at the Karratha police station. He appeared before two Justices of the Peace the next day and was remanded in custody to appear in court in Perth.

For Aboriginal Legal Service director Dennis Eggington, it is further proof that Aboriginal people are dealt with far more harshly than white people when they end up on the wrong side of the law. – *Weekend Australian* 2-3 June 2005

(Continued from page 2)

this violation in the hope that they will be able to pay off their debt quickly. A typical debt for a woman from Thailand is between \$35,000 and \$50,000. Some traffickers may also require the women to stay on for another 12 months after the debt has been paid off.

In order to appear to comply with Australian immigration laws the trafficker will apply for bogus visas within the required time giving the impression that all is well for the women with the immigration authorities.

Apart from the enormous personal, physical and psychological damage that is done to the women, they can be subjected to the criminal and migration laws of this country.

Project Respect, established in late 1998, is a non-government organisation which challenges the exploitation of and violence against women in the sex industry. The direct services offered by the project are complemented by advocacy, public education and collaborative work with partners from the 'sending countries' particularly in the Asia-Pacific region.

More information can be obtained from the website:
<http://www.projectrespect.org.au/>

The Working Group on Trafficking in Women and Children of the JPIC Commission of the Unions of Superiors General supported by Caritas Internationalis has also produced an *Information and Workshop Kit: Trafficking in Women and Children*.



Graphic from
www.projectrespect.org.au/

Human Rights and West Papua

Everyone has the right to a nationality. No one shall be arbitrarily deprived of his/her nationality.
Universal Declaration of Human Rights #15

The abuse of the rights of the people of West Papua continues. In April this year we wrote to Senator Robert Hill, the Minister for Defence, expressing our concerns over Australia's increasing military cooperation with Indonesia's armed forces (TNI).

In his response Senator Hill assured us that cooperation is limited to exclude any members of TNI known to have links to violent groups or to have been involved in human rights abuses.

However, what is of continuing concern to us was the concluding paragraph to Senator Hill's letter which stated:

The Australian Government strongly supports Indonesia's territorial integrity. The Australian Government believes the special autonomy legislation passed in 2001 for Papua represents the best option for realising the aspirations of local people within a united Indonesia.

We can only continue to hope for and to raise our voices for justice for the people of Papua who are seeking the same sovereignty as the people of East Timor have achieved.

Human Rights — Detention and Deportation

No one shall be subject to arbitrary arrest, detention or exile.
Universal Declaration of Human Rights #9

Everyone has the right to seek and enjoy other countries' asylum from persecution.
Universal Declaration of Human Rights #14



“From bitter experience, then, we know that the fear of ‘difference’, especially when it expresses itself in a narrow and exclusive nationalism which denies any rights to ‘the other’, can lead to a true nightmare.” – *John Paul II*

The disturbing cases of Cornelia Rau and Vivian Alvarez are not isolated instances of what has occurred in Australia's detention system. People are detained indefinitely, not for committing a crime, but for exercising their right to asylum; they are regularly subjected to solitary confinement for weeks or months at a time; they are isolated from proper medical or legal help; they are deported without judicial authorisation, often drugged, handcuffed, shackled.

Many Australian politicians and citizens continue to support mandatory detention, despite its destructive consequences. The courageous efforts of some politicians have recently led to the promise of changes; we hope for a more humane treatment of detainees. Two years is still too long a time to detain people. The promised reforms do not apply to people on Nauru.

We encourage you to continue to write to John Howard, Senator Vanstone, Tony Burke (Shadow Minister for Immigration) and your local Federal Member about these issues.

Reconciliation — Taking a New Step Together

As you are aware the Australian IPA Justice Contacts decided to adopt **Reconciliation – More Bridges to Cross** as a national justice issue for the Presentation Society.

This gives a greater intentionality to our justice focus and is a more effective use of our resources.

Together with the IPA Justice Contacts we see this as an exciting step for us, as Australian Presentations, in our commitment to Justice.

As there seem to be so many other justice issues that feel more immediate, the issue of reconciliation has been downgraded on the national political agenda. By choosing **Reconciliation – More Bridges to Cross** the Justice Contacts have challenged us to remember the energy of the Bridge Walks and to acknowledge that there are many more bridges to cross for reconciliation to become a

reality:



The challenges include:

- looking at our own lives to see what other steps we need to take to bring about reconciliation in our minds and hearts
- looking at our local communities – one strategy that the Justice Contacts have adopted is to provide all residences with a plaque to acknowledge the traditional owners of the land
- continuing to speak with and for Indigenous Australians as they continue to be the most marginalised and disadvantaged group within our society.

If you have some suggestions/ideas as to how we can promote this issue across Australia please get in touch with your own Congregation's IPA Justice Contact.