

Brigidine Bi Centenary Seminar
27 March 2007-03-21

When Bishop Delaney founded the Brigidines, with just six Irish women in Tullow, in 1807, he did so in response to the wholesale, root and branch devastation inflicted on the people by the Penal Laws.

Those laws, enforced with the severest of penalties, were aimed at wiping out entirely all aspects of Irish and Catholic life, political, cultural, religious and economic, including the Irish language. Out of respect for that language, which the founding sisters would have known, and perhaps struggled to maintain, the language that was surely spoken by our patron St Brigid, I offer the following tribute:

A SHIURACHA, IS BREA LIOM BHEITH ANSO AR THRATH BHUR GCEAD BLIAIN
SAN ASTRAIL.
MOR AN BUNTAISTE A THUG SIBH DON PHOBAL AGUS IS IONTACH IODACHAS
AGUS CARTHANACHT AGUS GRA ATA IN BHFUR RIAN AR FUD NAR TIRE ANSO

DEAR SISTERS, IT'S GREAT FOR ME TO BE HERE ON THE OCCASION OF YOUR BI
CENTENARY IN AUSTRALIA.
GREAT IS THE BENEFIT YOU HAVE GIVEN TO THE PEOPLE AND WONDERFUL THE
EDUCATION AND THE CHARITY AND THE LOVE THAT FLOWS FROM YOU ACROSS
THIS NATION.

It is a pleasure to be back among Brigidines, sisters, students, former students and supporters.

It is fitting indeed that our Chair this evening is a former student of Brigidine Randwick, Philippa McDonald, the ABC TV journalist we all admire so much for her brave and excellent work in our region.

Philippa, you embody the best of what Brigidine education aspired to achieve.

It is also wonderful that my dear friend from St Aidan's, Lesley Thurlow Norburn is here tonight. Les and I met in first class, 1949, became best friends and remain so to this day.

She has a much sharper memory than I, so you can be sure she will correct me if any of my memories go off the track.

My sisters Judith Greenaway and Caroline Ryan OSM, both like me students at Brigidine Maroubra are here with us also, and may attempt some corrections also, as sisters do.

When I cast my mind back to my first years at Brigidine Maroubra, at St Aidan's in the 1940's. I would have had no way of imagining that we would all be here today, celebrating 200 years of Brigidine work, not only throughout Australia, in so many communities especially in NSW and Victoria, but also throughout most of the world: NZ, PNG, Kenya, Nairobi, Zambia, Mexico, the USA, the UK and of course Ireland itself.

Nor would we have had the capacity to foresee that, building on their crucial traditional work of educating Australian girls, our Australian sisters would have expanded their concern for the suffering by contributing to the anti trafficking working group. The group's report on sex trafficking of Asian girls has been considered by the UN, by CEDAW, the Committee on the

Convention on the Elimination of all forms of Discrimination against Women. This work will undoubtedly assist in bringing to an end that shocking trade with all its cruelties and violations of human rights.

Although the Brigidines, like other orders founded with similar goals, have waxed and waned in terms of numbers over the last 200 years and in Australia since 1883, this recent anti trafficking work shows that their spirit never wanes.

Their commitment to assist the vulnerable with compassion, justice and humanity burns as strongly in the 21st century as it did when the flame was first lit in Tullow 1807.

We can see this clearly now.

Back in the 1940's, we : Lesley and I and our classmates, and my sisters Judith and Caroline, did not view the sisters as saintly inspiring women living admirable lives dedicated to relieving injustice.

That recognition came much later.

As young children we saw them as scary creatures, handy with a ruler on the legs, or a poke between the shoulders, or similar popular control measures.

We did however even then absorb their values, more than we could have possibly known at the time.

What were these values?

We were made aware that all of us were privileged (appearances in Maroubra to the contrary) and should help others who were not, wherever in the world they happened to be.

That meant donating our few pennies of pocket money to the missions and offering up novenas or at least the sorrowful mysteries of the Rosary for those in trouble in for example Communist China. It meant treating everyone with respect. You were no better and deserved no more than any other human being. We were frequently reminded that God had created us all equal. Yes, everybody, from every race, culture, and religion.

They exhorted us to avoid vanity: we were to take no credit if things went well but accept the blame when it was our fault.

Rigorous honesty was the key to a virtuous life.

This life of virtue did entail, according to some nuns, some less core elements like- not wearing trousers, or certainly not sitting on boys' knees at the CYO dances.

It also involved however invaluable core practices- examining your conscience, admitting your errors, and sincerely trying to do better.

These values (excluding the matters of trousers and boys' knees) have stood me in good stead. I can't think of a better basis for the formation of character.

The other dominant element in the culture at Brigidine Maroubra was *having a go*.

Our school was one that would surely be classed these days as "disadvantaged".

The nuns had virtually no resources or equipment beyond the rudimentary chalk and blackboard and a few scrappy text books. We were a low fee school, before State Aid, and everything was done on the skinniest of shoe strings. That did not stop the sisters from pushing us forward amongst our better off peers; into the interschool debating contest, where we held our own against Christian brothers and other catholic boys already destined for the bench and the bar, or the district basketball games where our competitors had proper coaches and real courts for training, and of course the eisteddfods where we were entered into every available category: verse choirs, singing choirs, public speaking, piano performance and so on.

All of this competitive activity was supported only by the efforts of seriously overworked, under trained nuns who had to impart to us everything from maths, French, Gregorian chant, Mozart and basketball. There was no preciousness about expensive private tuition or pricey facilities. We

just gave it a go, learned that participation was the thing and occasionally had the pleasure of surprising everyone else, as well as ourselves with a win.

Basics were not neglected. Far from it.

The nuns took the view that every girl at our school would learn to read, to become numerate, to speak clearly, to stand up straight and conduct her with confidence. Some even learned to cook and to type. (Not me.) After the intermediate certificate, when most girls left school, the nuns' aim was that they should all get a good job, in terms of what was available those days. And they did.

I have always appreciated the sense that I got from that education, minimal in resources, ambitious in goals, that you can attempt some big things, do your best, and see what happens. That is really how I got into parliament.

In primary school and to a lesser extent in high school we resented a lot of the harsh discipline which included, as well as the cane, some melodramatic threats about the responses of Almighty God and his sainted Mother to our misbehaviour, and the ever present likelihood of damnation to Hell for all eternity, especially for those girls, like myself who were bold as brass.

In our maturity however we can and should recognise the great strengths of their lives, of which we are the beneficiaries.

I would like to place on record here tonight my appreciation.

Their lives were extremely tough. The Brigidines at that time were a semi enclosed order. Whether they came from Galway or Tullow, or Coonamble or Cowra, once they entered they were cut off from their families, friends and former lives. My research revealed that in the early days of the school in Maroubra, in the 1920's, the sisters lived at Randwick and often **walked** the several kilometres, over very hilly terrain to the little school in the church hall on Maroubra Road. They were allowed at that time no secular education, no university training. They never went out, except in twos to the dentist, or sometimes on a bus with us to somewhere safe like Centennial Park for a brief visit, during which they had to remain secluded behind umbrellas. Their convent was small, with a modest garden at the back, where they would pace round and round for hours saying their office. That was it.

They were still in the mediaeval habits, many layers of serge and starched linen, their faces semi concealed. How illness, physical or mental was dealt with we had no notion. In those long hot Maroubra summers their physical discomfort alone would have been intense, let alone the complications of a serious health problem, which must sometimes have occurred. The loneliness, isolation, absence of cultural and family connections would have undermined the spirits of all but the most robust.

We were especially fortunate to have at Maroubra one of the best. Helen Connolly, Sister Cecily to us, was a miracle. She was the most encouraging, enthusiastic, capable teacher, a real leader, brave, warm, multi talented and fun.

After Vatican 2 when the strict rules of enclosure were loosened she did achieve university degrees, and wider experience, the better to impart knowledge and values to those lucky enough to be her students.

She was a great music teacher and not at all bad at basketball. She even taught us French with what was I suppose a Cowra accent.

She was the glorious personification of the Brigidine mission.

I am grateful, not only for what she taught me but for her ongoing support when I entered the turbulent and chancy world of federal politics. I often reflected on her insistence on such things as making myself useful to the vulnerable, admitting error and trying harder. These were more valuable prescriptions than a preoccupation with profile enhancing makeovers or fashion shoots, so often prescribed today for participants in the shark pool of politics.

If she were still alive and here tonight I expect she would encourage me in my current campaign for a Human Rights Act for Australia.

Australia is now the only western democracy that has no law to protect the human rights of citizens and others in our country.

It comes as a shock for Australians to realise that the civil and political rights we have long taken for granted: the right to liberty, to a fair trial, the right not to be detained without charge, the right to vote, the right to free speech, freedom of movement, freedom to pursue the religion and culture of choice; none of these rights in Australia is protected by law.

Of course most, not all but most of us have been able in the past to exercise such rights. The common law and decisions of parliament have supported those rights.

Things have changed.

Recent government practices and policies, and new laws aimed at combating terrorism have overtaken and undermined our traditional protections. Instead of effective protection we have been left with a huge gaping hole.

Australian governments have signed and ratified the most significant UN Rights conventions: the convention on Civil and Political rights, the convention on Economic, Social and Cultural Rights, the Refugee convention, the convention on the Rights of the Child and other important instruments designed to protect the vulnerable.

Despite international commitments, actions of government contravene these conventions, again and again.

Think of the 82 Sri Lankan asylum seekers, right now appealing for our aid; rejected, arbitrarily transported to a camp on Nauru, denied compassion, legal assistance, rendered homeless, all in breach of the Refugee convention.

Think of the women asylum seekers over the last few years, mothers held in detention centres, without health care, their children denied education or appropriate activity, driven to physical and mental illness, sometimes to suicide. A couple of years ago the children were released from detention, but there is no law in place to prevent all this happening again.

Think of the desperate asylum seeker Al Kateb. He arrived in Australia a few years ago seeking refuge but without the right documents. Government policy prevented his release into the community, even when he became very ill. After some years of detention, his case went to the High Court. His supporters believed his detention to be illegal. It certainly contravened UN conventions which Australia had long since ratified.

The High Court found that despite these conventions, Australian law gave Al Kateb no protection. The High Court concluded that legally the government could keep him in detention forever.

Finally a more compassionate Scandinavian country took him off our hands.

This was a crucial episode in persuading me and other readers of *New Matilda* magazine where the case was much discussed, that the law had to be changed.

Our existing international obligations had to be put into a statute so that the intended protections could actually be provided.

As we went about this campaign many other shocking cases emerged.

Think of the sloppy, discriminatory, inhumane behaviour by the bureaucrats who threw a desperately ill Vivienne Alvarez Solon out of her own country, and who thrust mentally ill Cornelia Rau, a permanent resident, first into jail then into a detention camp.

Think of the physical and verbal attacks on Muslims in the community.

Think of the thousands of indigenous children living in remote areas, who cannot exercise their right to education because there are no schools anywhere near where they live.

It was thinking of all such injustices that inspired our new Matilda community campaign which we launched in October 2005.

How does the campaign work?

With the assistance of experts we drafted a bill for a human rights act for Australia. The bill puts into law all the obligations Australia has already signed up to under the UN conventions. It is similar to the UK law, and other human rights laws in New Zealand and European countries.

We ensured that parliament would remain in control of this law and any necessary changes down the track would be in its domain.

This is a crucial point. Many critics of human rights laws, of for example the US Bill of Rights, oppose them on the grounds that they give unelected judges the power to overturn acts of parliament.

Our campaign recognises and supports the supremacy of parliament and our act does not take that power away.

We propose that courts get the power to find actions of the government or its agents incompatible with legislated human rights.

In the current case of the Sri Lankans, if our act were in place, a court would be likely to find the decision to force them off Australian territory and into detention in Nauru does contravene the UN Refugee convention.

This government action would thus be determined incompatible with the Human Rights Act.

Such a finding would put the obligation back on parliament to reconsider the decision, and on the Attorney General to report to the parliament and the public within 6 months.

It would be possible that parliament decided to continue its contravention, to continue acting in a way that was incompatible with the Act.

But, because of the extensive scrutiny, the required public reporting, the opportunity for the media and the community to express views, it is much less likely that such a decision would be maintained. Especially in an election year.

With children in detention, if our proposed Act had been in place, because of mandated parliamentary scrutiny and increased accountability, including of the bureaucracy, it is unlikely that the children would have been put into detention in the first place.

Would our act assist David Hicks?

Clearly he has been denied basic human rights, especially: the right not to be detained without trial and the right to a fair trial. Probably his right not to be tortured has also been violated. He is being held in prison outside Australia, and our act covers Australia. But, it is important to recognise that the existence of the UK Human Rights Act 1998, on which ours is closely modelled was instrumental in the British government's insisting some years ago that their citizens be released from Guantanamo and returned to Britain to be dealt with there.

Our government has been supine and negligent in a way that could not have continued so long had had we our own Human Rights Act.

Since October 2005 our campaign committee has travelled around Australia holding public meetings, and had dozens of meetings with community groups. We have had many meetings with MP's and plan more. Numbers of MP's across all parties are sympathetic to our approach.

What will make them act?

Representations from you, the community will spur them on.

Please support us. All information is at www.humanrightsact.com.au

At this stage of the campaign we are seeking support of both major parties, minor parties having already agreed, for a Senate inquiry into the need for an Australian Human Rights Act, with our bill as a model.

I began this address by referring to the penal laws which devastated Ireland through the 17th and 18th centuries and gave rise to Bishop Delaney's decision to set up the Brigidine order.

If you look closely at these laws, you will see that they denied to Irish Catholics all the civil and political, economic, social and cultural rights we aim to protect under our proposed bill. Under the penal laws, to choose to remain Catholic meant loss of property, loss of the right to vote, to hold public office, to enter or practice the professions. Catholic farmers were forced to divide their land into uneconomic plots for their sons, thus ensuring economic failure and ultimate loss of the land. The practice of the catholic faith was forbidden along with any contact with priests. Catholic education was outlawed. Even sending children overseas to be educated was illegal and was punished by penalties ensuring economic ruin. The Irish language as I reminded you was never to be spoken.

Our proposed Human Rights act would have protected the Catholic Irish against these terrible injustices.

But that was 200 years ago .Our act did not exist then, nor did the Universal Declaration of Human Rights 1948 , the basis of all modern human rights laws.

Now in 2007, there are millions of human beings, no longer in Ireland, or the island of Ireland I am happy to say, but elsewhere, whose human rights are violated every day. Some manage by dangerous and terrifying means to get to Australia to seek our help. Without a human rights act in place, we will continue to deny that protection.

This situation, this refusal of compassion and humanity to the most vulnerable, surely offends the very essence of the Brigidine spirit and is directly contrary to Brigidine practice over 200 years.

Reflecting on the story of those first Brigidine sisters in Tullow in 1807, whose congregation was founded by Bishop Delany to protect Irish children against the terrors of the penal laws, I ask if the Brigidines in 2007, and their supporters, might consider it within their tradition to support a new and effective law to protect human rights in Australia.

Slán go foill agus beannacht

Siobhan Ni Riain

Susan Ryan 27 march 2007