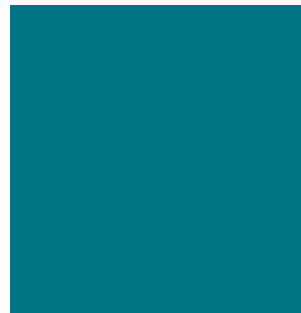
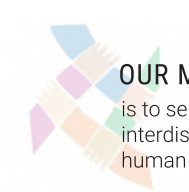


# ANNUAL REVIEW 2017 - 2018

## THE BERNARD AND AUDRE RAPOPORT CENTER FOR HUMAN RIGHTS AND JUSTICE



THE UNIVERSITY OF TEXAS AT AUSTIN



**OUR MISSION**

is to serve as a focal point for critical, interdisciplinary analysis and practice of human rights and social justice.

Contents	2
Letter from the Co-Directors	3
Events	4
Opportunities	13
Publications	16
Spotlights	17
Staff	18
Affiliates	20
Supporters	22
The Year to Come	23

## Letter from the Co-Directors

“PARTNERS FOR CHANGE at the intersection of academics and advocacy.” That is not only the motto of the Rapoport Center; it is an apt description of what we do, perhaps this past year more than most.

Certainly, we organized a number of events that might have seemed purely academic (if not traditional) in nature. Our inaugural “Idea Lab” on the legal drivers of inequality, for example, included distinguished academics from around the world and in a variety of disciplines (see pp. 4-5). It provided a two-day-long opportunity to wrestle with critical questions about the law’s role in creating, perpetuating, or responding to multiple forms of inequality. We held a similarly academic conference on “Weak Institutions” in Latin America (see p. 12).

Both events brought to light some of the ways that present-day inequalities are marked by a history of domination and subordination, the difficulty in separating questions of race and gender from economic ones, and how inequality marks the origins and functioning even of institutions meant to redress injustices. These insights were significantly informed by, and contribute to shaping, our work with groups on the front lines of human rights. For instance, our focus on

the future of work brought us into contact with groups like the National Domestic Workers Alliance (and many of its Texas-based affiliates) who daily live at the intersection of ethnic, gender and economic inequalities (see pp. 6-7). And our continued concern with natural resource governance led us to the Natural Resource Governance Institute, which works to create institutions that might more fairly allocate the costs and benefits of extractivism (see p. 11).

The intersection of advocacy and academics might have been most visible in our collaborations in Peru and Guatemala. In Peru, we partnered with the Natural Resource Governance Institute and other activist organizations for an event that combined academic reflections with activist, boots-on-the-ground, knowledge (see p. 11). The interaction led to illuminating analyses of the failure of natural resource extraction to live up to its promise to deliver prosperity for the poor. In Guatemala, a day-long event celebrated both the academic and practical fruits of our nearly one decade-long partnership with the Historical Archive of the National Police (see p. 12). Some speakers at the event described how the archive has advanced historical knowledge about government surveillance of political opponents, while others

discussed the contributions the archive has made to prosecutions for human rights violations.

When we celebrated with colleagues and former students the life work of our good friend and collaborator Barbara Harlow, who passed away in January 2017, much was said about the inseparability of her commitments to academic and activist work (see pp. 8-9). It was an apt reminder of our motto, which she helped create, and the driving vision behind our work. We support students at all levels of study in multiple ways that connect social justice work with academic study, including now through the Barbara Harlow internship program (see p. 9, pp. 13-15). And we engage not only other academics, but practitioners, policymakers, and activists in order to enrich our conversations and remind us of the stakes of our work.

We thank each one of you for what you do to support what we do, and are looking forward to yet another year of innovative, critical, interdisciplinary, and engaged work on human rights and social justice at the intersection of academics and advocacy.

# AN IDEA LAB

The Role of Law in the Production of Inequality



(Photo Collage)  
Scenes from The  
Role of Law in  
the Production of  
Inequality: An Idea  
Lab

**WHAT IS AN IDEA LAB?** The workshop format we called an Idea Lab grew out of concern that research on important questions is artificially limited by the lack of communication across disciplinary and methodological boundaries. In response, Dan Brinks (Government; Rapoport Center), Rachel Cichowski (University of Washington) and Jeff Staton (Emory University) secured a grant from the National Science Foundation to try a new workshop format. First, Idea Lab participants share key texts that should inform their discussion. At the meeting, participants discuss possible synergies and flag areas of potential disagreement. The goal is to shape a research ecosystem, with participants filling different niches but informing each other's projects, building knowledge around a common question.



A full decade after the 2008 global financial crisis, economic and social inequalities continue to spark outrage around the globe. For the past three years, the Rapoport Center has considered, in a variety of contexts—but especially natural resource governance and labor—whether human rights law, discourse, and movements are equipped to address those inequalities. That consideration necessarily requires close examination of the structural legal drivers of inequality.

With the co-sponsorship and collaboration of Harvard Law School's Institute for Global Law and Policy and the Program on the Corporation, Law and Global Society at Northeastern Law School, we hosted "The Role of Law in the Production of Inequality: An Idea Lab" at UT from March 29-31, 2018. The event brought together an international and inter-disciplinary group of over twenty academics who work on different dimensions of law's contribution to the production of inequality to participate in a new format that we piloted, aimed at collaborative, convergent thinking. (See Box).

We opened the gathering with a public conversation featuring anthropologist James Ferguson (Stanford) and historian Walter Johnson (Harvard). We invited both scholars in part for their contributions to our thinking about the distributive effects of the changing organization and even displacement of work in contemporary global capitalism. Ferguson's latest scholarship uses a study of unconditional cash transfers in southern Africa to consider possibilities for political citizenship not centered on labor. Johnson's recent work is focused on racial capitalism, and his talk concentrated on the removalist strain of American anti-Blackness, which he contends was meant in part to reduce the threat of the competition of "free labor" by

newly emancipated slaves.

These respective interventions prompted a key conceptual shift in the focus of the Idea Lab: Our initial query—"How does the law act as a structural driver of inequality?"—was at least partially re-framed as "How is the law deployed to distribute resources and create patterns of accumulation over time?" and "How is the law used to entrench and reproduce historical patterns of domination and subordination?" Together with contributions from a suite of respondents that evening—Sharmila Rudrappa (UT, Sociology), Lucie White (Harvard Law School), Vasuki Nesiah (New York University), and Shirley Thompson (UT, American Studies)—the discussion led us to interrogate the foundations on which we make claims for

## “The panels engendered profound intersectional shifts in how we think about the role of law in the structural perpetuation of relational injustices.”

distribution, and how they might be inattentive to the legacy of historical injustices. One important implication was that we must take a more dynamic, historicized view of economic inequality, or we risk losing sight of the patterns of accumulation and reproduction of power and wealth that have led us to this point.

As we moved into the Idea Lab the following day, David Kennedy (Harvard Law School) began by raising the idea that economic inequality as an analytical frame seems anemic if we consider the long history of subordination and exploitation in the global political economy. Against this backdrop, other participants analyzed, through the lens of their individual projects, how distributional injustices are legally structured and what might be possible avenues of response. For instance, Mónica Jiménez (UT, African and African

Diaspora Studies), whose research addresses US implementation of (neo) colonial legal structures in Puerto Rico, tied her work back to Johnson's observations—noting that both Puerto Rico's debt and the "charade of democracy" on the island are "tied up in race and blackness," exemplifying ongoing procedures of racial capitalism.

These ideas also enriched the discussion of the role of law in global value chains (GVCs), and the means by which these chains extract and exploit value according to racialized and gendered hierarchies. Participants agreed that efforts to locate sites of contestation and new modes of distribution within GVCs must attend to the new geographies of exploitation they create. "What would it mean," asked Dan Danielsen (Northeastern School of Law), "to add race into the picture at every level?" Luis Eslava (Kent Law School) highlighted the fact that "there is a problematic bias in the GVC imaginary in that it could plausibly include everyone – but it only

works because it excludes and devalues." Rudrappa provided an example of these exclusions, sharing her research on commercial surrogacy practices in India, prompting a lively discussion of what GVC machineries value and devalue, and how they depend on the bodies of women and people of color.

In sum, the Idea Lab proved a rare, generative forum through which to deepen our understanding of inequality. As Karen Engle (Law; Rapoport Center) remarked at the close of the event, "Each of the panels engendered profound intersectional shifts in how we think about distribution, the creation and assignment of value, and the role of law in the structural perpetuation of relational injustices. The Idea Lab's explorations promise to inform much of our inquiry into inequality in the years to come."

### PARTICIPANTS

#### ORGANIZERS

Daniel Brinks, *UT, Government*;  
Rapoport Center  
Dan Danielsen, *Northeastern University School of Law*  
Karen Engle, *UT, Law*;  
Rapoport Center  
David Kennedy, *Harvard Law School*

Kate Taylor, *UT, Law*;  
Rapoport Center

#### PARTICIPANTS

Helena Alviar, *Harvard Law School*  
Javier Auyero, *UT, Sociology*  
Jennifer Bair, *University of Virginia*  
Luca Bonadiman, *Harvard Law School*

Rachel A. Cichowski, *University of Washington*  
Jason Cons, *UT, Anthropology*  
Luis Eslava, *University of Kent*  
Jorge L. Esquirol, *Florida International University College of Law*  
James Ferguson, *Stanford*

William Forbath, *UT, Law*  
James Galbraith, *UT, LBJ School of Public Affairs*  
Neville Hoad, *UT, English*  
Mónica Jiménez, *UT, African and African Diaspora Studies*  
Walter Johnson, *Harvard*

Vasuki Nesiah, *New York University*  
Sharmila Rudrappa, *UT, Sociology*  
Shirley E. Thompson, *UT, American Studies*  
Steve Viscelli, *University of Pennsylvania*  
Lucie E. White, *Harvard Law School*

# AI-JEN POO:



“Immigrants will have to be, and they already are, a huge part of the solution.”

Ai-jen Poo, award-winning labor organizer and activist, opened the third annual Frances Tarlton “Sissy” Farenthold Endowed Lecture in Peace, Social Justice and Human Rights on October 19, 2017 with what she termed a “gratitude exercise.” Poo encouraged members of the audience, brought together at UT through the collaboration of the Rapoport Center and the Rothko Chapel in Houston, to “turn to the person next to you, and share a story about someone in your life who cared for you, and the value of that relationship in your life.” Grounding her lecture, “Immigration and the Future of American Families,” in the audience’s personal experiences, Poo explained that caregiving is one of the very few issues that connects us all. Every one of us has at least one person in our lives who has looked after us, nurtured our human potential, and helped us along the path that led us to where we are today. Poo then offered an account of the final years of her grandfather’s life, which were marked by the immigration of his residential care.

Poo used this story and audience engagement to make a social justice plea for greater attention to the issue of aging and care in the United States: People are living longer, and our need for care is far greater than we could ever have imagined. “At a time when we need more care, we actually have less of it. The care workforce is working hard, earning poverty wages.” Poo’s challenge as both

executive director of the National Domestic Workers Alliance (NDWA) and co-director of Caring Across Generations, she explained, is how to make “good care affordable and accessible to every family in this country” while ensuring that “every single care job is a good job.”

Such a distinctive opening was perfectly befitting of the lecture series named in honor of a woman who, as Poo acknowledged, “embodies the kind of moral courage that we really need in this moment in our country.” Karen Engle (Law; Rapoport Center) observed that “Ai-jen Poo’s call for a transformative overhaul of America’s care economy represented the type of bold, creative thinking that Sissy Farenthold has modeled throughout her life.” Farenthold, who was present at the event, was taken by both the substance and form of Poo’s lecture. “Poo provided a completely different reference frame,” Farenthold noted; “the intimacy she created in the lecture put care on another level.”

Poo’s lecture revealed how the care workforce in America has a long history of cultural and economic devaluation. As she explained, when New Deal labor protections were being negotiated in the 1930s, Southern members of Congress refused to support labor protection bills if they included protections for farmworkers and domestic workers, who, at the time, were mostly black. This foundational legal exclusion, con-

(Left) Ai-jen Poo delivers the 2017 Farenthold Endowed Lecture in Peace, Social Justice, and Human Rights.

(Right) Representatives from domestic worker organizations fill the jury panel at the Eidman Courtroom during Ai-jen Poo’s Lecture.

# Rights and Dignity in the Care Economy



structured on the basis of racial exploitation, has shaped the lives of care workers for generations.

Today, the exclusion is compounded by the fact that forty-five percent of our nation's elder care workforce is comprised of immigrants, twenty-two percent of whom are undocumented or unauthorized. Poo urged the importance of acknowledging, as a nation, that "immigrants are a crucial part of the most important, intimate dimensions of our lives." She further explained that we cannot "meet our need for care in this country without the immigrant workforce. No matter what, immigrants will have to be, and they already are, a huge part of the solution."

Much of Poo's work is dedicated to organizing undocumented domestic and care workers, and generating strategies that allow them to assert their rights and dignity—a daunting challenge due to the ever-present threat of deportation. The betterment of working conditions for all care workers, she explained, cannot be achieved without immigration reform that gives all immigrants, including caregivers, a path to legal status and citizenship.

Poo detailed a number of current campaigns, initiatives, and solidarity strategies that her organizations are pursuing to create a more sustainable and just care economy. She described expansive legislative and policy victories, across red and blue states alike, which have provided stronger labor

protections for domestic workers, as well as more generous public provisioning for family care.

Following the lecture, in a conversation moderated by Engle and Raj Patel (UT; LBJ School of Public Affairs), Poo engaged with the audience. In response to a question about the political feasibility of her policy agenda, Poo reflected that "people in this country no longer have the patience for incremental, technocratic solutions. If we want people to engage in this democracy, we have to bring them big, bold ideas."

Poo's work demonstrates how care work can create solidarities that transcend divisions of race, class, gender, age, and immigration status. Prior to the lecture, Poo met with representatives from local domestic and care work organizations, including Domésticas Unidas, Living Hope, and Fuerza del Valle. These groups made long journeys from across Texas to meet with one another and share their work on issues of labor, immigration, health, and recovery efforts in the wake of Hurricane Harvey. The strength, passion, and resilience of those present at the meeting was an embodiment of an idea that Poo raised in her lecture: "Coming together to bring value, dignity, and worth to our caregiving relations can and should help bring out the best of us as a nation."

## Circle of Friends \$5,000 or more

Gayle & Mike DeGeurin  
Patricia Dougherty  
Karen Engle & Ana Almaguel  
Jan Fox  
Lisa Fuentes & Thomas Cohen  
James Galbraith  
Molly Gochman  
Estate of Barbara Harlow  
Brian & Karen Kelleher  
Willy Kuehn  
Marta, Sissi & Jim Mattox  
Eric & Carol Nelson  
Dorothy Slater-Brown  
Martha Claire Tompkins  
American Income Life & National  
Income Life of New York

## Upcoming Lecture Elizabeth Yeampierre



We are excited to announce that the 2018 lecture will feature internationally recognized Puerto Rican attorney and environmental and climate justice leader, **ELIZABETH YEAMPIERRE**. A national leader in climate justice movement, Yeampierre is the executive director of UPROSE, Brooklyn's oldest Latino community based organization, and the co-chair of the Climate Justice Alliance. The lecture will take place at the Rothko Chapel in Houston on November 29, 2018.



## Critical Solidarities and Commitments to Liberation: A Commemoration of Barbara Harlow, Comrade-in-Arms



Barbara's former colleagues and students share their memories of her at Friday night's Roundtable. From left to right: Mia Carter, Rachel Meyer, Ann Cvetkovich, Tarek El-Ariss, Karen Engle, Liz Cullingford, Toyin Falola, Meghan Gorman-Darif, Jeanette Herman, Neville Hoad, and Ben Lindfors.

In January 2017, as we wrote in last year's Annual Review, we mourned the untimely death of Barbara Harlow, Louann and Larry Temple Professor of English Literatures in the Department of English and a founding steering committee member of the Rapoport Center. On October 27-28, 2017, together with the Department of English and the South Asia Institute, both at UT, and the Arab-American Educational Foundation in Houston, we hosted a memorial conference at the Harry Ransom Center. Entitled "Barbara Harlow: The Sequel," the event was an iteration of "Sequels," an annual symposium that Barbara began in 2001 to celebrate the work of UT alumni, primarily from the English department's PhD program. Every year, Barbara invited graduates back to campus to give lectures and meet with current graduate students at UT. This year's symposium offered a glimpse into Barbara Harlow's significant legacy.

"The Sequel" began on Friday evening with a roundtable discussion of remembrances by some of Barbara's closest collaborators at UT, to pay homage to Barbara's scholarly contributions, collegial friendships, institutional commitments, and insistence on resistance. These were

often inseparable not only for Barbara, but for her collaborators. As Professor Toyin Falola (UT, History) put it: "She fought the good fights and she did so with acerbic wit that made you pray she'd be on your side."

Many of Barbara's former students, now themselves professors and distinguished scholars in the fields of human rights and literary studies, traveled from across the country to share tales of their scholarly apprenticeships in an open mic session following the roundtable. Though

**"She fought the good fights and she did so with acerbic wit that made you pray she'd be on your side." – Toyin Falola**

the night represented a moment of mourning, it also celebrated the circles of rigorous scholarship, unwavering activism, and generous mentorship that Barbara created and cultivated throughout her career.

Saturday's panels explored contemporary (neo)colonial political formations by questioning the War on Terror and its misguided rhetoric of security, investigating the ongoing impact of Harlow's generative work on prison writing, and discussing the ongoing relevance of E3W, or Ethnic and

Third World literature, a field of inquiry Harlow helped inaugurate at UT and in the US academy. The overwhelming majority of panelists were Harlow's former students, a testament to the magnitude of her legacy. The final panel consisted of local activists carrying on the spirit of her resistance. Selected for the strength of their political commitments, this panel reflected Barbara's unyielding solidarity with people around the world struggling against oppression.

An appreciation for Barbara's serious intellectual and activist mentorship, and for the spirit of joy that she brought to these pursuits, was echoed throughout the panels. The simultaneously exacting and supportive tone of her voice, and impressions of that famous "Harlow look," were warmly remembered throughout the weekend. As it became clear from participants' reflections, Barbara modeled how building scholarly and political community is not exclusive of sociality and fun. "Barbara Harlow: The Sequel" reminded us that although being engaged in resistance efforts carries risks, combining activism and academic work yields deep personal, political, and intellectual rewards.



## BARBARA HARLOW INTERNSHIP

In spring 2018, the Rapoport Center and the Bridging Disciplines Program (BDP) launched the Barbara Harlow Internship in Human Rights & Social Justice in honor of the life and work of Barbara Harlow (1948-2017). Each semester, one BDP student is selected through a competitive process for a paid internship with the Rapoport Center.

The internship is funded by a gift that Harlow donated to the Rapoport Center and the BDP to ensure ongoing collaboration between the two. Harlow's initial contribution has since been more than doubled by her friends and family, who are eager to see her legacy carried on in this way. "The internship seems an appropriate way to honor Barbara and her commitments," said Karen Engle (Law; Rapoport Center), "because it was largely through Barbara's efforts that the Center and the BDP first created the Human Rights & Social Justice certificate in 2009." Barbara served as chair of the faculty panel for the certificate from its inception until 2017.

The inaugural fellows, Xavier Durham and Mehdi Mrabet, were selected for spring and summer 2018 respectively. Durham earned a BA in Sociology and minored in African and African Diaspora Studies; he is beginning a PhD program in Sociology at the University of California, Berkeley this fall. Mrabet is a senior majoring in Government whose studies focus on how race and gender intersect to create specific socioeconomic realities for women of color.



**MEHDI MRABET: Government (BA)**

"The task of carrying on Barbara Harlow's legacy has taught me so much about how to approach resistance and human rights scholarship. I've learned that, in scholarship, we must prioritize the myriad of narratives provided by those engaged in struggle, and we need to go beyond the statistics so often used to measure human rights violations. Our goal should be to seek a human understanding of the impact that oppression yields."



**XAVIER DURHAM: Sociology (BA)**

"One of my most memorable undertakings as the inaugural Harlow intern was a piece of reflective writing on the assassination of activist and councilwoman Marielle Franco, articulated alongside broader anti-black violence in Brazil. This exploration allowed me to engage with Harlow's radical work, challenging my perspectives on social justice-oriented issues and the ways in which we may find practical solutions for the future."

## Participants

Hosam Aboul-Ela  
*University of Houston*  
Kamran Ali  
*UT, Anthropology*  
Purnima Bose  
*Indiana University  
Bloomington*  
Fran Buntman  
*George Washington  
University*  
Mia Carter  
*UT, English*  
Elizabeth Cullingford  
*UT, English*  
Ann Cvetkovich  
*UT, English*  
Brian Doherty  
*University of Texas*  
Eve Dunbar  
*Vassar College*  
Tarek El-Ariss  
*Dartmouth College*  
Karen Engle  
*UT, Law; Rapoport Center*  
Toyin Falola  
*UT, History*  
Avery Gordon  
*University of California,  
Santa Barbara*  
Meghan Gorman-Darif  
*UT, English (Ph.D)*  
Neville Hoad  
*UT, English*  
Karen Kelleher  
*Barbara Harlow's sister*  
Ben Lindfors  
*UT, English*  
Joseph Slaughter  
*Columbia University*  
Jennifer Wenzel  
*Columbia University*  
Snehal Shingavi  
*UT, English*



Symposium attendees traveled from around the country to honor Barbara's legacy, in part, by reconnecting with one another.

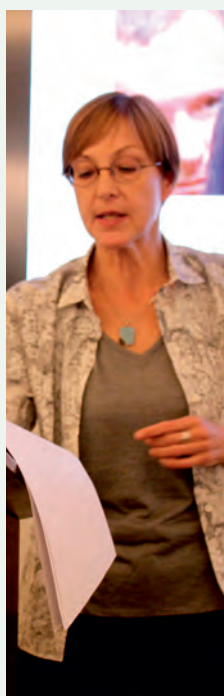
# Workers' Rights in a World of Increasing Inequality



10/2/2017

Rethinking the Future of Work: Law, Technology, and Economic Citizenship

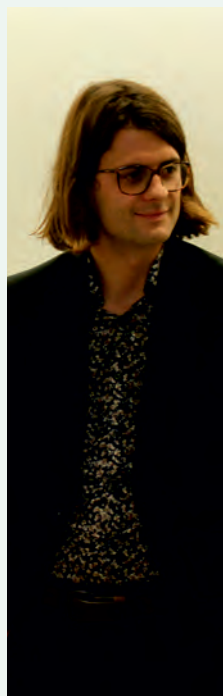
**BRISHEN ROGERS**  
Associate Professor of Law, Temple University



10/16/2017

Modern Slavery, Unfree Labour, and Migrants' Rights

**JUDY FUDGE**  
Professor of Law, Kent Law School



10/30/2017

Dying for a Living: Economic and Moral Restructuring in a French Factory

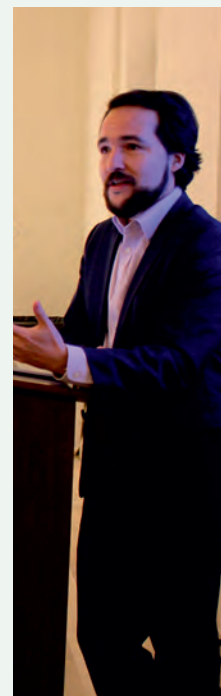
**PASCAL MARICHALAR**  
Research Fellow, French National Center for Scientific Research



11/13/2017

Delimiting Precarity: Labor Migration, Degrees of Privilege, and the Politics of Hope in Turkey

**AYŞE PARLA**  
Associate Professor of Anthropology; Visitor, Institute for Advanced Study, Princeton



11/27/2017

The Future of Labor Rights in Trade Agreements

**ALVARO SANTOS**  
Professor of Law, Georgetown University Law Center

During fall 2017, the Rapoport Center hosted a biweekly speaker series which brought in scholars from law and the social sciences to explore barriers to realizing labor and human rights in the context of a globalized world marked by increasing inequalities. Speakers examined some of the structural conditions that help produce and sustain labor exploitation and precarity, situated a variety of domestic spaces – from the UK, France, and Turkey to the United States and Mexico. The

colloquium was co-sponsored by the Center for European Studies.

The speaker series was part of a semester-long seminar taught by Professor Karen Engle (Law; Rapoport Center) for law and public policy students. The students read work by and wrote response papers for each of the invited speakers, and also produced their own research papers on the topic.

Law student David Engleman, who participated in the seminar, remarked that it “offered students a remarkable opportunity to engage closely with leading schol-

ars at the intersection of labor, inequality, and human rights,” as well as to produce a substantive piece of writing on a topic at the intersection of the three areas.

To continue the conversation and allow the various speakers to have a chance to interact directly with one another, the Rapoport Center sponsored a panel on “Labor, Inequality, and Human Rights: Local Manifestations of Global Challenges” at the Law and Society Association Annual Conference, hosted in Toronto on June 9, 2018.



# Beyond the “Commodities Consensus”: Alternative Responses to Natural Resource Governance and Inequality in Latin America

Beginning in the 1990s, and especially during the boom in commodity prices, a so-called “commodities consensus” emerged in many Latin American countries—which held that natural resource extraction would fund social investment, generating improved social outcomes and political legitimacy for the respective governments. More often than not, however, by the end of the commodity boom, the promise of social investment was unmet, and a legacy of environmental and social harms for local communities was left in its wake. Motivated by a desire to address this result, the Rapoport Center co-organized a three-day discussion, “Natural Resource Governance in Latin America: Situation and Challenges,” from November 8-10, 2017. The event took place in Lima, Peru, in cooperation with the Natural Resource Governance Institute (NRGI) and the Catholic University of Peru.

Professor Daniel Brinks (Government; Rapoport Center) and Dr. Carlos Monge (NRGI, Latin American Director) brought together experts from across the region and around the globe. Organizations represented include Publish What You Pay,

the United Nations Economic Commission for Latin America and the Caribbean, the Ford Foundation, and members of various grassroots organizations belonging to the Latin American Network for Extractive Industries (*Red Latinoamericana de Industrias Extractivas*, or RLIE). The event formed part of the Rapoport Center’s continuing work on inequality and human rights, funded by the Ford Foundation.

Participants heard first from academics and various specialists on the relationship between natural resource extraction and inequality, and discussed a framework for thinking about how to craft natural resource governance to reduce inequality. RLIE members then gave presentations on conditions in Mexico, Guatemala, Colombia, Ecuador, Brazil, Peru, Bolivia, and Chile, bringing local context to bear on the discussions that took place in the first set of panels. Throughout, participants suggested the need to rethink development models based on extractivism, both by ending the simplistic emphasis on Gross Domestic Product as the measure of success, and by diversifying the drivers of economic development. Some even

called for leaving resources in the ground, and looking to other sources of growth. Were extractivism to continue to be a source of development, participants made it clear that local communities needed to participate meaningfully in decision-making, or they would continue to bear the brunt of the cost and receive a meager fraction of the benefits.

By bringing together leaders of grassroots organizations from the region with domestic and international academics and NGOs, the event aimed to play an important role in building capacity at the local level and to help develop a more equitable model of natural resource governance. The event also sought to call attention to heterodox and grassroots approaches to natural resource governance, in the same vein as the workshop, “Towards a Constitutional Political Economy – Transition and Transformation,” which the Rapoport Center co-organized in Cape Town, South Africa in May 2017. Both events reflect the Center’s strong commitment to encouraging conversations with, and within, the global South.



Ezekiel Ramírez climbs the abandoned structure of the Ixcán Forestry Station, a former ecological outpost that employed local community members and educated visitors about deforestation in the Lacandon Jungle in Chiapas, Mexico. Ramírez’s family once helped manage the now-abandoned station, but since the project ran out of funding, the family now relies on farming to make a living. Photo by Scott Squires.

## Rapoport Center Continues to Collaborate with Historic Secret Police Archives



Representatives from UT and the AHPN gather in Guatemala City to reaffirm the importance of AHPN's stability, autonomy and independence. | Photo by Hannah Albert-Abrams

In January 2011 the Rapoport Center, together with the Lozano Long Institute for Latin American Studies and the UT Libraries, concluded an agreement with the Historic Archive of the National Police in Guatemala (AHPN)—a trove of approximately eighty million documents, including records of the most repressive moments in that country's violent past. The Archive provides an extensive and timely resource for the study of Guatemalan history and human rights in the region, and functions as an invaluable repository of evidence to

be used in the pursuit of justice and the recovery of historical memory. On July 27, 2018, Daniel Brinks (Government; Rapoport Center), Virginia Garrard (History, LLILAS Benson director) and others from UT hosted a day-long event at the Archive in Guatemala City to celebrate the work that has been done under the auspices of that agreement. Since the agreement was signed, UT Libraries has become a repository for the digital copies of over twenty million documents to date, with around two million additional documents added every year. A growing

subset of those documents, around eleven million, are already secured on UT's servers (at <https://ahpn.lib.utexas.edu/>), and are available to researchers around the world. Reflecting on the historic undertaking, Brinks noted, "When we signed the agreement the archive was under significant threat from still powerful interests tied to the security forces. Sadly, this seems even more true today. It is crucial that we continue to express our support for the mission and the personnel of the Archive."

## Democratic Discontent and Weak Institutions in Latin America

The third wave of democracy swept rapidly across Latin America, so that by the end of the twentieth century, the region was almost entirely democratic. Democracy expanded formal rights and empowered mobilized citizenries, who secured formal improvements to the region's institutions: laws aimed at reducing and responding to racial discrimination, gender-based violence, environmental degradation and other salient issues. These institutions promised improved outcomes and conditions for many of the region's neglected populations, but often failed to deliver.

As a result, much of the democratic discontent in the region has centered on the weakness of these very institutions. Scholarship on Latin American democracies has thus focused on how and why the widespread institutional innovation and evolution has not, in many cases, led to the expected improvements in actual conditions.

On September 29, 2017, the Rapoport Center, in partnership with Columbia University, hosted a workshop to explore these themes, entitled "Weak Institutions in Latin America." Held at the University of Texas, the workshop brought together a group of academics to discuss their contributions to an edited volume of the same name, co-edited by political scientists Daniel Brinks (Government; Rapoport Center), Steven Levitsky (Harvard), and M. Victoria

Murillo (Columbia University).

The workshop provided an opportunity for the Center to continue its inquiry into the drivers of inequality, and their relationship to institutions in both the Global North and Global South. Political, social, and economic inequality lie at the root of many of the institutional failures discussed at the workshop. Relatedly, inequality is often a consequence of both the strength of elite-biased institutions and the weakness of institutions that are meant to redress these biases.

**"[Democratic] institutions promised improved outcomes and conditions for many of the region's neglected populations, but often failed to deliver."**

A number of papers presented during the workshop were also relevant to the Center's thematic focuses on natural resource governance and labor in the global economy: the work

of Candelaria Garay and Belén Fernández Milmanda (Harvard) on the enforcement of anti-deforestation laws in the Gran Chaco; research on informal mining by Eduardo Dargent (Catholic University, Peru) and Matthew Amengual (MIT); Tulia Falletti's (University of Pennsylvania) work on Prior Consultation in Bolivia; and Andrew Schrank's (Brown University) research on imported institutions in the context of labor law in the Dominican Republic. The workshop furthered the Center's interdisciplinary engagement on natural resource and labor governance, and offered a look into the implementation and enforcement processes that produce meaningful institutional change in these areas.



# CLINIC HIGHLIGHTS

## HUMAN RIGHTS



Students Moravia de la O (Latin American Studies, Social Work) and Sarah Gohary (Law) present their report on enforced disappearances in Mexico.

**DOCUMENTED** enforced disappearances and other human rights abuses in Coahuila, Mexico through its report "Control...Over the Entire State of Coahuila," an analysis of testimonies in trials against Zeta members in San Antonio, Austin, and Del Rio, Texas. The report details the nexus between organized crime and Coahuila state officials and institutions and the human rights violations—including disappearances—that this relationship enabled.

**PROMOTED** the Right to Health of persons living with HIV/

AIDS in Guatemala. On behalf of and in partnership with the Dell Medical School, the Clinic prepared an amicus brief to present to the Inter-American Court of Human Rights, on a case involving 49 victims who were diagnosed with HIV/AIDS between 1992 and 2003.

**RAISED** awareness on the lack of access to justice for immigrants in detention in Texas through a joint report with the Immigration Clinic, to be submitted to the United Nations Special Rapporteur on the Human Rights of Migrants.

## OPPORTUNITIES

## IMMIGRATION



Spring 2018 clinic students talking with artist Vincent Valdez at the Blanton.

**WON** asylum protection for seven refugees from Mexico, Eritrea and Central America.

**REPRESENTED** two mothers who were separated from their young children at the Texas/Mexico border, achieving their reunification with their children outside of detention and gaining the right for them to seek asylum before the Immigration Court rather than face expedited deportation.

**ENGAGED** in report-writing and advocacy on abusive conditions faced by a group of African detainees at the West Texas

detention center and on denials of access to justice faced by women asylum seekers detained at the T. Don Hutto detention center.

"The Immigration Clinic is the best experience I can imagine having in law school. I was afforded the privilege to work with and directly represent some amazing and incredibly strong clients who kept faith in a couple of young law students throughout their detention and deportation proceedings." —LUIS ORTIZ (JD, 18)

## CIVIL RIGHTS



Clinic students, Eva Sikes and Sarah Mae Jennings, prepare for mediation in a case challenging police misconduct.

**PARTNERED** with the Texas Fair Defense Project to represent approximately 10 incarcerated persons in McLennan County, where the Sheriff was automatically extending sentences for misdemeanor convictions, on the basis of unpaid court costs, including for persons who did not have the ability to pay. In addition to appearing in court, Clinic students and TFDP wrote a letter to County officials and advised them on how to reform their policies to comply with applicable law, which the County did in the spring of 2018.

**CHALLENGED** police misconduct by co-counseling

with Texas Rio Grande Legal Aid and The Law Office of Javier Maldonado P.C. to represent a father, daughter, and friend who were falsely arrested and subjected to excessive force during a warrantless entry by police into their San Antonio homes.

**ENGAGED** in factual investigation and legal research, and helped Disability Rights Texas-Austin prepare a letter to the City of Austin regarding the upgrade and improvement of physical structures and access to public spaces for people with mobility impairments and users of wheelchairs.



Campesinos march in Briceño to protest the murder of an innocent community member at the hands of the military. The sign in front reads: "Cucurucho feels sad because of the absence of its friend Gabriel Angel Rodriguez and waits for a public apology and true responses about what happened from the National Army." Originally published on [www.nacla.org](http://www.nacla.org). Photo by ALEX DIAMOND

## Human Rights Fellows

During summer 2018, we supported nine law and graduate students to work with human rights organizations and inter-governmental institutions around the world, including placements in both US and international workers' organizations. In locations as diverse as South Africa, Colombia, and Washington DC, students worked on projects that promote social and environmental justice, protect the rights of refugees and immigrants, and explore the intersections between gender, race, ethnicity, trade policy, and labor rights.

**LISSETTE ALMANZA**, Law  
Global Policy Studies  
Solidarity Center  
Washington, DC

**ANNA ROBERSON**, Law  
Southern Migrant Legal Services  
Nashville, Tennessee

**LEAH RODRÍGUEZ**, Law  
Texas RioGrande Legal Aid  
Austin, Texas

**KEVIN TRAHAN**, Law  
Mechanism for International  
Criminal Tribunals  
The Hague, Netherlands

**LESLIE WISE**, Law  
American Gateways  
Austin, Texas

**HARJEEN ZIBARI**, Law  
Human Rights Initiative of  
North Texas  
Dallas, Texas

**KARIM\*** Law  
Lawyers for Human Rights  
Pretoria, South Africa

\*Surname undisclosed  
at student's request

## Fieldwork Grants

As part of our ongoing project on human rights and inequality, made possible with generous funding from the Ford Foundation, we awarded grants to support summer fieldwork by six PhD candidates from all across campus.

**RIAD AZAR**, Sociology  
*"Boomtown Poison: Political Culture Under the Shadow of Lead Poisoning in West Texas"*  
Ranger, Eastland County, Rural West Texas

**ALEX DIAMOND**, Sociology  
*"What does Post-Insurgent Reincorporation Look Like? Social Inclusion, Governmentality, and Rural Development in Colombia's Peace Laboratory"*  
Briceño, Antioquia, Colombia

**EDDIE C.H. HSU**, Ethnomusicology  
*"Becoming National Cultural Property: Preservation of Aboriginal Paiwan Flutes and Cultural Rights in Contemporary Taiwan"*  
Southern Taiwan

**ALEXANDRA LAMIÑA**, Latin American Studies  
*"Feminist Indigenous Geomorphology for Understanding the Urban Indigenous Migration in the Ecuadorian Amazon region"*  
Ecuadorian Amazon Region, Puyo and Tena, Ecuador

**NATHALIA SANDOVAL ROJA**, Government  
*"Law or not law? Regulating ethnic rights under the extractive boom in Latin America"*  
Colombia; Bolivia

**KENZA YOUSFI**, Anthropology  
*"Where is our phosphate? Walling of natural resources and distributive justice in the Western Sahara"*  
Western Sahara: Laayoune, Esmara, Bou Craa



## 2018 Charles Moyer Human Rights Fellow

The Charles Moyer Human Rights Fellowship honors the life and work of Charles Moyer, whose professional career has been devoted to the international protection of human rights, and who was the first Secretary of the Inter-American Court of Human Rights. The fellowship has been awarded annually since 2012 by the Center through the generous contribution of Scott Hendler and Lulu Flores (JD '80; BA '77) of Hendler Lyons Flores, an international plaintiffs' trial firm based in Austin, Texas.



**KARA BLOMQUIST**, Law  
*The Bronx Defenders*  
Bronx, New York

**K**ara Blomquist (JD) is the seventh Charles Moyer Human Rights Fellow. In the summer of 2018, she interned with the Immigration Practice of The Bronx Defenders. The Bronx Defenders pioneered the holistic model of public defense. Kara Blomquist worked with the Immigration Practice to represent immigrants in removal proceedings, through the New York Immigrant Family Unity Project, and advised immigrant clients of the potential immigration consequences of cases they have pending in other courts.

## 2018 Berta Cáceres Human Rights Fellow

The Berta Cáceres Human Rights Fellowship honors the life and work of Berta Cáceres, an indigenous Honduran activist who fought for environmental justice and indigenous rights until her assassination in March 2016. Cáceres was the coordinator of the *Consejo Cívico de Organizaciones Populares e Indígenas de Honduras* (COPINH), and was a member of the Lenca community, an indigenous population currently facing multiple threats to their land and territories from resource extraction and state infrastructure programs. Tragically, Cáceres was assassinated by gunmen in her hometown in March 2016 after being threatened for opposing a hydro-electric project on indigenous lands.



**RICARDO VELASCO**,  
Latin American Studies  
*Council of Sustainable Settlements of the Americas*  
Colombia

**A**s Berta Cáceres Fellow, Ricardo Velasco documented the development of Sustainable Settlements for Peace, a program developed by the organization CASA (Council for Sustainable Settlements of Latin America) and the *Foundation Mentés*

*en Transición* in Isla Grande, Islas del Rosario and in Filandia, Department of Quindío, Colombia. Through action-based and transformative education projects, and in dialogue with local knowledges, Sustainable Settlements for Peace aims to accompany and support historically marginalized communities in their achievement of their goals of autonomy and sustainable development, and to contribute to the construction of peace in rural Colombia by recovering local traditional knowledges and sharing practical skills for sustainability and peaceful coexistence. In Isla Grande, the program has been implemented in collaboration with the Local Council of Black Communities through different pedagogical and community engagement processes that include agro-ecology and conflict resolutions workshops, as well as organizational efforts for improving the eco-tourism economy developed by local families.

# Audre Rapoport Prize Winner Examines Indian Discrimination Against Sex Workers

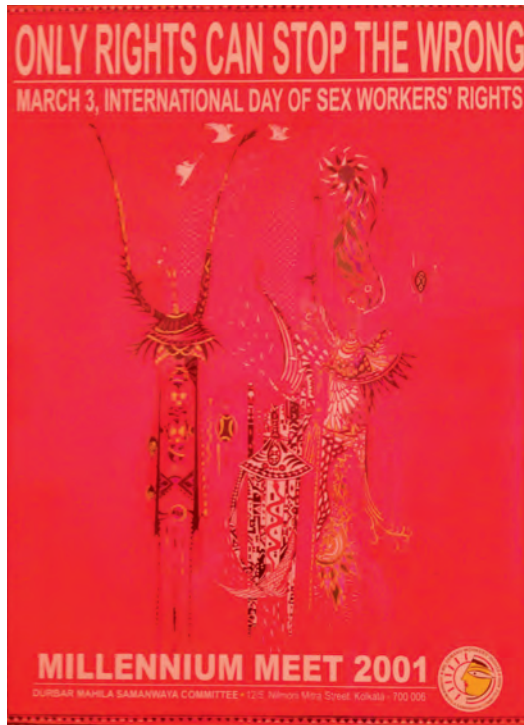


Image courtesy of the Durbar Mahila Samanwaya Committee

**C**ongratulations to Debolina Dutta, winner of the 2017 Audre Rapoport Prize for Scholarship on Gender and Human Rights! An international panel of scholars selected her paper, “Of Sex Workers, Festivals, and Rights: A Story of an Affirmative Sabotage” in a blind reading of over 19 submissions from nine countries.

Dutta’s paper, published in our Working Paper Series (see below), critically examines the Durbar Mahila Samanwaya Committee (DMSC), India’s largest collective of sex workers, which organized the Hindu festival of Durga Puja,

a major religious festival of Bengal, as part of their rights activism for the decriminalization of sex work.

Dutta analyzes this event and argues that the campaign is an “affirmative sabotage”: an act of re-ordering the terms of power relations, as opposed to merely resisting dominant power; an ethical, political practice grounded in a post-colonial feminist tradition. She situates this account of sex workers’ rights activism alongside a rival narrative of the festival put forth by Dalit and adivasi groups. By doing so, she argues that DMSC’s activism, in aligning sex workers’ rights with religious practices, provides counter-intuitive insights for feminist projects in India. This shows how, a particular account of right is tied to its rival idea, the two co-exist, and a marginalized group re-orders discriminatory relations in light of their particular histories. It also fosters a non-adversarial feminist discourse of rights through which we can understand how the shifting lines of the web-like patterns of discriminations are re-drawn in the everyday practical conduct of life and relations.

Debolina Dutta is a feminist lawyer and a doctoral researcher at the Institute for International Law and the Humanities, Melbourne Law School. Her research looks at forms, practices, and politics of feminist jurisprudential knowledge productions in post-colonial India, including by sex worker movements.

## Working Paper Series Fosters Critical and Interdisciplinary Dialogue

**Reparation Through Transformation? An Examination of the ICC Reparation System in Cases of Sexual and Gender-Based Crime**  
by | Franziska Brachthäuser

**Charting A New Human Rights Discourse ‘from the Territories’: Social Movements and Peace in Cauca, Colombia**  
by | Patricia M. Rodríguez

**Truth, National Reconciliation and Cultural Interventions: Lessons Learned from the South African TRC**  
by | Michaela Bolton

**The Production of Precarity: How US Immigration “Status” Affects Work in Central Texas**  
by | Leah Rodríguez

**Feminist Dilemmas: The Challenges in Accommodating Women’s Rights within Religion-Based Family Law in India**  
by | Tanja Herklotz

**Decolonizing the International Criminal Court: Considering Questions of Bias in the Prosecution of African Leaders**  
by | Mihret Getabicha

**Unequal and Under Threat: Economic Inequality and the Dangers to Environmental & Human Rights Defenders**  
by | Scott Squires

*To read and comment on these or previous papers, please visit our updated website at <https://law.utexas.edu/humanrights/project-type/working-paper-series/>*



## Alumni Spotlight: Christie Turner-Herbas



Former Human Rights Scholar, Christie Turner-Herbas  
| Photo courtesy of Turner-Herbas

The Rapoport Center strives to maintain a connection with alumni and welcomes the opportunity to spotlight those who continue the study and practice of human rights beyond UT. This year, it is our pleasure to feature Christie Turner-Herbas, who served as a Human Rights Scholar from 2007-2008. Today, she is the Deputy Director of Kids in Need of Defense (KIND), a Houston-based non-profit that works to protect the basic human rights of refugee and immigrant children in the United States.

Turner-Herbas recounts that her role as a Scholar at the Center gave her “an excellent foundation in the practical applications of human rights law.” After graduation, she undertook a one-year fellowship in women’s rights, and has been practicing in the immigration law sphere in the ten years since.

While at the Rapoport Center, Turner-Herbas helped coordinate a week-long fact-finding delegation to Brazil, part of a multi-year project on Afro-descendant and indigenous land rights in Latin America. Reflecting on how the experience shaped her personal and professional development, Turner remarked, “I still often think of that research trip with pride. It pushed me to dig deep outside of my comfort zone and challenged me to test my own perceptions of what I could achieve. It was incredibly challenging to organize an investigative research trip and coordinate meetings with various stakeholders from different sectors of society. Accomplishing that feat step by step gave me the confidence to push harder in the work I do even today, as I work to address the family separation crisis.”

## UT Bridging Disciplines Programs Recognize Outstanding Partnership

Learning through experience has been an integral part of UT’s Bridging Disciplines Programs (BDP) since their inception sixteen years ago. The BDP allow undergraduates to earn an interdisciplinary certificate through a course of study that integrates classroom, research, and internship experiences. Without community organizations, non-profits, clinics, faculty-led research projects, and institutes regularly offering these students richly rewarding internships and research assistantships, the program would be incomplete. The Rapoport Center was proud to be included alongside a number of Austin community organizations honored in October 2017 by the BDP for showing great commitment to the success of the program through

sustained undergraduate internship opportunities. On this occasion, the Center was recognized for having hosted the largest number of BDP students as interns: an astounding nineteen students since 2008.

In acknowledgement of the Rapoport Center’s longstanding partnership, BDP Director Jeanette Herman reflected, “the many BDP students who have interned with the Rapoport Center over the years have had a wonderful opportunity to participate in the Center’s important research and programs, and to learn in a hands-on way about the most current thinking in human rights scholarship and practice. I am so pleased that we have this special relationship with the Rapoport Center in order to offer students this valuable learning experience.”



(Top photo) Lauren Beccue (back row, second from left; Human Rights and Social Justice) attends a luncheon with Bangladeshi human rights activist Khushi Kabir (far left) in April 2017.



(Bottom left photo) Jiacheng Yu (left; International Studies) helps coordinate the first annual UT Human Rights Fair in March 2010.

# THE STAFF



**KAREN ENGLE** is Minerva House Drysdale Regents Chair in Law and Founder and Co-director of the Rapoport Center. Engle publishes and lectures extensively on international law and human rights, with focuses on indigenous and Afro-descendant rights in the Americas, gender, and international criminal justice.



**ARIEL A. TRAVIS** is Assistant Director of the Rapoport Center, where she supervises fellowship and internship programs, manages the daily operations of the Center, and oversees strategic projects and initiatives. She holds a Master's in Global Affairs from Yale University, and has experience representing asylum seekers in Turkey.



**DANIEL BRINKS** is Associate Professor of Government and Co-director of the Rapoport Center. He is a faculty advisor for the graduate human rights concentration in Latin American Studies. He has researched and written broadly on law, human rights, and comparative politics in Latin America.



**SARAH ELIASON** is an Administrative Associate at the Rapoport Center, providing support for a multi-year project on inequality and human rights. Sarah was previously the Center Administrator from 2006-2011. She received an MA in International Relations from Baylor University.



**ARIEL DULITZKY** is Clinical Professor of Law and the Director of the Human Rights Clinic. He also directs the Rapoport Center's internship program. Dulitzky is an expert on the inter-American human rights system and has published on human rights, racial discrimination, and the rule of law in Latin America.



**KATE TAYLOR** is Postgraduate Fellow at the Rapoport Center, working on a multi-year project on inequality and human rights. Taylor holds law degrees from Monash University and New York University. Prior to joining the Rapoport Center, she worked at EarthRights International in Burma.

## FAREWELL TO WILLIAM CHANDLER



In June, we said farewell to William (Billy) Chandler, who served as Rapoport Center Assistant Director for seven years (2011-2018). Those of you who worked with Billy can attest to the diligence, unflappability, and warmth that he brought to the role. We wish Billy all the best as he sets forth on a new career in web development!

## HUMAN RIGHTS SCHOLARS



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Law (JD)



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Law (LLM)



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*(See more on p. 9)*



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# THE YEAR TO COME



A scene from Elizabeth Doud's Mermaid Tear Factory, a site-specific theater project dealing with plastics pollution in the world's oceans, and ocean acidification through the eyes of a vigilante mermaid. Doud is an artist, arts organizer, activist, and researcher who has worked in these capacities in the field of performing arts in international exchange contexts, with a focus on projects for and by performing artists responding to issue of climate change and climate justice.

In Fall 2017, Doud was one of two scholars (along with Dr. Bonny Ibhawoh) chosen for the Rapoport Center's Visiting Professor/Practitioner (VPP) program. The VPP program, established as part of the Center's project on inequality and human rights, brings scholars and practitioners critically engaged with these issues to spend 1-2 weeks in residence at UT. Photo courtesy of Elizabeth Doud.

## Fall 2018 Speaker Series: Law and the Production of Inequality

Monday, October 1

**Dan Danielsen**

Professor of Law, Northeastern University

Monday October 15

**Ignacio Saiz**

Executive Director, Center for Economic and Social Rights

Monday, October 29

**Michael Albertus**

Assistant Professor of Political Science, University of Chicago

Monday, November 12

**Hilal Elver**

United Nations Special Rapporteur on the Right to Food

Monday, November 26

**Hila Shamir**

Associate Professor of Law, Tel-Aviv University

## Launch: The Michael Tigar Papers

September 20, 2018

## Farenthold Endowed Lecture

November 29, 2018

Rothko Chapel, Houston

**Elizabeth Yeampierre**, Executive Director, UPROSE; Co-chair, Climate Justice Alliance

## Symposium | Puerto Rico in the Wake of Crisis: Towards a Just (After)life of Disaster

November 30 – December 1, 2018

Undergraduate intern Margaret Siu prepared this Annual Review, with drafting and editing assistance from graduate fellow Michael Reyes and the rest of the summer team.





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