



The Bernard and Audre
RAPOPORT CENTER
For Human Rights and Justice

The University of Texas at Austin
School of Law

5 Years

Partners for change at the intersection of academics and advocacy

Annual Review 2008–2009



Our Mission

is to build a multidisciplinary community engaged in the study & practice of human rights that promotes the economic & political enfranchisement of marginalized individuals and groups both locally and globally.

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Center fellows Jeremy Dean, Meredith Glueck, Kelly Stephenson, and Heather K. Teague, intern Nathan Abell, and administrator Sarah Cline assisted in the preparation of this annual review.

Contact us:

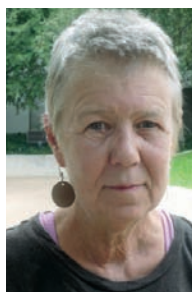
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Staff Profiles



Karen Engle is Cecil D. Redford Professor in Law and founding director of the Rapoport Center. Engle writes and lectures extensively on international law and human rights. She will be on leave during fall 2009 to work on a book, "Feminisms, Social Movements and International Law." Her book, *The Elusive Promise of Indigenous Development*, is forthcoming by Duke University Press in 2010.



Barbara Harlow is Louann and Larry Temple Centennial Professor of English Literatures and interim director of the Rapoport Center (fall 2009). Her teaching and research interests include imperialism and orientalism, and literature and human rights. She is currently working on an intellectual biography of the South African writer and activist, Ruth First.



Ariel Dulitzky is clinical professor of law and director of the Human Rights Clinic. He also directs the Rapoport Center's internship program. Dulitzky is a leading expert in the inter-American human rights system and has published extensively on human rights, the inter-American human rights system, racial discrimination, and the rule of law in Latin America.



Sarah Cline is Rapoport Center administrator. She manages the everyday logistics of the Center and supervises the fellowship and internship program. She has worked for various human rights organizations, including the United Nations Human Rights Committee in Geneva and The Carter Center in Atlanta, Georgia.



Vandana Nakka joins the Rapoport Center this year as a Postgraduate Fellow in Human Rights. Her work in human rights law has focused primarily in the field of international refugee and asylum law. As a Human Rights Fellow, Nakka will assist in the organization of the upcoming conference, advise students on internships, and coordinate advocacy research projects.

Photographs, from top to bottom: Karen Engle, by Mark Rutkowski; Barbara Harlow, by Heather K. Teague; Ariel Dulitzky, by Mark Rutkowski; Sarah Cline, courtesy of Sarah Cline; Vandana Nakka, courtesy of Vandana Nakka.

Letter from the Director



On October 22, 2008, an interdisciplinary and collaborative delegation attended the hearing the Rapoport Center working group was granted before the Inter-American Commission on Human Rights on the Texas-Mexico Border Wall. From left to right: Karla Vargas, Jeff Wilson, Jude Benavides, Margo Tamez, Denise Gilman, Karen Engle, Shannon Speed, Barbara Hines, Joseph Lemen, and Ariel Dulitzky. Photograph courtesy of Jeff Wilson.

On January 24, 2005, former President Bill Clinton gave the Center a tall order. He wrote the following to Bernard and Audre Rapoport on the occasion of the celebration of the Center's founding: "Through all the years I've known you, you have demonstrated an unwavering dedication to leaving no voice unheard, no inequity unchallenged, and no place or people without real hope for a better tomorrow. This new center is a testament to that generous spirit, and I'm confident that its good work will bring honor to all you have achieved on behalf of others." This past year, the Center marked its fifth anniversary both by taking stock of our past accomplishments and by considering the challenges that lie ahead.

This milestone year marks another eventful period of growth in the Center's work at the intersection of academics and advocacy. In addition to our usual ten speakers in the Human Rights Happy Hour Series (pp. 8-9), three conferences (pp. 12-14), and a spring-break fact-finding delegation (p. 15), we challenged the US government before the Inter-American Commission of Human Rights for its (then) planned construction of a fence along the Texas-Mexico border (pp. 18-19), and helped host a Nobel Peace Laureate from Iran (p. 7). We also began a new interdisciplinary human rights clinic (p. 2), planned a new undergraduate concentration in Human Rights and Social Justice (p. 3), and worked with UT Libraries to celebrate the donation of new human rights archives and to continue to expand its collections in this area (pp. 16-17).

Every year as I recount our activities, I am impressed by how little the Rapoport Center does on its own. Each of the projects I just mentioned is the result of collaboration with one or more other college, department or center at UT or non-governmental organization or academic institution outside of UT. Despite our many partnerships, much work on human rights takes place at UT campuses about which we are unaware. Thus, we used our fifth annual conference this year to showcase work being done at UT. A call for papers and proposals from throughout the UT System for a conference entitled "Human Rights at UT: A Dialogue at the Intersection of Academics and Advocacy" resulted in more than forty speakers from five UT campuses on topics ranging from health and human rights to artists as agents for change (pp. 12-13). These UT participants were joined by a number of human rights professionals who helped us think about the various roles the university might play in researching and advocating for human rights.

We left the conference with renewed commitment, but also with even greater awareness of the challenges ahead. I had a chance to visit with B Rapoport over the summer and, as many of you know, President Clinton's description of B's and Audre's "unwavering dedication" from five years ago is more apt today than ever. And so it continues to be both daunting and thrilling to direct a Center named after patrons who embody such high standards.

I do not know where we will be or what our precise accomplishments will have been five years from now, but I know that the work we do both inspires and is inspired by passion for a better world. Indeed, I am continually touched and amazed by the extent to which faculty, students, staff, administrators, advisors, and community members with whom we work are willing to go the extra mile with us in pursuit of human rights and justice. I find that our resources are multiplied exponentially by the urgency and resonance of our mission.

Sincerely,



Interdisciplinary Human Rights Clinic Offers Hands-On Training

Spring semester 2009 marked the inauguration of the Human Rights Clinic at The University of Texas—one of a few, if not the only, interdisciplinary human rights clinics in the nation. As a Master's student in Latin American Studies at UT, I am particularly grateful for its interdisciplinary aspect, as last spring's clinic included six law students as well as myself and two other students from my program. Together, we drew on our diverse academic and professional backgrounds to pursue practical human rights work, learning substantive human rights law and building professional skills through group advocacy projects.

Clinic participants worked under the supervision of the Clinic director, Professor Ariel Dulitzky. Each student worked on two group projects on international human rights. A group to which I was assigned collaborated with an Afro-descendant rights organization in Honduras to support land-rights litigation before the Inter-American human rights system. Another traveled to Argentina for a week as part of a fact-finding delegation to investigate human rights violations related to mining activity. Other Clinic students worked in partnership with an institute at the University of Los Andes in Colombia to write position papers on the current draft of the Inter-American Convention against Racism and All Forms of Discrimination and wrote a brief on minority rights at the request of the United Nations Independent Expert on Minority Issues.



Human Rights Clinic students Chris Willett, Meghan Vail, and Emily Spangenberg stand with two residents of Abra Pampa at the corner of one of the sites of highest concentration of lead smelter waste in that town, located in the Northwestern Argentine province of Jujuy. Eighty percent of local children suffer from dangerous levels of lead poisoning due to contamination from the smelter. Photograph by Matthew Wooten.

I found the “real-world” perspective that the Clinic provided to be an essential part of the Human Rights concentration I am pursuing in Latin American Studies. I have spent years studying and discussing human rights issues in the region throughout my academic career, but have had few opportunities to work on substantive advocacy projects in the field along the way. The Clinic provides students with opportunities to bridge the divide between academics and advocacy, which I have come to see as a vital part of any human rights curriculum.

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Clinic students encountered challenges that exposed the reality of human rights work, which is often conducted with limited resources and can be politically tenuous. Faced with these challenges, we worked together to find creative solutions to collaborate with partners outside of the Clinic. For example, in preparation for the human rights report that the Argentina fact-finding delegation drafted, my group established and maintained long-distance contact with several human rights advocates and governmental officials in the country and worked with limited published materials to piece together background knowledge on the issue of mining in a small, relatively isolated community. As we learned more about the situation first-hand during our visit and sought to make sense of often-contradictory information after each of our interviews, our understanding of the issues deepened. After the trip, we worked to find common ground to draft an extensive report on the human rights implications of the health and environmental degradation facing the community. The firsthand experience with these challenges provided my group members and me with skills that could not be taught in most traditional academic settings, and which will be crucial to any future advocacy in which we are involved—whether it be legal, journalistic, diplomatic, or academic.

—by Emily Spangenberg

WELCOME: The Rapoport Center is happy to welcome the new director of the National Security Clinic, Ranjana Natarajan: "I am very excited to be taking over this clinic and to continue, strengthen, and expand the critical work that we do in the area of national security law. Through litigation and advocacy, the National Security Clinic gives students an opportunity to engage in real-world problems while developing their lawyering skills."

OTHER CLINICS at the Law School also provide students with an opportunity to engage in human rights-related litigation and advocacy. Several former clinic students have shared their comments:

National Security Clinic: "My semester with the National Security Clinic was an experience I will never for-

get because it reminded me of why I wanted to become an attorney in the first place. Having the opportunity to work on issues which are at the forefront of the current national security debate was a unique and trying experience," commented Ali Jafri.

Immigration Clinic: "The Clinic has taught me that good lawyering and compassion are not mutually exclusive but instead are essential to human rights law and advocacy. I have become a better lawyer and a better human being because of my time there," said Stephanie Kolmar.

Transnational Worker Rights Clinic: "The Clinic taught me that good public interest attorneys are not only passionate about their clients, but they are also resourceful and able to think of new and creative ways to advance those clients' interests," explained Kristy Glithero.

Center to Expand Undergraduate Human Rights Curriculum Through UT's Bridging Disciplines Programs

Over the 2009 summer, Rapoport Center faculty affiliates have been planning and developing curricula for a uniquely collaborative undergraduate program in Human Rights & Social Justice to be launched in spring 2010. The new program will be part of The University of Texas at Austin's Bridging Disciplines Programs (BDPs), which allow undergraduates to earn an interdisciplinary certificate through a course of study that integrates classroom, research, and internship experiences.

"We are so pleased to be partnering with the Rapoport Center to develop a new Bridging Disciplines Program in Human Rights and Social Justice," said Jeanette Hermann, assistant dean for Academic Initiatives and director of the Bridging Disciplines Programs. "The Rapoport Center's commitment to interdisciplinary approaches to human rights scholarship and teaching has already had an important impact on graduate-level human rights education at UT, and we are excited to be able to help extend the Center's reach to our undergraduate curriculum," she continued.

The Human Rights & Social Justice certificate will bring the total number of BDP areas to ten, including programs in International Studies, Cultural Studies, and Social Entrepreneurship & Non-profits. By considering issues from a variety of disciplinary perspectives, BDP students are encouraged to become more flexible, versatile thinkers. Students also gain access to unique research and internship experiences at UT and around the world.

The Rapoport Center hopes to build upon the opportunities it already provides for a number of BDP students who apply to intern at the Center (see page 5). Aasha Rajani, who took advantage of such an internship last year as part of her concentration in International Studies, said, "As an intern for the Rapoport Center, I worked with renowned professors and scholars on topics related to human rights and international conflict. The internship has been critical in helping me to gain an interdisciplinary outlook in my studies. It will be terrific for those who choose the new human rights concentration."

"... we are excited to be able to help extend the Center's reach to our undergraduate curriculum."

— Jeanette Hermann

Each BDP concentration is guided by a cross-college panel of faculty members whose research and teaching relates to the BDP topic. The Human Rights BDP panel includes Rapoport Center affiliates

from all corners of the UT campus, and is chaired by English Professor Barbara Harlow, who is a Rapoport Center Steering Committee member and the Center's interim director during fall 2009.

The BDP will be launched in spring 2010 with a forum seminar taught by Center director, Professor Karen Engle. That seminar, intended to give students a strong introduction to human rights issues and approaches, will draw on Center-affiliated faculty to provide multidisciplinary instruction on human rights topics. The faculty panel is also developing a foundations course in human rights, which will be taught in fall 2010.



Students Advance Rapoport Center Activities

Each year the Rapoport Center awards highly qualified graduate students resident fellowships to work alongside Rapoport faculty and staff on human rights-related projects. This year, Human Rights Scholars and Summer Fellows made outstanding contributions to the Center's projects, programs and publications.

The Scholars program once again provided an opportunity for three motivated law students to advance their interest in human rights and gain experience in the field. Thanks to the support of the Lozano Long Institute for Latin American Studies, this year's program also included a Master's student in Latin American Studies. The program offers a scholarship to each recipient to work with the Center during the school year.

Law students Bridgett Mayeux, Mario Franke, and Kelly Stephenson and Latin American Studies student Emily Spangenberg played important roles in projects and programs including the Working Group on the Border Wall's hearing before the Inter-American Commission, the human rights delegation to Ecuador, two Center conferences, developing web resources, and working with human rights archives. The three law students helped draft an amicus brief to the Inter-American Court of Human Rights, which was particularly rewarding. "We don't often have opportunities to work collaboratively in law

"As well as to begin imagining how my research can be put into practice fighting for social justice, the Summer Fellow position has helped me in making critical connections in my scholarship between literary study and the law."

— Jeremy Dean



The 2009 Rapoport Center Resident Summer Fellows were, from left to right, Meredith Glueck, History; Jeremy Dean, English; Heather K. Teague, Anthropology; and Kelly Stephenson, Law. Photograph by Sarah Cline.

school so the group project was a real treat and a great way to improve our skills," said Mayeux.

Four Summer Fellows further contributed to the advancement of the Rapoport Center by organizing archive materials, drafting and designing Rapoport publications, and helping with the development of an undergraduate human rights curriculum. PhD candidates Jeremy Dean (English), Meredith Glueck, (History), and Heather K. Teague (Anthropology) as well as law student Kelly Stephenson all enjoyed collaborating on these projects

while simultaneously increasing their knowledge of human rights struggles and activism around the world. "As well as to begin imagining how my research can be put into practice fighting for social justice, the Summer Fellow position has helped me in making critical connections in my scholarship between literary study and the law," commented Jeremy Dean on his experience.

Center Director Karen Engle, remarked, "I feel privileged to work with such a talented and dedicated group of students. With their wide array of backgrounds and disciplinary focuses, the Human Rights Scholars and Summer Fellows are central both to the intellectual life and the advocacy work of the Rapoport Center."



In October, 2008, Human Rights Scholars met with Human Rights Happy Hour Speaker Roberto Gargarella to discuss issues related to his talk on the intersections of criminal and social justice. From left to right: Emily Spangenberg, Bridgett Mayeux, Roberto Gargarella, Kelly Stephenson, and Mario Franke. Photograph by Sarah Cline.

Undergraduates Take on New Roles at Center

“Interning at the Rapoport Center is an unparalleled opportunity not only to work with remarkable people to advance human rights but also to engage in that work directly. My experience here represents the start of what will hopefully be a long future in international human rights advocacy.” So writes undergraduate intern Nathan Abell.

Undergraduate participation at the Rapoport Center increased again last year, with the involvement of nine interns with various academic interests, many of whom hope to pursue careers in human rights. By playing an important role in the day-to-day operations of the Center—from conference organization to website design to outreach to their fellow undergraduate students—interns both have a significant impact on the Center and receive valuable training for their future careers. “Working with this exceptional and inspired group of undergraduate students is one of the highlights of my job,” said Center Administrator Sarah Cline, who supervises the undergraduate internship program. “Not only do they make our life easier at the Center, they are the key to our outreach to the undergraduate community,” she continued.

“More than once, I felt inspired by a speaker, a research project, or an organization,” said Jiacheng Yu (Plan II Honors, Supply Chain Management). “Meeting and hearing from people who are so passionate and active in pursuing their causes always gives me a sense of urgency as well as possibility for what one can do to better the lives of others.

Through the internship, I gained a better understanding of and appreciation for the human rights work people are doing around the globe.”

This year’s interns founded the Human Rights Student Advisory Council (HRSAC). The HRSAC now serves as the voice of the undergraduate community at the Center and provides a mechanism for collaboration between human rights organizations. Katy Yang (Plan II Honors, Business Honors) and Kate Hull (Journalism) spearheaded the project. Hull explains: “Because UT is such a large campus, it is difficult to connect and stay involved with multiple organi-

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— Jiacheng Yu

zations, so the HRSAC seeks to connect active undergraduates to the Rapoport Center to accomplish more within the community.”

Through the HRSAC, the Rapoport Center contributed to undergraduate human rights advocacy on campus by co-sponsoring events designed to promote human rights awareness. The 2009 “Act Local, Think Global” leadership conference, the “Apathy or Action Human Rights Symposium” by the White Rose Society, and “Condom Couture” by FaceAIDS and Texas Feminists are just a few events supported by the Rapoport Center.

The Rapoport Center interns for 2008-09 were Nathan Abell (Plan II Honors, Government, Philosophy); Ximena Gonzalez (Government, Latin American Studies); Hull; Aasha Rajani (History, Government, Middle Eastern Studies); Shailie Thakkar (Plan II Honors, Philosophy); Vanessa Toufaily (Communication Studies, Business Foundations, Spanish); Johanna Tyler (Plan II Honors; Business Marketing, Hindi); Yang; and Yu. For their biographies and more information, please visit the Center’s website.



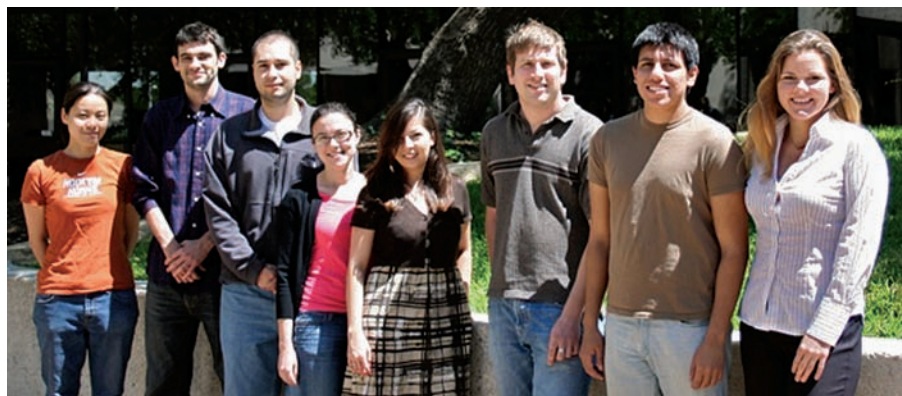
Spring 2009 Undergraduate Interns, from left to right: Aasha Rajani, Shailie Thakkar, Johanna Tyler, Nathan Abell, Vanessa Toufaily, and Jiacheng Yu. Photograph courtesy of Vanessa Toufaily.



Law Students Intern at Home and Abroad

Law school graduate Rachel Belkin (2008) spent six months last year assisting the prosecution team for a case against Momcilo Perisic, who was indicted for crimes against humanity during the conflicts in the former Yugoslavia. Mimi Yu spent last summer, after her first year of law school, engaging in research and advocacy projects for legal reform of women's rights in China. These are just two examples of how, over the past year, the Rapoport Center helped another group of outstanding law students participate in on-the-job human rights training by facilitating internships all over the world.

Belkin interned at the International Criminal Tribunal for the Former Yugoslavia in The Hague, as a recent graduate of the Law School. "I met interns from all over the world and worked with some amazing attorneys," said Belkin. "I sat in on meetings with witnesses and took notes while the attorneys prepared them to testify in court. This was



2009 Rapoport Travelling Summer Fellows, from left to right, Mimi Yu, Matthew Wiley, Joseph Hinojosa, Leigh Orliner, Cynthia Velarde, Reid Tepfer, Hector Suarez, and Shannon Sims. Russell Aldrich is not pictured. Photograph by Sarah Cline.

probably the most rewarding work I did because I got to hear victims and expert witnesses tell first-hand accounts and it really reminded me why the work I was doing was so important." In similar internships during the school year, Raegen Rogers worked for the Inter-American Court of Human Rights and Megan Brock served at the Inter-American Commission on Human Rights.

Additionally, the Center awarded nine Summer Fellowships to law

students to gain practical experience in human rights. As an intern at the Beijing University Women's Legal Aid Center, Yu helped attorneys handle pro bono cases and consultations for women in the areas of domestic violence, sexual harassment, property, and migrant workers' rights. "I even assisted one lawyer in an internationally cooperative custody consultation involving Mexican citizens from the US who were residing in China," said Yu. The eight remaining fellowships were awarded to Russell Aldrich (Center for Social Development, Phnom Penh); Joseph Hinojosa (South Texas Pro Bono Asylum Representation Project, Harlingen); Leigh Orliner (Due Process Law, Washington, DC); Shannon Sims (Brazilian Ministry of the Environment); Hector Suarez (Colorado State Public Defender, Denver); Reid Tepfer (Children at Risk, Houston); Cynthia Velarde (American Civil Liberties Union of Texas, Austin); and Matthew Wiley (American Gateways, Austin).

Funding for the internship program is made possible by the Cain Foundation, the Orlando Letelier and Ronnie Karpen Moffitt Endowed Presidential Scholarship in Law, and the Rapoport Foundation.



Rapoport Summer Fellow Mimi Yu interned at Beijing University Women's Legal Aid Center in Beijing, China, where she says everyone worked together like a family. From left to right in the back row are: Zhang Zhewei, intern; Zhang Jing, attorney; Li Ying, Deputy Director; Chan Dou, puppy; Mimi Yu, intern; Zhangshuai, attorney and Chief of Litigation; Wang Xiaobei, researcher and Head of Women's Watch China; and Su Huangju, administrator. Front row, left to right: Zhao Xiaolin, intern; Lü Xiaoquan, attorney; Sun Si, intern; Huang Dou, puppy; Zhang Weiwei, attorney; and Bi Wenjuan, intern. Photograph courtesy of Mimi Yu.

Nobel Laureate Ebadi Discusses Challenges of Making Human Rights Democratic Standard



Speakers Series

Just weeks before Iran erupted in protest around its presidential election, Shirin Ebadi spoke with UT audiences about the need to establish human rights as standard democratic practice. The Iranian lawyer, former judge, civil rights activist, and 2003 Nobel Peace Prize laureate visited UT in April as the 2008–09 Humanities Institute Cline Visiting Professor. During her week-long schedule at UT, co-sponsored by the Center for Women's and Gender Studies, Ebadi lectured to Karen Engle's human rights class and participated in a panel sponsored by the Rapoport Center, entitled "Law, Locality, and Human Rights."

Ebadi began her visit with an April 27 lecture, where she addressed the relationship between democracy and human rights, explaining that, while democracy is crucial, "victory by elections is not democracy in and of itself." "A government that comes to power must rule by human rights law," she stated.

At the April 29 roundtable, Ebadi and UT faculty discussed these topics in more detail before a large audience in the Eidman Courtroom. Engle moderated Ebadi's discussion with professors Kamran Ali (Anthropology), Mounira Charrad (Sociology), Barbara Harlow (English), Neville Hoad (English), and Shannon Speed (Anthropology).

Engle opened the discussion by asking the panelists to consider the promises and pitfalls of using international human rights law and discourse as a strategy for legal reform in the parts of the world in which they work. She asked Ebadi specifically to discuss the importance of her position on the interpretation of



Shirin Ebadi at the reading and signing of her autobiography, Iran Awakening, at Book People on April 28, 2009. Photograph by Rebecca McEntee.

Islam for other states where Islamic law plays a significant role, and the responsibility that might come with that position. With regard to the use of human rights law to advocate fair and just interpretations of Islamic law, Ebadi noted, "We have to think idealistically and act practically ... [and] guide laws toward the ideals of human rights." "Society does not have the capacity to change overnight." She also stated that, while she works in Iran, she thinks about how her ideas may apply elsewhere.

When later asked about her decision not to go into exile, Ebadi explained that one must work within the society one wants to change. Some activists, she said, have complained that they must be careful not to be accused of importing Western ideals. "So, we have to work from within Islam, in the language of Islamic tradition." Nevertheless, Ebadi contended that "human rights activists in Islamic countries do need connections with international human rights networks and organizations."

She went on to specify her personal reasons for refusing to live in exile: "The reason I've stayed in Iran: an activist has to stay in order to keep the beat of society—just like a fish has to stay in water to stay alive."

Ebadi's words rang bittersweet when, weeks after her visit, the Iranian presidential elections were deemed fraudulent by thousands of Iranians, questioning the extent to which Iran had even the formal democracy Ebadi had criticized. Subsequently, Iran's electoral council affirmed incumbent Mahmoud Ahmadinejad as the winner; he was sworn into office on August 5 as mass trials of more than 100 political detainees were getting underway. Iran remains unsettled and Ebadi continues to fight for democracy and human rights, despite continual threats of prosecution. Her UT visit was part of that struggle, and not only educated local audiences about Iran, but also emphasized the importance of human rights education and advocacy.



Speakers Highlight Regional Human



At a fall 2008 Human Rights Happy Hour, Daniel Blocq discussed the ground-level dynamics of military operations and the role of individual military personnel in the United Nations Peacekeeping mission in Sudan. Photograph by Bridgett Mayeux.

The Rapoport Center's 2008-09 Human Rights Happy Hour Speaker Series brought another year of papers and talks by a diverse range of human rights scholars and practitioners. With the aim of serving the community as a vibrant and relevant source for the theoretical and practical discussion of human rights issues both domestically and abroad, Happy Hour talks spanned the globe in terms of topics.

The Center deliberately expanded its geographic focus this year to include a number of speakers on Africa. The fall series kicked off in September with a presentation by Lieutenant Daniel Blocq, a lawyer who served in the Royal Netherlands Navy and taught at the Netherlands Defense Academy. Blocq had recently returned from a United Nations peacekeeping mission in Sudan, where he worked with military observers to further the mission's mandate to monitor and support the peace agreement between the government of Sudan and the Sudan People's Liberation Movement. His

paper and talk critically addressed the ground-level dynamics of UN military observers and was meant to "challenge the idea of a unitary 'blue helmet' with a singular motivation and a singular attitude." Blocq further added, "This will also help us look at UN efficiency, inefficiency and even harm."

Journalist and Professor Dan Connell from Simmons College in Boston shared his account of how the history of Eritrea's independence movement has shaped its modern role in regional politics. Connell is one of few westerners who has been able to witness and report the story of Eritrea's long struggle for political sovereignty. "I have been deeply engaged in Eritrea," he said. "I know their government leadership personally. I have been in trenches with them, side-by-side, during fighting." He is now quite critical of the human rights abuses perpetrated by that government, stating in his paper that "the visible political institutions in Eritrea are little more than a façade."

In a talk entitled "Song as Crime: the Prosecution of a Pop Star, and other New Cases on Incitement to Genocide," Susan Benesch, visiting professor of law at the University of Baltimore, spoke about the International Criminal Tribunal for Rwanda's trial of pop-star Simon Bikindi.

Bikindi's anti-Tutsi songs were widely broadcast during the genocide in Rwanda, and played at political rallies. Benesch argued for the crime of "incitement to genocide," claiming such incitement is a precursor, if not a prerequisite, to genocide, especially if "the victim population is living among the majority population."

Finally, UT Government Professor Benjamin Gregg used the example of female genital cutting, as practiced in some parts of Africa, to explore how a cognitive approach to any local culture, rather than a normative one, can allow for advocates to advance human rights claims

"[I] challenge the idea of a unitary 'blue helmet' with a singular motivation and a singular attitude.... This will also help us look at UN efficiency, inefficiency and even harm."

— Daniel Blocq

without resorting to "an ugly form of cultural imperialism."

Offering yet another regional focus for the Happy Hours series, East Carolina University Political Science Professor Rhonda Evans Case reflected on the history of the legal service organization Refugee Advocacy Service of South Australia. She considered the unexpected role that the organization has played in Australia's recent radical decline in de-

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tentions, and the adoption of a policy against default detention.

Additional speakers discussed torture and the “war on terror,” topics of particular urgency, given the Obama administration’s recent abandonment of the latter phrase, as well as the newly declassified CIA reports on so-called “enhanced” interrogation tactics. In this vein, Professor Philippe Sands, who teaches law at University

speaker series. As a Visiting Resource Professor for LLILAS, Roberto Gargarella, who teaches constitutional theory and political philosophy at the

and law in action.... Third, [law] has been incorporated in a unidirectional and simplistic understanding of its instrumental use.”

“Law has worked to systematically block progressive transformations in Latin America,” thus failing to create “egalitarian and prosperous societies.”

— Helena Alviar Garcia



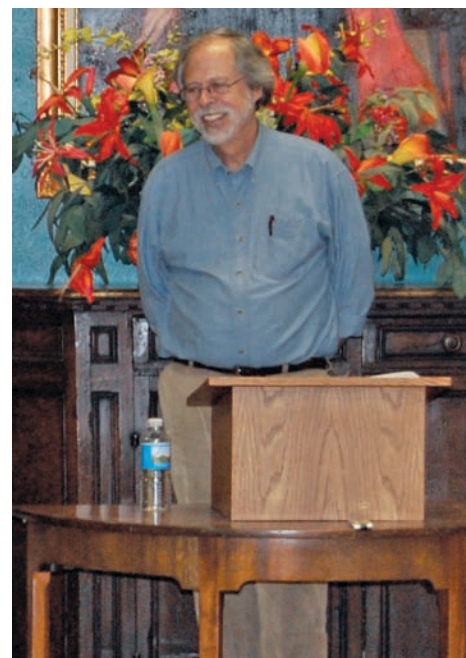
Helena Alviar Garcia discusses histories of land reform in Latin America, as part of her November 3, 2008, Human Rights Happy Hour presentation, entitled “The Progressive Redistribution of Land in Latin America: Between Economic Development and Positivism.” Photograph by Bridgett Mayeux.

College London and is author of *Torture Team*, challenged the official narrative of the Bush administration about its lack of high-level complicity in torture at Guantánamo Bay in the years following the September 11 attacks. UT Government Professor Gretchen Ritter examined the “war on terror” through the lens of gender, demonstrating how women’s rights comprise a critical aspect of the “clash of civilizations” rhetoric that underwrites US foreign policy in the Middle East.

Speakers from Latin America continued to play an important role in the

University of Buenos Aires and the University Torcuato Di Tella, outlined his theory of an inclusive deliberative democracy as one that would create a moral dialogue in which the authorities can measure the legitimacy of the criminal laws of a community. He discussed two specific cases from the Inter-American Court of Human Rights, one involving Argentina and another Peru, to demonstrate that courts owe more deference to laws formed by the deliberative democratic process than to laws that are made without public consideration and full and equal popular participation. Law Professor Helena Alviar Garcia, of the University of Los Andes in Bogotá, used histories of land reform in the region to argue that “law has worked to systematically block progressive transformations in Latin America,” thus failing to create “egalitarian and prosperous societies.” She argued this failure related to law in three ways: “First, law is ignored because it is seen as an instrument captured by conservative elites that have always prevented change. Second, ... there is a gap between law in books

For more information on the speakers, and for recordings of the Series talks, please visit our website. See the back cover for the upcoming 2009–10 schedule.



Dan Connell receives a question from the audience, after delivering his October 6, 2008, talk on the ways in which the history of Eritrea’s independence movement has shaped its modern role in regional politics. Photograph by Bridgett Mayeux.

Our Mission to Build a Community:

Over the past five years, the Rapoport Center has consistently grown and made significant progress toward its mission “to build a multidisciplinary community engaged in the study and practice of human rights that promotes the economic and political enfranchisement of marginalized individuals and groups both locally and globally.” Simply put, its growth has been explosive and its progress impressive; both speak to the dedication of those who have contributed to the Center.

Since its inception, the Center has nearly quadrupled its size in terms of affiliated faculty. It has engaged with an increasing number of centers and departments on campus as well as non-governmental and inter-governmental organizations and advocates domestically and internationally. Its impact extends to the programs and institutions it has created,



such as the new interdisciplinary Human Rights Clinic, the undergraduate Human Rights Student Advisory Council, and human rights concentrations in the Latin American Studies graduate program and in the Bridging Disciplines undergraduate program.

In all, nearly fifty law students have received fellowships from the Center, allowing them to work at almost as many organizations around the world. Additionally, the Center has benefited from the efforts of more than

“The Rapoport Center is one of the best investments I’ve ever made.”

— B Rapoport

“The Center has proven to be the most outstanding platform at the Law School for thinking and acting globally in a humanitarian spirit. The Rapoport Center has added new dimensions to our own lives, and it is improving the lives of many others, in Texas and around the globe. With continued support and participation from all corners of the university and beyond, we know and expect that the Center will continue to transform lives as it reaches for ever more lofty goals.”

— Gregory Krauss

(2005–06 Human Rights Scholar; Law and Public Affairs, Class of 2007), on behalf of 22 Rapoport Center-affiliated UT Alumni



Greg Krauss at the conference on George Lister, December 2, 2006. Photograph by Tracy Wahl.

Bernard Rapoport meets with students from the nation’s first Transnational Workers Rights Clinic, spring 2005. Photograph courtesy of Bill Beardall.



Tessa Farmer (far right) instructs Sarah Cline (far left) and Austin-area high school teachers at a Living Newspapers Workshop, Summer 2008. Photograph by Creighton Chandler.

“The contacts and experience I gained from my participation as an undergraduate student in the annual conference are invaluable in the development of my research projects. It could not have been replicated in any other setting.”

— Oscar De Los Santos Jr. (College of Communication, Class of 2010)

Looking Back at 5 Years of Achievement

twenty Human Rights Scholars from Law and, more recently, Latin American Studies, as well as the efforts of many undergraduate interns. Through such efforts, the Center has channeled tens of thousands of dollars and countless hours into making human rights advocacy a concrete possibility for students at UT, and has directly empowered those students to actualize real careers in the field.

For this special issue, the Center asked former students affiliated with the Center to share some of the ways in which it has had an impact on them.



Sissy Farenthold (left) and Rapoport Center Director Karen Engle (right) after hearing 2003 Nobel Peace Prize Winner Shirin Ebadi lecture, April 2009. Photograph by Sarah Cline.



The first Rapoport Center Human Rights Scholars, from left to right, Ashley Morris, Paola Marusich-Blancarte, and Jeremy Freeman, 2005. Photograph courtesy of Shaun Stewart.

“At the Center, I worked with people who inspired me with their passion to defend human rights in an environment that allowed me to explore my own interests in the field. As a result of the opportunities and academic programming made available by the Rapoport Center, I have formed close relationships with peers and professors, experienced firsthand human rights work, and gained valuable insight into my future as a student, professional, and citizen.”

— Tony Keffler (2007–08 Rapoport Center Intern; Latin American Studies, Class of 2009)



Center fact-finding delegation in Colombia, 2007. Photograph by Nikki Alam.



Melina de la Garza in Dutch lawyer robes, during her internship at the International Criminal Tribunal for the Former Yugoslavia, 2006. Photograph courtesy of Melina de la Garza.

“The Rapoport Center has made a great impact on me, not only during my studies at the Law School, but also for my future. Through the generosity of the Center, I was able to take advantage of several opportunities to study and intern in Latin America, as well as to participate in the Center’s unique on-going projects. These opportunities allowed me the chance to have learning and motivating experiences which have lead me to pursue a career in the field of human rights law.”

— Raegen Rogers (2007 Rapoport Summer Fellow, 2008 Member of Brazil Delegation, Spring 2009 IACHR Cain Fellow; Law, Class of 2009)





Conference Marks Five Years of

Imagining a system-wide retreat on human rights, the Rapoport Center dedicated its fifth annual human rights conference to the showcasing of work being done on human rights at various campuses within the UT System. In addition to looking inward at the UT System, conference organizers also reached out to a group of human rights advocates—including lawyers, artists, doctors, social workers, and policy makers—to help UT assess its work in the field.

“Human Rights at UT: A Dialogue at the Intersection of Academics and Advocacy” ultimately provided a unique opportunity for students, faculty and the broader human rights community to initiate an interdisciplinary exchange on diverse topics. The program brought together participants from multiple academic disciplines, a variety of non-governmental organizations, and many of the UT System universities, including UT-El Paso, UT-Brownsville, UT-Medical Branch, and UT-Tyler. By

the end of the three-day event, the Rapoport Center had hosted sixteen panels, with sixty-one speakers, and several hundred guests.

David Kennedy and Kenneth Shine opened the conference with a discussion of contemporary challenges in and to human rights and the role of the university in addressing those challenges. On the relationship between human rights discourse and health care in different settings, Shine, executive vice chancellor for Health Affairs for the UT System, pointed out that he has often had more success in addressing hu-

man rights by emphasizing saving or making money than by talking about “the right thing to do.” “We struggle all the time with the question of whether health is a human right,” he said. “It is a right, unlike free speech, that is closely connected with economic reality.” Differing in part with Shine regarding the impact of human rights discourse, Kennedy, professor and vice president of International Affairs at Brown University, argued that human rights “is a profession and institutional movement that has become quite powerful.” Together, the two administrators considered the ways in which universities, particularly in the US, should engage responsibly with issues of human rights and social justice.

In her keynote address, the Honorable Frances “Sissy” Tarlton Farenthold moved the conversation toward a broader, historical discus-

“I haven’t been to this kind of conference, where you have not only the interdisciplinarity, but also the richness, in terms of hearing from people who have different kinds of knowledge and perspectives.”

— Jamil Dakwar

sion of economic and social rights. Using Gore Vidal’s reference to “the United States of Amnesia,” Farenthold contended that “the neglect of [these] rights issues on the national agenda for the past thirty years has profoundly changed our country with greater and greater disparities among us.” With an eye toward the future, she expressed a wish that “in this more hopeful era, perhaps our policymakers can reflect the hopes of its citizenry” and champion the full realization of “the principles presented in the Universal Declaration of Human Rights.”



Nicholas Bruckman (left), director and producer of the film *La Americana*, and Álvaro Restrepo, a renowned Colombian choreographer, participated in the panel, “Artists as Agents of Justice.” Photograph by Bridgett Mayeux.

A screening of Nicholas Bruckman’s award-winning documentary, *La Americana*, brought many of the issues discussed in the conference to life, by documenting the contemporary story of Carmen Rojas, a Bolivian who risks her life as an undocumented worker in New York City to save the life of her wheelchair-bound daughter in Bolivia only to confront apathy and rejection from the American public. The plenary panel, “Artists as Agents of Justice,” featured Bruckman; Mary Ann Smothers Bruni, a San Antonio-based filmmaker and photographer, whose own documentary, *Quest for Honor*, explores the controversial issue of women honor killings in Iraqi Kurdistan; Álvaro Restrepo, choreographer and founder and co-director of *El Colegio Del Cuerpo* in Colombia; and Katrin MacMillan, an independent producer. Following the screening, panelists considered the increasing role that movies, plays, and other media play in both

Academics & Advocacy

human rights advocacy and awareness. Restrepo, who is collaborating with UT on a variety of projects, emphasized the importance of universities in the arts. "With a larger emphasis on theoretical education in the arts," he said, "we expect that with The University of Texas we will be able to strengthen this whole dialogue, not only with the dance department or with theater production, but with the Rapoport Center, the School of Law, and this holistic vision of what we do."

The "holistic vision" described by Restrepo was clearly evident in the interdisciplinary dialogue at the confer-

ence and greatly impressed several of the outside commentators. In the final panel, human rights leaders Jamil Dakwar, director of the American Civil Liberties Union Human Rights Program; Nancy Pearson, director of New Tactics for Human Rights; Restrepo; Susannah Sirkin, director of Physicians for Hu-

man Rights; and James Smith, chief executive of the anti-genocide organization Aegis Trust, responded to the work highlighted in the panels. "Hearing the different professors and students that have been a part of the program, is really amazing," Dakwar said, continuing: "I haven't been to this kind of conference, where you have not only the interdisciplinarity, but also the richness, in terms of hearing from people who have different kinds of knowledge and perspectives." Sirkin echoed Dakwar, remarking on "the incredible diversity and the beauty of the interdisciplinary approach.... It's been so inspiring, really impressive, and I've never seen anything like it."

Daniel Brinks, the Center's associate director for academics, summed it up: "our conference showcased all the things that make the Rapoport Center unique and invaluable to the UT community: interdisciplinarity, the collaboration of faculty and students, a vigorous and constructive dialogue about human rights and the role of the university in the human rights enterprise, excellent and innovative scholarship, and eye-opening performances."

HIV/AIDS Advocates Convene Meeting to Deepen Knowledge

In his keynote address, Twegise Jackson Kaguri, Director of the Nyaka School Initiative in Uganda, discussed the importance of providing education and extracurricular activities to children who have been orphaned due to HIV/AIDS as a means to counteract pervasive hunger, poverty, and systemic deprivation. His remarks came as part of the second annual World AIDS Day Conference at UT, convened by representatives of the Rapoport Center's Health and Human Rights Working Group, AIDS Service of Austin, and Out Youth, Austin. Professors Neville Hoad (English) and James Wilson (History), leaders of the Working Group, co-organized the conference, which was held in conjunction with the World AIDS Day initiatives of the Queer Students Association, FACE AIDS, and Students' Coalition Against AIDS. Kaguri's visit was co-sponsored by the Department of Sociology and Undergraduate Studies. Gloria Chen (Social Work), President of the UT-Austin Student Global AIDS Campaign, remarked that she felt privileged to contribute to the program: "Undoubtedly, student participation in a conference such as this one, where students are engaged and information is shared, will allow the younger generation to become educated on HIV/AIDS and to speak up as advocates for those affected." The Working Group will hold the conference again for World AIDS Day 2009 (see back cover).

"The neglect of social and economic rights issues on the national agenda for the past thirty years has profoundly changed our country with greater and greater disparities among us."

— Sissy Farenthold



From left to right: Ariel Dulitzky, UT Human Rights Clinic; Susannah Sirkin, Physicians for Human Rights; James Smith, Aegis Trust; Alvaro Restrepo, El Colegio del Cuerpo; and Nancy Pearson, New Tactics for Human Rights, listen to Jamil Dakwar (American Civil Liberties Union), during the conference panel, "Human Rights Work at UT: Where Should We Go From Here?" Photograph by Bridgett Mayeux.



“Bringing Human Rights Home” Emphasizes Struggles for Racial Justice in US

Just weeks after President Barack Obama was sworn into office, the Rapoport Center hosted a symposium to discuss the relevance of international human rights to racial justice in the United States. Though many heralded the 2009 inauguration as ushering in a new post-racial era, “Bringing Human Rights Home” acknowledged but challenged the celebration of Obama’s victory and earlier civil rights successes by foregrounding the ongoing struggle of African Americans within the broader context of human rights.

Scholars, lawyers, activists, and community leaders from the Austin area and across the country came together for the Rapoport Center’s symposium, which was coordinated by post-graduate fellow Kaleema Al-Nur. The symposium was co-sponsored by a wide range of University of Texas sponsors, including Thematic Initiatives in Community Engagement (TICE), the Department of History, the Center for African and African American Studies, the Humanities Institute, and the Thurgood Marshall Legal Society. The event shared its opening on the evening of February 20 with TICE’s “Freedom Weekend” at the Carver Museum and Cultural Center, featuring spoken word performances of prison poetry.

Professor Carol Anderson, from Emory’s Department of African American Studies, opened her talk, “‘When the Levees Broke’: Uncivil Rights in America,” with an evocative description of the most destructive flood in US history. The rhetoric was intended to remind the audience of the flooding caused by Hurricane Katrina, but in fact drew from accounts of the Great Mississippi Flood of 1927. The lesson: despite the gains of the civil rights movement, African Americans today suffer human rights violations, reminiscent of those that blacks experienced during the Jim Crow era.

Anderson told the history of the NAACP’s early international efforts to work with the UN to include clauses on racial discrimination in its founding documents. The thinking was simple, in Anderson’s words: “The vote alone was not power-

ful enough to address what 300 years of Jim Crow and slavery had wrought; a human rights violation requires a human rights solution.” While NAACP members were included in early drafting of the Universal Declaration of Human Rights, their attempts to bring the domestic “problem” of race to the international table were repeatedly blocked. According to Anderson, because of the NAACP’s retreat on the global stage, and its decreased emphasis on economic and social rights at home, the civil rights movement began with a limited vocabulary for talking about equality.

An expanded framework for thinking about the rights of African Americans, though, was evident in later sessions, which paid particular attention to the impact of the criminal justice system on black communities. Speakers on the “‘Let My People Go’” panel included professors from the social sciences and law, as well as police officers and practicing attorneys. A final session, “40 Acres and a Mule or the White House? Imagining Justice,” invited a group of community strategists to share their work in a discussion of the importance of political participation and representation, and continued efforts to secure economic, cultural and social rights of African Americans.

“Bringing Human Rights Home” did important interdisciplinary and community work in terms of reminding us of the long and complicated connection of African American and international human rights struggles in the United States and in considering the extent to which international human rights offers a useful tool for addressing urgent human rights issues at home.



From left to right, Joy James, visiting scholar at UT-Austin’s Center for African and African American Studies; Soffiyah Elijah, criminal law attorney and deputy director, Harvard University School of Law Criminal Justice Institute; Cliff Brown, Office of the Police Monitor, Austin Police Department; Nelson Linder, president, Austin Chapter NAACP; and Robert Owen, clinical professor, UT-Austin Capital Punishment Clinic, participated in the panel, “‘Let My People Go’: The Impact of the Criminal Justice System on Black Communities,” at the “Bringing Human Rights Home” conference. Photograph by Mario Franke.

Delegation Investigates Afro-Ecuadorian Rights



UT Students Chris Willet (standing, far left) and Mario Franke (standing, next right), meet with community members in Maldonado, Esmeraldas, Ecuador, during the spring 2009. Photograph by Edmund Gordon.

“We are not seen as being part of this country,”

said Renán Tadeo, describing the obstacles Ecuador’s Afro-descendants face in their struggle to obtain basic rights and recognition. Mr. Tadeo, President of the Federation of Afro-descendant Communities and Organizations of Imbabura and Carchi, was among the community members, non-governmental organizations, academics, and government officials who met with the Rapoport Center’s fact-finding delegation to Ecuador last spring. Delegation members traveled to Quito as well as to Esmeraldas and Valle del Chota, historic centers for Afro-Ecuadorians.

The trip, in which an interdisciplinary team of students participated, was part of a course exploring the history and current rights and conditions of rural Afro-Ecuadorians. It is the third in a series of studies by the Rapoport Center on Afro-descendant land rights in Latin America. As with previous studies, it was co-sponsored by the Robert S.

Strauss Center for International Security and the Teresa Lozano Long Institute of Latin American Studies (LLILAS).

In its soon-to-be-released report entitled “Forgotten Territories, Unrealized Rights: Afro-Ecuadorians and their Fight for Land, Equality, and Security,” the Rapoport Center highlights the high levels of poverty and severe social, cultural, and political marginalization experienced by Afro-Ecuadorians, traced in part to slavery, structural racism, and centuries of denial of access to and control of productive lands and natural resources. The report finds that, although the Ecuadorian state provides constitutional protection for territorial and other rights of Afro-descendant communities, the government has failed to take the concrete steps necessary to address the urgent, complex threats faced by them. It then offers a number of recommendations to relevant governmental,

international, and non-governmental organizations for providing and implementing legal guarantees for Afro-Ecuadorians, particularly with regard to land rights.

The delegation visited Ecuador in the wake of the adoption of a new constitution and at a moment of significant state restructuring. According to Center director Karen Engle, who taught the course, “Ecuador is currently in a unique position to formulate economic and social policies regarding its Afro-descendant population. If it takes seriously its newly passed intercultural constitution, it could serve as a model for Latin America.” Taking the constitution seriously, she adds, requires that “policy decisions only be made through meaningful consultation with Afro-Ecuadorians.”

In addition to drafting the report, delegation members broadened their understanding of the law, policy, and culture of the region. Edmund Gordon, student at the LBJ School of Public Affairs and LLILAS, stated that the project taught him “how to develop the research methodology needed to conduct studies on the complex problems of race and social exclusion, and the importance of team building and discussing topics from a wide range of perspectives.”

“The Rapoport Center’s project on Afro-descendant collective land rights in Latin America represents a unique approach to the study and practice of human rights,” added LLILAS student and teaching assistant Matthew Wooten. “Through a critical engagement with human rights issues at the intersection of international advocacy and academia, we have used our work to push for more meaningful forms of both activism and pedagogy.”



Center Collaborates on Archiving Project,

Fifteen years after the genocide in Rwanda during which one million people were killed in just one hundred days, audiovisual documents related to this mass murder—from survivor testimonies to court prosecutions of perpetrators—are now being preserved at The University of Texas Libraries, joining a growing, high profile collection of human rights archives brought to campus through the Human Rights Documentation Initiative (HRDI), in which the Rapoport Center is a proud collaborator.

Funding from the Bridgeway Foundation in 2008 provided UT with the opportunity to develop an innovative digital archival system for the preservation of an extensive array of sensitive records gathered by the Kigali Genocide Memorial Centre and its founding partner, the Aegis Trust. Important goals of this project involve preserving Rwandan materials and helping to construct a national genocide archive. Such documentation can be highly sensitive as genocide survivors may face the threat of reprisals.

T-Kay Sangwand, the human rights archivist hired

for the HRDI, explains what this project brings to UT Libraries' growing human rights collections: "By working in conjunction with the Rapoport Center...and the myriad of academic programs, research centers, and student organizations dedicated to human rights issues, the UT

"By working in conjunction with the Rapoport Center ... and the myriad of academic programs, research centers, and student organizations dedicated to human rights issues, the UT Libraries Human Rights Documentation Initiative plays an important role in rectifying the historical record by safeguarding histories that may not be preserved or widely accessed elsewhere."

**— T-Kay Sangwand
Human Rights Archivist**

Libraries Human Rights Documentation Initiative plays an important role in rectifying the historical record by safeguarding histories that may not be preserved or widely accessed elsewhere."



UT student Anjela Jenkins, San Antonio College Fellow and genocide survivor Henriette Mutegwaraba, Bridgeway Foundation partner Shannon Sedgwick-Davis and James Smith, director of Aegis Trust speak on the panel "Rwanda's Memory: What Will Tomorrow's Generation Know?" at the Center's fifth annual human rights conference on March 27, 2009. Photograph by Bridgett Mayeux.

Helps Bring Important Collections to UT

The Rapoport Center supports these projects through its extensive network of scholars throughout the university and greater human rights community. At its 2009 conference, “Human Rights at UT: A Dialogue at the Intersection of Academics and Advocacy,” co-sponsored by UT Libraries (see pages 12-13), a panel comprised of key participants from Rwanda, the Bridge-way Foundation, the Aegis Trust, and UT Libraries discussed the complicated issues of memory and archival preservation.

These recent projects build upon the Rapoport Center’s prior initiatives in expanding human rights collections at UT. In 2005, the Center partnered with UT Libraries to house the papers of George Lister, a US diplomat who worked for decades on human rights issues. It also organized a conference exploring the institutionalization of human rights in US foreign policy. Additionally, the Center obtained a UT grant to create a digital exhibit of Lister’s papers available to online users all over the world.

Benson Collection archivist Christian Kelleher details the impact of the collection: “Almost from the moment the Benson Collection, with the help of the Rapoport Center, acquired the George Lister Papers, we’ve had researchers from as far afield as Australia visit to use the papers; a UT graduate student has produced a thesis; and at least one researcher is using them as the basis for a book-length biography on Lister.”

The Rapoport Center and UT Libraries partnered again in the acquisition of the Joyce Horman Papers, a collection related to US journalist Charles Horman, who was murdered in Chile during General Augusto Pinochet’s 1973 coup d’état. A two-day colloquium, September 11-12, 2008, co-sponsored by the Center and UT Libraries, featured Joyce Horman and distinguished panelists from Chile and the National Security Archive discussing how the papers helped to break the silence about the coup and reconstruct repressed histories.

The Center has also helped identify human rights ar-



UT Clinical Professor of Law Ariel Dulitzky listens as Joyce Horman discusses her donation to the UT Libraries of papers related to the murder of her husband, US journalist Charles Horman, in the 1973 Chilean coup d’état. The Rapoport Center and UT Libraries collaborated to acquire the Horman Collection. Photograph by Bridgett Mayeux.

chives already available on campus. For instance, the Law Library contains the bench notes from the Alstoetter cases, part of the Nuremberg Trials, and the Ransom Center houses the papers of novelist and activist Fannie Hurst.

The Center is also itself a home to a growing archive of human rights documents. Delegations have gathered material from Afro-Latin American organizations, government institutions, and activists during the Center’s multi-year research project on Afro-descendant land rights (see page 15). With funding from a UT Libraries grant, graduate research assistant Emily Joiner cataloged and annotated these resources, now available online. Another new program supports a UT graduate student to conduct research at a human rights archive abroad each year.

Moving forward, the Center, in consultation with UT Libraries, is organizing an advisory board for their Human Rights archival projects. Building on the rich knowledge of UT faculty, the panel will facilitate acquisition of new materials, bring human rights issues into the classroom, and apply resources towards human rights research and advocacy. Barbara Harlow, the Center’s incoming interim director is “especially keen to continue work with Christian Kelleher, T-Kay Sangwand, and other UT colleagues on the Advisory Board of the archives project.”



Center Challenges International Human

Eloisa Tamez came home on April 23, 2009, to find the US-Mexico border wall cutting across her land, denying her direct access to part of her own property and to the Rio Grande. Eloisa and her daughter Margo Tamez, both Lipan Apaches, used their property for various purposes, including food production and cultural ceremony. Their story of losing the use of their land is not unique. The wall has affected the lives of many in the border area, particularly those who are low-income, Hispanic, and not American citizens.

In 2008, the Rapoport Center Texas-Mexico Border Wall Working Group began to assess the impact of the wall and to attempt to bring international attention to the issue. It requested and received a hearing from the Inter-American Commission on Human Rights (the Commission), alleging that the US government has violated the American Declaration of the Rights and Duties of Man—including the rights to property, culture, equal protection, and freedom of investigation and expression. In short, the delegation argued, “The location and placement of the fence ... disproportionately affects marginalized communities.”

To a packed room, on October 22, 2008, UT Clinical Law Professor Denise Gilman, UT-Brownsville Assistant Professor of Environmental Sciences

Jeff Wilson, and Margo Tamez presented the Working Group’s research. In her opening, Gilman noted how the US government had not only refused to disclose information as basic as the locations of the border wall, but had specifically waived some thirty-five different federal environmental and human rights safeguards. “For this cost and this size of a project,” she explained, “the level of transparency and accountability that one would expect from a democratic government has not been there.”

Wilson testified as to the results of empirical research exposing gross discrepancies both in the placement of the border wall and in its effects. The border wall is not continuous and the Working Group’s study “found that the [lands] included in the fence had a higher percentage of Latino and Hispanic ethnicity than the areas not included in the project,” Wilson explained, adding that “there were [also] a higher percentage of whites in areas not included in the project.”

The testimony of Margo Tamez highlighted the impact of such inequities on indigenous people along the border who not only suffered destruction of culturally significant land, but were also severed from basic means of subsistence, such as access to the Rio Grande River. Thus, as Tamez explained, “This wall will displace our people, because these are the only lands we have left. We have a lot of elders who don’t have the ability to move; they don’t have a lot of income. So we consider this forced relocation of our people.”

In response, the US sent to the hearing “observers” from the Departments of State, the Interior, and Homeland Security, who emphasized the need for increased



From left to right, UT law professors and Border Wall Working Group members Karen Engle and Barbara Hines accompany Margo Tamez as she presents her petition to the Inter-American Commission on Human Rights in an October hearing. Photograph courtesy of Ariel Dulitzky.

security post-9/11, and claimed that the government did consult with indigenous and community groups before building the wall. The observers, though, would not specify precisely which indigenous groups were consulted, and never mentioned the Lipan Apache, the Tigua, or the Kickapoo, the three groups along the Texas-Mexico border. Indeed, the response from the government was minimal at best. “It is an embarrassment for the US to send observers rather than official spokesmen to such a commission,” Eloisa Tamez stated. “It demonstrates that there is no recognition for this commission and utter dismissal of its mission.”

The Commission extensively questioned both the US government and the delegation, expressing concerns that the government did not adequately consider alternative possibilities provided by numerous indigenous groups, as well as concerns about the procedure used to decide where breaks in the wall would occur. The Commission

Rights Violations by the US Government

ultimately acceded to the requests of the Working Group in its public release after the hearing, expressing concern about the discriminatory impacts of the wall and calling on the US government to provide information on the wall so that claims of human rights violations could be evaluated, and alternatives could be presented.

Construction of the wall, required by statute to be completed by December 31, 2008, was delayed but is now largely complete. The decision of the Commission, though, has prompted key gains in evaluating and fighting its human rights abuses. Gilman accompanied and counseled Eloisa and Margo Tamez in 2009 when they received a federal court decision granting the US government possession of their land. Trials to determine the amount of compensation to be paid to those whose land was taken through judicial order will begin in October 2009.

Meanwhile, with the assistance of Public Citizen Litigation Group, the Working Group sued the Department of Homeland Security, Customs and Border Protection, and the Army Corps of Engineers under the Freedom of Information Act (FOIA). The lawsuit sought to obtain documents used to plan the location of wall, which had been denied during the Bush administration and in the early days of the Obama administration. As the Working Group explained in a press release, "We sincerely hope that the Obama administration, which has pledged greater transparency and accountability in government, will release the requested documents so that informed debate and consultation regarding the border wall can take place before there is any further construction." The US government has responded by slowly releasing some of the documentation.

The Working Group has put together a website containing a comprehensive collection of resources on the border wall, including the submissions and recordings of the Commission hearing, information on law and litigation relating to the wall, all maps and government studies available at this time, and information on communities affected by the wall. The site is updated as documents are released as a result of the FOIA request. The website can be found at: <http://www.utexas.edu/law/academics/centers/humanrights/borderwall/>.

The Rapoport Center will continue to expand its focus

on the Texas-Mexico border wall by considering walls in a comparative context for its 2010 annual conference (see back cover). "Walls—What They Make and What They Break" will be held from February 25–26, 2010, and is a joint effort with the Texas International Law Journal.

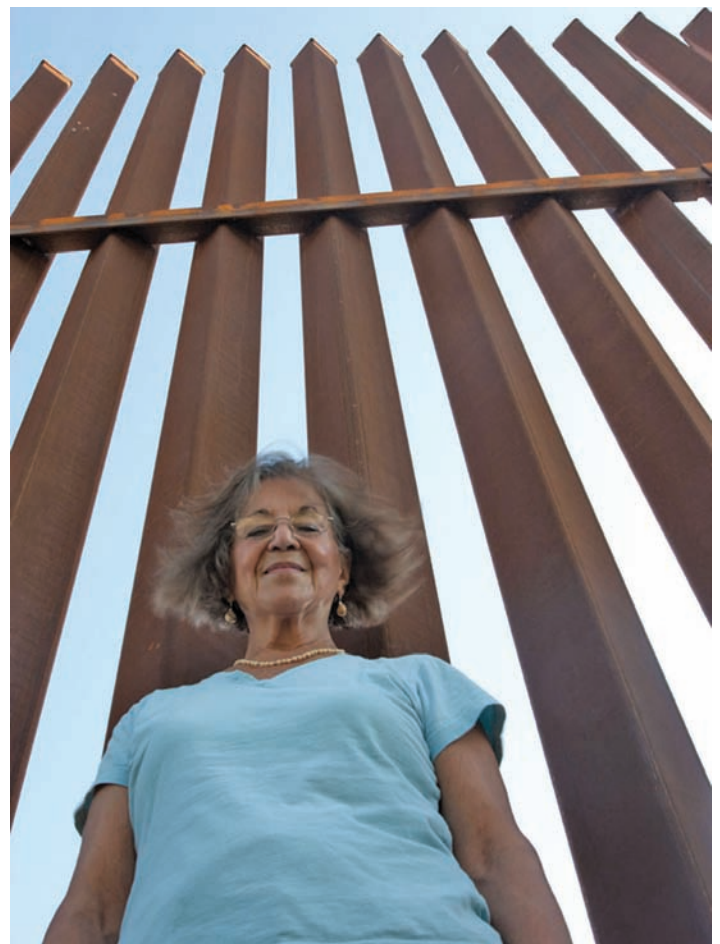
Discussion of the US-Mexico border wall will almost certainly be prominent at the conference, but the presentations will focus on

other international boundary walls, internal walls like those in gated communities, and less tangible barriers. Do walls create more conflict than have the crises they

seek to contain? What happens when walls, once fortified and relied upon, are torn down?

"The location and placement of the fence ... disproportionately affects marginalized communities."

**— Rapoport Center
Texas-Mexico Border Wall Working Group**



Eloisa Tamez stands against the US-Mexico border wall that has been constructed through her property in South Texas. Photograph by Jeff Wilson.



2008 Audre Rapoport Prize Winner Examines Gender Gap in Human Rights Framework

Alice Edwards won the fourth annual Audre Rapoport Prize for Scholarship on Gender and Human Rights for her paper, "Violence Against Women as Sex Discrimination: Judging the Jurisprudence of the United Nations' Human Rights Treaty Bodies." In her paper, Edwards discusses the effectiveness of UN human rights bodies' approaches to recognizing gender-based violence. She points out that while gender-based violence is one of the greatest threats to women's equality, there is neither a single treaty provision explicitly prohibiting it within any of the core international human rights treaties, nor a binding international treaty specifically on the issue.

Edwards is completing her PhD on violence against women and the interpretation of international law at the Australian National University. She obtained a Master of

Laws degree in Public International Law from the University of Nottingham, where she is currently a lecturer of law. She has previously worked for the UN High Commissioner for Refugees and Amnesty International.

"Winning this award is a great affirmation to me and my research as I enter the final stages of the long doctoral journey," Edwards said.

"Winning this award is a great affirmation to me and my research as I enter the final stages of the long doctoral journey."

— Alice Edwards

The distinguished panel of judges in the competition included Helena

Alviar Garcia (Professor, University of Los Andes, Bogotá), Cecilia Medina (President, Inter-American Court of Human Rights), and Karen Engle.

Edwards' article is available on the Center's website at www.rapoportcenter.org and appears in Volume 18 of the *Texas Journal of Women and the Law* (2009).

Rapoport Center on the Road

On March 3, 2009, representatives from the Rapoport Center travelled to Houston to talk about their work in an event hosted by Frances "Sissy" Tarlton Farenthold, who spoke alongside UT Law School Dean Larry Sager and Center Director Karen Engle. As an active member

"It was exciting to see how much the Rapoport Center has grown in the two years since I've graduated from Law School"

— Parisa Fatehi

The gathering was attended by people interested in human rights from the Houston area, including judges, lawyers, artists, journalists, business people, and philanthropists. Many were UT alumni. "It was exciting to see how much the Rapoport Center has grown in the two years since I've graduated from law school and to hear about the terrific new projects that students and faculty are undertaking," remarked Parisa Fatehi, a former Rapoport

Center Human Rights Scholar who was clerking for US District Court Judge Vanessa D. Gilmore, who also attended the event. "I hope the trajectory and growth only continues," Fatehi added. The Rapoport Center hopes to see similar events hosted in other cities in the near future, to introduce the Center's staff and work to other people committed to social justice.

of the Rapoport Center Advisory Board and alumna of the Law School, Farenthold was particularly pleased to host the reception, as she put it, "to celebrate that human rights are alive at UT." Noting that she was one of only three women in a class of 800 at UT Law, Farenthold remarked that "the Center represents a real transformation" at the Law School.

2008–9 Affiliated Faculty and Administrators

Itty Abraham, Government
 Omoniyi Afolabi, Spanish & Portuguese
 *Kamran Ali, Anthropology
 Kimberly Alidio, History
 Katherine Arens, Germanic Studies
 Arturo Arias, Spanish & Portuguese
 Javier Auyero, Sociology
 Bill Beardall, Law
 Antonio Benjamin, Law
 Catherine Boone, Government
 Oren Bracha, Law
 James Brow, Anthropology
 Cynthia Buckley, Sociology
 Sarah Buel, Law
 Virginia Burnett, History
 Evan Carton, English
 Mounira M. Charrad, Sociology
 Michael J. Churgin, Law
 João Costa-Vargas, Anthropology
 Ann Cvetkovich, English
 Donne DeCesare, Journalism
 Mercedes Lynn de Uriarte, Journalism
 Henry Dietz, Government
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The Year to Come

Human Rights Happy Hour Speaker Series

3:30–5:30 PM, UT Law School Faculty Lounge (3.214)

Monday, September 14, 2009

Sarah Snyder on the development and influence of Helsinki Watch. Snyder is Cassius Marcellus Clay Fellow in the History Department at Yale University.

Monday, September 28, 2009

Lisa Hajjar on “Does Torture Work?” Hajjar is Associate Professor and Department Chair of Law and Society at the University of California, Santa Barbara.

Monday, October 26, 2009

Murhabazi Namegabe on child soldiers. Namegabe, recipient of The Rothko Chapel’s 2009 Oscar Romero Award, heads the child and youth programs for the Volunteer Office in the Service of Children and Health (BVES), a Congolese non-governmental organization.

Monday, November 9, 2009

Gillian Slovo on the anti-apartheid struggle in South Africa. Slovo is a South African-born novelist, playwright and memoirist.

Monday, February 22, 2010

Eduardo Restrepo, Professor of Anthropology, Pontificia Universidad Javeriana in Bogotá, Colombia

Monday, April 12, 2010

Cecilia Medina, President of the Inter-American Commission of Human Rights and Co-director, Centro de Derechos Humanos, University of Chile

Conferences

December 1, 2009

World AIDS Day Conference

February 25–27, 2010

Rapoport Center Annual Conference: “Walls: What They Make and What They Break,” organized by the Rapoport Center and The Texas International Law Journal. Walls, symbolic and real, have consequences not only for people and politics, but for the surrounding—and enclosed—national and cultural environments as well. Walls impact both ways of thinking and modalities of living. The conference proposes to convene a group of interdisciplinary thinkers who have researched the recent history of walls—made, unmade, in the making—and their consequences on the geographies of nation states and their neighbors, of communities both domestic and international, virtual and everyday. Do walls create more conflict than the crises they seek to contain?

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