

ANNUAL REVIEW 201<sup>5</sup><sub>6</sub>

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.

## 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.



**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.



**William Chandler** is Assistant Director of the Rapoport Center. Recipient of the 2014 President's Outstanding Staff Award, he manages the daily operations of the Center, supervises the fellowship and internship programs, and oversees the Center's projects and initiatives.



**Julia Dehm** is Postdoctoral Fellow at the Rapoport Center, working on a multi-year project on inequality and human rights. Dehm holds a PhD from Melbourne Law School and was previously a fellow at the Institute for Global Law and Policy (IGLP) at Harvard Law School.



**Natalie Davidson** is Research Fellow at the Rapoport Center and a scholar-in-residence at Texas Law. At the Rapoport Center, Natalie chaired the Editorial Committee of the Working Paper Series and coordinated the Graduate Student Affiliate Program. She is an SJD candidate at Tel Aviv University.



**Sarah Cline** is 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.



**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 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.



**Barbara Harlow** is Louann and Larry Temple Centennial Professor of English Literature and Chair of the faculty panel for the Human Rights & Social Justice Bridging Disciplines Program. Her teaching, research, and writing focus on Third World Studies, critical theory, prison and resistance writings, and postcolonial studies.

## TABLE OF CONTENTS

2 INEQUALITY PROJECT

3 SPEAKER SERIES

4 ANNUAL CONFERENCE

6 FIELDWORK & INTERNSHIPS

8 CERTIFICATION ROUNDTABLE

9 UNDER FIRE IN HONDURAS

10 FARENTHOLD LECTURE

12 STUDENT OPPORTUNITIES

14 PUBLICATIONS

# LETTER FROM THE CO-DIRECTORS

Those of you who knew Bernard (“B”) Rapoport undoubtedly heard him say, maybe even at a Rapoport Center event, “When too few have too much and too many have too little, we do not have a sustainable society.” We don’t know when B began to make that statement, but he was talking about inequality before the issue had gained the mainstream attention it receives today. And the foundation that he and Audre created demonstrates their commitment to doing something about it.

We have long been guided by B’s egalitarian ideals. Thanks to a major grant from the Ford Foundation last summer, we have been able to deepen and broaden that commitment with a five-year project on inequality and human rights. This year’s Annual Review is a testament to many of the ways in which we have done that – through public events, student curricular and internship offerings, advocacy, research, and publications.

We began to frame the discussion through events such as our colloquium (see page 3), annual conference (see page 4), and roundtables on private corporate regulation (see page 8) and indigenous rights (see page 9). Law, graduate, and undergraduate students have played an active role in this work through their participation in these events and related coursework, as well as through positions at the Rapoport Center (see page 13) and human rights-related advocacy and fieldwork (see pages 6 and 12).

Through our own fieldwork in South Africa on mining and distributive justice (see page 7), we laid the foundation for future work there and in several other countries. Our Working Paper Series showcased research on inequality and human rights (see page 14) and included papers by two law students enrolled in our colloquium. As we work through the project, we are fortunate to have the counsel of our newly created project advisory board (see page 16), whose distinguished members bring diverse regional perspectives and professional expertise.

We, of course, could not have done all of this work without the addition of new staff members. Julia Dehm, an international environmental law scholar from Melbourne, came to us as a Postdoctoral Fellow. You will see the fruits of her enormous talent and passion in these pages. We also had the pleasure of welcoming back Sarah Cline both to Austin and the Center as a part-time Administrative Associate. Many of you will remember her fondly as the exceptionally dedicated Center Administrator from 2006-2011. And in his new role as Assistant Director, William Chandler has continued to wow us with the ease and grace with which he oversees the administration of many pieces of the project, even while keeping other Center activities going.

Although it was an exciting year of new beginnings at the Rapoport Center, a void was also left by Audre’s passing this past April. We are grateful to be able to honor her through the Audre Rapoport Prize for Scholarship on Gender and Human Rights (see page 14), and hope to do justice to her and B’s vision for a more equal world.



**Daniel Brinks and Karen Engle.** Photo by Sarah Cline

**15** AFFILIATED FACULTY

**16** DONORS & ADVISORY BOARDS

**17** YEAR TO COME

**Cover:** Photo courtesy of Tor Lindstrand, photo illustration by the Rapoport Center.  
**Opposing Page:** Karen Engle, photo by Mark Rutkowski. Daniel Brinks and William Chandler, photo by Steph Swope. Julia Dehm, photo by Lauren Smith. Natalie Davidson and Sarah Cline, photo by William Chandler. Ariel Dulitzky, photo courtesy of Texas Law. Barbara Harlow, photo by Heather Teague.



*Australian Vernacular, Kalgoorlie, Western Australia. Photo courtesy of Tor Lindstrand*

# RIGHTING INEQUALITY

## REFLECTIONS ON A NEW PROJECT

**H**uman rights cannot be the only basket to carry our social justice aims. This is the core notion that will guide our efforts in coming years. The first year of our project on inequality and human rights, funded by the Ford Foundation, highlighted the need for human rights advocates to expand their toolbox and build strategic alliances with those who share a transformative vision of the world, whether they work on labor relations and corporate accountability or taxation and debt.

**WE HOPE TO IDENTIFY  
NON-TRADITIONAL POINTS OF  
INTERVENTION WHERE HUMAN RIGHTS  
ADVOCATES CAN PROMOTE MORE  
JUST ECONOMIC ARRANGEMENTS.**

As you will see throughout this Annual Review, we have spent much of the year considering how human rights might best attend to the structural, underlying causes of inequality, recognizing that inequality is an often unseen driver of much of the violence and injustice in the world today. We are convinced that we need not be constrained by traditional human rights disciplinary and advocacy boundaries. Moreover, we need to engage even more across geographic boundaries in order to ensure in our own work that we foreground voices that are otherwise silenced in an unequal world.

So what will we do in the next few years? An important part of our task will be to identify the background legal relations, social norms, and historical and cultural conditions that produce

economic inequality. We will do so, in part, by identifying and critically examining the diverse governance sites – international, national, and local; public and private – where the multiple and diffuse decisions that produce current levels of inequality are made. Focusing on these sites, we hope to identify non-traditional points of intervention where human rights advocates can promote more just economic arrangements.

As part of this process, we are committed to, and have already begun, meaningful collaborations with partners in the Global South. Such engagements are vital, not just to learn about their parts of the world, but for their important insights into our own position in the Global North. In other words, we need always to keep in mind the role that processes originating in the North play in creating the structural conditions in which abuses take place elsewhere. We plan next year to build not just South-North, but triangular South-South-North collaborations in order to better compare experiences in different countries and identify common challenges and opportunities.

Dismantling the seemingly persistent economic inequalities in our globalized economy is an enormous challenge. We firmly believe that academic research, grounded in the lived experiences of those facing and fighting injustice, can play an invaluable role in promoting necessary social change.



# SPEAKING OF INEQUALITY...

Internationally renowned thinkers came to Austin to offer their insights on what human rights might offer the struggle against inequality and other injustices.



## **"RIGHTS, CONFLICT & CRISES"**

**Hina Jilani**, Advocate of the Supreme Court of Pakistan,  
Human Rights Activist

## **"THIS CHANGES EVERYTHING: CAPITALISM VS THE CLIMATE"**

**Naomi Klein**, Puffin Foundation Writing Fellow, The Nation Institute; C.L. and  
Henriette Cline Visiting Professor in the Humanities, UT Austin



## **"SUSTAINABLE DEVELOPMENT GOALS: A COURSE CORRECTION?"**

**Sakiko Fukuda-Parr**, Professor of International Affairs,  
The New School

## **"CROESUS' WORLD: HUMAN RIGHTS IN THE AGE OF INEQUALITY"**

**Samuel Moyn**, Professor of History and Law, Harvard University



## **"RIGHT TO DEVELOPMENT AFTER THE COLLAPSE OF DEVELOPMENT"**

**Balakrishnan Rajagopal**, Associate Professor of Law and  
Development, Massachusetts Institute of Technology

## **"A NEW GREEK TRAGEDY? INEQUALITY, HUMAN RIGHTS & DEMOCRACY"**

**James K. Galbraith**, Lloyd M. Bentsen Chair of Government/Business  
Relations and Professor of Government, UT Austin

**Alvaro Santos**, Professor, Georgetown University Law Center

**Philomila Tsoukala**, Professor, Georgetown University Law Center



## **"LITIGATING TOXIC INJUSTICES: PERSONAL INJURY LAW & INTERNATIONAL HUMAN RIGHTS"**

**Scott Hendler**, Attorney and Counselor at Law,  
Hendler Lyons Flores



Balakrishnan Rajagopal discusses global and local inequalities during the Rapoport Center's twelfth annual conference.

Photos by Sarah Cline

# FRAMING THE CONVERSATION

## HOW CAN HUMAN RIGHTS ADDRESS ECONOMIC INEQUALITY?

Ten years after Thomas Friedman told us that we live in a “flat” world, it seems more accurate to say that economic inequality – between and within nations, in the Global South and the Global North – is the hallmark of our age. Moreover, inequality is a product of decisions made in many different spheres, from economics and the environment to labor and health. So how do we begin to tackle such an endemic problem and the underlying structures that perpetuate it? Might human rights offer at least part of the answer?

These were the principal questions posed at the Rapoport Center's twelfth annual conference, “Inequality & Human Rights.” From April 7-9, 2016, nearly 50 human rights practitioners and scholars from 11 disciplines and 12 countries met at the University of Texas to discuss their work through the dual lenses of inequality and human rights. Participants were partly selected from over 130 responses to our call for papers. More than 250 people registered to attend the conference.

While most of the speakers agreed that human rights approaches have rarely directly addressed issues of economic inequality, one of the themes that emerged

in the opening night's plenary panels is that human rights responses to economic inequality might be less remote than originally anticipated.

In a panel bringing together economists and human rights lawyers, Rodrigo Uprimny (Universidad Nacional de Colombia and member of the UN Committee on Economic, Social, and Cultural Rights) reminded us of the fusion of redistributive equality and social rights in the 1917 Mexican constitution and in post-war European welfare states. He called for building new bridges between social rights and economic equality, and even suggested legal arguments grounded in social rights that might require states to reduce inequality.

In a similar vein, panelists exploring inequalities among countries turned to the history of de-colonization to help rethink the future. Noting in particular the 1970's Third World-sponsored New International Economic Order, a consensus emerged around the need to envision a “new-New International Economic Order.”

In reflecting on such an order, Balakrishnan Rajagopal (Massachusetts Institute of Technology) insisted that we are both closer to and further from realizing it

**“All the rights that we need...already exist, in fact. What we need are new practices, and maybe new solidarities.”**

–Balakrishnan Rajagopal

than we think: “All the rights that we need for bringing [it] about already exist, in fact. What we need are new practices, and maybe new solidarities.”

Panels on the second day of the conference – on taxation, debt, austerity, trade, finance, health, education, natural resources, transitional justice, and migration and immigration – offered a contextualized examination of key sites of struggles over the distribution of income, benefits, access, decision-making power, and risk-exposure.

UT student Jordan Auzenne commented that, “When [the speakers] gave real-world examples of human rights and economic inequality intersecting, like the apartheid government, it was really interesting because we usually study those instances apart from economics.”

One particularly rich discussion concerned the role of taxation in perpetuating or responding to economic inequality. According to Magdalena Sepúlveda (UN Research Institute on Social Development), taxation “is a key tool not only for tackling inequality, but for generating the resources necessary for the realization of human rights.” Judge Dennis Davis of South Africa (High Court, Cape Town), who chairs the Davis Tax Committee, added that we need to attend to spending as well. As an example, the right to education, he said, “is not just vindicated by expenditure. It’s vindicated by watching what happens to that expenditure.”

At the closing session, Daniel Brinks (Government; Rapoport Center) contended that the conference had made great strides in exploring the “&” in the conference title that connected “inequality” to “human rights.” The presentations, he suggested, gave us a deeper understanding of the multiple and complex connections between the two.

For the Rapoport Center, the conference marked the end of an initial conceptual exploration of the relationship between economic inequality and human rights, and the beginning of deeper inquiries in more concrete areas. “We cannot think about human rights in the twenty-first century,” said Karen Engle (Law; Rapoport Center), “without thinking about inequality.” As Brinks noted, “the conference opened more questions than it answered, challenging us to find some of the answers over the next few years.”



*Raj Patel and Vasuki Nesiah explore debt and the production of inequality.*

## PLENARY SPEAKERS

**Antony Anghie**, University of Utah

**Radhika Balakrishnan**, Rutgers University

**Dennis Davis**, High Court of Cape Town;  
University of Cape Town

**Mechele Dickerson**, University of Texas at Austin

**Hilal Elver**, UN Special Rapporteur on the Right  
to Food; University of California, Santa Barbara

**Richard Falk**, Princeton University; University of  
California, Santa Barbara

**James Galbraith**, University of Texas at Austin

**Jason Hickel**, London School of Economics

**David Kennedy**, Harvard University

**Nicholas Lusiani**, Center for Economic and  
Social Rights

**Daniel Markovits**, Yale University

**Vasuki Nesiah**, New York University

**Raj Patel**, University of Texas at Austin

**Balakrishnan Rajagopal**, Massachusetts  
Institute of Technology

**Magdalena Sepúlveda**, UN Research Institute  
on Social Development

**Rodrigo Uprimny**, Universidad Nacional de  
Colombia



# RAPOPORT CENTER SUPPORTS GRADUATE STUDENT FIELDWORK



*Qiang woman works in a strawberry greenhouse in Maoxian County, Sichuan province, China. Photo by Ruijie Peng*

The Rapoport Center awarded grants to the following PhD candidates to support their fieldwork on themes related to economic inequality and human rights.

**Adam Aziz** (French & Italian)

"Exploring the Intersection of Sexuality/Sexual Health and Economic Marginalization of LGBTQIA Tunisians in Post-Revolution Tunisia"

**Ruijie Peng** (Sociology)

"Labor and Power: Rural Women's Changing Roles in Productive and Reproductive Work in China"

**Nathalia Sandoval Rojas** (Government)

"Do the Courts Actually Help the Poor? The Case of Argentina"

**Ricardo Velasco** (Latin American Studies)

"Networks of Human Rights, Memory, Solidarity, and Inclusive Citizenship in Transitional Colombia"

## CHARLES MOYER SUMMER FELLOW INTERNS IN SOUTH AFRICA

**Iman Ali** is gaining hands-on experience using human rights litigation to challenge economic and racial inequalities through an internship at the Legal Resources Centre (LRC) in Cape Town, South Africa. The LRC is dedicated to increasing legal advocacy and access to political and economic power structures for underserved groups, working from inside the system and using the rule of law to protect the most vulnerable.

As the fifth Charles Moyer Summer Human Rights Fellow, Iman is researching the interaction between customary law and the South African Constitution, drafting memos on land claim issues, organizing evidence for cases related to customary law and access to marine/land resources, and working with clients during refugee intake interviews.

The 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.



"Working with one of the most progressive constitutions in the world has allowed me to see the impact quality legal advocacy can have on marginalized communities."

—Iman Ali

*Photo by William Chandler*





*Protests on the last day of the Alternative Mining Indaba, a three-day summit addressing the relationship between mining and sustainable, social, and equitable development. Photo by Julia Dehm*

# EXTRACTIVE ECONOMY, INEQUALITY & DISTRIBUTIVE JUSTICE IN SOUTH AFRICA

By Julia Dehm

Over two decades since the end of apartheid, South Africa remains a deeply unequal country. Indeed, income inequality is higher today than it was 20 years ago.

In 1955, the Freedom Charter proclaimed that “the national wealth of our country, the heritage of South Africans, shall be restored to the people.” If the country’s mineral wealth – now estimated to be worth over US\$2.5 trillion – once promised to offer a means to address inequality in a post-apartheid South Africa, it now appears to be a cause of the widening gap between the rich and the poor. Given that the benefits from resource extraction are not equitably distributed to mineworkers or the communities where mines are located, many South Africans are asking whether and how natural resource extraction can be made to work for the people.

As a part of the Rapoport Center’s project on inequality and human rights, I traveled to South Africa in January to conduct fieldwork on mining, human rights, and inequality. Over three busy weeks in Johannesburg and Cape Town I met with human rights advocates, scholars, activists, representatives from mining-affected communities, labor analysts, and industry representatives.

I also attended the civil society-organized Alternative Mining Indaba and the “Sustainability Day” of the industry-led Mining Indaba. The former provided a platform for affected communities to share information and formulate alternatives to unjust extractive practices. It also offered an important opportunity to learn from and network with hundreds of people from across southern Africa.

Human rights advocates are playing an important role in challenging the distributive impacts of South Africa’s extractive economy, and part of my goal was to learn some of the innovative ways in which they are doing so. In addition to engaging in constitutional litigation, a common site for human rights legal advocacy in the country, they have also been involved in international investor-state dispute resolution and have appealed to customary law.

The Rapoport Center plans to return to South Africa next year, along with human rights advocates from other regions, to consider some of these strategies more explicitly and the extent to which they might aid in the realization of economic and social rights in extractive economies. Working with partners in South Africa and Ghana, we will bring together community members, NGOs, human rights lawyers, development economists, and policymakers for this conversation.



In areas ranging from food to forestry, third-party certification programs have emerged to attest that products should protect indigenous rights and adhere to certain labor and environmental standards. What role should these certification systems, and the consumer response on which many rely, play in the enforcement, adjudication, and realization of human rights?

In February 2016, the Rapoport Center brought together advocates who have helped design or use third-party certification processes in a variety of contexts including agriculture, the garment industry, forestry, and carbon offsets.

Michael Conroy (Founder, Colibri Consulting – Certification for Sustainable Development) cited an eBay experiment showing that people were willing to pay up to 50 percent more for a polo shirt manufactured in a way that protected workers' rights. But he and other panelists questioned the extent to which human rights enforcement should be voluntary and dependent upon consumer choice.

Two panelists, Sean Sellers (Co-founder, Fair Food Standards Council) and Jessica Champagne (Director of Research and Advocacy, Worker Rights Consortium), recounted success stories. Sellers conveyed how pressure from the Coalition of Immokalee Workers led to 14 major supermarket chains requiring their producers to comply with the Fair Food Program through legally binding agreements. Champagne

described the Accord on Fire and Building Safety in Bangladesh, which monitors garment factories and resulted from advocacy and publicity after high-profile building collapses in the country.

Two other panelists, focusing on forestry, considered some of the limits of certification systems. José Aylwin (Co-director, Observatorio Ciudadano, Chile), describing complaints Chilean indigenous communities have brought to the Forest Stewardship Council (FSC), expressed concerns about the private enforcement of indigenous right claims. "I disagree that the FSC is a valid court of appeal to adjudicate human rights violations in the context of forestry," he said. Julia Dehm (Rapoport Center) articulated similar

concerns about various climate and biodiversity certification programs.

Charles Hale (Anthropology, LLILAS) asked the panel whether, given the many different types of certification mechanisms, there might be "important distinctions that need to be made in terms of efficacy, outcomes, and political

values." Panelists agreed on the need to distinguish between those certification processes that, as Dehm put it, "operate as corporate forms of neoliberal self-regulation, and worker or social movement driven schemes that empower people to enforce their rights." As such, the Rapoport Center is planning further research to explore what certification models might be most effective in promoting the enforcement of human rights.

In concluding remarks, Conroy referred to the roundtable as the "richest conversation on these topics" that he has had in many years.

**"I DISAGREE THAT THE FOREST STEWARDSHIP COUNCIL IS A VALID COURT OF APPEAL TO ADJUDICATE HUMAN RIGHTS VIOLATIONS..."**

—José Aylwin



# UNDER FIRE IN HONDURAS

Social justice advocates around the world were shocked and outraged to learn of the assassination of Berta Cáceres on March 3, 2016.

Cáceres was an indigenous Honduran activist who had led her Lenca community in protests against the building of a series of dams affecting Lenca territory. Because of this work and her broader struggle for justice and equality in Honduras, she had received numerous threats to her life. Nevertheless, she continued to speak out.

We, at the Rapoport Center, were particularly struck by this news because we had been privileged to meet and engage with Cáceres when, in November 2015, she came to speak about her work as coordinator of the Council of Indigenous and Popular Organizations of Honduras (COPINH). She spoke alongside Miriam Miranda Chamorro, a Garifuna activist and executive director of the Black Fraternal Organization of Honduras (OFRANEH). Both women have fought for years, individually and together, to protect the rights of indigenous populations in Honduras.

The public forum, entitled “Rights, Resources, Territory: The Struggles of the Garifuna and Lenca in Honduras,” was co-sponsored by the Rothko Chapel in Houston, which presented Cáceres and Miranda with the 2015 Óscar Romero Award. The event was also supported by LLILAS Benson, Native American and Indigenous Studies, and the Institute of Latin American Studies Student Association.

“We have been facing a policy of extermination,” Cáceres said in speaking about Lenca struggles. “We are facing the worst threat in the last 500 years.



**Miriam Miranda Chamorro and Berta Cáceres.**  
*Photo by Gabrielle Torres*

**“WE HAVE BEEN FACING A  
POLICY OF EXTERMINATION...  
THERE IS A PLAN...TO MAKE US  
DISAPPEAR AS AN INDIGENOUS  
PEOPLE, AND FOR US, THAT  
AMOUNTS TO GENOCIDE.”**

**—Berta Cáceres**

There is a plan...to make us disappear as an indigenous people, and for us, that amounts to genocide.”

Miranda discussed threats to Garifuna land by transnational corporate resource exploitation, state infrastructure projects, tourism developments, and drug trafficking. She detailed repressive Honduran state policies and highlighted the responsibility wealthy countries have to curb their demand for raw materials.

During the forum, both activists spoke of the intense persecution they faced, but reiterated the need to take action. Miranda said, “We all need to take responsibility wherever we are to generate change, to strengthen the commonality and the collectivity.”

In response to Cáceres’ assassination, the Rapoport Center wrote letters to the government of Honduras condemning the act and calling

for a comprehensive investigation of her murder, the protection of indigenous lands, and attention to underlying issues of dispossession in the country. Given that over 100 environmental defenders have been killed in Honduras since 2010, we also called for immediate steps to guarantee the rights and safety of activists.

As one small gesture to further her legacy, the Rapoport Center will award the Berta Cáceres Human Rights Fellowship to support a summer internship for a law student. We hope to impress upon the recipients of that award, as well as remember in the work we do, words offered by Berta on another occasion: “Wake up! Wake up humanity! There’s no more time. Our consciences are shaken by the mere thought of self-destruction by capitalist, racist, and patriarchal depredation.”

# FROZEN SCANDALS IN THE FOREVER WAR

‘We know about the wrongdoing, we know about torture. People like me write about it constantly. We all know about it, but we’re stopped at the level of investigation. There’s no expiation. We live with frozen scandals.’

These comments by award-winning author and investigative journalist Mark Danner kicked off the inaugural Frances Tarlton “Sissy” Farenthold Endowed Lecture in Peace, Social Justice, and Human Rights, presented in partnership with Houston’s Rothko Chapel.

After a stirring introduction by Farenthold, Danner confessed, “I couldn’t be more honored to be inaugurating this lecture series, and it just...it does my heart good. It does my heart good, because [Sissy] is an astonishing figure.”

In line with Farenthold’s own history of exposing and responding to injustices and inequality, the lecture series aims to bring to Austin and Houston internationally renowned scholars, activists, and politicians who will inspire their audiences to think and act creatively to respond to some of the greatest challenges of the 21st century. Danner fit the bill with his talk “Spiraling Down: Human Rights, Endless War,” in which he encouraged those in attendance to examine critically the consequences of the US war on terror for human rights in the US and abroad.

Danner noted that in the fourteen years since Congress authorized the use of military force in the aftermath of 9/11, the war on terror has not only failed to reduce terrorism, it has transformed “prison without trial” into “wartime detention,” and “torture” into “enhanced interrogation techniques.” Over this decade and a half, “the war has acquired the character of the quiet, everyday. We accept it, we don’t think about it, we don’t talk about it.”

Much of Danner’s talk examined how exposure of



**Sissy Farenthold and Mark Danner.** Photo by William Chandler

injustices no longer leads to redress. Whereas in earlier days, revelations of cycles of injustice led to expiation (as in the Watergate Scandal of the 1970s), we now do nothing to move beyond acknowledging the scandal. The challenge for the future then, as Farenthold aptly put it, is “What are we going to do about what we know?”

Danner responded by suggesting that truth commissions might lead to greater political acknowledgment and a widespread rejection of torture. He concluded by noting, “We have to somehow close this gap between who we are and who we like to think we are. That, perhaps, will be a beginning of renewal, a beginning of a thaw to frozen scandal, eliminating the distance between our aspirations and our actions.”

*Mark Danner is Chancellor’s Professor of English and Journalism at UC Berkeley and James Clarke Chace Professor of Foreign Affairs and Humanities at Bard College.*

*The event was made possible by the support of the Creekmore and Adele Fath Charitable Foundation. It was co-sponsored by the Department of English at the University of Texas at Austin.*



# FARENTHOLD WEBSITE WINS EMMA AWARD

Our online exhibition, **Frances Tarlton “Sissy” Farenthold: A Noble Citizen**, won an Exceptional Merit in Media Award (EMMA) from the National Women’s Political Caucus (NWPC). Sissy Farenthold, Karen Engle, and William Chandler traveled to Washington, DC in May to receive the award (Joe Bailey, Jr. and Susan Richardson were there in spirit). We are honored by the award, and by the opportunity to continue to work with such an inspiring advocate and activist.



**Sissy Farenthold and Karen Engle.** Photo courtesy of the NWPC

## SUPPORT THE LECTURE SERIES

We are grateful to the many of Sissy’s supporters from across the country who have donated or pledged nearly \$100,000 to establish the endowment. Our goal is to reach \$200,000 to support the lecture series in perpetuity. Gifts of any amount will help us toward that goal.

### CIRCLE OF FRIENDS (\$5,000 OR MORE)

**Thomas M. Cohen & Lisa Fuentes  
Gayle & Mike DeGeurin  
Patricia Dougherty  
Karen Engle & Ana Almaguel  
Jan Woodward Fox  
James Galbraith  
Molly Gochman  
Willy Kuehn  
Eric & Carol Nelson  
Dorothy Slater-Brown  
Martha Claire Tompkins  
American Income Life &  
National Income Life of New York**

For a complete list of our generous donors, or to donate, please visit [law.utexas.edu/farenthold/](http://law.utexas.edu/farenthold/) or call us at 512-232-4857.



Photo courtesy of the Ford Foundation

## DARREN WALKER TO HEADLINE UPCOMING LECTURE

We are excited to announce that Darren Walker, President of the Ford Foundation and graduate of Texas Law, will headline the second Sissy Farenthold Endowed Lecture. This year’s lecture, entitled “Yes Justice, Yes Peace: The Role of Art in Confronting Inequality,” will

explore the intersection of the arts and human rights, and the need for artists and non-artists alike to engage more fully with the power of artistic expression to instigate social change. The event will take place at 7pm on October 3rd at the Rothko Chapel in Houston.

# SUMMER HUMAN RIGHTS FELLOWS

## Iman Ali

Legal Resources Centre  
Cape Town, South Africa

## Daniel Benowitz

Khmer Rouge Tribunal  
Phnom Penh, Cambodia

## Helen Kerwin

UN High Commissioner for  
Refugees  
Mexico City, Mexico

## Mohammed Nabulsi

Center for Constitutional Rights  
New York, NY

## Amy Rodriguez

Human Rights First  
Houston, TX

## Cristian Sánchez

ACLU of Southern  
California  
Los Angeles, CA

## Brian Watson

Bronx Defenders  
Bronx, NY



(Back row, L to R) Mohammed Nabulsi, Daniel Benowitz, Brian Watson  
(Middle row, L to R) Cristian Sánchez, Helen Kerwin  
(Bottom row, L to R) Iman Ali, Amy Rodriguez. Photo by William Chandler

**“Working next to the attorneys at the Bronx Defenders felt a lot like being a superhero sidekick. Joining their fight to liberate the poor and expose the ugly mechanisms of the New York City ‘justice’ system was an honor.” —Brian Watson, Summer Fellow**

## CLINIC HIGHLIGHTS

### HUMAN RIGHTS CLINIC

**Presented** a brief to the Inter-American Commission on Human Rights seeking to expedite a petition by an Argentine prison guard regarding the right to unionize.

**Continued** to document deaths in Texas prisons that might be heat-related; corresponded with inmates to address heat-related grievances; researched the functioning of the office charged with handling the grievances.

**Submitted** a request to the Inter-American Development Bank to ensure environmental health protection, access to information, and rights to prior consultation in Abra Pampa, Argentina, where the bank is funding the removal of lead smelter waste.

### IMMIGRATION CLINIC

**Represented** two Central American women in successful cutting-edge asylum claims about their governments’ failure to protect them from domestic violence.

**Achieved** the release of a domestic violence survivor who was detained for over a year at the T. Don Hutto detention center in Taylor, TX.

**Spearheaded** litigation and policy challenges to the government’s detention practices at the Karnes City, TX family detention center and represented women and children asylum seekers detained there.

**Denise Gilman, director of the Immigration Clinic, was named “Lawyer of the Year” by the Immigration Law Section of the Federal Bar Association. Congratulations, Denise!**

### CIVIL RIGHTS CLINIC

**Litigated** in federal court on behalf of:

- Four public school students in Abilene who were subjected to excessive force by the school district and city police (ongoing);
- Round Rock resident subjected to excessive force, false arrest, and malicious prosecution (case settled favorably for plaintiff).

**Advocated** for the reform of:

- City of Austin municipal court practices, in an effort to end debtors’ prisons (in cooperation with Texas Fair Defense Project, ACLU of Texas, Equal Justice Center, and Texas Appleseed);
- AISD early elementary school suspension policies that contribute to the school-to-prison pipeline (in cooperation with Texas Appleseed).



# SCHOLARS, FELLOWS & INTERNS

## HUMAN RIGHTS SCHOLARS

**Samantha Chammings**, Law

**Mihret Getabicha**, Law

**Helen Kerwin**, Law

**Safa Peera**, Law

## GRADUATE FELLOWS

**Emily Spangenberg**, Sociology

**Scott Squires**, Public Affairs

**Ben Weiss**, History

## UNDERGRADUATE INTERNS

**Selma Bora Chang**, International Relations  
& Global Studies

**Gabrielle Inhofe**, Plan II Honors, International Relations  
& Global Studies

**Sarah Qureshy**, Biochemistry

**Adrienne Rivers**, Sociocultural Anthropology,  
Women's & Gender Studies

**Aleksandar Tinkovski**, International Relations &  
Global Studies, Communication Studies

**Gabrielle Torres**, Plan II, Government, Spanish

**Karina Zemel**, Linguistics



*William Chandler, Selma Bora Chang, Julia Dehm,  
Sarah Cline, and Aleksandar Tinkovski.*

*Photo by the Rapoport Center*

**“At the Rapoport Center, human rights research and activism were central to my daily work. I developed skills through real-world projects and met leading human rights advocates and scholars from around the world.” —Mihret Getabicha, Human Rights Scholar**

## GRADUATE AFFILIATE PROGRAM LAUNCHED

**T**his year the Center launched its Graduate Affiliate Program in order to establish long-term relationships with graduate students at UT whose research is relevant to the Center, further strengthen the human rights community on campus, and support important work related to human rights.

Over 30 graduate students joined the group, hailing from departments as varied as Government, History, Urban Planning, Theater & Dance, and Anthropology. They work on a variety of geographic areas and issues including collective memory in Colombia, the use of theater in refugee camps in Jordan, and the impact of constitutional court rulings on economic inequality in Latin America.

This year's activities included two “bullet talks” and a

day-long workshop where students presented their works in progress and received feedback from faculty and peers. These events provided a unique space for students to get to know each other's work and share ideas and hesitations about their own research.

“Without reservation, the Graduate Affiliate Program has been one of the most inspiring experiences that I have had on the UT campus,” reflected Betsy Frederick-Rothwell (Graduate Affiliate, Architecture). “Not only did we discuss complex human rights issues with incredible breadth and depth, but we did it at a scale that invites real interdisciplinary discussion and insight. Next year, we look forward to maintaining the momentum of the program and to engaging graduate students from additional departments and centers across campus.”

# AUDRE RAPOPORT PRIZE WINNER CHALLENGES NIKE'S CAMPAIGN

**C**ongratulations to Maria Hengeveld, winner of the 2015 Audre Rapoport Prize for Scholarship on Gender and Human Rights! An international panel of scholars selected her paper, "Girl Branded: Nike, the UN and the Construction of the Entrepreneurial Adolescent Girl Subject," in an anonymous competition that received submissions from 15 universities in five countries.

Hengeveld's paper, published in our Working Paper Series (see below), critically examines Nike's Girl Effect, a campaign that advocates for eliminating poverty by empowering girls to become future workers. Analyzing the campaign's publications and manifesto, Hengeveld argues that it improperly sees the market as the appropriate avenue for promoting liberty, opportunity, and equality. She warns that this approach places the burden of alleviating inequality on the girls themselves.

Campaigns like Nike's, Hengeveld contends, do little to reduce poverty among women in the Global South because the employment it promotes is low-paid and unreliable. Further, the campaign serves to legitimize Nike's reputation by rebranding itself as a proponent of human rights and gender equality while obscuring its role in contributing to a system that exacerbates poverty and inequality worldwide, with disastrous consequences for both women and men.

Hengeveld's paper is based on the MA thesis she wrote as a Fulbright Fellow in human rights at Columbia

University in 2015. She has since received an IF Stone Award from The Nation Institute for Investigative Reporting to test the Girl Effect standards in Nike's own factories in Vietnam.



**AUDRE  
RAPOPORT**  
1923 - 2016

It is with great sadness that we note the passing of Audre Rapoport on April 4th, 2016, at the age of 92. Audre has been and will continue to be an inspiration for much of our work. It is hard for us to imagine a world without Audre and B, whose passionate commitment to justice has had a profound impact on so many people in this world.

We are proud to award the annual Audre Rapoport Prize for Scholarship on Gender and Human Rights, which honors Audre's dedication to the advancement of women in the US and internationally, particularly on issues of reproductive health.

We will always remember her, and will do our utmost to do justice to her memory.

*Photo by Rod Aydelotte, courtesy of The Waco Tribune*

## WORKING PAPER SERIES PUBLISHES ON INEQUALITY

**Maria Hengeveld**, "Girl Branded: Nike, the UN and the Construction of the Entrepreneurial Adolescent Girl Subject"

**Ryan Jones**, "Beyond Kafala: Remedying Human Rights Abuses of Migrant Workers in the Persian Gulf"

**Craig Lauchner**, "The Human Right to Education: Mercosur Commitment and Economic Inequality"

To read and comment on these or previous papers, please visit our updated website at [sites.utexas.edu/rapoportcenterwps/](http://sites.utexas.edu/rapoportcenterwps/).





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*Graduate fellow Scott Squires and undergraduate intern  
Adrienne Rivers prepared this Annual Review, with  
assistance from the rest of the summer team.*



# THE YEAR TO COME

## COLLOQUIUM ON NATURAL RESOURCE GOVERNANCE, INEQUALITY & HUMAN RIGHTS

**September 26, 2016**

**Sumudu Atapattu**, Director of Research Centers and Senior Lecturer, University of Wisconsin Law School

**October 10, 2016**

**Isabel Feichtner**, Assistant Professor of Law and Economics, Goethe Universität, Frankfurt

**October 24, 2016**

**Patricia Tobón Yagarí**, Emberá indigenous activist and lawyer, National Indigenous Organization of Colombia

**November 7, 2016**

**William Forbath**, Lloyd M. Bentsen Chair in Law, University of Texas School of Law

**Lucie E. White**, Louis A. Horvitz Professor of Law, Harvard Law School

**November 21, 2016**

**Penelope Simons**, Professor of Law, University of Ottawa

## SPEAKER SERIES

**September 27, 2016**

**"Digital Tools and Human Rights in El Salvador"**

**Angelina Godoy**, Helen H. Jackson Chair in Human Rights and Director, Center for Human Rights, University of Washington

*Co-presented with LLILAS Benson*

**October 21, 2016**

**"Environmental Justice and the Anthropocene"**

**Rob Nixon**, Thomas A. and Currie C. Barron Family Professor in Humanities and Environment, Princeton University

*Co-presented with the Texas Institute for Literary and Textual Studies*

## FARENTHOLD ENDOWED LECTURE

**October 3, 2016**

**"Yes Justice, Yes Peace: The Role of Art in Confronting Inequality"**

**Darren Walker**, President, Ford Foundation

## ANNUAL CONFERENCE

**Spring 2017**



Rapoport Center for Human Rights and Justice  
The University of Texas School of Law  
727 E. Dean Keeton Street  
Austin, TX 78705 USA

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