

## ANNUAL REVIEW 2018–2019



# 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.

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## Letter from the Co-directors

“This past year marked the fourth in our project on human rights, social justice, and inequality. That project, generously funded by the Ford Foundation, has resulted in a global and interdisciplinary network of scholars, activists, policymakers, artists, and students who are working together to identify and combat the legal and political drivers and dynamics of inequality.

As this Annual Review reflects, we both continued and deepened much of our inequality work over the year, particularly but not only in the context of natural resource extraction and labor. At the same time, a variety of collaborations led us to extend and historicize our work. Our report on human rights and mining in South Africa (see page 14), for instance, is about natural resource extraction and inequality, but it is also about race and the legacy of colonialism.

Two events, both on Puerto Rico, also highlighted connections among race, colonialism, and inequality. Puerto Rican attorney and climate justice activist Elizabeth Yeampierre delivered the fourth annual Frances Tarlton “Sissy” Farenthold Endowed Lecture Series in Peace, Social Justice and Human Rights at the Rothko Chapel (see page 6). She then came to Austin to participate in our annual conference, titled “Puerto Rico in the Wake of Crisis: Toward a Just (After) life of Disaster,” which focused on the impact of Hurricane Maria on the island and on the related work of many of the participants (see page 7). Of course climate change is implicated in the Puerto Rico story, but the lecture and conference laid bare how the disaster was caused less by nature than by a history, politics, and economics inflected by racialized and colonial dynamics. Participants called for radical, community-led efforts to coordinate a “recovery” based on an entirely different economic and political model.

Other events uncovered similar dynamics of injustice and also led us to a reconsideration of strategies, this time from earlier eras. The inauguration of the Michael Tigar Papers (see pages 2-3), in particular, provided an opportunity to hear from social justice lawyers, including Tigar, about their decades-long struggles (beginning in the 1960s) against state power. Even as some participants reflected upon the extent to which the battles of today echo yesterday’s fights over imperialism, marginalization, and domination, their stories inspired many in the audience about the possibilities for using law within social movements.

Time and time again, then, the year forced us to confront the fact that the patterns of inequality we see today are deeply rooted in historical, racialized patterns of domination and subordination. This confrontation has pushed us to begin to think “beyond inequality,” and to rely on an ever-widening network of scholars and activists to consider different frames for analyzing and responding to inequality.

As we move into our new work, we will do so with a different configuration of leadership. The two of us have had a long and exciting run of co-directing the Center since 2010. Dan has exciting news—he has recently been named chair of the Department of Government. Though he will stay involved with the Center, he will step down as co-director. Because



From left to right: Karen Engle talks with incoming co-director Neville Hoad and co-director Dan Brinks.

accomplishment of our mission requires interdisciplinary leadership, we are delighted to announce that English professor Neville Hoad, who has been on the steering committee since its inception, will be our new co-director from the College of Liberal Arts. He will bring great energy, ideas, and critical and incisive takes on the questions that animate our work. Stay tuned!



# Michael Tigar Papers

Launch & Celebration



Scenes from the Michael Tigar Papers launch. Clockwise from top left: Michael Tigar; (from left to right) Jordan Steiker, Annie Bares, Ariel Travis, Patrick Aana, Billy Chandler, Dan Brinks, Sarah Eliason, Karen Engle, and Michael Tigar; (from left to right) Roger Reeves and Neville Hoad; Michael Tigar with family and friends; (from left to right) Wayne Reaud, Michael Tigar, and Fernando Chávez; (from left to right) Robin Mardemootoo and Bernardine Dohrn.

Michael Tigar's Papers are available at  
[law.utexas.edu/tigar/](http://law.utexas.edu/tigar/)



Last fall, the Center launched the Michael Tigar Papers, which chronicle the remarkable career of a legendary human rights lawyer and former Texas Law professor. Tigar generously donated a digital collection of his papers to the Rapoport Center and the Dolph Briscoe Center for American History in 2016.

Over the course of two years, Karen Engle (Law; Rapoport Center) oversaw a team of students in the creation of an online exhibition featuring the hundreds of donated documents including articles, correspondence, photographs, and creative works that provide a glimpse into Tigar's outstanding career as a defense attorney, activist, and scholar. It also includes excerpts from an oral history of Tigar conducted by Engle and fellow professors Jordan Steiker and Gerald Torres. At the launch, Engle told Tigar that it has been inspiring to see the students "take in the many, many lessons—substantive and procedural, theoretical and practical, moral and legal, and historical and contemporary—that are embodied in the materials."

The launch took place on September 20, 2018 before a packed house in the Eidman Courtroom, and included a video tribute by Jeremy Corbyn, leader of the UK Labour party; a roundtable discussion with prominent social justice lawyers who have worked with Tigar during different eras and in varied capacities; a reading of one of Tigar's plays; an interview with Tigar; and a reception with toasts by family members, a former student, a previous client, and two federal judges.

During the roundtable, as panelists recounted victories and defeats, they made clear Tigar's fierce commitment to fighting state repression. Bernardine Dohrn characterized Tigar as "fearless," and said that his choice of clients—Angela Davis, John Connally,

Major Debra Meeks, Leonard Peltier, and Terry Nichols—demonstrated his "wanting a good fight, wanting to put the state to the test of its power."

According to friend and former client, Wayne Reaud, Tigar's courage, paired with his intellect make him "the greatest living lawyer in America." Reaud also lauded Tigar's willingness to take cases that pitted him against the federal government and quipped, "Look at the people he's represented! Can you imagine what the FBI file would read on Michael Tigar?"

**"No one understands better than Michael Tigar that we must judge our legal system not by how it treats its most powerful, but by how well it guards the rights of the poorest and least popular among us."**

**—Judge Jon Tigar**

Tigar first went head-to-head with the state in the late 60's during the Vietnam War, when he began providing legal assistance to young men facing the military draft. Panelist Fernando Chávez, son of the famous labor organizer, experienced Tigar's advocacy firsthand, and recounted being inspired to pursue a career in law after Tigar successfully defended him against charges of draft evasion before a hostile California jury.

Beginning in the 1990s, Tigar began to take a number of death penalty cases and appeals, including many where the chance of victory was bleak. Steiker, who worked on a number of these cases, discussed the intellectual engagement, moral resolve, and passion that Tigar brought to the work. "My sense of Michael's commitment was that he didn't think that lawyering was just about winning cases," and instead required "making a record and...taking a moral stand about the way things should be." He also fondly recounted helping Tigar prepare for Supreme Court oral arguments with several other young law-

yers in Tigar's kitchen, peppering him with questions while Tigar prepared them dinner.

Tigar has held multiple teaching positions over the years, and has left his mark on students wherever he has gone. Robin Mardemootoo, Managing Partner of Dentons Mauritius, traveled from Port Louis to attest to the impact that Tigar has had on him and his career trajectory, beginning when he met Tigar, who was on the law faculty of Paul Cezanne University, in Aix-en-Provence. Largely thanks to Tigar, Mar-

demootoo went on to study and receive an LLM from Texas Law and has committed himself and his firm's resources to meaningful pro bono and social justice work. He and Tigar have collaborated on multiple human rights

cases, representing displaced Chagos Islanders and arguing on behalf of Masai's grazing rights.

The many students in the audience took away powerful lessons. Allison Wright, a second-year law student, commented that Chavez' story in particular prompted "an overwhelming sense of gratitude" for choosing to pursue a law degree. She was reminded that "being a successful lawyer is not just about winning cases, it is about taking a moral stance for what is right."

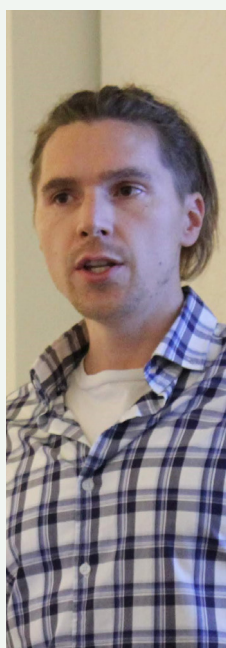
Perhaps the greatest lesson of the evening was summed up by Tigar's son, Judge Jon Tigar, who wrote a tribute saying he was proud of his father "not only because he has scaled such great heights, but for how he chose to use his talents: for the poor, for the victimized, for the despised, for those in dissent. No one understands better than Michael Tigar that we must judge our legal system not by how it treats its most powerful, but by how well it guards the rights of the poorest and least popular among us."

# Colloquium on Law and the Production of Inequality Brings Together Students and Visiting Scholars



November 12, 2018  
TOMASI FERRANDO

"Law and the  
Reproduction of Food  
Poverty"



October 29, 2018  
MICHAEL ALBERTUS

"Inequality and  
the Elite Origins of  
Democracy"



November 28, 2019  
HILA SHAMIR

"Feminist  
Approaches to the  
Regulation of Sex  
Work"



October 15, 2018  
IGNACIO SAIZ

"From Disparity to  
Dignity: Tackling  
Economic Inequality  
through Human  
Rights"



October 1, 2018  
DAN DANIELSEN

"Trade, Distribution  
and Development  
under Supply Chain  
Capitalism"

During fall 2018, the Rapoport Center hosted a biweekly colloquium which brought in scholars and activists from law and the social sciences to examine the role of law in creating and redressing inequality.

Speakers examined a range of themes, spanning the regulation of sex work and feminist law-making; law and the reproduction of food

poverty; trade, distribution, and inequality; constitutional deal-making in nascent democracies; and new frontiers in human rights advocacy that seeks to dismantle the structures that produce socio-economic inequalities.

The colloquium was part of a semester-long seminar taught by Professor Dan Brinks (Government; Rapoport Center) and postgraduate

fellow Kate Taylor. The students in the seminar—from law, education, government, and public policy—wrote innovative papers examining legal regimes and structural inequalities. They addressed criminal

sentencing in the United States, the law regulating working conditions at sea, housing and education inequality in Austin, and other topics. Huey Fischer (Law), whose paper examined legal regimes governing offshore oil workers, used the opportunity to conduct stakeholder interviews in order to investigate the ways that legal and political inequalities intersect to produce worker vulnerability.

Reflecting on the seminar, Olivia Johnson, a graduate student in education, commented, "As an educator, I thought I understood inequality going into this seminar. But the speakers opened my eyes

to the countless ways inequality is produced and maintained by oppressive systems and legal regimes. This seminar helped me understand how law and human rights can help tackle this global crisis."

**"As an educator, I thought I understood inequality... But the speakers opened my eyes to the countless ways inequality is produced and maintained by oppressive systems and legal regimes."—Olivia Johnson**

This was the Rapoport Center's fourth semester-long colloquium examining the role of law in structuring relations of domination, subordination, and accumulation. The Center intends to continue facilitating this conversation through a series of workshops over the coming year.

## Center Aims to Rethink Incarceration and Redefine Justice

In the United States, critics of mass incarceration and overpolicing increasingly call for decarceration. At the same time, the international human rights movement increasingly advocates for the criminal punishment of perpetrators of many human rights violations, while simultaneously criticizing prison conditions, the death penalty, and due process violations. In spring 2019, the Rapoport Center hosted a series of events to consider the relationship among movements for prison abolition, penal reform, and human rights.

In February, the Center screened “War Don Don,” a documentary by Rebecca Cohen about the war crimes trial of Revolutionary United Front rebel leader Issa Sesay before the Special Court for Sierra Leone. The screening was followed by a talkback via video with international human rights lawyer Paul Clark (Garden Court Chambers, England), who worked on Sesay’s defense team. Clark criticized the court for its allocation of greater financial resources to prosecution than defense teams and, asserting that “the pursuit of justice was clouded by a lack of modesty,” explained that the court was motivated by international pressure to identify guilty parties to a degree that clouded its ability to focus on true justice and reconciliation.

In April, along with the Human Rights Law Society, the Center invited staff members of Austin-based Grassroots Leadership to provide a local perspective. Grassroots Leadership’s mission is to ensure “a more just society where prison profiteering, mass incarceration, deportation and criminalization are things of the past.” It has galvanized support against immigration detention centers in Texas and as well as against the criminalization of the homeless, the construction of new prisons, and police cooperation with ICE. Barbara Hines, founder of the Immigration Clinic at Texas Law and now co-chair of the board of Grassroots Leadership, moderated the discussion.

Annette Price, statewide director of Grassroots Leadership’s Texas Advocates for Justice, showed how one of Clark’s concerns at the international level was manifested in Travis County, as she discussed the stark contrast between the enormous budget of the District Attorney’s Office for prosecuting indigent people and the funds put toward their defense or other forms of assistance. This disparate allocation of resources, according to Price, perpetuates a system that is far more focused on punishment than on justice or rehabilitation, and that disproportionately incarcerates low-income individuals and those from communities of color.

Claudia Muñoz, director of immigration programs at Grassroots Leadership, described the organization’s campaign to shut down the Hutto Detention Center. Improving conditions of detention, she contended, was an insufficient objective, as the detention center’s mere existence perpetuated detainee abuse. “Certain systems cannot be reformed,” Muñoz said. “You have



From left to right: Barbara Hines, Annette Price, Claudia Muñoz, and Bob Libal discuss Grassroots Leadership’s work in Texas.



Karen Engle and students applaud international human rights lawyer Paul Clark’s remarks following the film screening of “War Don Don” (photo courtesy of Rachel Olvera, *The Daily Texan*).

“Certain systems cannot be reformed. You have to trust people most directly affected by them—women who are detained, formerly detained people, undocumented people—to come up with new systems.”—Claudia Muñoz

to trust people most directly affected by them—women who are detained, formerly detained people, undocumented people—to come up with new systems.”

Both of the Center’s spring events prompted critical reflection on the aims and effects of criminal law, the possibilities and pitfalls of reform efforts, and the need to take seriously prison abolition. The Center’s upcoming conference, “Prison Abolition, Human Rights, and Penal Reform: From the Local to the Global,” on September 26-28, 2019, will provide an opportunity to continue the conversation (see page 21).



# Climate Justice: The Time is Now, the Place Is Here



Elizabeth Yeampierre in conversation with Houston environmental activist Bryan Parras (photo courtesy of the Rothko Chapel).

Renowned Puerto Rican attorney and climate justice activist Elizabeth Yeampierre delivered the fourth annual Frances Tarlton “Sissy” Farenthold Endowed Lecture in Peace, Social Justice and Human Rights on November 29, 2018. Yeampierre spoke to a large audience at the Rothko Chapel in Houston about the urgent need for radical, community-led action to counter the mounting forces of climate change, which disproportionately

explained that her advocacy emerged from necessity, following her own community’s exposure to pollutants and environmental threats. Stressing the vitality of local solutions to climate change and describing efforts in places ranging from New York to Puerto Rico, she said: “The path to climate justice is local and frontline-led.... We must focus on community control of land, community control of energy, manufacturing of renewable energy, provid[ing] direct

ourselves in uncomfortable spaces fiercely engage in self-transformation.... If we’re willing...to really challenge everything and really commit ourselves to being different,” she continued, “then we have a chance to win this thing.”

In the audience was Joe Bailey, Jr., a Houston native and award-winning documentary filmmaker who directed a series of short documentary films on Farenthold included in the Rapoport Center’s on-line exhibition, “Frances Tarlton “Sissy” Farenthold: A Noble Citizen.” Noting that he “could tell Sissy was proud of the discussion” that evening in the energy capital of the world, Bailey said he hopes the conversation continues so that it might “shape the decisions of industry, government, activism, and the voting public here in Houston, and well beyond.”

Following the Farenthold lecture, Yeampierre traveled to Austin to participate in “Puerto Rico in the Wake of Crisis: Toward a Just (After)life of Disaster.” (see page 7).

“The path to climate justice is local and frontline-led...and we must...fiercely engage in self-transformation.”—Elizabeth Yeampierre

impact poor communities of color.

Yeampierre opened her talk by expressing her respect for Sissy Farenthold, “a model of the courage needed today.” She applauded Sissy’s “willingness to insert herself in uncomfortable spaces—places where she has disrupted patriarchy,” and then appealed to her audience to do the same: “I want to...put you in an uncomfortable space,” because discomfort is unavoidable if we are to “build the kinds of relationships that will make it possible for us...to survive.”

As executive director of UPROSE, Brooklyn’s oldest Latino community-based organization, and co-chair of Climate Justice Alliance, Yeampierre works with communities most impacted by climate change to challenge extractive structures and practices. During her lecture and an ensuing conversation with Houston environmental activist Bryan Parras, Yeampierre

benefits to the local community.”

For Yeampierre, successful efforts to promote climate justice must also incorporate struggles for racial justice and include intergenerational leadership.

She reiterated that “we must insert



From left to right: Bryan Parras, Ashley Clemmer, Elizabeth Yeampierre, Sissy Farenthold, Karen Engle, David Leslie, and Kelly Johnson (photo courtesy of the Rothko Chapel).

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

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

\*deceased

# The (After)life of Disaster: Puerto Rican Scholarship, Art, and Activism After Maria



Panelists Sarah Molinari and Marisol LeBrón speak about re-orienting Puerto Rican scholarship post-Maria.



Community organizer Sebastián Colón-Otero's pin reflects Puerto Rico's refusal to align with US sovereignty.

Already in 2017, Puerto Rico was undergoing a dire economic crisis and massive out-migration, both enduring legacies of a long colonial history. Then, in September of that year, Hurricanes Irma and Maria exposed the island's vulnerabilities in the context of twenty-first century colonialism. A year later, the Rapoport Center and the John L. Warfield Center for African and African American Studies hosted "Puerto Rico in the Wake of Crisis: Toward a Just (After)life of Disaster." The symposium, organized by Professor Mónica Jiménez (UT, African and African Diaspora Studies), took place at UT on November 30–December 1, 2018. Scholars, activists, and artists from Puerto Rico and diaspora communities gathered to reflect on how Hurricane Maria and its aftermath have irrevocably affected their art, scholarship, and advocacy.

Throughout the weekend, as participants recounted efforts to rebuild Puerto Rico despite state inaction, a powerful collective narrative emerged. Islanders were "taking matters into their own hands" and assuming individual agency at odds with the inertia of their government. "Where there is power, there is resistance," noted José Atilés (University of Puerto Rico, Mayagüez), a panelist on the first day. Activist Elizabeth Yeampierre, the 2018 Farenthold Endowed Lecturer (see page 6), expanded on this theme during the symposium's keynote event. Interviewed by Jiménez, Yeampierre spoke to the urgent need for a just recovery effort in Puerto Rico—one

that foregrounds local knowledge, local needs, and local power, working against the structural injustices rooted in US colonialism.

The symposium facilitated a rich dialogue among diverse speakers, whose work spanned poetry, visual arts, anthropology, philosophy, epidemiology, clinical psychology, geography, and climate justice. For many participants and audience members alike, the trauma from last year's crisis was deeply personal and proximate, and it inflected their work in profound ways.

In the final panel, participants discussed how various forms of organizing and "self-making"—artistic, cultural,

political—produce spaces to assert agency in response to the violence of economic and environmental crises. "Mourning and resilience are part of our daily language of survival through creativity and poetics," explained roundtable moderator Jossianna Arroyo-Martínez (UT, Spanish & Portuguese). From woodturning and poetry to network-building, Puerto Ricans respond to US neglect by reimagining their nation as one that thrives free from colonial influence. PhD candidate and panelist Bethzabeth Colón Pizzini (UT, African and African Diaspora Studies) discussed artists' use of the island's flag, rendered in black and white, to symbolize islanders' refusal to align with US sovereignty. Testifying to the resilience of Puerto Ricans, participants echoed a communal sense of cautious hope for the island's future.

**"Mourning and resilience are part of our daily language of survival through creativity and poetics."  
—Jossianna Arroyo-Martínez**

## PARTICIPANTS

Barbara Abadia-Rexach  
*University of Puerto Rico - Rio Piedras*

Jossianna Arroyo-Martínez  
*UT, Spanish and Portuguese; African and African Diaspora Studies*

José Atilés  
*University of Puerto Rico - Mayagüez; University of Coimbra*

Nicole Burrowes  
*UT, African and African Diaspora Studies*

Dennis Colón  
*Artisan, San Juan, Puerto Rico*

Bethzabeth Colón Pizzini  
*UT, African and African Diaspora Studies (Ph.D)*

Sebastián Colón-Otero  
*Psychotherapist, Community Organizer, Austin, Texas*

Karen Engle  
*UT, Law; Rapoport Center*

Jeffrey Howard  
*UT San Antonio*

Mónica Jiménez  
*UT, African and African Diaspora Studies*

Marisol LeBrón  
*UT, Mexican American and Latina/o Studies*

Minkah Makalani  
*UT, African and African Diaspora Studies; Warfield Center*

Domingo Marques  
*Albizu University; Ponce Health Sciences University*

Sarah Molinari  
*City University of New York (PhD Candidate)*

Carlos Ramos Scharón  
*UT, Geography & the Environment; Latin American Studies*

Carina del Valle Schorske  
*Columbia University (PhD Candidate)*

Pavithra Vasudevan  
*UT, African and African Diaspora Studies; Women's and Gender Studies*

Elizabeth Yeampierre  
*UPROSE*



## Exiled Turkish Scholar Discusses Democratic Decline in Inaugural Scholars at Risk Lecture

In 2018, the University of Texas at Austin collaborated with Scholars at Risk (SAR), an international network of institutions assisting threatened scholars and promoting academic freedom. The Rapoport Center hosted Dr. Halil Yenigün from Turkey, on April 23-25, 2018. Yenigün is a visiting scholar at Stanford who was dismissed from his position at Istanbul Commerce University after he signed a petition calling on the government to end violence against, and negotiate with, Kurdish communities in Southeast Turkey. Yenigün was forced to flee Turkey when Erdoğan's administration began persecuting non-loyal academics.

"We would like to offer more support to scholars like Dr. Yenigün, to give them time to recover from their trauma and to resume their academic work."—Max Snodderly

During a three-day visit, Yenigün met with faculty and discussed Turkish politics over coffee and baklava with students from Law and Middle Eastern Studies. He delivered a lecture entitled "Islamic Democracy Arrested? Resistance to Authoritarian Transition in Turkey," to over seventy audience mem-

bers. The lecture described the decades-long degradation of democratic institutions under Erdoğan but also expressed hope for the future, given recent resistance movements in Turkey.

"In the future," said UT's SAR committee head Professor Max Snodderly, "we would like to offer more support to scholars like Dr. Yenigün, to give them time to recover from their trauma and to resume their academic work."



Dr. Halil Yenigün delivers the inaugural Scholars at Risk lecture at the University of Texas at Austin in April 2019

## Center Hosts Human Rights Professors from Nigeria and South Africa



Rapoport Center Co-director Dan Brinks and Visiting Professor Olajumoke Yacob-Haliso share a laugh before one of her public lectures at Texas Law.

"It has been my pleasure to interact with such a diverse set of students and faculty across campus. I have learnt as much as I have imparted and am grateful for the opportunity."—Olajumoke Yacob-Haliso

As part of the Rapoport Center's ongoing work to foreground experiences and insights from the Global South, our team hosted two visiting professors for week-long residencies at the University of Texas. Over the course of the 2018–2019 academic year, we were joined by Olajumoke Yacob-Haliso, Associate Professor of Political Science at Babcock University in Nigeria, and Serges Kamga, Associate Professor of Law at the Thabo Mbeki African Leadership Institute at the University of South Africa.

Yacob-Haliso's research addresses women in conflict and post-conflict situations, focusing on refugees and displacement in Liberia and Nigeria. Kamga, in turn, studies the distribution of development rights in Africa, cross cultural perspectives, and disability rights.

Both scholars delivered public lectures, taught History Department seminars, and met with students and faculty. Discussions ranged over tax justice and equitable development rights to mothering and survival in a post-conflict context. "It has been my pleasure to interact with such a diverse set of students and faculty across campus," said Yacob-Haliso, reflecting on her visit. "I have learnt as much as I have imparted and am grateful for the opportunity."

Funded by the Ford Foundation, our Visiting Professor/Practitioner (VPP) Program enables the Center to host prominent global scholars and practitioners at UT, bringing in alternative voices to engage with the campus community on issues of economic inequality and its structural origins.





Mayoral candidate Wilmar Moreno visits the community of La Cristalina in Briceño, Colombia, to discuss locals' needs. With their community more than an hour from the village center (itself nearly two hours on unpaved roads from the highway that connects it to the rest of Colombia), locals say transportation is too prohibitively expensive to allow them to sell the agricultural goods they produce (photo by Alex Diamond, taken during his summer fieldwork in Colombia).

## Human Rights Fellows

We supported nine law and graduate students to intern in the summer with human rights organizations and institutions around the world. In locations as diverse as Mauritius, Mexico, and South Africa, students worked to promote social justice, protect the rights of refugees and asylees, and explore the intersections among gender, race, ethnicity, immigration policy, and human rights.

ALICIA DANZE, Geography and the Environment  
*Tahirih Justice Center*  
Houston, Texas

JOHNATHAN GOOCH, Law  
*Chagos Refugee Group*  
Port Louis, Mauritius

KIRSTEN KUMAR, Law  
*Refugee Services of Texas*  
Austin, Texas

SADIKSHYA NEPAL, Global Policy Studies, LBJ School  
*Center for Migration Studies*  
New York City, New York

BILLY PAVORD, Law  
*Lawyers for Human Rights*  
Pretoria, South Africa

ENRIQUE RAMIREZ, Law  
Orlando Letelier and Ronni Karpen Moffitt Endowed Presidential Scholar  
*ACLU of Northern California*  
San Francisco, California

RAMSEY SCHULTZ, Law  
*Juvenile Justice Advocates International*  
Mexico City, Mexico

## Fieldwork Grants

As part of our project on human right and inequality, we awarded grants to support summer fieldwork by five PhD candidates from across campus. They pursued important social justice research in sites ranging from Austin, Texas to Punjab, India.

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

SARAH ELEAZAR, Anthropology  
*"Water and Politics of Deprivation and Resource Capture in Punjab"*  
Chah Kalalanwala and Kot Assadullah, Punjab, India

IASMIN GOES ARAGAO SANTANA, Government  
*"Why Do Governments Tie Their Hands? Natural Resources, Public Budgets, and Voter Demands"*  
Washington, DC

KATIE K. ROGERS, Sociology  
*"Breaking the Grass Ceiling: Race, Class, and Gender Inequality in the U.S. Legal Cannabis Industry"*  
San Francisco, California

SHANNON MALONE GONZALEZ, Sociology  
*"In Her Place: Policing Black Women Across Social Class"*  
Austin, Texas

## 2019 Charles Moyer Human Rights Fellow

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



ORIANE LEAKE, Law  
*Diocesan Migrant and Refugee Services, El Paso, Texas*  
*Repreive, London, England*

Oriane Leake (JD) interned this summer with two organizations. She spent the first half of her summer in El Paso, Texas, working for Diocesan Migrant and Refugee Services (DMRS) in their Removal Defense Unit. While there, Leake assisted defense teams in removal proceedings cases at various stages. Then, for the second half of her summer, she worked with Reprieve in London, England, an organization that represents clients facing the death penalty in the Middle East and North Africa. While at Texas Law, Leake participated in the Capital Punishment Clinic and the Immigration Clinic. In her 2L year, she was the Pro Bono Scholar for the Psychiatric Advanced Directives Project with INCLUDE. Leake plans to continue exploring the intersections between criminal defense, mental health, and immigration law as she pursues a career in public interest law.

## 2019 Berta Cáceres Human Rights Fellow

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



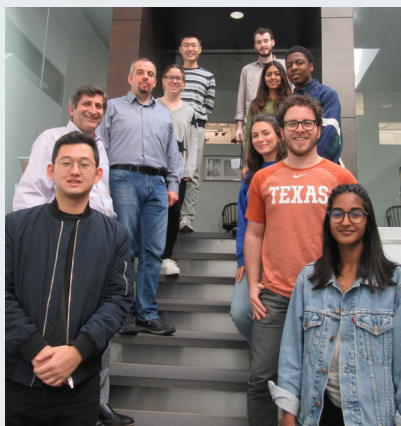
ELIZABETH HAMILTON, Law  
*Dentons*  
*Port Louis, Mauritius*

This summer, Elizabeth Hamilton (JD) interned with Dentons in Port Louis, Mauritius. She assisted with the ongoing *pro bono* case representing the Chagos Refugee Group (CRG). The CRG advocates for the Chagossian people who were forcibly removed from their homes on the Chagos Archipelago in the 1960s and 1970s. While in Port Louis, Hamilton assisted a team of lawyers to identify possible avenues forward for CRG's indigenous rights case. Prior to law school, she had a career in financial services. At Texas Law, Hamilton is a staff editor for the *Texas Journal on Civil Liberties & Civil Rights*. She participated in the "Pro Bono in January" trip during her 1L year and will serve on the leadership team for the program in her second year. After law school, Hamilton hopes to pursue a career in human rights or civil rights law.



# CLINIC HIGHLIGHTS

## HUMAN RIGHTS



Clinical Professor Ariel Dulitzky and students from the spring 2019 Human Rights Clinic class.

**DEFENDED** people in 4 countries against a variety of abuses, ranging from enforced disappearance to political persecution.

**PROMOTED** the development of the “Right to Memory in the Americas” project, which aims to support the inter-American human rights system, among others, in its advocacy for the public’s right to memory following serious human rights violations.

**PREPARED** an annotated version of the “Fundamental Principles for Public Policies on Memory Sites,” at the request of *Memoria Abierta* and in collaboration with the Human Rights Institute of the International

Bar Association. The original version had been developed by the Institute of Public Policies on Human Rights of MERCOSUR. English and Spanish versions of the brief can be found on the Clinic’s website: <https://law.utexas.edu/clinics/human-rights/>

“The Human Rights Clinic was an invaluable experience. Participating inspired me to pursue a career in the fight against human trafficking.”  
Roya Atashi (Law)

## OPPORTUNITIES

## IMMIGRATION



Students Meredith Luneak and Alexa Lang stand victorious at court after winning their case in April 2019.

**WON** asylum protection for thirteen refugees from Eritrea, Pakistan, Venezuela, and Central America and special visas for three abused and neglected children from Mexico.

**REPRESENTED** five women in custody hearings before the Immigration Court and secured their release from immigration detention. One of the women was an asylum seeker from Africa who had been detained for over a year at two different facilities in Texas, to the great detriment of her mental health.

**ENGAGED** in advocacy challenging mass immigration detention and border policies that harm asylum seekers. Filed two amicus briefs asserting a

constitutional right to independent court review of immigration detention.

**COMMENTED** on proposed regulations that would allow for prolonged detention of families with children.

**PREPARED** an expert paper critiquing the government’s efforts to characterize the situation at the US-Mexico border as a security crisis and severely restrict options for asylum seekers.

“No student should pass up the opportunity to take on a case in the Immigration Clinic; we have so much to learn from our clients.”  
Leah Rodríguez (Law)

## CIVIL RIGHTS



Students Harjeen Zibari and Kevin Trahan in front of the Rio Grande Detention Center for a client meeting.

**RESEARCHED** and authored a short report on current standards and best practices for public defense in order to aid Travis County as it studied whether to open a Public Defense Office to represent low-income people accused in criminal cases.

**REPRESENTED**, along with Brian McGivern, the adult children of a man who died suddenly in Bexar County Jail after suffering a hip fracture and internal bleeding, in a civil rights suit for damages.

**REPRESENTED** a Houston-area resident seeking confirmation of his US citizenship in a federal court case. Federal authorities had challenged

his citizenship because a midwife attending his birth had been accused of falsifying births almost fifty years ago.

**PARTNERED** with the Texas Criminal Justice Coalition and Grassroots Leadership on a data collection and analysis project examining arrests in Travis County for the possession of controlled substances



# Labor Inequalities and Supply Chain Capitalism in Thailand

By Kate Taylor

For the past two years, the Rapoport Center's work on labor, inequality, and human rights has focused on the most vulnerable workers in global supply chains, examining the distributional arrangements that produce inequality and precarity. In debates about the "future of work," policymakers and scholars raise concerns about transformations amid rapid technological advancements. By contrast, the Center's inquiries have revealed the ways that many work arrangements continue to perpetuate historically entrenched patterns of domination and subordination based on racialized, gendered, and imperial hierarchies, albeit in new and evolving forms.

In August 2018, I traveled to Thailand to work with home-based workers and activists in Bangkok and Khon Kaen. Home-based workers, predominantly women, sew garments or repair fishing nets in homes and small workshops. Their day-to-day experiences are marked by job insecurity, occupational health and safety risks, low piece rates, and an inability to unionize. Although home-based workers are often dismissed as members of the informal economy, their labor comprises an essential component of global and local supply chains. However, their relationship to formal sector

firms is obscured through complex subcontracting arrangements.

I spent two weeks working with HomeNet Thailand, an organization at the forefront of informal worker advocacy. I learned about their strategies for improving protections and rights for home-based workers embedded within supply chains. I also met with representatives from companies that rely on

including equipment, training, and social welfare for workers. Although home-based work has long been a feature of Thailand's economy, the practice of subcontracting out to home-based workers has been revitalized by formal sector firms driven to reduce costs by regional competition.

Crucially, subcontracting to home-based work is just one tactic employed by companies to reduce the costs of production and gain access to global supply chains. While in Thailand, I met with migrant workers from Myanmar who reside in Thailand under highly exploitative labor and

immigration conditions. My research reveals how the legal regimes that enable migrant recruitment in Thailand exacerbate the precarity of home-based workers. The latter's already weak standing to demand better pay and working conditions is further compromised when factories can exploit migrant labor at even lower cost. Such dynamics reveal the multiple ways that specific groups of workers are targeted precisely because of their lack of bargaining power, creating profound inequalities that will continue to characterize the "future of work" until those dynamics are altered.

**"The Thailand labor market is structured by transnational forces that subordinate home-based workers and render their work both highly precarious and highly invisible."**

home-based work, officials from the Thai Department of Labor and Welfare, and specialists from the International Labor Organization ("ILO") who study how home-based workers are marginalized under supply chain capitalism.

My research illuminates the ways in which the Thailand labor market is structured by transnational forces that subordinate home-based workers and render their work both highly precarious and highly invisible. In Thailand's garment and fishing net industries, companies exploit these workers to avoid the wage costs of formal labor and to externalize the non-wage costs of production,



Migrant workers in Thailand (photographs this page by Kate Taylor).

## Intern Spotlight: Undergraduates Show Promise as Human Rights Scholars and Advocates

**B**eyond their work at the Center last year, our interns oversaw personal projects arising from their own human rights interests. Carlos Pinon conducted an independent study that captured the disproportionate exposure to air pollutants among communities of color in the San Francisco Bay Area. By correlating US Census demographic data with air quality measurements taken by a mobile monitoring network, Pinon uncovered data with a spatial precision unavailable in most environmental justice studies to date. In April, culminating a longstanding commitment to sociopolitical advocacy, Guneez Ibrahim delivered a TEDx Talk titled “Why Should We Strive to Be First?” Ibrahim spoke of the challenges of encountering racism and misogyny throughout her life, from her upbringing as a first-generation Pakistani-American woman in Louisiana to her campaign for Student Body President at UT. She emphasized the importance of uplifting voices that remain marginalized today. Most recently, Christina Cho traveled to Ghana this summer as a recipient of the inaugural President’s Award for Global Learning. Her team, among only seven such groups funded by UT to carry out research abroad, created a social impact initiative, “The Color Complex,” which examines the perpetuation of colorism through media, businesses, and familial relations.



Guneez Ibrahim speaks at the second annual TEDxUTAustin Conference on April 6, 2019 (photo courtesy of Ibrahim).



## Alumni Spotlight: Tony Keffler

Former undergraduate intern Tony Keffler (photo courtesy of Keffler).

**T**ony Keffler, the Rapoport Center’s undergraduate intern in 2007, is today an immigration attorney at The Bronx Defenders. This South Bronx-based non-profit defends low-income residents in criminal, civil, child welfare, and immigration cases.

Keffler recently recalled how his work at the Center gave him “a real understanding of how legal concepts are applied to further human rights goals.” During his time here, Keffler participated in a fact-finding delegation to Brazil, contributing to research on Afro-descendant and indigenous land rights. Reflecting on this experience, Keffler remarked, “I observed how law students, attorneys, and Afro-Brazilian community members collaborated in crafting a legal claim to their ancestral lands. I learned that while human rights work operates on many institutional levels, the most important relationship is meaningful contact with clients.”

After graduating from UT Latin American Studies with Honors, Keffler completed law school at the University of Pennsylvania, with an MA in International Studies.

In the fall of 2016, Keffler joined The Bronx Defenders, where he represents non-citizens in immigration court removal proceedings in New York City. Keffler also advises criminal defense attorneys on pending criminal cases for non-citizens. The rapidly developing area of “crim-imm”—the intersection of criminal law and immigration law—greatly impacts the Bronx community, where immigrants make up roughly one third of the population. “Ensuring due process and the humane adjudication of immigration law is one of the many critical issues confronting our country,” says Keffler. Eventually, he hopes to “return to Texas to work with immigrants and their families” in his home state.



# Property Rights and Inequality in South Africa's Mining Sector

As part of our thematic focus on inequality in natural resource governance, the Rapoport Center published an extensive report on mining and property rights in South Africa. The study, drafted by Rapoport Center postdoctoral fellow Julia Dehm (2015-2017), marks the culmination of Dehm's research and the Center's collaboration with activists and NGOs working at the forefront of human rights and natural resource governance in the region.

The report examines the distribution of entitlements, benefits, and decision-making power in South Africa's mining sector. Using in-depth case studies at three different "sites of governance," the report explores how domestic, international, and customary laws shape the struggle to perpetuate or undermine current hierarchies. Dehm argues that the underlying property rights regime, built on decades of racial exclusion under apartheid, continues to structure and protect existing inequalities of wealth, reinforcing strikingly unjust social outcomes.

Dehm's work informs critical debates in South Africa regarding the relationship between inequality, human rights, and property in the context of mining. She underscores that those engaging would benefit from a broader political and legal imagination about the different ways that property rights are, and could be, envisioned.

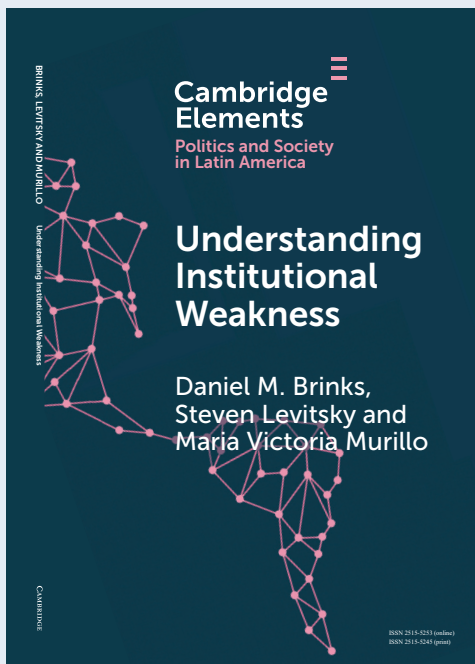
The open-access report is available on the Rapoport Center's website.



Protests during the Alternative Mining Indaba, a three-day summit in 2016 addressing the relationship between mining and sustainable, social, and equitable development (photo by Julia Dehm).

Those engaging [in debates over mining rights] would benefit from a broader political and legal imagination about the different ways that property rights are, and could be, envisioned.

## Insights from Workshop Inform Two Books on Weak Institutions



In the fall of 2017, the Rapoport Center hosted a workshop on weak institutions in Latin America. Organized by Co-Director Daniel Brinks, M. Victoria Murillo (Columbia, Political Science), and Steve Levitsky (Harvard, Government), the event attracted prominent scholars of Latin American politics. The organizers summarized the workshop's lessons in a short book published by Cambridge University Press entitled *Understanding Institutional Weakness: Power and Design in Latin American Institutions*. An edited volume collecting the papers presented will also be published by Cambridge University Press this fall.

Workshop participants noted the frequent ineffectiveness of institutional changes intended to advance rights in Latin America. Other chapters reveal the more troubling side of institutional strength, including authoritarian constitutions that reinforce inequality and constrain democratic redistributive policies. Conversely, the weakness of institutions that regulate informal housing and employment can sometimes facilitate progressive distributive ends.

Both books examine these issues through a range of case studies, analyzing crucial institutions and drawing lessons regarding the utility of institutional reform for defending human rights. The texts discuss domestic violence prohibitions in Mexico, consultations with indigenous groups prior to extraction in Bolivia, and labor and environmental protections in Argentina and Peru, among other topics.

Reflecting on the project, Brinks explained, "Institutional weakness has usually been blamed for the failure of reform initiatives, but treated as a feature of the landscape. In the course of this project, we explored the many ways in which institutional weakness can be a conscious political strategy. We find it is sometimes used to substitute for actual redistribution, by relieving the poor of the burden of certain institutions, and sometimes used to regressive ends, by failing to enforce progressive efforts. Similarly, institutional strength, often touted as foundation for democratic success, can be a hindrance when the institution in question was inherited from authoritarian predecessors."



# Audre Rapoport Prize Winner Reflects Upon Transgender Life Under the Strictures of State and Society

Congratulations to **Katherine Fallah**, recipient of the 2018 Audre Rapoport Prize for Scholarship on Gender and Human Rights. An international panel of scholars selected Fallah's paper, "Re Georgio: An Intimate Account of Transgender Interactions with Law and Society," as the winner.

The Rapoport Center published "Re Georgio"—and runner-up "'United We Stand': The Collective Mobilisation of African Women in Athens, Greece" by Viki Zaphiriou-Zarifi—as part of its Working Paper Series. Fallah's article is a highly original first-person account of the relationship between law and gender. Reflecting on the experiences of her companion, Georgio, Fallah offers an intimate narrative of his gender transition and the accompanying joys and frustrations. The piece illustrates Georgio's vulnerability in quotidian sites governed by gendered strictures, from airports and rugby fields to hospitals and schools. Interactions in these spaces become a constant "reminder that no matter how well [one] manage[s] to 'pass,' [transgender people] must constantly navigate...a society that is all too eager to deny [them] the 'normal life' that [they] crave." Through a series of vignettes aiming to "breathe humanity into law's cold scripts of gender identity," Fallah invites heartfelt reflections on legal and societal assumptions about the rights and lives of transgender people.

Fallah is a Lecturer of Law at the University of Technology in Sydney and a member of the Australian and New Zealand Professional Association for Transgender Health. Her work explores the contradictions inherent in how international law executes its humanitarian projects.



Dedicated to interdisciplinary and critical dialogue on international human rights law and discourse, the Rapoport Center's Working Paper Series publishes innovative papers by established and early-career researchers, as well as practitioners (Creative Commons image "paper 3" courtesy of Dan DeLuca on Flickr: [www.flickr.com/photos/dandeluca/11679452475/](http://www.flickr.com/photos/dandeluca/11679452475/)).

## Working Paper Series Fosters Critical and Interdisciplinary Dialogue

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

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

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

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

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

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

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

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

# STAFF



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



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



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



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



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



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



NEVILLE HOAD is associate professor of English and incoming co-director of the Rapoport Center. He is also faculty affiliate of the Center for Women's and Gender Studies and the Center for African and African American Studies. His research focuses on African and Victorian literature, queer theory, and the history of sexuality.



EDWARD SHORE is postdoctoral fellow at the Center, working on a multiyear project on inequality and human rights. Shore holds a PhD in Latin American history from UT and a BA in history from Boston College. His research focuses on quilombola communities and their struggle for land rights in Brazil.



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# THE YEAR TO COME



Clinical Professor Lucille Wood (UT, Law) created the beautiful image above to celebrate the spring 2019 visit of Professor Serges Kamga (Thabo Mbeki African Leadership Institute, University of South Africa). Kamga was one of two scholars, along with Professor Olajumoke Yacob-Haliso (Babcock University, Nigeria), chosen last year for the Rapoport Center's Visiting Professor/Practitioner Program (see page 8).

Wood's painting illustrates the importance of the arts in generating dialogue around human rights issues, a view long advocated by the Rapoport Center. Literature, music, theatre, dance, and the visual arts are essential methods for demanding social and political change, educating diverse publics on social injustice, and building more equitable societies. By hosting performance events, film series, and poetry readings, and promoting local, national, and international artists, the Center will continue supporting the arts as an integral component of human rights advocacy.

## Farenthold Endowed Lecture “Meanwhile: Making Abolition Geographies”

September 26, 2019

**Ruth Wilson Gilmore**, Professor, Earth & Environmental Sciences and American Studies; Director, Center for Place, Culture, and Politics, The Graduate Center of the City University of New York

## Conference | Prison Abolition, Human Rights, and Penal Reform: From the Local to the Global

September 26–28, 2019

## Fall 2019 Speaker Series | Human Rights and Global Inequality: Law, History, and Politics

Monday, October 14

### **Libby Adler**

Professor of Law and Women's, Gender, and Sexuality Studies, Northeastern University

Monday October 28

### **Keisha-Khan Perry**

Associate Professor of Africana Studies, Brown University

Monday, November 11

### **Vasuki Nesiah**

Associate Professor of Practice, Gallatin School of Individualized Study, New York University

Monday, November 25

### **Teemu Ruskola**

Jonas Robitscher Professor of Law, Emory University

Graduate fellow Paula O'Donnell and undergraduate intern Iman Shah prepared this Annual Review, with drafting and editing assistance from the rest of the summer team.



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