

BOSTON COLLEGE
 **CHRIJ** Center for
Human Rights
and
International Justice

2020 Summer Newsletter and
2019-2020 Annual Report



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Letter from the Co-directors

Dear Friends,

We write this letter amid two worldwide crises with particular challenges for human rights activist scholars in the US and beyond: the COVID-19 pandemic and its disproportionate, racialized health and economic impacts on minoritized, low-income communities, and our elders. We also must highlight the sustained protests, in the US and elsewhere, against anti-black racism, sparked by the brutal murder of George Floyd at the hands of a white police officer. People of color, immigrants, asylum seekers – so many of whom had already been pushed to the margins of societies – experience the brunt of these crises as the fissures in society are drawn into sharper relief by these extraordinary circumstances and the absence of coherent national leadership. These injustices, on which the Center has focused its activist scholarship since its inception, continue to challenge us as we seek to accompany those most directly affected by them and as we demand more effective, just responses from our political leaders. Through increased awareness and advocacy, we embrace our work during this period of crisis alongside others from social movements, community organizations, and interdisciplinary action research who embrace these opportunities to demand greater racial and economic justice, with hopes of radically transforming our democracy. We celebrate such small victories as the Supreme Court's decision granting relief [albeit temporary] to DACA recipients, while worrying about the likely terrible human rights consequences of its subsequent decisions on expedited removal and asylum seekers. Despite these challenges the CHRIJ sustained a full year of activities, albeit all close "to home."

Programming on Campus and via Zoom

This past academic year was disrupted in March when Boston College joined most other universities worldwide in closing its doors and sending its students home. Despite distancing and online teaching through Zoom becoming the norm, the Center continued its public programming.

Prior to the shut down we had focused our September events on the state of immigration in and to the US. Three Center faculty and staff had visited the US-Mexico border in El Paso, TX during the summer and shared their experiences in visiting with asylum seekers and local human service workers and activists who accompanied them at that border. They witnessed firsthand some of the effects of President Trump's "Remain in Mexico" policy which placed migrants in further danger as they waited for a nebulous and protracted adjudication process designed to discourage asylum claims. The trio facilitated discussions with attendees on how they could "bring the border to Boston," focusing on issues related to the wellbeing of immigrants locally and on how the BC community could get involved in advocating for them.

The CHRIJ also featured speakers analyzing aspects of the Trump administration's sustained assault on migrants' rights. School of Social Work Professor Alejandro Olayo, SJ presented his research on local hospitality given to migrants en route to the US through Mexico; an attorney from the ACLU presented work which resulted in a ruling securing fair bond hearings for immigrants in Massachusetts, which built on Center Affiliated Faculty member BC Law Professor Mary Holper's previous work on the subject; a documentary screening highlighted the plight of three DACA enrollees in Georgia, with commentary by two current DACA enrollees; and a screening of a multimedia documentary explored the origins, and explosive growth, of the immigration detention system in the US. Read more about the immigration documentary in an article elsewhere in this issue, and the others in our previous winter newsletter, available on the Center's website.

Other Center programming focused on human rights practice internationally. We screened *The Trial of Ratko Mladic*, which looked at the arduous process of bringing a Bosnian Serb general to justice at the International Criminal Tribunal for The Former Yugoslavia in The Hague for crimes of genocide and crimes

against humanity in the Balkan war of the 1990s (more in an article elsewhere in this issue). We hosted two scholars from the Global South (Gustavo Esteva from Mexico and Madhu Prakash from India) whose critique of Western human rights frameworks demonstrated the multiple ways in which they serve as recolonizing instruments. They offered a vision of a different onto-epistemology grounded in Indigenous understandings and experiences that pre-date those in the West, affirming the multiple meaning systems within the "pluriverse" in which we live and work.

A number of events that had been planned for the spring semester were unfortunately canceled due to university responses to the COVID-19 pandemic. Among these was a collaborative effort with the leaders of the increasing number of BC-sponsored trips to the US-Mexico border, responding to the increasing urgency of the humanitarian situation there. The event was intended to be a capstone experience for students who had traveled to the border, hearing from a panel of speakers with expertise and experience in migration in the US context and exploring ways to take the experiences and knowledge gained on their trips forward in advocacy efforts. We will be exploring alternative strategies for continuing this collaborative effort amid the current restrictions on student and faculty travel in place in the upcoming academic year. Despite these disruptions we proceeded with an online program in collaboration with the Environmental Studies program, the Global Health Program and the Departments of Biology and of Sociology to host filmmaker Sam Vinal and activist Anne White Hat who shared their struggle for environmental justice at the Southern end of Standing Rock. After showing the film *L'eau est la vie (Water is Life): From Standing Rock to the Swamp* over 100 participants from BC and beyond engaged in dialogue with our guests. This was the first of what we hope will be additional collaborations focus on environmental rights with our science colleagues at the university.

The Center also continued its longstanding

partnership with the newly renamed Martín-Baró Initiative (MBI) for Wellbeing and Human Rights. This change is reflective of its a partnership with Grassroots International (GRI), and the synergy between the MBI's mission and GRI's mission to advance human rights to land, water, food and climate justice through global grantmaking and advocacy with grassroots movements. In November, 2019, the MBI, in collaboration with the Center, commemorated the 30th anniversary of the murders of the six Jesuits (including Ignacio Martín-Baró) and their two companions at the University of Central America in El Salvador at the hands of the Salvadoran military. As of this writing, one of the intellectual authors of that crime, former Salvadoran Coronel Inocente Montano has just been found guilty for his role in the murders in a Spanish court, a decision which has brought hope to many who have worked for so long to see some justice done on behalf of the victims.

Also in this issue, we highlight the longstanding collaboration between the Center, the Lynch School of Education and Human Development, and the People's Institute for Survival and Beyond (PISAB). PISAB has been facilitating workshops, leadership development, and community organizing among those seeking to Undo Racism since its founding in New Orleans in 1980, and its work remains more crucial than ever. Since their founding, PISAB's reach has stretched across the U.S. and beyond its borders and the article in this issue discusses the Center's ongoing support in collaborating with other local Boston universities and community organizations in hosting annual Undoing Racism® workshops here in Boston.

The Center's supervising attorney, Heather Friedman, and I (Center co-director Daniel Kanstroom), collaborated on a new for-credit practicum offered to law school students. Under their supervision, and in partnership with local law firms, students gained direct experience, and helped clients, by working on asylum and other human rights cases. Attorney Friedman has also been directly involved with casework this past year, including the case of an Afghan woman who was abandoned in Afghanistan by her husband, and is struggling to return to legal status in the US. Although her husband had previously filed a petition to the government for her US permanent resident

status, her abandonment left her unable to return to the US and her petition is in limbo. Friedman discusses the case, and the Violence Against Women Act they are arguing as a legal basis to allow the woman to return to the US to get her permanent residence status, in an article elsewhere in this issue.

Students working in/with CHRIJ

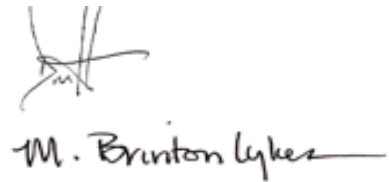
We expanded our internship program for BC undergraduates to now include three research assistants. This past year they worked on research projects on gender- and culture-sensitive mental health interventions with refugees in Turkey, under the supervision of our Fulbright Visiting Scholar. They also helped plan an immigration workshop for students in BC service-learning programs in which they work with immigrants. Hosted by CHRIJ staff and BC faculty the workshop was designed to increase students' knowledge of immigration laws and policy in the US and multiple and diverse ways they may be affecting the clients with whom they are working in their placements.

The graduate-level interdisciplinary Seminar in Human Rights and International Justice, a core course in the CHRIJ Certificate, included students from across BC's graduate and professional schools, as well as two of the three undergraduate CHRIJ research assistants during the spring semester. A number of the course's students completed their studies for the Certificate which was awarded to them via Zoom in May.

We at the Center intend to press forward with our important work this coming year, adapting as we go to shifting circumstances due to the ongoing pandemic and the multiple university responses to health and wellbeing concerns. Our teaching and research continue to afford students opportunities to advance their knowledge of the roots of the inequities, injustices, and human rights violations described in our daily news. They join us in seeking solutions for challenging underlying conditions while also responding to immediate needs. As we try to imagine how to recreate the world in the persistent chaos and suffering of our current period, such knowledge and understanding is crucial to building alternative, more just, equitable and sustainable systems to

better prepare us for continuing global human rights and humanitarian crises. Toward that end we embrace words from John Lewis's final essay, published in the NY Times in the wake of his death: "Democracy is not a state. It is an act, and each generation must do its part to help build what we called the Beloved Community, a nation and world society at peace with itself." We invite you to join us in that journey towards Beloved Community, while thanking you for your continued interest and support of our work, and wishing you the best in navigating each day.

Sincerely,



Daniel Kanstroom and M. Brinton Lykes

Co-Directors

Boston College Center for Human Rights and International Justice

About Us

The Center for Human Rights and International Justice addresses the increasingly interdisciplinary needs of human rights work through academic programs, applied research, and the interaction of scholars with practitioners. The Center's Co-Directors are Law School Professor Daniel Kanstroom and Lynch School of Education and Human Development Professor of Community-Cultural Psychology M. Brinton Lykes. Mr. Timothy Karcz is the Assistant Director.

Additional newsletter contributors: Grace Cavanagh, Emma Kane, Tugce Tumer. Photos courtesy of Chris Soldt/BC Media Technology Services.

Center Projects

THE POST-DEPORTATION HUMAN RIGHTS PROJECT:

Through research, legal and policy analysis, as well as outreach to lawyers, community groups, and policy-makers, the project's ultimate goal is to reintroduce legal predictability, proportionality, compassion, and respect for family unity into the deportation laws and policies of the United States.

HUMAN RIGHTS OF MIGRANTS PROJECT:

This partnership with community-based organizations in the Boston area brings together Central American immigrant members of community organizations, staff organizers from the groups, lawyers, psychologists, and social workers to document how immigration enforcement is affecting immigrants and their families and communities. The aim of this participatory action research (PAR) project is to develop human rights research and advocacy skills among immigrant community members within the United States while simultaneously generating action oriented data and educational and organizing resources for and with local communities. The project has included dozens of collaborative community-university meetings and multiple collaborative projects. Boston College faculty and students associated with the project have produced scholarly work in the fields of law, psychology, action research methodologies, and social work.

Center News & Notes

Center Welcomes New Visiting Scholar Dr. Regina Langhout

The Center is pleased to be remotely (for now) hosting a new visiting scholar this coming '20-'21 academic year, **Dr. Regina Langhout**, Professor of Psychology at the University of California, Santa Cruz. Professor Langhout is best known for her youth participatory action research with 9-12 year old Latinx children. Her most recent work is focusing on violence against immigrant communities and responses to that violence that focus on solidarity and community building.

Learn more about our visiting scholars at <https://www.bc.edu/content/bc-web/centers/chrij/about/fellows.html>.



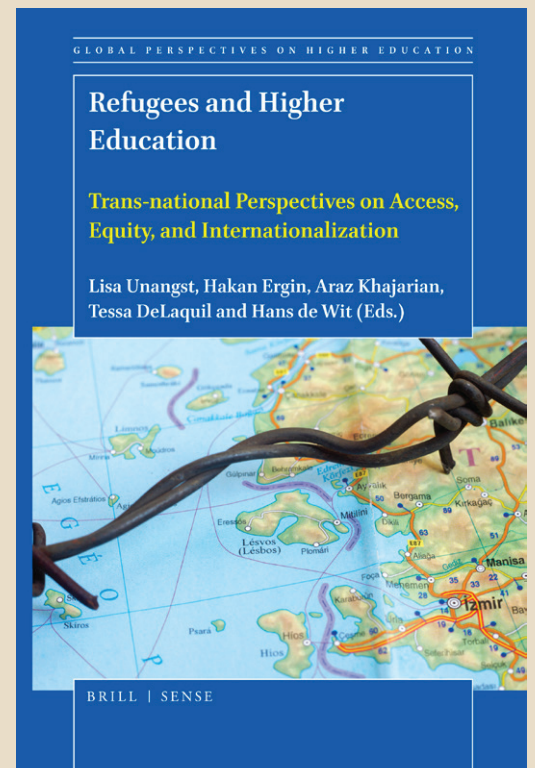
The Center is pleased to add three new rising seniors as undergraduate interns this summer: **Grace Cavanagh**, **Emma Kane** and **Tugce Tumer**. Welcome!

Center co-director **Dr. M. Brinton Lykes** and her co-author **Prof. Alison Crosby** of York University (Canada) received Honorable Mention for the 2020 Canadian Association for Latin American and Caribbean Studies Book Prize for their work *Beyond Repair? Mayan Women's Protagonism in the Aftermath of Genocidal Harm*. Congratulations to them both!

Center Scholars Contribute to New Text on Refugees and Higher Education

A new book on refugees and higher education was published this summer with many contributions connected to the Center and BC more widely. The book, *Refugees and Higher Education*, is co-edited by Lynch School of Education and Human Development PhD student in International Higher Education **Lisa Unangst**, among others. The book provides a cross-disciplinary lens on one American university's approach to studying the policies, practices, and experiences associated with the higher education of refugee background students.

Center Co-Director **Dr. M. Brinton Lykes** contributes a chapter co-authored with former Center visiting scholar **Dr. Özgür Erdur-Baker**, among others, on "Struggles and Assets of Syrian University Students in Turkey." Center Affiliated Faculty member **Gabrielle Oliveira** also co-authors a chapter, "Latin Americans in the United States: Considerations on Immigrant and Refugee Access to Higher Education." And a pair of prior recipients of the Center's summer research grants published chapters as well: **Kerri Evans**, who received her PhD from the School of Social Work earlier this year co-authors a chapter with Unangst on "The K-12 to University Pipeline in the U.S. Context;" and **Hannah Cazzetta**, who received a master's in International Higher Education from the Lynch School in 2019, authors a chapter, Colombian Institutional Responses to the Venezuelan Refugee Crisis."

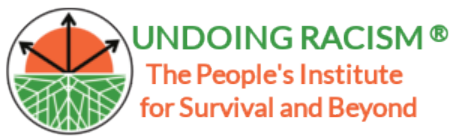


Center Continues Longstanding Support for Undoing Racism® Work in Boston and Beyond Through Its Collaborative Partnership

BY GRACE CAVANAGH AND EMMA KANE

Since its inception, the Center for Human Rights and International Justice (CHRIJ) has sought the advancement of human rights through interdisciplinary education and research. The equality of all people and the elimination of all forms of discrimination are at the forefront of the CHRIJ's vision for our world. Accordingly, the CHRIJ considers racial justice to be a prominent and urgent human rights matter. Recent events confirm that growing numbers in the US and in the international community are becoming increasingly aware of and concerned about anti-Black racism and white supremacy and more deeply engaged in the critical work of ending racism. The CHRIJ is among these and its current engagement is an extension of its long and steadfast engagement in working to undo systemic and structural racism at BC and in the Greater Boston community. This work is both timely and timeless.

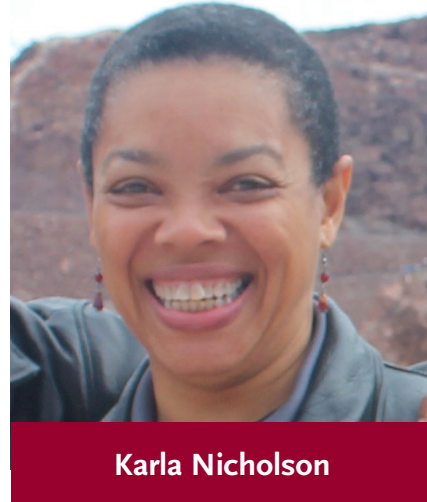
In partnership with the Simmons School of Social Work, the Lynch School of Education and Human Development, the Haymarket People's Fund, and the Mel King Institute/CDC, the CHRIJ has sponsored an annual Undoing Racism® workshop facilitated by The People's Institute for Survival and Beyond (PISAB), as one of PISAB's Undoing Racism Partners. This partnership began soon after the CHRIJ's founding 15 years ago. The PISAB, founded 40 years ago in 1980, is a collective of organizers and educators dedicated to social transformation, specifically to undoing racism. Nationally and internationally, PISAB is known for this signature Undoing Racism® anti-racist workshop.



The workshop outlines the United States's long history of racism and helps participants understand their unique positions in our society. Participants include students, professors and staff from the collaborating universities as well as community organizers and NGO staff and members from a diversity of ethnic-racial groups, genders, and social class backgrounds. Over the course of two and a half days, Undoing Racism® delineates the pervasive nature of racism in the US from "legal, intentional" institutional racism such as Jim Crow laws to "self-perpetuating" institutional racism more common today, such as segregation in housing and schools. Through a variety of activities, participants analyze the power structures built into institutions within the US, share their personal cultures, and examine their own roles in the larger system of racial inequality. The workshop emphasizes community organizing as a tool to bring about transformative changes needed to achieve equity and justice. Post workshop, PISAB organizes "Regroup Sessions" to subsequently reinforce, better understand, and deepen what

was learned in the workshop and how it can be applicable in the participants' lives.

Karla Nicholson, Executive Director of Haymarket People's Fund (HPF), is a key member in our partnership, which she calls the "Ending Racism Partnership." Nicholson believes HPF's work is directly tied to what the organization itself has learned through its Undoing Racism® efforts. HPF is an anti-racist, multicultural organization that provides funding and support for grassroots community organizing in New England. HPF's modus operandi embodies the principles of "undoing racism" by empowering communities and, notably, giving activists full autonomy to decide how their funding raised through HPF is spent. HPF sponsors staff and community members to attend the Undoing Racism workshop annually.



Karla Nicholson

HPF has taken great steps to ensure that the organization itself is anti-racist. It explains its "journey towards transformation" in its publication *The Courage to Change*. Within HPF, grant-making decisions are based on principles of anti-racism and equity, and are made by consensus, not majority rule, in order to ensure that all viewpoints are considered. Moreover, the organization is currently in the process of rewriting its bylaws so that they are explicitly anti-racist. While the workshop is an important catalyst for undoing racism work, Nicholson stresses that it is just the beginning. To continue the conversation, HPF hosts periodic internal caucuses where its board, funders, committees, and staff can gather in affinity groups, either as white or People of Color, to discuss experiences of racism and the manifestations of internalized racial inferiority or superiority and strategize to eliminate racism in the organization. Ultimately, Nicholson relays, HPF's dream is for "a better world" and the organization hopes to "be the change," in Gandhi's words.

The Mel King Institute (MKI) is another important component of our anti-racism partnership. The MKI offers professional training for community development, hosting workshops on topics such as racial justice, public housing, fundraising strategies, and more. Bianca Díaz, Community Engagement Fellow at MKI, believes racial justice is a central focus of the organization's work. MKI offers a mentorship program for young professionals of color, hosts an annual Stand Against Racism event, and leads the Alliance for Racial Equity, a coalition of community organizers committed to achieving racial equity in the community development field.

The MKI recognizes that anti-racism work requires long-term commitment, and hosts follow-up meetings every two months for workshop participants to continue to discuss and analyze racial justice through the lens of their daily lives.

The CHRIJ is extremely grateful to Haymarket People's Fund, Mel King Institute, the Simmons School of Social Work, and the Lynch School of Education and Human Development for their commitment to ending racism and their partnership in making anti-racist educational experiences available to members of the BC and Greater Boston communities. The CHRIJ remains dedicated to promoting human rights, which can never be fully achieved where racism still exists. We must all work, personally and institutionally, to ensure a just world that respects human rights and unequivocally affirms that Black Lives Matter.

Providing Violence Against Women Act-related Legal Assistance to a Client in Afghanistan

BY HEATHER FRIEDMAN, SUPERVISING ATTORNEY FOR THE CHRIJ

In the spring of 2019, Center co-director Professor Daniel Kanstroom asked me to evaluate the legal situation of a young Afghan woman who had been referred to the CHRIJ by the International Legal Foundation in Kabul, Afghanistan. So began my work on a case that is based on provisions of a landmark US law, the 1994 Violence Against Women Act (VAWA), but nonetheless brings into high relief the enormous societal obstacles faced by Afghan women who hope to be treated as equals to men.

When it was signed into law by President Clinton in 1994, VAWA was hailed as a huge legal advance for victims of domestic violence, sexual assault, and stalking. With regard to immigrant victims of domestic violence, provisions of VAWA acknowledged and addressed the terrible vulnerability that immigrants had long faced under US immigration law. Previously, an immigrant victim of an abusive US citizen or Lawful Permanent Resident spouse could not acquire a green card without his or her abuser's assistance. First, the abusive spouse had to file a petition on behalf of the immigrant spouse, then both parties had to jointly attend an interview before an immigration officer to prove that the marriage was valid.

With passage of VAWA, immigrant victims no longer had to rely on their abusers in this way. Instead, recognizing that domestic abusers frequently exerted control over their immigrant spouses by either refusing to file a family petition or threatening to have their spouse deported, VAWA established a process for immigrant victims of domestic abuse to file a self-petition that, if approved,



Heather Friedman

would be the first step in acquiring lawful permanent resident status.

A variety of cultural practices specific to Afghanistan (though not exclusive to that country), conspired to render our client especially powerless in her abusive marriage. Her marriage was arranged. She met her husband only a few times before their marriage and had never been alone with him until after they were married. Before her marriage, her husband had claimed before their marriage that he had a "modern" outlook on women's roles. She was therefore surprised by, and unprepared for his insistence after their marriage that she remain in their home unless chaperoned, submit to orders and discipline from her parents-in-law, not communicate with her parents and friends, and devote herself to domestic chores (rather than work or study outside the home).

Unlike the majority of VAWA self-petitioners who file for status from within the United States, our client was no longer living in the US. She had traveled to Afghanistan with her husband to visit her parents. Shortly after their arrival in Afghanistan, her husband had disappeared without notice – later notifying her relatives that he had returned solo to the United States. Although divorce exists under Afghan law, a woman separated or divorced from her husband experiences a host of negative repercussions linked to the view that she is morally dangerous and damaged. Friends and family may shun her. She frequently has trouble finding housing or employment. She is unlikely to be able to remarry. Our client suffered such intense gossip and shunning after her marital separation, that she became suicidal and was eventually forced to leave her hometown for good.

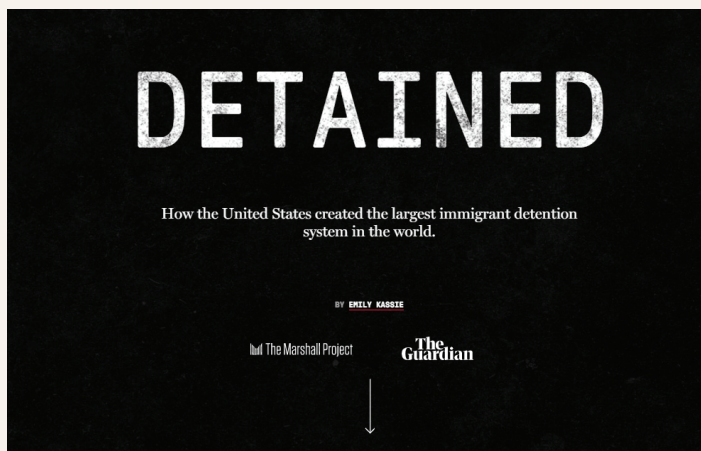
In the Spring of 2020, the Center filed a self-petition on behalf of our client. With daily turmoil rocking the American immigration system, including the announcement that the agency responsible for making decisions on VAWA self-petitions, the US Citizenship and Immigration Service, plans to furlough over 70% of its staff in August 2020, the client remains in Afghanistan awaiting a decision in her case.

Center Spring 2020 Events

Center Screens Multimedia Documentary on Beginnings and Rise of U.S. Immigration Detention with Filmmaker Kassie

On February 6, filmmaker Emily Kassie presented a screening of *Detained*, a multimedia documentary about the growth of the US immigration detention system. The documentary includes interviews with scholars, border patrol agents, immigrants, former office holders, and others to paint a complete picture of the harsh reality of the detention system as it exists today. A fully immersive experience, *Detained* incorporates not only videos, but interactive charts, graphs, and text. Ultimately, it endeavors to explore one essential question: how the United States created the largest immigration detention system in the world?

Part I, entitled *Shifting Tides*, recounts the birth of the modern detention system under President Jimmy Carter. Detention was rarely used prior to Carter's presidency; his administration only resorted to detention amidst a significant influx of migrants from Haiti and Cuba. Carter's makeshift camps intended for temporary holding and processing were greatly expanded into a complete detention system during Ronald Reagan's presidency. Even more, Reagan increased the powers of immigration officials and police to arrest and detain migrants as he increasingly conflated immigration control with his War on Drugs. By the end of Reagan's presidency, 6,000 immigrants were being detained every day.



Part II, *A New Machinery*, explores the development of immigrant detention under President Bill Clinton, specifically through the 1996 immigration laws. These laws overhauled the country's immigration system: they expanded the definition of aggravated felony under the Anti-Drug Abuse Act and introduced the expedited removal of asylum seekers. Clinton's administration also recruited private prison companies like CoreCivic and GEO Group to house the growing

detained population. These laws laid the foundation for the harsh immigration and detention practices that continued into the 2000s.

Catch and Detain, the third segment of the documentary, explores the increasingly strict border policies enacted under the Bush and Obama administrations. In the wake of the attacks of September 11, 2001, American immigration policy became largely conflated with anti-terrorism efforts. Undocumented immigrants were now not only characterized as criminals, but also as terrorists. In the name of national security, the Bush administration transitioned from its "catch and release" border policy to automatic detention. By 2007, over 30,000 people were being detained on any given day. Obama's administration continued to detain and deport immigrants in high numbers, earning him the moniker "Deporter in Chief." Although both Bush and Obama supported immigration reform bills while in office, they failed to pass in Congress, where leaders prioritized security and enforcement over reform.

Part IV, *Zero Tolerance*, looks at the changes in the country's perception of migration and the expansion of detention under the Trump administration. Despite seeing the lowest number of illegal border crossings in four decades, Trump introduced "Zero Tolerance," a policy that criminalized undocumented immigration. Trump also expanded family separation as a deterrent policy, even though decades of detention practices have not deterred migrants from seeking entry to the United States. Trump's reliance on detention led to a 40% increase in the daily detention population with over 52,000 people in detention at a given time by 2019.

Detained shows us that immigrant detention, once viewed as too harsh and inhumane to employ widely, has become the very foundation of America's immigration system, regardless of the political party in power. American leaders differ over *how*, not *if*, detention will be used. At the behest of President Trump, it only continues to expand, and the number of detained immigrants grows each day. The documentary may be accessed online at <https://www.themarshallproject.org/2019/09/24/detained>.

This event was co-sponsored by the BC Law Immigration Group.

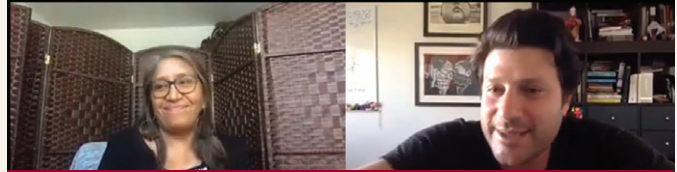
Center Screens *L'eau est la Vie* (Water is Life): From Standing Rock to the Swamp with Filmmaker and Film Protagonist

On April 16, 2020 the Center hosted a virtual screening and discussion of the documentary *L'eau est la vie* (*Water is Life*): From Standing Rock to the Swamp. This film centers around the struggle of the indigenous-led L'eau Est La Vie resistance camp in opposing the construction of the Bayou Bridge Pipeline (BBP) in Louisiana. It features the courageous activism of Cherri Foytlin and Anne White Hat, two prominent indigenous leaders for the camp, among others, and highlights their influential nonviolent activism. Following the screening, Sam Vinal, the filmmaker, led a discussion with White Hat that emphasized the intersectionality of this struggle, and how we as a community can continue to oppose these challenges, especially during the COVID-19 pandemic.

The L'eau Est La Vie resistance camp was formed to protest the installation of the BBP, the tail-end of the Dakota Access Pipeline owned by Energy Transfer Partners (ETP). Protestors defended their right to water and the need to protect Louisiana's swamplands. Additionally, the camp supported the St. James Parish community, the site at the end of the BBP, in their protests. The St. James Parish community, already part of a region in Louisiana known as "Cancer Alley," has a history of organizing against harmful incursions by large industrial projects that could contaminate their air and water. Specifically with the BBP, the community is worried about the possibility that leaking pipelines will further increase pollution in Bayou Lafourche, a drinking water source for more than 300,000 people.

One of the film's central themes is Louisiana's move towards criminal penalization of nonviolent protests. A new bill, passed into law in Louisiana in 2018 with the help of the American Legislative Exchange Council (ALEC), increases the penalty for trespassing and

vandalism, particularly in the case of pipeline protest. As can be seen in the film, the new law allowed for the brutal arrest of the water protectors, including Foytlin, under trespassing charges even though the landowners had given them prior permission to protest on their property. As was discussed following the film, the criminalization of protests is no isolated incident; ALEC continues to advocate for anti-protest legislation across the country.



(L-R) White Hat and Vinal

Ultimately, thanks to the activism of the resistance camp, the ETP was forced to reroute the pipeline around L'eau Est La Vie lands, and completed the BBP in April 2019, two years behind schedule. Even with the conclusion of this particular struggle, the L'eau Est La Vie Camp continues to fight against corporate water pollution, as well as other environmental injustices throughout the United States. In the discussion, both Vinal and White Hat emphasized the importance of intersectionality in the struggle against BBP, and the ways in which it connects with other local struggles against corporate activism. When asked about further action, White Hat noted the importance of the current COVID-19 pandemic moment as a "catalyst point for us to change." Regardless of limitations prescribed by distancing, she emphasized the need for creativity, social connection, and perseverance in the fight against injustice. Similarly, Professor Brinton Lykes, co-director of the Center, culminated the discussion with a call for settler communities, especially those who are white and with privilege, to accompany those indigenous and African-American communities as they continue to confront oppressive industry interventions.

The event was co-sponsored by the Environmental Studies program, the Biology Department, the BC Global Health program, and the Sociology Department.

The Trial of Ratko Mladić

On February 20th, the Center and the BC Film Studies Program co-hosted a screening of the film *The Trial of Ratko Mladić*. The screening was followed by a discussion with filmmaker Henry Singer, BC Law Professor Steve Koh, and Pennsylvania State University Law Professor and Harvey A. Feldman Distinguished Faculty Scholar Dermot Groome about the documentary and its relation to global transitional justice.

The film follows the war crime trial of Ratko Mladić, a former Commander of the Army of Republica Srpska (VRS), who was found guilty of ten charges of crimes against humanity, including genocide, by the International Criminal Court (ICC) in The Hague, Netherlands. Mladić, a key figure in the Bosnian War, is infamous for perpetrating the murder of 7,000 men in the Srebrenica genocide, among other atrocities. His actions were part of a larger campaign of ethnic cleansing initiated by Bosnian Serbians, predominantly Orthodox Christians, against Bosnian Muslims in Bosnia and Herzegovina from 1992 to 1995.

The *Trial of Ratko Mladić* outlines this more than four and a half year international trial that began in July 2012 and culminated with Mladić's sentencing to life in prison in December 2017. It presents the strategies of both the prosecution and defense teams, as well as

(Continued on Page 10)

in-person interviews and testimonies of the victims affected by the conflict. Furthermore, the documentary calls attention to Mladić himself, as he watches the trial take place.

One of the prosecution's key allegations centered around the Srebrenica Massacre of 1995. Witnesses testified that Srebrenica, a Bosniak-majority town deemed a "safe haven" due to its protection by the United Nations, was invaded by the VRS. Consequently, the VRS forced all the women and children to evacuate Srebrenica to facilitate the execution of the town's Muslim men and boys. Mladić, who led the VRS at the time, was charged with genocide for his role in this tragedy.

Another key focus for the prosecution was the Prijedor Massacre of 1992. This event is infamously known as one of the first instances of ethnic cleansing in the Bosnian War. The prosecution highlighted the 2013 discovery of the Tomašica mass grave, containing the bodies of more than 1,000 Bosniaks. Ultimately, Mladić was found guilty of ethnic cleansing in Prijedor, but not of genocide.

The film demonstrates the divisive nature of the war and Mladić's trial. Heartbreaking testimonies from victims who lost family members in the war are juxtaposed with the testimonies of Mladić's family and supporters who champion him as a hero. In the discussion, Mr. Singer acknowledged controversy over the film's narrative, but explained that he felt compelled to cover both sides of the trial.

The panelists also discussed the use of the ICC as a tool for facilitating transitional justice. Professor Groome, one of the lead prosecutors in the Mladić case, reflected on his eleven years of work at the International Criminal Tribunal for the former Yugoslavia. Professor Koh in his remarks praised the ICC's ability to address genocide, war crimes, and crimes against humanity, but also acknowledged its limitations.

Pereira Brito v. Barr: The ACLU's Class Action to Secure Fair Bond Hearings for Detained Immigrants

On January 23, the Center hosted Dan McFadden, staff attorney at the American Civil Liberties Union of Massachusetts (ACLU) and BC Law '09, to talk about the case *Pereira Brito v. Barr*, a class action lawsuit brought by ACLU that secured fair bond hearings for detained immigrants in Massachusetts. As he explained, the case boiled down to one essential question regarding immigration detention: "When does the government get to put somebody in jail?"

According to McFadden, there are currently around 45,000 - 50,000 people in immigration detention in the United States. There are several conditions that lead to an immigrant being detained: arriving



McFadden

at the border as an asylum-seeker, receiving an order for removal/deportation, or awaiting a final decision from a court proceeding as to whether or not someone will be deported after living in the US as a noncitizen. The *Pereira Brito v. Barr* case dealt with the latter category of detainees, particularly those with no criminal record or with minor offenses such as shoplifting or traffic offenses. For this category of immigrants, the individual is faced with the burden of proving they are neither a danger nor a flight risk in order to be able to await their court decision from the safety of their home rather than a detention center. As McFadden explained, this is an extremely difficult burden to meet, especially when an individual is already detained. The class action lawsuit brought by ACLU aimed to shift the burden of proof back onto the government, so that individuals could not be detained unless the government had evidence proving they were either dangerous or a flight risk.

Pereira Brito v. Barr included three plaintiffs, all of whom live in New England and were held in detention due to their inability to meet the burden of proof. In November, a judge ruled that the government cannot detain people awaiting deportation decisions unless it shows clear evidence of dangerousness or flight risk. Thus, the burden of proof for detention was shifted back onto the government rather than the individual. The decision went into effect on December 13, 2019 through a permanent injunction and all three plaintiffs were released. In addition, the case also addressed the issue of excessive bond amounts. The judge ruled in the ACLU's favor by obligating the court to consider the defendant's ability to pay when determining bonds for immigrants.

As a result of *Pereira Brito v. Barr*, more detained immigrants in Massachusetts are being released and bond amounts are decreasing. The case is now being appealed in the First Circuit Court of Appeals. For now, however, the immigration system in Massachusetts is finally meeting the minimum constitutional requirement for due process regarding immigrant detention practices.

Panel discusses future of DACA after June 2020 SCOTUS decision

On June 26, CHRIJ hosted an interdisciplinary panel on the implications of the Supreme Court's recent decision in *Department of Homeland Security v. Regents of the University of California*, regarding the Deferred Action for Childhood Arrivals (DACA) program. Created by President Obama's executive order in 2012, DACA grants undocumented immigrant youth protection from deportation, work authorization, and other federal benefits for two years, with the ability to renew the status. In 2017, after the change in presidential administrations, the Department of Homeland Security (DHS) terminated the DACA program. The move was immediately contested by DACA advocates and the case made its way to the Supreme Court. In a 5-4 decision delivered on June 18, the court ruled that DHS's decision to rescind DACA was "arbitrary and capricious," violating the Administrative Procedure Act (APA). BC Professors Daniel Kanstroom, Gabrielle Oliveira, and Raquel Muñiz discussed the Court's decision and the future of DACA.

Daniel Kanstroom, Professor at BC Law School and Co-Director of the CHRIJ, discussed the legal history of DACA. He began by explaining that DACA, an executive order, was a product of legislative failure. Since 2001, Congress has had the ability to pass the Development, Relief, and Education for Alien Minors Act (DREAM Act), which would provide undocumented youth with a pathway to citizenship, but has repeatedly failed to do so. Its status as an executive order rather than legislation has always made the program particularly vulnerable to judicial review. Many were surprised that DACA was not challenged earlier in Trump's presidency.

Despite the Supreme Court's ruling in support of DACA, its decision has some important limitations. The Court's opinion addresses only whether the DHS complied with the procedural requirements of the APA. It does not consider the legal legitimacy of the DACA program itself. While DACA is back in effect for the time being, SCOTUS's failure to affirm the program on its legal merits makes it susceptible to future attacks. Kanstroom expressed confidence that President Trump will continue to fight the program in the courts, but that time may become a factor if he is not reelected in November.

BC Lynch School Assistant Professor of Teaching, Curriculum, and Society Gabrielle Oliveira, whose research focuses on the experiences of Latin American immigrant families in care and education, spoke about the personal impacts of DACA. Oliveira recently reconnected with a young immigrant whom she first interviewed in 2012, when DACA was just released. She recalled her discussions with Sofia, 17 at the time, who was contemplating applying for DACA. Sofia worried about disclosing her undocumented status on the application. She thought the status might be rescinded in the future, but "played with [her] luck" and "put [her] name in the lottery" recognizing the program's fragility.

Almost 10 years later and now "DACAmended," Sofia still feels quite vulnerable. With three US-born US citizen children, she worries about changes to DACA that may separate her family. Her mother remains undocumented and recently contracted COVID-19. While Sofia expressed a desire to engage in the movement to support DACA, she is concerned protesting could place her tenuous immigration status at risk. Her story shows that while DACA provides immigrant youth with opportunity, the program still leaves families feeling insecure.



Finally, Lynch School Professor of Educational Leadership & Higher Education Raquel Muñiz, who studies immigrant students' experiences in higher education, closed the session with a presentation about institutional support for immigrant students, particularly DACAmended and undocumented. Muñiz started by highlighting some of the challenges immigrant students face, like being first-generation college students and being from mixed-status families. Immigrant students also often experience mental health concerns relating to feelings of lack of belonging, guilt and shame, and low self-esteem. Despite these challenges, Professor Muñiz emphasized that immigrant students tend to be very resilient, highly engaged in their communities, and hopeful about their futures. Aside from deferred deportation, Muñiz believes that DACA provides important "secondary benefits" to immigrant students. These include peace of mind, increased earnings, and access to health insurance and health care, and driver's licenses.

Professor Muñiz also explained the role of higher education institutions in supporting immigrant and undocumented students. Safe spaces, peer networks, student-led activism organizations, and understanding educators are necessary campus assets. Subject to federal, state, and institutional policies, immigrant students are an incredibly vulnerable population. Today, policies on undocumented students vary greatly by state, and 22 states have no policies about undocumented students, making institutional support even more critical. Professor Muñiz finished by mentioning some noteworthy organizations that support immigrant students: Student Immigration Movement, Massachusetts Immigrant & Refugee Advocacy Coalition (MIRA), Mijente, and United We Dream. Ultimately, she emphasizes the need for permanent legislation regarding undocumented students.

Center Undergraduate Research Assistants Participate in ISN's Migration Justice Summit

BY EMMA KANE AND TUGCE TUMER

This summer we, two of the Center's new undergraduate research assistants, took part in the Migration Justice Summit hosted by the Ignatian Solidarity Network ("ISN"). The ISN is a layperson-led, faith-based organization dedicated to educating, connecting, and organizing followers of St. Ignatius. It leads with a vision for a better world in which all humans and creation have dignity.

The Migration Justice Summit, held virtually this year from July 13 to July 30, consists of a variety of programming directed specifically towards college students. While all faith backgrounds are welcome, most of the Summit's participants are from Jesuit universities. The summit includes pre-recorded videos, live streams, and live Zoom reflection sessions. The virtual events cover a range of migration-related topics from the lived experiences of migrants to policy discussions to tips for effective advocacy and organizing. Attendees are also able to chat with each other through the online platform.

The migration justice movement offers a clear vision for our world. Its primary goal is to establish a clear pathway to citizenship for immigrants, especially the 11 million undocumented people currently residing in the US. More broadly, the movement advocates for policies and a social culture that are welcoming to immigrants and respectful of their inherent dignity and worth.

The ISN emphasizes that migrant justice is inherently tied to Ignatian spirituality. As the 4th Decree of General Congregation 32 declares, "The mission of the Society of Jesus today is the service of faith, of which the promotion of justice is an absolute requirement." In this way, faith and justice-seeking are intricately connected. ISN bases their support for migrants, specifically, on the universal apostolic preferences, which call us to "walk with the excluded" as migrants often live at the margins of our society. ISN also centers its advocacy on the words of St. Ignatius himself, who believed "Love ought to show itself in deeds more than words." Following his guidance, Ignatian spirituality demands active engagement in the creation of a more just world. Summit leaders encourage participants to use these connections with Ignatian faith to call their Jesuit universities into conversation about migrant justice.

The Migration Justice Summit is designed to be informative and action-oriented. Some events provided information about US immigration policies and statuses. Other sessions focused on proper terminology and clearing up misconceptions about migration and migrants. The Summit operates from a belief in centering the stories of immigrants, so many of the speakers themselves come from immigrant or mixed-status families. Participants also have the opportunity to hear first-hand accounts from immigrants who crossed the border, provided by the Kino Border Initiative. Another

session included several young people who spoke about their experiences living undocumented in the US.

Summit attendees could opt in to join the organizing track, where they learn how to advocate for migration justice on their campuses. Two students shared their work in creating "UndocuWeek" at their universities, a campaign week dedicated to informing their student bodies about undocumented immigration and the US-Mexico border. The summit also hosted an event called "Self-Care for Activists," which aimed to safeguard healthy living while sustaining a social movement. A benefit of the virtual platform is that all content remains accessible to participants for another year.

Ultimately, the Migration Justice Summit serves a vital role in ensuring a more welcoming world for immigrants by supporting the next generation of migration justice advocates. Through the education and networking opportunities provided by the Summit, students become well-prepared to take on the next steps in this essential movement. As graduates of the 2020 Migration Justice Summit, we are excited to advance human rights and migration justice through the Center's initiatives. This year, we hope to increase student awareness and activism about migration issues that are relevant to the current political climate. One such example will be by organizing a letter-writing campaign to immigrants held in detention facilities. We are also hoping to partner with the International Studies department on a student-led program about migration. Further, the Center's Martín-Baró Initiative is already doing important justice work. The initiative supports grassroots organizing in various countries throughout the world in an effort to fight social injustices. As the Center's co-director Brinton Lykes says, before the right to migrate is the right to stay and create a living for oneself, a goal to which the Martín-Baró Initiative is committed to realizing.

Center's 2019-2020 Undergraduate Research Assistants Reflect on Year With the Center

Center undergraduate research assistants Sarah Engelberg-Nolan (MCAS '20), Meredith Hawkins (MCAS '20) and Mary Noal (MCAS '20) reflected on their experiences over the past year working for the Center. We thank them for their valuable contributions and wish them all the best in their future endeavors.

SARAH ENGELBERG-NOLAN

In reflecting on my experience at Boston College, I realized how it is bookended with the Center. The first time I felt academically at-home at BC was when I attended a Center event freshman year, and in the subsequent years I felt drawn to its mission and values. Being

an intern at the Center from 2019-2020 was a goal of mine since I had discovered the position, and I felt it to be a full-circle moment in my BC experience. The ability to work with the Center on event planning, research, writing, and much more, has helped me refine my life trajectory as well as open my mind to the interdisciplinary approach that is at the core of the Center. One aspect of our work as interns that particularly struck me was our efforts in planning the immigration workshop we put on last Fall with the Center's Supervising Attorney Heather Friedman. I, along with the other interns, worked closely with the Center's Assistant Director, Timothy Karcz, and Heather to reorganize this annual workshop of the Center. The event is geared towards students and educators at BC who serve immigrant communities or are interested in learning about immigration. We focused on teaching the legal, historical, and psychosocial aspects of immigration, and approached the subject with an interdisciplinary lens. In planning this event with the fellow interns, I not only learned more about immigration, but also the various perspectives with which it is necessary to view immigration. Outside of planning the immigration workshop, I found the research and writing aspects of the internship to be fundamental to my ever-changing perspective on the world. As a self-proclaimed activist, it is necessary to ground my views of social justice in more than one discipline. In the internship, my exposure to psychology, law, community psychology, history, and theology have allowed me to grow into a more well-rounded individual. As someone who is entering the world at an uncertain moment, I will forever be grateful for the pivotal experience of working with the Center, and particularly my fellow interns. The Center holds an invaluable place in my BC experience.



MEREDITH HAWKINS

Serving as an intern at the Center during the 2019-2020 Academic Year has been one of the most formative experiences of my time at BC and within my personal and professional trajectory as a whole. Not only did it allow me to feel like a meaningful part of my on-campus and greater Boston community but also like a real change-maker in this world that is only continuing to prove itself as ever-changing, increasingly interconnected, and terribly complex. As part of the Center's steadfast commitment to supporting human rights and justice for every individual, it has remained a longtime partner of the Martín-Baró Fund for Mental Health and Human Rights as it now exists as the Martín-Baró Initiative for Wellbeing and Human Rights at Grassroots International (MBI at GRI). As an initiative that works to support grassroots organizations



in communities affected by institutional violence, repression and social injustice doing work around psychological well-being, social consciousness, active resistance, and progressive social change, I was fortunate enough to deepen my professional, academic, and personal understanding of psychosocial accompaniment through my role as the Student Coordinator of the MBI at GRI this past year. Throughout my time with the MBI I was able to learn about grassroots organizing, various conceptions of mental health, human rights, and wellbeing around the globe, new forms of activism and activist support, and the importance of long-term, horizontal relationships of solidarity when striving for sustainable change. This experience has proved absolutely invaluable to my development as an activist, budding clinical social worker, woman, and human living and working amidst the current global circumstances of a pandemic, civil unrest, systemic inequality, and an increasingly polarized political and social divide.

MARY NOAL

Through the undergraduate internship at the Center for Human Rights and International Justice, I have had the opportunity to delve more deeply into human rights and global advocacy for social change through an interdisciplinary lens alongside my fellow interns. As an International Studies major with a particular interest in social justice, I felt that my internship experience was a vital and formative part of my educational journey at Boston College and my professional and personal development as a future lawyer and human rights activist. From coordinating events with Assistant Director Tim Karcz to increasing undergraduate engagement with the Center through social media marketing, the roles we assumed as Research Assistants varied in nature and allowed us to work collaboratively. One of the many interesting projects that we participated in was assisting Dr. Ozgür Erdur-Baker, a visiting Fulbright scholar from Turkey, with her research for a qualitative meta-analysis titled "A Systematic Review and Thematic Synthesis of Psychosocial Interventions for Refugees: Is There a Culture Focus?" Because I had no previous background in psychology, conducting research for a psychology meta-analysis expanded my knowledge and introduced me to new research techniques. My fellow interns and I were humbled to work alongside Dr. Erdur-Baker and to support an expansion of the literature on culturally sensitive interventions for refugees. My time as an intern at the Center introduced me to scholars and activists who are working in their fields to advocate for social change at a local and international level. The Center has allowed me to engage in meaningful work that I will carry with me as I enter the world outside of BC as a more informed global citizen and advocate for marginalized communities, which is especially important during this unprecedented moment.



Student Awards

CERTIFICATE IN HUMAN RIGHTS AND INTERNATIONAL JUSTICE

On May 13, the Center hosted its year-end event online via Zoom. We virtually presented the Center's graduate Certificate in Human Rights and International Justice to the Boston College students who completed the certificate, listed below. Congratulations to them and best wishes on their future endeavors!



Alexina Pilo, Master of Arts in Mental Health Counseling, Lynch School of Education and Human Development, '20



Joseph Twiner, Master of Theological Studies in School of Theology and Ministry, '20

SUMMER RESEARCH GRANTS

The Center again awarded summer research grants to both undergraduate and graduate students at Boston College this year. Here are this summer's awardees and their research topics, for research to be conducted remotely due to the pandemic:

Lindsey Hildebrand

PhD candidate, Psychology, Morrissey School of Arts & Sciences
"Closing the Gender Gap in STEM: Beliefs and Attitudes across the Lifespan"

Carlos Andrade Guzmán

PhD candidate, School of Social Work
"Experiences of Informal Women Caregivers of People with Disabilities in Santiago, Chile: Challenges for Social Policies Based on Human Rights and Social Justice"

KELSEY RENNEBOHM MEMORIAL FELLOWSHIP

This year marks the eighth annual award of the Kelsey Rennebohm Memorial Fellowship, to honor the memory of Kelsey Rennebohm, a student in the Lynch School of Education who passed away suddenly in 2012. To reflect Kelsey's passions, the award goes to a student whose proposed research or activist scholarship is at the interface of psychology, mental health, gender, social justice, and human rights. This year's recipient and topic of study are:

Alisha Nguyen

PhD candidate, Curriculum & Instruction, Lynch School of Education and Human Development

"Disruptive Storytime: Teaching for Social Justice with Anti-Bias Picture Books"

People

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Co-Director, Center for Human Rights &

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Boston College Lynch School of Education and Human Development

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Thank you!

Thank you to our supporters, staff, affiliated faculty members and to the following students who worked on Center projects this past year:

- Emilia Bianco (School of Social Work, PhD, 2020)
- Puneet Dhaliwal (Law School, 2021)
- Sarah Engelberg-Nolan (Morrissey College of Arts & Sciences, Class of 2020)
- Meredith Hawkins (Morrissey College of Arts & Sciences, Class of 2020)
- Liliana Mamani Condori (Law School, LLM 2019., and School of Theology & Ministry, MTS 2017)
- Mary Noal (Morrissey College of Arts & Sciences, Class of 2020)
- Benjamin Wishnie-Edwards (Morrissey College of Arts & Sciences, Class of 2020)

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Boston College
 Stokes Hall N410
 140 Commonwealth Avenue
 Chestnut Hill, MA 02467

Fall 2020 Events



FRIDAY, SEPTEMBER 25

Mothering, Migrating, and Seeking Asylum

With **Dr. Maria Emilia Bianco**, Part-Time Faculty, BC School of Social Work, and **Daniel Kanstroom**, Center Co-Director and Professor of Law, BC Law School
 12:00 PM • Online via Zoom



THURSDAY, OCTOBER 1

Advocating for Unaccompanied Children at the U.S. Southern Border: Challenges and Legal Strategies

With **Yliana Johansen-Méndez** and **Ibrahim Haruna**
 12:00 PM • Online via Zoom



WEDNESDAY, OCTOBER 14

The Arc of Protection: Reforming the International Refugee Regime

With **Leah Zamore**, Director of Humanitarian Crisis Program at NYU's Center on International Cooperation
 12:00 PM • Online via Zoom



WEDNESDAY, OCTOBER 28

Main Trends and Challenges of the Inter-American Court of Human Rights

With **Daniela Urosa**, Professor of Law, BC Law School
 12:00 PM • Online via Zoom



MONDAY, NOVEMBER 9

Documentary Screening of Exiled

Screening of the documentary *Exiled* with commentary by Yale University Professor of Law, **Michael Wishnie**
 4:30 PM • Online via Zoom

Visit our website at www.bc.edu/humanrights for updates, event details, and to join our mailing list.