



BOSTON COLLEGE

CHRIJ

Center for
Human Rights
and
International Justice

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Amnesty and Accountability in the Case of the El Salvador Jesuit Assassinations

On the morning of November 16, 1989, after a decade of conflict and military repression in El Salvador, the world was shocked by news of the massacre of six Jesuit priests, their housekeeper, and the housekeeper's daughter, all of whom were living at the University of Central America in San Salvador. A Truth Commission report revealed that the Salvadoran military planned and committed the crimes against the priests, who were outspoken critics of the ruling regime of El Salvador. For the past twenty-one years, efforts to obtain justice in El Salvador have been thwarted. However, last year the Spanish National Court issued an indictment and arrest warrants for 20 Salvadoran ex-officers charged with crimes against humanity and state terrorism for their role in the murder.

On March 22nd, the Boston College Center for Human Rights and International Justice and the Ignacio Martín-Baró Fund for Mental Health and Human Rights co-sponsored a discussion about the recent efforts of the Center for Justice and Accountability (CJA) to try the conspirators behind the Jesuit Massacre in Spanish courts. The speakers included Pamela Merchant, the executive director of the CJA, and José María Tojeira, S.J., a colleague of the victims and rector emeritus of the University of Central America. The speakers addressed the difficult process of securing extradition and a trial in Spain, the perspectives from Jesuit and human rights communities on the case, as well as the relevance of this case for other efforts to secure human rights today. Other panelists included J. Donald Monan, S.J., who previously served for twenty-four years as president of Boston College, and Professor M. Brinton Lykes, Ph.D., one of the founders of the Ignacio Martín-Baró Fund. Professor Lykes also served as an interpreter for Father Tojeira, who spoke in Spanish throughout the discussion.



Before the panel dialogue, Tojeira introduced the context and talked about some of the critical problems that arose as a result of the trial, while a word-for-word translation of his speech was projected onto a screen behind him. According to Tojeira, although the Jesuit Massacre was shocking, even more shocking events have happened in El Salvador that have only recently gained international attention. In 1981, in the village of La Quesera, hundreds of children were murdered in cold blood as part of the Salvadoran government's scorched earth campaign, which steadily destroyed towns and specifically targeted children to prevent them from becoming anti-government guerilla soldiers. As Tojeira described, while this case was as deserving of international attention as the Jesuit Massacre, it went unacknowledged for years and remains low profile by comparison.

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Photos courtesy of Chris Soldt

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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 Director is David Hollenbach, SJ, University Chair in Human Rights and International Justice. Associate Directors are Law School professor Daniel Kanstroom, Lynch School of Education professor of Community-Cultural Psychology M. Brinton Lykes. Mr. Timothy Karcz is the Assistant Director.

CHRIJ Review Contributors: Karina Dorantes, George J. Flannery.

Center Notes & Events

Selected stories and events the Center hosted in collaboration with other Boston College departments and groups in the Spring 2012 semester.

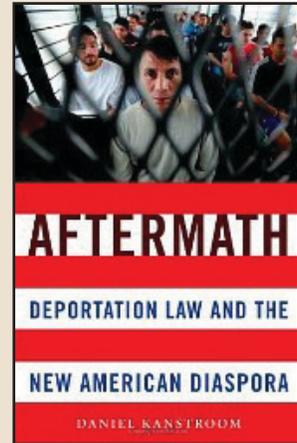
Notes:

- » The Center is convening one of six academic symposia this coming academic year to celebrate the sesquicentennial anniversary of the founding of Boston College. The Center's symposium is entitled "Migration: Past, Present and Future" and will be held at Boston College from March 21-22, 2013. More details will become available on the University's sesquicentennial celebration website www.bc.edu/150.

Center Associate Director Dan Kanstroom has authored a new book, which was released in early July. The title is "Aftermath: Deportation Law and the New American Diaspora." Detailing research here in the U.S. and abroad, Prof. Kanstroom examines the large and increasing number of deportees that have been expelled from the U.S. and the harsh realities they often face in the new communities they are trying to integrate into.

The book also examines how the current deportation system came about in the U.S. and whether it "works" in any meaningful sense. Looking at the uneven application of justice that his work with the Center's Post-Deportation Human Rights Project often addresses, he ends the book with a powerful and compelling case for reform of the current system, offering his recommendations to forge a more humane and rational system.

The Center will host an event on September 12 at 5:00PM in the Heights Room of Corcoran Commons at Boston College to discuss the book. Professor Kanstroom will offer comments on his book, and Professor of Sociology Mary Waters of Harvard will respond, discussing the social effects of U.S. immigration policy on immigrant families and communities. To hear more from Prof. Kanstroom about the book and his thoughts on the current deportation regime, you may listen to his recent interview on NPR's The Takeaway here: www.thetakeaway.org/2012/jul/05/how-effective-deportation-immigration-policy/.



Events:

- » On February 15, the Center, BC's Islamic Civilization & Societies Program, and the Boisi Center for Religion and American Public Life co-sponsored a presentation by Abdullahi A. An-Na'im of Emory University. Professor An-Na'im, an internationally recognized scholar of Islam and human rights, discussed the relationship between Islam, Sharia law, and processes of democratic transformation.
- » On April 12, the Center co-sponsored a talk by Aram Hamparian, the head of the Armenian National Committee of America. The event, co-sponsored with the Boston College Armenian Club, focused on the Armenian genocide of 1914-1918, the efforts in Congress to pass legislation recognizing it as such, and the wider issue of genocide acceptance and denial within the context of American politics.
- » On May 8, the Center co-sponsored an event with the BC Lynch School of Education's Department of Counseling, Developmental, and Educational Psychology. The event brought Prof. Juan Jorge Michel Fariña, Professor of Psychology, Ethics & Human Rights at the University of Buenos Aires, to campus to discuss the topic of "Human Rights Violations, Memory, and Art: Exploring the Ethics and Aesthetics of Image and Voice."

Children in Armed Conflict

On Monday, February 6th, the Center co-sponsored an event with the Boston College Arts and Social Responsibility Project that dealt with children and conflict through the personal experience of former child soldier Ishmael Beah. Mr. Beah has published the *New York Times* best-selling book *A Long Way Gone: Memoirs of a Boy Soldier*; served as a UNICEF ambassador and advocate for children affected by war, and co-founded his Ishmael Beah Foundation, of which he is currently president. As he shared with the audience, the use of children in armed conflict has become a global phenomenon. Tremendous international attention has been brought to bear on this issue and various international legal standards and initiatives have been implemented in order to prevent the use of children in war, and to hold those responsible for these practices accountable in an international context. Despite this, the practice remains widespread.



Speaking before an overflow crowd in Gasson Hall 100, Beah's address offered a rare opportunity for audiences to hear firsthand the experience of a former child soldier. Throughout his speech, Beah challenged the audience to increase their own efforts in response to these horrific experiences. He began by painting a portrait of his childhood in Sierra Leone and read a short section from the beginning of his book to help expose his audience to the horrific landscape at the time of the conflict. He mentioned blood, dead bodies, howling dogs, women crying, the stench of death and complete chaos as hallmarks of that time. After describing his time as a child soldier, Beah addressed the long psychological process of recuperating from the war and re-adjusting to society. He mentioned that the advantage of his youth allowed him to slowly gain back his sanity and mental health. Apart from this long recovery process, what he disliked the most was the way people treated him differently once they learned about his past. He finished his talk by describing his endeavors since his experience and his current work on behalf of child soldiers everywhere.

Beah's presentation, given with humor and depth of feeling, uncovered questions that explored the harsh reality of war through the eyes of a child and how an individual can recover from violence in order to enter society. Through it, the throng of people who attended the event was able to hear about a grave problem through the eyes of someone who witnessed it firsthand, and to gain awareness of the necessity of international action to tackle it.



The Power of Hope

On Sunday, March 25, the Center for Human Rights was fortunate to welcome Gabriel Bol Deng to speak on “The Power of Hope.” The event, which was co-sponsored with Boston College neighbor Saint Ignatius Church, drew a full house on a Sunday morning to watch Deng’s documentary and to listen to him speak about his experiences. In telling his own story, Deng recapitulated his flight from the violence in his home country of South Sudan, his eventual return to his home village of Ariang, and his efforts to build and expand a school in light of the value he gained from his own education.

Mr. Deng opened the presentation by screening an eighteen-minute documentary, “Rebuilding Hope”, about his life story and his flight from the violence that racked South Sudan during the Second Sudanese Civil War. Deng framed his presentation in the context of the political situation in South Sudan, which was only recognized as an independent state last year. Its independence was gained during a civil war that left two million people dead and over four million displaced. Gabriel’s own escape from violence meant leaving his parents, whose deaths he would later learn about from his uncle, and undertaking a harrowing journey to find refuge. This journey, which included hiding from lions and hyenas and eating mud to fill his stomach, ended in the refugee camp of Kakuma in northwestern Kenya, where he spent nine years before gaining entry to the United States. Gabriel would eventually graduate from Le Moyne College in Syracuse, and his education there spurred him to provide the same advantages to people in his home village of Ariang, with a particular focus on women and girls.

Gabriel followed up the documentary by discussing the challenges and opportunities that he encountered during his journey. Some of these challenges were enormous, such as how to drive a car. Others, told by a laughing Deng, were humorous, such as the lack of African cheese at Subway restaurants. Deng stressed the importance of his family and the lessons he gained from them, including the importance of positive thinking, resilience in hardship, respect for one’s teachers, and hard work. Drawing on his own experiences, Deng reminded the audience to never give up hope, to believe in their dreams, and to work hard to achieve them.

The event concluded with a discussion of the current situation in Ariang and of the importance of education. Many girls in South Sudan are tasked with gathering water, which takes up the time that they would otherwise spend at school; thus, drilling wells is an important enabling factor for education. Gabriel expressed his hope that education will not only empower individuals to shape their lives on behalf of others, but also help combat the pernicious influences of oppression of women, war over scarce resources, race and identity crises, and the other challenges gripping South Sudan. He concluded by discussing the ongoing work of his foundation, Hope for Ariang, and the positive trends in South Sudanese politics and development work.

Gabriel’s uncle told him upon his return to Ariang that they did not expect him to solve all their problems. Nonetheless, to paraphrase one of his pieces of advice to a captivated audience, focusing on the 90% one can control rather than the 10% that is outside one’s control can enable committed individuals to make tremendous strides in overcoming the challenges that beset them.

Featured Lecture *continued from page 1*

“An international justice system that only acknowledges famous cases will obtain very mediocre results,” he said. Consequently, “Developed societies that apply the principles of social justice should always maintain a link between strong and weak cases.” Tojeira explained the mixed feelings of the Society of Jesus regarding the Spanish effort in light of this understanding. Although Jesuits have collaborated and cooperated with the trial, they keep their focus on El Salvador and their efforts to create a better system of justice there, to gain justice for all Salvadorans harmed in the war, not just those with resources to access international courts. “We didn’t want to look superior by using means outside of those that El Salvadorans can use,” Tojeira said. “International justice should help weak institutions and reveal the weak side of the developed world.”

Pamela Merchant spoke after Tojeira and gave an update on the current status of the case in Spain and the CJA’s reasons for taking it up. In 1993, the Salvadoran government passed a law granting impunity to all crimes committed during the civil war, including that of the Jesuit Massacre. Despite this, the Instituto de Derechos Humanos de la UCA (Human Rights Institute at the University of Central America) was finally able to officially open a case against the murderers in 2000. “It took a long time for this case to be ready in a way that would honor the victims in El Salvador,” she said. CJA formally filed the criminal case in November 2008 before the Spanish National Court against members of the Salvadoran High Command and the Atlacatl battalion for crimes against humanity for their role in the massacre. The case is being sought in Spain due to the fact that five of the victims were Spanish citizens and that the Spanish courts have been receptive to cases dealing with universal jurisdiction, such as this one. Ms. Merchant further described the complexities and remaining hurdles involved in the case, but remains hopeful and determined that this ground-breaking legal action will bring justice to those who have been denied it for so long.

2012 CHRIJ Certificate Recipients

On May 15, the Center recognized this year's recipients of the Center's Certificate in Human Rights and International Justice. The certificate is earned by graduate students who complete coursework, both inside and outside of their discipline, related to human rights and international justice topics; complete the graduate Seminar in Human Rights and International Justice; and undertake an independent study on a relevant issue. Students from several of BC's graduate and professional schools have completed the certificate. Below are this year's recipients and their research topics. Congratulations to them all.

Milena Claudius – Lynch School of Education, Counseling Psychology

Empowering Women in a Mental Health Setting: Attempting a Human Rights Discourse

Kyle Fagan – Lynch School of Education, Applied Development and Educational Psychology

Village Green: Supporting Human Rights through Community Building for Sustainability and Local Resiliency

Ashley Goliti - Lynch School of Education, Applied Development and Educational Psychology

Broadening Worldviews and Understanding Privilege: Human Rights Education with Middle School Children

Danielle Roberts – School of Theology and Ministry, Theological Studies

Women and HIV/AIDS-Related Stigma: Promoting Rights and Virtues

Remy Springer - Lynch School of Education, Applied Development and Educational Psychology

Learning from Survivors of Domestic Violence: Developing Resources with and for Women who are Undocumented and/or Victims of Trafficking

Ramya Varanasi – Graduate School of Social Work, MSW [Macro]

Children as Participants in the Rights Movement (focused on sub-Saharan Africa)

James West – Lynch School of Education, Higher Education

Academic Freedom and American Branch Campuses: Implications on Human Rights in China

Summer 2012 Research Grant Awards

Each year, the Center gives grants to graduate and undergraduate students undertaking research on human rights and international justice issues to help students to cover travel and other costs to complete research in the field. The students then present their findings on campus events in the following academic year. Here are this year's recipients and the research topics they are investigating:

Adejire Bademosi, Arts & Sciences '14, International Studies

Inequities in Girls' Education in Nigeria and its Impact on the Local Community

Bennett Comerford, MDiv candidate, School of Theology and Ministry

In the Absence of Dialogue: Investigating the Correlation Between Religious Violence and Underdeveloped Outlets for Interreligious Exchange in Bangladesh

Ashley Dowd, Arts & Sciences '14, Political Science

Memorializing the Argentinian Dirty War: The Conflict of Preserving Memory and History

Benjamin Miyamoto, Arts & Sciences '15, Theology and Perspectives

Religion, Human Rights, and Networking (to be conducted in the Middle East)

Bringing King to China



Photo courtesy of Chris Soldt

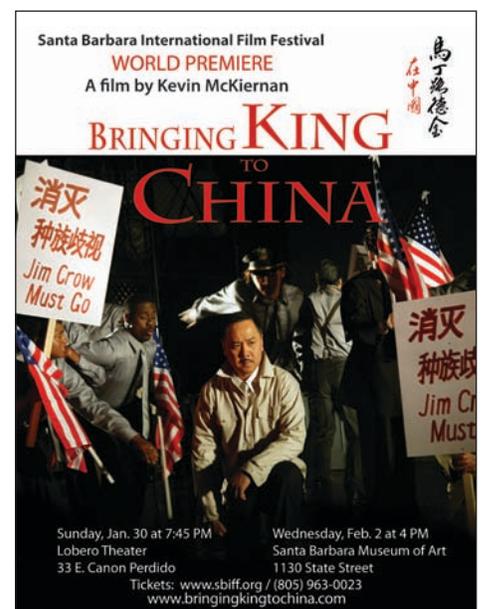
The documentary *Bringing King to China*, which has won four awards and been nominated for a dozen more at national and international film festivals, has been described as a “love letter” from the filmmaker, Kevin McKiernan, to his adult daughter Cáitrín, who is also the documentary’s main character. The film depicts Cáitrín’s attempt to organize, fund, and stage the first play in the history of Chinese theater that showcased black and Chinese actors on a single stage. Fittingly, it tells the story of Martin Luther King, Jr. and his fight against injustice in several forms. On February 9, 2012, the Center for Human Rights exposed an enthusiastic and diverse audience to this creative attempt to honor King’s legacy.

The documentary showcased the many tensions present in trying to tell the story of Martin Luther King, Jr. in a way that was simultaneously

faithful to historical reality and sensible to Chinese audiences. Despite the positive energy and good intentions of the cast and production team involved, many challenges arose as a result of differing cultural norms and expectations for the final product. One example of such a tension was the desire of the Chinese director to introduce several theories about who shot King. This desire, a typical one for Chinese theater, was at odds with the vision of the Stanford playwright, Clay Carson. The clash that resulted from these conflicting visions led to the director threatening to quit two days before opening night and soured relationships between the American and Chinese members of the production team.

Compounding these difficulties were logistical challenges such as fundraising, jet lag, and the language barrier, as well as the persistent concern that censors from the Ministry of Truth would shut down the entire project. An additional theme of the documentary was the relationship between Kevin and Cáitrín McKiernan. The film depicted both the love between the two, as evidenced by Cáitrín’s reaction when she heard that the erroneous report that her father had been killed while working in Iraq, and the challenges in their relationship, in which old grievances at times came to light on film. As McKiernan notes in the documentary itself, the final product of *Bringing King to China*, like the play itself, differed from the expectations of its creators. The censors never showed up, and the play opened to acclaim from news sources across the globe and to enthusiasm from Chinese audiences.

The McKiernans’ reflections upon the making of the play, including both Cáitrín’s at the end of the documentary and Kevin’s at the end of the screening, were especially illuminative. Despite their differences, father and daughter agreed fully about the importance of understanding King properly. As Cáitrín put it, King was not only an idealist, but also a radical with very, very deep beliefs whose consistent antiwar stance attracted very little media attention compared to his civil rights work. Similarly, despite the desires of both McKiernans to create a bridge between cultures, at the end of the film Cáitrín emphasizes the importance of understanding that dialogue alone is not a solution to difficult problems. While sharing our beliefs and respecting those of others is important, she contended, sometimes the disagreements and differences between peoples and cultures are both deep-seated and genuine. The energetic question and answer session, which included participation from both Chinese and American audience members, provided a fitting conclusion to a thought-provoking event.



Documentary poster courtesy of www.bringingkingtochina.com

Citizenship-in-Question Symposium



Photos courtesy of Chris Soldt

From April 19-21, Boston College played host to the Citizenship-in-Question Symposium. This symposium was sponsored by the CHRIJ, Boston College Law School, Boston College Institute for the Liberal Arts, University of Pennsylvania Law School, Northeastern University Law School, and the Rochester Institute of Technology.

Beginning with a Thursday evening program open to the public, Northwestern U. Professor of Political Science Jacqueline Stevens presented her paper, “We Citizens,” which explored case studies of U.S. citizens who have not been treated as citizens by the U.S. government in legal proceedings, with very negative consequences for the citizens involved. Looking at the processes that lead to these situations and the evidence necessary to overcome previous misclassifications, the paper

ultimately argues that rather than strengthening birthright citizenship’s legal protections as a remedy, new policies for membership based on residence should be explored and statelessness eliminated in this way.

The audience also heard the story of a young man who, although he had derived U.S. citizenship at age 14 from his mother when she naturalized as a U.S. citizen, found himself deported to Jamaica by immigration officials and remained there for 10 years. The young man was present to recount his experience and express his regrets regarding missed opportunities he felt the unjust deportation cost him, as well as the stigmatization he felt in an unfamiliar Jamaica as a deportee from the U.S. His story was meant to illuminate the precarious nature of citizenship before authorities and the human cost such errors may inflict.

The conference continued on Friday and Saturday at Boston College’s Connors Center. Scholars from around the world presented their papers, both in person and via Skype video, examining issues surrounding citizenship and claims to it from around the world. Papers presented dealt with issues concerning citizenship and who qualifies for it with examination of examples in places as widely ranging as Cote D’Ivoire, Taiwan, the USA, Thailand, Togo, Japan, Papua New Guinea, Germany, and India. Much valuable interchange and critique took place among the authors, and a book on the issue is expected to emerge from the conference as a result. To read more about the conference and to see the authors and titles of the papers, see www.bc.edu/humanrights/events/Citizen_Event. Also, for an editorial by Professor Stevens in the New York Times that grew out of the conference, see www.nytimes.com/2012/05/18/opinion/citizenship-to-go.html.





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140 Commonwealth Avenue
Chestnut Hill, MA 02467

Phone: 617.552.1968

Email: humanrights@bc.edu

Web: www.bc.edu/humanrights

Upcoming Fall 2012 Events



WEDNESDAY, SEPTEMBER 12

'Aftermath: Deportation Law and the New American Diaspora' Book Launch

With author Dan Kanstroom, CHRIJ Associate Director, and Prof. Mary Waters, Harvard University

5:00 PM • Boston College, Heights Room, Corcoran Commons



THURSDAY, OCTOBER 18

Continuities and Discontinuities of Violence against Indigenous Women in Guatemala

With Irma Alicia Velasquez Nimatuj, Executive Director of the Support Mechanism for Indigenous Peoples

7:30 PM • Boston College, Heights Room, Corcoran Commons

Visit BC.EDU/HUMANRIGHTS for the latest information and events.

Join the CHRIJ listserv to receive news and reminders of CHRIJ events via email. Go to BC.EDU/HUMANRIGHTS/MAILINGLIST and simply enter your email address to join.