



Rhonda Copelon

On the Cutting Edge: CUNY Law's International Women's Human Rights Clinic

By Katie Gallagher, CUNY Law 2000

In November, dozens of alums of CUNY School of Law's pioneering International Women's Human Rights Clinic (IWHR) reconnected at a reunion in New York City. Hailing from four continents, they came to celebrate IWHR's 17 years of cutting-edge human rights advocacy and the worldwide impact it has made. But most poignant was the opportunity for clinic participants and allies to share their experiences and to take the measure of how IWHR has generated a corps of dynamic lawyers who have brought new vision to their work in many fields, including human rights.

IWHR was cofounded by Professors Rhonda Copelon and Celina Romany in 1992 and has been led by Copelon for the last 15 years. Copelon was well suited for the task: While an attorney at the Center for Constitutional Rights (CCR), she was immersed in early feminist legal work, and she was one of the two lead counsel who opened U.S. courts to international human rights claims in the historic *Filartiga v. Pena-Irala* case.

IWHR was one of the first human rights clinics at a U.S.-based law school and the first human rights clinic to work with partners to provide support to the global, feminist, women's human rights movement. Copelon was a founding faculty member of CUNY Law, and "Rhonda's spirit and intention are reflected in so many aspects of our beloved School," said CUNY Law School Dean Michelle J. Anderson. "Her passion and intellect helped shape the School's core mission, as well as the field of international women's human rights."

Now, 26 years later, after what Copelon describes as "a fabulous and privileged journey in education and advocacy working with amazing students, as well as partners and clients here and abroad," she will step down from the directorship of IWHR. She credits her fellow teachers with bringing breadth and depth to IWHR's work. Professor Andy Fields is, according to Copelon, a "brilliant litigator and devoted teacher who guides students—sometimes painfully at first—to research and groundbreaking discoveries." Cathy Albisa, "a deeply insightful force in the field," who co-taught IWHR in the late 1990s, pioneered its economic rights work, and founded the National Economic and Social Rights Initiative, is co-teaching part-time. The Law School is searching for a new director for the IWHR Clinic to carry on its pioneering work.

The impact of IWHR, Copelon, and her colleagues (who over the years have included Celina Romany, Vahida Nainar, Jennie Green, and Barbara Bedont, in addition to Andy Fields and Cathy Albisa) goes beyond the clinic's work product. Currently, Fields supervises interns engaged in groundbreak-

ing litigation representing immigrant domestic workers subjected to forced labor and sexual slavery perpetrated by diplomats and family members. These cases have enabled students to serve clients, work with skilled co-counsel on federal litigation, and argue in federal court. Cathy Albisa supervised IWHR interns who were drafting IWHR's first Supreme Court *amicus* brief and a petition to the Inter-American Commission on Human Rights challenging U.S. welfare cutbacks and Medicaid cuts. Albisa is now supervising a project on gender and poverty in public housing for a presentation to the U.N. special rapporteur on housing.

SPOTLIGHT: IWHR ALUMS

Pam Spees ('98), international human rights expert practicing in Louisiana and New York, recalled, "IWHR brought me into contact with an amazing and inspiring array of activists, advocates, and academics from all over the world who were involved in groundbreaking work on the global level geared at breathing more life and meaning into the international legal frameworks with a gender perspective."

Chyrel R. Allicock ('01), who worked on the Tokyo War Crimes Tribunal, now works for the Ministry of Legal Affairs for Trinidad and Tobago. She describes IWHR being "as enriching and exhilarating as it was draining," but emphasizes that Copelon "kept encouraging me and pushing me to really think concepts through to a workable solution and then

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"IWHR began at a time when women's rights were ignored as human rights, a time that was reminiscent in many ways of the 1970s in the U.S., when women were excluded from equal citizenship, and domestic violence was women's just dessert. It was the cadre of activists, visionaries, and countless courageous women here and abroad who began long, deep, intersectional, and gender-inclusive feminist revolutions that exposed the androcentrism of human rights law. They have won recognition of, and begun redress for, violations of international law committed against women and on the basis of gender. It is important to remember that, while legal scholars and practitioners have helped to build the theoretical, legal foundations, the fundamental impetus came from women's creative, urgent, and culturally rooted demand for equality and human rights."

— RHONDA COPELON

CLOSE-UP: IWHR

During every generation at IWHR, there have been projects and cases to inspire students and teach them that taking on difficult issues makes an important difference for client communities. The clinic emphasizes that the mastery of human rights fundamentals and gender perspectives, cultural sensitivity, and a good dose of humility are musts for legal advocates who tackle oppression in the U.S. and elsewhere. In many places around the world, the rule of law is weak and the problems, especially for women and other gender "transgressors," are many-layered.

From the outset, IWHR's work has addressed access to justice, with particular attention to the intersections of race, gender, and class in such areas as violence against women and reproductive, sexual, and economic justice. Copelon has instilled in IWHR interns the critical importance of social change lawyering—of using law to advance the goals of social movements and activists, of thinking originally, and of having the courage to challenge authority and settled ways. Strategic, persuasive advocacy, as well as authentic collaborations with

clients, activists, and co-counsel in diverse and multi-cultural settings have been hallmarks of IWHR. Copelon also emphasizes the difference between the negative character of domestic rights under prevailing interpretations of the U.S. Constitution and the holistic, positive, and ever-evolving frame of universal human rights.

IWHR's students have worked on a range of issues, including Alien Tort Statute cases in U.S. courts on behalf of Bosnian refugees, Algerian feminists, and journalists persecuted by armed Islamist groups. Today, former IWHR interns can be found in many settings, including U.S.-based poverty law offices; immigrants', prisoners', women's, workers', and sexual rights projects; progressive foundations and community service groups; international NGOs working on international justice, women's, LGBTQ, and disability rights; and in staff positions at international tribunals and U.N. and humanitarian missions. In all of these places, the lawyering skills and perspectives of justice acquired during students' time in IWHR are serving not only the individual CUNY graduates but the communities in which they work.

INTERNATIONAL HIGHLIGHTS

>> Copelon cofounded the **Women's Caucus for Gender Justice** and served, along with IWHR, as its legal secretariat, preparing documents with international partners for the negotiations of the Rome Statute, the treaty that created the International Criminal Court (ICC). In that role, Copelon contributed to the successful codification of gender crimes and provisions throughout the ICC's process. Pam Spees ('98), who worked on the negotiations as an intern, became the program director for the caucus and continued to work with IWHR interns, including Katie Gallagher ('00).

>> IWHR's *amicus* briefs in the **International Criminal Tribunals** (for Rwanda and the former Yugoslavia) resulted in the recognition in international law of rape as a crime of genocide and as torture. IWHR played a key role in establishing the relationship between torture and gender violence through various initiatives, including a 1994 communication regarding sexual violence against Haitian women and a shadow report to the Committee Against Torture highlighting the sexualized violence at Abu Ghraib, an aspect of torture that has not yet been fully recognized in the United States.

>> In 1994, Copelon published a highly influential article, "Recognizing the Egregious in the Everyday: Domestic Violence as Torture." From 2005 to 2007, interns assisted in the **Committee Against Torture's** drafting of "General Comment 2," which recognized a broad range of gender crimes, including domestic violence, as within the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. In 2008, the Special Rapporteur on Torture, Manfred Nowak, highlighted similar issues in a major report on torture and gender.

>> Collaborating with colleagues abroad, interns have also drafted and lobbied "**Shadow Reports**" to U.N. treaty committees, one of which resulted in recognition of women's rights to reproductive healthcare. As "law clerks" to the judges of the International Women's Tribunal on Japan's Military Sexual Slavery ("comfort women"), IWHR interns drafted the 300+ page judgment and assisted proceedings in Tokyo and The Hague. These interns are currently assisting the Burmese Women's League and the Nobel Women's Initiative on preparations for a tribunal to be held in New York in March 2010 to call attention to the violations of women and democratic rights in Burma.

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expected me to aid in the implementation of the process to arrive at the solution." Lara Rabiee ('06), Research and Policy Officer at the Victorian Law Reform Commission in Melbourne, Australia, remembers that "IWHR, under Rhonda's leadership, exemplified what a third-year clinic should be—a chance for students to see that, as future lawyers, they can be imaginative and creative in their work and able to initiate projects with a positive social impact."

Lisa Davis ('08) works with Women's Link in Colombia and with MADRE in New York City to advance women's

"Rhonda's impact is lasting, and that includes her impact on training a new generation of committed feminist progressive lawyers."

**—LEADING FEMINIST SCHOLAR AND ACTIVIST
CHARLOTTE BUNCH**

human rights domestically and in the United Nations; Susan Timmons ('06) runs the pro bono program at the American Immigration Lawyers Association; Tina Minkowitz ('01), founder of the Center for the Human Rights of Users and Survivors of Psychiatry, was a leader in the international process that created the Convention on the Rights of Persons with Disabilities; Rebecca Brown ('07) coordinates the gender program at the International Center on Economic, Social, and Cultural Rights; Ruth Cusick ('08) is working with the Dignity in Schools Project on behalf of mentally disabled youth; Katie Gallagher ('00), a staff attorney at CCR, is part of the legal team representing Iraqi victims tortured by private contractors at Abu Ghraib. Ann Cammett ('00) is a professor at the University of Nevada. Taking stock of the clinic's impact on aspiring lawyers, CUNY Law Professor Sue Byrant notes, "Rhonda and IWHR inspire students to devote themselves to social justice, to work from a multicultural and community-centered perspective, and to believe in their capacity to push the boundaries of law." ●●

"Rhonda is creative, determined, and impassioned—she doesn't understand the word 'impossible.'"

—NANCY STEARNS, COPELON'S FORMER CCR COLLEAGUE WHO ESTABLISHED THE MONELL DOCTRINE IN THE U.S. SUPREME COURT