

HEROES

OF SOCIAL INCLUSION

The 20 heroes featured in this special section reflect the diverse fabric of those who fight and have fought for the rights of our hemisphere's underserved populations. Together, they represent 11 countries, and their causes range from equal rights for women, Indigenous, immigrants, and same-sex couples to the promotion of health care and financial access. Additional heroes are profiled at www.americasquarterly.org/inclusion-heroes.

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Thurgood Marshall

(1908–1993)

Opening Hearts and Minds

By President Bill Clinton

Two things stand out in my memory about the year 1957, when I was 11 years old. The first is the death of my beloved grandfather, James Eldridge Cassidy. I had lived with my grandparents in Hope, Arkansas, for a time as a small child, and got to help my grandfather around his little grocery store which, unusual for that time and place, served both black and white customers. Nineteen fifty-seven was also the year President Dwight D. Eisenhower federalized the National Guard to enforce the Supreme Court's order to desegregate Little Rock Central High School—the direct result of the landmark *Brown v. Board of Education* case, argued for the plaintiffs by the masterful NAACP lawyer Thurgood Marshall; one of the 29 cases he would win before the high court, while losing only three.

In 1963, seven years after the Little Rock Nine, the high school I graduated from in Hot Springs was still segregated. When I participated in a mock congressional session at the American Legion Boys Nation conference that summer in Washington DC, I was one of only a few delegates from the southern states to vote

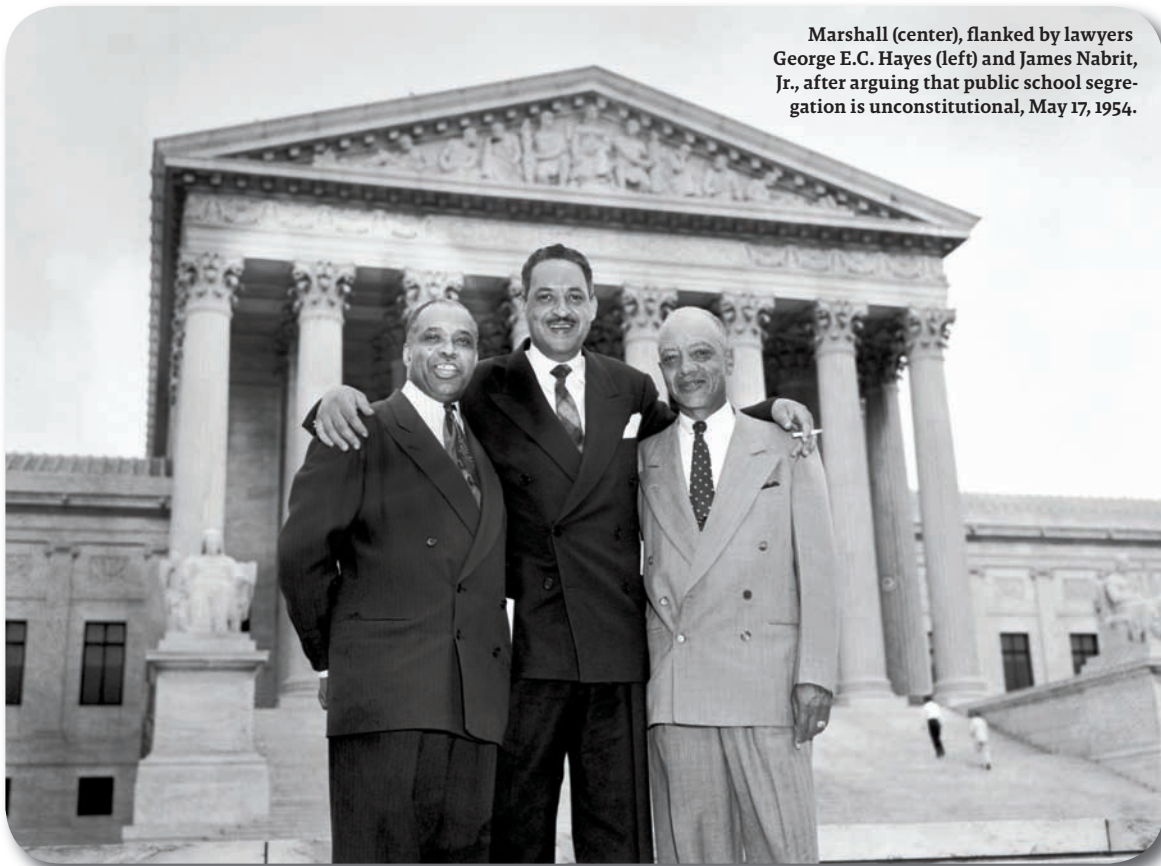
for a civil rights plank. I knew then that the influence and wisdom of men like my grandfather would not be enough. The opening of our hearts and minds, and the changing of our ways, would not happen without pressure—the pressure of court decisions, legislation, executive action—the kind brought to bear by gifted lawyers and jurists like Marshall, who was as brilliant in the pursuit of justice as he was relentless.

By the time I met President John F. Kennedy at that Boys Nation conference, Marshall's influence had grown. He had been brought onto the federal appellate bench by J.F.K. via a recess appointment, where not a single one of his 98 majority decisions was reversed by the Supreme Court. Then he became solicitor general. When President Lyndon B. Johnson nominated him as the first African American to serve on the high court, he was confirmed handily, 69-11, even though my mentor, Senator William Fulbright of Arkansas, was one of only two southern senators to vote in favor. Justice Marshall would serve with remarkable distinction for 24 years and never lose his focus on protecting the rights of all America's citizens.

Attorney Thurgood Marshall in New York City's Harlem neighborhood, February 1, 1960 (left). President Bill Clinton receives the Thurgood Marshall Lifetime Achievement Award from Elaine R. Jones, president and director-counsel of the NAACP Legal Defense and Educational Fund Inc., New York City, November 1, 2001.



“Justice Marshall would never lose his focus on protecting the rights of all America’s citizens.”



Marshall (center), flanked by lawyers George E.C. Hayes (left) and James Nabrit, Jr., after arguing that public school segregation is unconstitutional, May 17, 1954.

When Al Gore and I won the general election in 1992, Al was determined to have Justice Marshall swear him into office. Though Marshall agreed, his health was rapidly declining and he was ultimately forced to decline—he passed away only three days after our inauguration. In keeping with Justice Marshall’s exceptional legacy, I was honored to have each of his sons work in my administration. Thurgood Jr., who had worked alongside Al for years, became my aide and served on my delegations to South Africa (for the inauguration of President Nelson Mandela in 1994) and Bosnia (as a member of the Presidential Election Observer Delegation in 1998). And in 1999, I appointed Justice Marshall’s youngest son, John, as the first African-American director of the U.S. Marshals.

Forty years after 1957, I was privileged as President to welcome the Little Rock Nine back to Central High School and be able to remark at the ceremony that, “When the constitutional rights of our citizens are threatened, the national government must guarantee them.” It’s a tribute to the life and work of Thurgood Marshall—also the grandson of a grocery store owner—that on that day in 1997 I could speak those words with confidence, because Marshall and his allies vowed to extend the constitutional promise of equal protection and the American dream of equal opportunity to all our citizens.

William Jefferson Clinton was the 42nd President of the United States.

Ruth Cardoso

(1930-2008)

Legacies of My Mother

By Beatriz Cardoso

Both my parents became protagonists of Brazil's history, though that was never their intention. They represent a generation that opposed dictatorship and then, when conditions changed, played a key role in our country's transition to an open society.

My mother, Ruth, was a teacher and an anthropologist. She loved to do field research on people's everyday lives. In doing this, she combined theoretical know-how and rigor with a pragmatic respect for the complexity of reality.

From this perspective, my mother believed that every person not only has needs but also skills and capacities. She saw development as a bottom-up process of empowering people. Investing in human and social capital was, for her, the cornerstone of sustainable development.

My mother became first lady with a strong commitment to and background in understanding and promoting social change. She did not aspire to this position. But she used it to promote a paradigm shift in social policies. She broke the pattern of treating poor people as passive beneficiaries of top-down policies. She formed the first-ever partnerships between the state, civil society and the private sector to expand and improve social policy. She reframed the traditional role of first lady and the symbolic representation of the role of women in Brazil.

Ruth always acted in accordance with her belief in freedom. She lived by her ideals—both as a private individual and a public intellectual—arguing for her ideas but never seeking to impose them. My own professional trajectory as an educator and advocate for improving access to education is steeped in what I have learned from my life experience.



Ruth Cardoso, then-first lady of Brazil, with Kuikuro tribe members from the Upper Xingu valley of Mato Grosso state, November 19, 2001 (above). Beatriz Cardoso (right) with her mother, Ruth (left).

Brazil has changed a lot, and for the better, since the restoration of democracy. But we are still confronted with huge challenges, such as drastically reducing violence and inequality in our society, and ensuring quality education for all. I like to believe that Brazil's commitment to those challenges and its understanding of how to achieve them reflect my mother's contributions.

Beatriz Cardoso is executive director of Centro de Educação e Documentação para Ação Comunitária (CEDAC) in Brazil.

Mónica Roa

Protecting Women's Rights Through the Courts

By Mónica Roa

I grew up in a family with no father. I saw the responsibilities that my mother had to take on alone to raise my sister and me. At the same time, I never had to obey a male authority, and I saw great differences in other families where the father was the absolute and unquestionable authority.

In 2003, I became involved in Women's Link Worldwide. Our strategy is to use the courts as a platform to promote social change, particularly on controversial issues that do not have political majorities in the congress but affect human rights. We start from the premise that democracy is not just a government of the majorities, but includes a guarantee of respect for the rights of minorities, and that the task of protecting them is the responsibility of judges. Judges are also the intermediaries between rights on paper and in reality. They can ensure that international human rights treaties and constitutional

rights have a concrete impact on people's lives. We see each lawsuit as an opportunity to position issues on the agenda, to change the terms of certain debates and to strengthen movements.

Advances in reproductive rights in the hemisphere have created tension. On one side have been the legal victories in recent years, in both national and international courts, which have established that women's rights to life, health, safety, autonomy, and freedom from discrimination are the basis for demanding that the state provide dignified and safe abortion services. But these victories have fueled the determination of anti-rights groups to seek—increasingly radically, and at times successfully—the neutralization or complete nullification of reproductive rights. In all this, one basic contradiction remains: regardless of the law, women with resources can have abortions safely, and women without resources continue risking their lives in dangerous procedures.

“Anti-rights groups seek the neutralization or complete nullification of reproductive rights.”



Protesters outside the Constitutional Court in Colombia as Mónica Roa refiles a case for reproductive rights, December 2005 (left). Roa with a book on the legal modifications, January 26, 2012 (right).





Santiago Levy

Santiago Levy at the entrance to the drawing room of Mexico's cultural institute in Washington DC, February 15, 2012.

The Creator of CCTs Looks to a New Challenge to Social Inclusion

By Santiago Levy

Over the past decade and a half, Latin American countries have developed new programs to combat poverty. Beginning in 1995 in Mexico (when I was undersecretary of finance) and in Brazil, a simple idea has taken hold. Rather than transferring income to the poor through price subsidies, food stamps or direct distribution of foodstuffs (milk, tortillas, bread), it is better to transfer income directly in monetary form.

But to ensure that such transfers are not permanently needed, these programs are conditioned on poor households' investing in their human capital: their health, nutrition and their children's education.

The bet is that healthier and more educated youngsters will enter the labor market under better conditions than their elders, breaking the intergenerational transmission of poverty.

These new programs, commonly known as conditional cash transfer programs (CCTs), have allowed the region to reduce the proportion of households living in extreme poverty, and have brought hope for a better future to a majority of Latin America's poor.

Evaluations of CCT programs in Mexico, Brazil, and Colombia, and of similar undertakings in Honduras,

Nicaragua, the Dominican Republic, and Ecuador, show that CCTs are better at reaching the poor than past social programs. And they have increased school attendance, time spent in school, nutrition, and the health of poor children.

But CCTs are not a solution to all of the region's social problems. To continue to reduce poverty, CCTs need to focus more sharply on investing in the human capital of the poor. CCTs are not meant to be permanent welfare, but temporary investments. After reaching full coverage of those in need, the greatest triumph of Latin America's CCTs would be to gradually shrink as extreme poverty is eradicated.

Today, the region's high levels of informality in labor markets are the greatest obstacle to breaking the intergenerational transmission of poverty.

In the years ahead, thanks to CCT programs, poor youngsters will enter the job market with more human capital, but they may not find more productive jobs.

It is time for Latin America to tackle new social challenges beyond those that can be solved through CCTs: the region's labor markets.

The views expressed in this article are the author's own and do not necessarily reflect those of the institution with which he is affiliated.

"The greatest triumph of Latin America's CCTs would be to gradually shrink as extreme poverty is eradicated."



Rosalina Tuyuc



“I was determined to empower Indigenous women in our struggle against violence, poverty and discrimination.”

Defending the Rights of Guatemala's War Widows

By Rosalina Tuyuc Velásquez



Rosalina Tuyuc (foreground) meets with the executive board of CONAVIGUA at the Kaminaljuyu archaeological site, February 14, 2012.

From 1960 to 1996, approximately 250,000 Guatemalans were victims of genocide—largely at the hands of our military forces. I helped establish our country's first association of war widows (*Coordinadora Nacional de Viudas de Guatemala*—CONAVIGUA) in 1988 as a counterweight to the influence of the military in our communities and in our government. I and my co-founders wanted to defend our children from forced military recruitment, and to find our disappeared loved ones. As someone who lost her husband to our country's violence, I was determined to empower Indigenous women in our struggle against violence, poverty and discrimination. In 1982, my father was disappeared by the military and three years later, my husband met the same fate. I have experienced three attempted kidnappings.

Even as CONAVIGUA encourages women to exercise their civic rights, we recognize that only by helping women become active players in the political process—at local, municipal and national levels of government—can we truly influence public policy.

In Guatemala, we are still coming to grips with our violent past. Nearly a half-century of civil war has left us in need of reparation and reconciliation. Thus, an important aspect of CONAVIGUA's activities is monitoring public disbursements to victims under the government-led National Reparations Program (*Programa Nacional de Reparaciones*—PNR) established in 2003.

Former President Óscar Berger was the first leader who recognized the conditions of civil war widows and committed his government to action. Through the PNR, the Guatemalan government provides compensation to genocide survivors and their families, as well as agricultural assistance and financing for the reconstruction of war widows' homes. But an immense number of surviving victims have been ignored, in particular orphans and female victims of abuse and rape.

I served as a congressional deputy and then vice president of Guatemala's congress from 1996 to 2000, which represented a double achievement, both as a rural woman and as a woman of Maya heritage. And perhaps just as important, as a survivor of genocide, I worked with other women in congress to pass the Domestic Violence Act and the Law of Dignity for Women, which revised the civil code to allow women to own land and have access to credit.

To further improve the conditions of rural areas, we also helped establish *Banrural*—the Guatemalan Bank of Rural Development and the only national bank that supports social enterprises in the countryside through micro-loans and online services. Now that I am out of congress, I have returned to the issue that brought me into politics. I plan to dedicate the rest of my life to CONAVIGUA and the cause of Guatemala's war widows.

Cesar **Chavez**

(1927–1993)



“Chavez’ legacy is felt today by millions of workers who benefit from improved working conditions and better wages.”

Defending the Voiceless Immigrants—and Future Generations

By Julián Castro

Looking back on Cesar Chavez's life, I am amazed at how the man and his work defied expectations. As the twentieth century progressed, United States labor unions swelled with longshoremen, teachers, firefighters—but farm workers?

As co-founder of the United Farm Workers (UFW) union with Dolores Huerta, Chavez successfully organized America's poorest, and arguably the most politically impotent, labor pool into a powerful force for economic justice. That the UFW could win major concessions on wages and working conditions from some of the nation's largest produce growers surprised many; that those victories were led by Chavez, a soft-spoken, five-foot-six, unassuming man committed to nonviolence bedeviled not only the growers but popular imagination.

Indeed, Chavez was not the brash, burly, bare-knuckled archetype of a union boss. His quiet resolve was punctuated instead by asceticism and weeks-long fasts that captured the nation's attention and galvanized support for the concerns of men and women who toiled outside the consciousness of mainstream America.

In the years since Chavez' death in 1993, the UFW has remained the nation's leading voice for farm workers, expanding its network of organized farms and turning a new generation into champions for the progress Chavez envisioned. Chavez' legacy is felt today by millions of workers who benefit from improved working conditions and better wages compared to previous generations.

To many Americans, particularly Mexican-Americans, Chavez symbolizes a larger struggle for civil rights, a demand that mainstream America heed the call for equal treatment under the law and an opportunity to realize the American Dream.

As generations pass, that dream is coming true more often. The children and grandchildren of farm workers, rallied by Chavez' cry of "*¡Si, se puede!*" ("Yes, we can!"), now fill the rolls of universities. They vote in boardrooms and city halls across the United States. The backhoes of their forefathers have turned into iPads and gavels—a testament to Chavez' impact.

Julián Castro is a two-term mayor of San Antonio, Texas.



ARTHUR SCHATZ/TIME LIFE PICTURES/GETTY

United Farm Worker leader Cesar Chavez in front of posters of Robert F. Kennedy and Mahatma Gandhi during the 1968 grape pickers' strike.

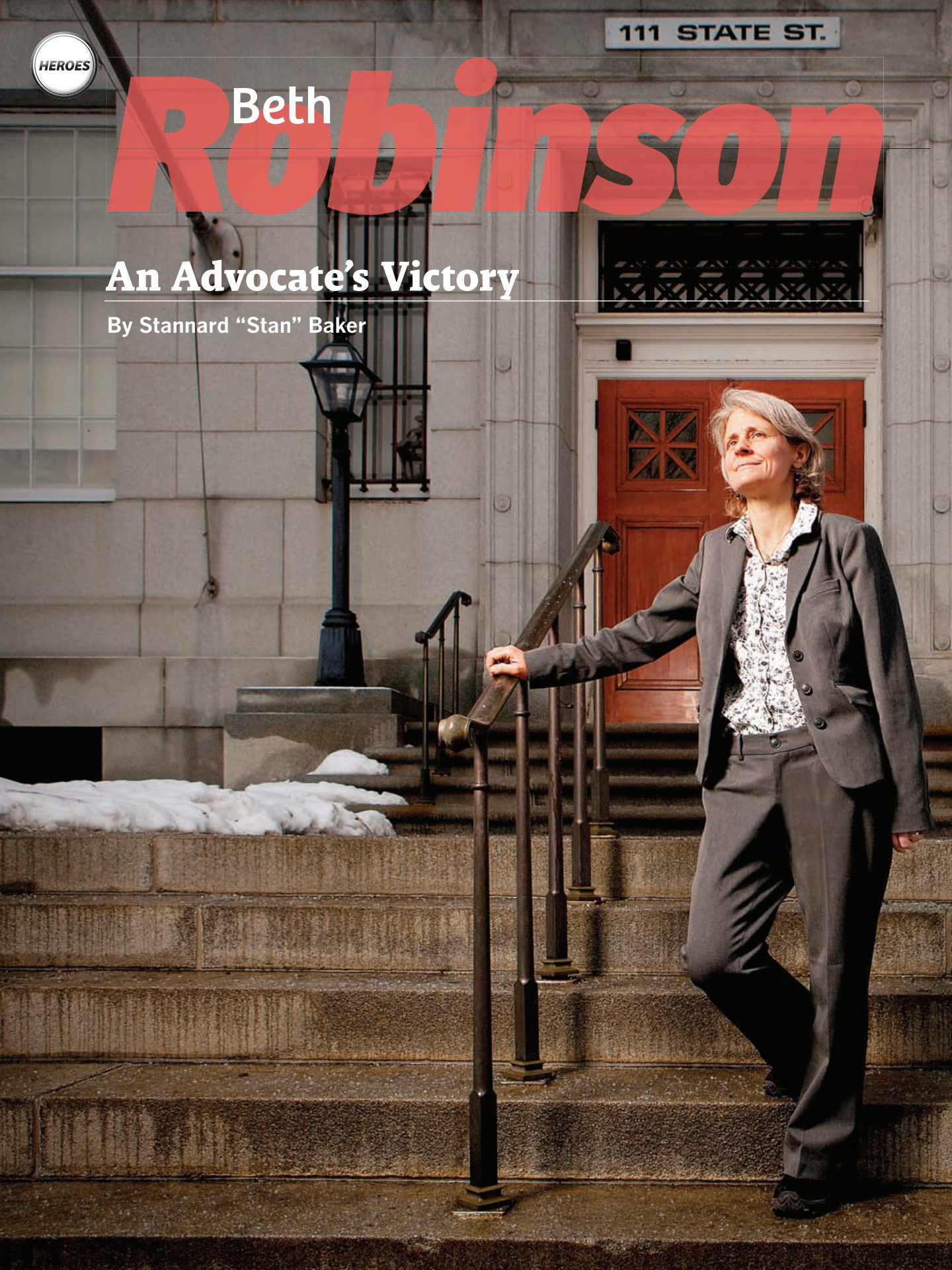
HEROES

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Beth *Robinson*

An Advocate's Victory

By Stannard "Stan" Baker



My 89-year-old grandfather fell in love with a woman his age in their retirement community. Should the state deny them marriage because they cannot procreate?"

So went the argument of attorney Beth Robinson as she addressed the Vermont Supreme Court in November 1998 for *Baker v. State of Vermont*, as the six plaintiffs—including myself and my partner, Peter Harrigan—sat in the front row.

Throughout the process, Beth was our advocate, our mentor and our coach. On that day she was arguing that the State of Vermont should not deny equal marriage rights and responsibilities to same-gender couples because of the state's purported interest in procreation. The Baker case rested on the "Common Benefits" clause of the Vermont Constitution, which stated that no group of people in Vermont could be denied a benefit that accrued to any other group.

As with Beth's grandfather, the issue was fundamentally about love. The role of the state is to support families by legally recognizing—through marriage—loving, committed relationships between consenting adults.

Beth Robinson and Susan Murray—founders of Vermont Freedom to Marry—defined the case as a Vermont battle, refusing help from national LGBT organizations. In her argument before the Vermont Supreme Court,

Beth was assured, calm, clear, articulate, and firm.

The justices ruled in our favor, stating that same-gender couples were entitled to all the rights and benefits of opposite-gender couples. However, they failed to take the final step and grant us marriage. Instead, they asked the Vermont legislature to decide how to do this. In the ensuing contentious legislative process, Civil Union was born.

Beth's most powerful legacy is her refusal to give up the fight for same-gender marriage in Vermont after the decision to establish civil unions.

Thanks to her unflagging efforts in working to get supporters elected to the legislature and pushing the legal case, in 2010 same-gender marriage became a reality in Vermont. Ours was the first U.S. state to achieve gay marriage through a legislative process! Peter and I were married on August 13, 2010, the tenth anniversary of our civil union. Vermont set the stage for gay marriage in Massachusetts, in Canada and subsequently in other states as well. Beth Robinson, now Vermont Supreme Court Justice Beth Robinson, was a cornerstone and unflinching leader of our success in Vermont and achievements beyond the borders of this small but powerful state.

Stannard "Stan" Baker was a plaintiff in *Baker v. State of Vermont*.

Activist turned justice: Beth Robinson, sworn in as an associate justice in November 2011, stands in front of the Vermont Supreme Court, February 1, 2012.

"The role of the state is to support families by legally recognizing loving, committed relationships between consenting adults."

Hernando de Soto

The Meaning of Property

By Hernando de Soto

My inspiration for spending the past 20 years helping governments create modern, inclusive market economies was a question that first occurred to me as a teenager attending school in Geneva, where my family was living in exile at the time from the dictatorship in Peru. From the perspective of Europe I found myself looking across the Atlantic Ocean and asking why were Peru and the rest of Latin America so poor?

When I finally returned to Peru with a group of reform-minded compatriots, I founded the Institute for Liberty and Democracy to research Peru's vast informal economy. Based on our conclusions and the undeniable power of Peru's long-suffering entrepreneurs, we worked with the government to draft legal reforms that would make it easier for the poor to access property and business documents that were straightforward, transparent and allowed people to tell the truth. Those reforms benefited millions.

They also demonstrated the power of property—

and paper. Language gave us poetry. But it also made us wealthier. Talking allowed us to communicate better. But writing gave us the power to commit. And documents that are standardized and precise allow us to capture potential value—otherwise intangible and invisible—and move it around.

Most observers still miss that point of the Arab Spring. Last year's revolution in the Middle East and North Africa began with small entrepreneurs immolating themselves after having their assets confiscated for lack of property documents. Most social conflict and violence breaks out where property rights are not clear. Peace doesn't come until everyone agrees on how and where to settle disputes.

Foreign investors in emerging markets convert land rights into investments. Unfortunately, Indigenous people with even more land but no titles today still remain off the grid, idle within the larger economy—and poor.

In Western economies, credit in the private sector continues to shrink, not because there aren't enough bills and coins (there are), but because the knowledge of who owns what and who holds the risks continues to deteriorate. Property is not about the size of your backyard but about trust and creating value.

Credit and capital can literally vanish when paper ceases to be reliable (think of an investor in subprime), or when it simply doesn't exist, just as your identity is in doubt when you reach the immigration counter and discover you have lost your passport (think of me landing at JFK).

Hernando de Soto (second from left) meets with Tanzanian villagers in 2005.



Julio Frenk, Mexican health secretary turned Harvard School of Public Health faculty dean, at the Francois-Xavier Bagnoud Center for Health and Human Rights, February 13, 2012.

Julio Frenk

The Inclusive Potential of Universal Health Care Access

By Julio Frenk

I was appointed secretary of health in 2000 as part of a social transformation that brought a change in Mexico's ruling party for the first time in 71 years. I had already spent about 20 years studying health care and advocating for a universal health system when then-President Vicente Fox appointed me to the post. The first thing I proposed to him was *Seguro Popular*—a sweeping public health insurance program.

Mexico, like many Latin American countries, had evolved into a segmented health care system, where access to insurance was not a right of citizenship but a benefit of employment. *Seguro Popular* turned health insurance into a right of the people.

Politically, the revolution in Mexico's health care system was possible because of the change of power that brought an end to seven decades of one-party rule. Completing Mexico's transition to democracy meant making sure that civil and political rights were guaranteed, and that social rights—most importantly, the right to health care—were universal.

At the time, more than half of the Mexican popula-

tion (50 million people) was uninsured. Most citizens paid for health care out of their own pocket. That effectively forced 4 million Mexican families into poverty each year due to the illness of a family member.

Seguro Popular was not just an insurance reform. It changed the way government budgets for care. Now money follows people. The state (responsible for the care of people) has an incentive to enroll people in the program, and providers have an incentive to provide quality care because it is financially rewarding.

Beyond the health benefits of universal coverage, *Seguro Popular* has shown that good health is a powerful way to fight poverty. Healthy people are more productive, and healthier children are more likely to succeed in school and have better economic opportunities than those who are sick or malnourished.

Like Mexico, countries have to commit to the ethical conviction that health care is a condition for equality of opportunity, just as education is. Today, there are 52 million people enrolled in *Seguro Popular*, and this year Mexico will achieve universal health insurance coverage. Others can do the same.



María Elena Moyano

(1958–1992)

A Symbol—and Victim— of Peru’s Transformation

By Minister Carolina Trivelli

María Elena Moyano was born in Lima in 1958. Her life spanned a period of intense change and upheaval in Peru. And her death in 1992 at the hands of *Sendero Luminoso* symbolically coincided with the end of that period.

Beginning in the 1960s, Peru’s modernization was driven by millions of citizens who sought to improve their lives, moving from rural areas to cities, and exercise their rights: to a life of dignity, education, a patch of land—or even some space on the sidewalk to sell goods. These millions of small decisions built a new nation, with the dream that everyone would find a place. Beyond, or rather beneath, politics, a history of exclusion was transformed and the basis for a country for all Peruvians was constructed.

María Elena gave a voice to that cause. A woman of African descent, she came from the “*pueblos jóvenes*,” or shanty towns, on the wastelands of the capital’s outskirts where hundreds of thousands (millions today) of Peruvians found a space in which to build a future. And with the community organizations that she and others helped create and lead, they helped transform these squatter wastelands into new cities.

It was in these *pueblos jóvenes* that people from all over the country and from all cultural traditions came together to build schools, houses and public

places. María Elena’s awareness of how women were excluded even in the poorest settings drove her to community work. At 25, she was elected sub-secretary general of the newly-created *Federación Popular de Mujeres de Villa El Salvador* and two years later was elected its president.

Seven years later, the violence of Peru’s internal struggle caught up with her. Seizing and eliminating the independent leadership of the popular neighborhoods around Lima, and specifically of the emblematic Villa El Salvador, was part of the strategy of the *Sendero Luminoso*. On February 15, 1992, *Sendero Luminoso* forces marched into the town, killed her, and then dynamited her lifeless body—perhaps as an example and a threat, or even as an expression of racism.

Today, we are living through different times. Leaders and organizations that advocate violence are weaker and the politics of inclusion have learned from those lives which, with dedication and solidarity, raised up a new city and a new country. Women occupy broader spaces, and new organizations of people of African descent are working against discrimination. The road to inclusion remains long, but with María Elena Moyano’s examples, its path is clear.

Carolina Trivelli is Peru’s minister of development and social inclusion.

“The community organizations that she and others helped create and lead changed squatter wastelands into new cities.”



Protesters hold a picture of María Elena Moyano outside the prison where *Sendero Luminoso* founder Abimael Guzmán was being tried, November 5, 2004.

Wenceslao **Casares**



Merit and Entrepreneurship Rewarded

By Wenceslao Casares

I grew up in Patagonia on a sheep ranch. Our nearest neighbor was 20 miles away, the nearest town 100 miles. In this place with long, tough, snowy winters and cool, windy summers, we were very isolated.

I learned a lot from my mother's entrepreneurial skills. She took the wool from our farm and worked with Mapuche women to spin it into sweaters that she would sell to tourists. In the midst of hyperinflation, making money was the difference between having clothes for winter or not.

When I was 17, I won the Rotary International Exchange Program scholarship, giving me the chance to finish high school in a small town in Pennsylvania.

When I returned, I briefly attended San Andrés University in Buenos Aires, but dropped out to start a new business: Patagon.com, an online financial services company.

Even by the 1990s, there were a lot of obstacles to starting a business in Latin America—especially if you were not part of the establishment. Every time I pitched my business idea for funding, potential investors would ask: "Who is your father? Which school did you go to?" My father was a sheep rancher, and my

school was not an elite private school.

They were not interested.

After two years and dozens of failed meetings to raise capital, I was selected as an Endeavor Entrepreneur in 1998. That relationship changed the trajectory of my company, as well as my life.

Although my initial belief that the Internet would revolutionize access to financial services is still unfulfilled, Patagon did very well serving those privileged customers who did have access.

In 2002 I started Banco Lemon in Brazil with the goal of reaching the millions of Brazilians who had not even been allowed to enter a downtown bank. We opened more than 7,000 innovative and efficient branches in marginalized neighborhoods throughout Brazil, and in doing so provided 15 million customers with their first bank account.

Poor Brazilians could put their savings in the bank, pay bills efficiently, access credit, and formalize their financial lives.

We need to leverage these new tools of technology (Internet and mobile phones) to make the next 10 years even more impressive—the decade of Latin America's emergence.

"We opened more than 7,000 innovative and efficient branches and provided 15 million customers with their first bank account."



Patagonia to Palo Alto: Technology entrepreneur Wenceslao Casares in Silicon Valley (preceding page), and Wenceslao (far right) with his brother and cousins on the family sheep ranch in Chubut, Argentina, in 1987.

INSET: COURTESY OF WENCESLAO CASARES

Graciela *Dixon*



Judge Graciela Dixon at Panama City's Plaza Einstein—a small park famous for its 1968 statue of Albert Einstein.

Improving the Rule of Law

By Graciela Dixon

Possibly one of the greatest challenges I faced upon being nominated to the Supreme Court in 2005 were the expectations placed on me. As the first Afro-Panamanian woman to serve as chief justice, my community and the Afro-Antillean community hoped that this would mark a dramatic, symbolic and concrete change in their visibility and rights. On the other hand, there were those who were hoping I would fail. And there were those who just held their breath hoping nothing in my performance would make them look bad.

And although I was confirmed in the National Assembly with near unanimity, my appointment generated all sorts of professional and public criticisms. The most aggressive were the caricatures that appeared in newspapers, emphasizing pejoratively my physical characteristics as a black woman, my hairstyle, my socioeconomic background, and also my non-Panamanian lineage.

Some advised me to change the way I wear my hair, urging me to “fix” my hair now that I was going to the Supreme Court.

In deciding cases and writing opinions I always tried to understand the socioeconomic context of cases and the implications of the decision. Regarding

Afro-Panamanian issues—given the racial blending of our country—this was always difficult. I viewed these cases as opportunities to affirm the constitutional principles of nondiscrimination.

When I assumed the justiceship on the court, popular confidence in the judicial system was extremely low. During my public service, sensitive aspects were addressed that historically had been poorly understood and that limited the work of administering justice.

One of these was the question of the relationship between justice and the communications media.

Before I became chief justice, the justice system, and the court in particular, were extremely discredited in public opinion. Problems included the slow pace of the justice system, the lack of transparency in the administration of justice and the lack of credibility in the independence of the judicial branch.

During my term, I tried to address these problems. We strove to demystify some of them, to admit our weaknesses in relation to others, and to come up with effective and consistent answers.

We debated openly and publicly without lessening the independence and freedom of each of the sectors involved. The results, though timid, set the basis for a new approach to the weaknesses and deficiencies of our system of justice.

“I always tried to understand the socioeconomic context of cases and the implications of the decision.”

Claude Brunet

(1940–1988)

Ensuring Humane Care for the Infirm

By Paul Brunet

At age seven, my brother Claude Brunet was afflicted by cerebral meningitis, leaving him paraplegic and requiring daily medical and nursing care. The condition forced him to live in a long-term facility in Montréal, where Claude started to speak up on behalf of his friends and neighbors in the facility about the poor treatment and conditions. His complaints to the administration centered on mistreatment of patients by hospital staff and on the quality of the accommodations and food.

It was out of these early efforts to represent fellow patients that the *Conseil pour la protection des malades* (Council for the Protection of Patients—CPM) was born in 1972. Claude rented an office in downtown Montréal in 1974 and hired several lawyers to support his goal of securing patients’ rights and their representation in medical facilities.

For over 30 years, the CPM has been deeply involved in patients’ rights cases across Canada. It helped es-

tablish the right to form patient committees in public and semiprivate health facilities in Québec to represent patient demands. And Claude led the successful campaign that resulted in the introduction of handicap-accessible transportation in Canada.

In 1983, Claude received the medal of the Order of Canada from then-Governor General Edward Schreyer for his work defending the ill, the handicapped and the elderly. Recently, the CPM has been leading the fight for a policy that will, when passed, guarantee the right of a lucid adult to decide when his or her life will end, when afflicted with mortal illness or physical or psychological pain that cannot be treated adequately.

Claude passed away in July 1988. His values, achievements and skills have helped the CPM grow into a leading organization in the fight for patients’ and citizens’ access to humane health care services in the public health system in Québec.

Paul Brunet is chairman of the board of directors of the *Conseil pour la protection des malades*.



“Claude led the successful campaign that resulted in the introduction of handicap-accessible transportation.”

Patient rights activist Claude Brunet in an undated family photo.



Sonia Pierre

(1963–2011)



Sonia Pierre in Santo Domingo, March 2007 (far left). U.S. Secretary of State Hillary Clinton and First Lady Michelle Obama presenting Pierre with the 2010 International Women of Courage Award.

In Memory of Sonia

By Sergia Galván

Sonia Pierre was born in the sugar town of Batey Lecheria in the shadow of the Catarey Sugar Mill, in Villa Altigracia, Dominican Republic. Her mother, Carmen Pierre, was a Haitian immigrant who, like many of her Haitian sisters, worked in the sugar fields.

Even when she was young, Sonia spoke out against discrimination, social exclusion and the routine violation of human rights that afflicted those of Haitian descent living in the Dominican Republic. In 1982, she joined the Dominican-Haitian Cultural Center (CCDH), where she began to lobby for the needs and rights of Haitian-Dominican women—eventually founding the Movement of Dominican-Haitian Women (MUDHA) which she led until her death on December 4, 2011.

I met Sonia in 1982, a year before the creation of MUDHA. She helped me understand the dynamics of racism and xenophobia, and I like to believe that I contributed to her quest for understanding the subordination of women.

She was a pioneer in organizing women who lived in the *bateyes* (the company towns for sugar workers) and in fighting for the citizenship of people of Haitian descent living in the Dominican Republic.

She left behind a community that now understands the need for profound judicial reform to protect the rights of Haitian-descendant Dominican people, and the need to align immigration policies to international human rights standards.

I admired Sonia for being a Dominican woman who was proud of her heritage in a country that too often discriminates against Haitians, and for speaking up on their behalf.

She refused to let the pronunciation of the word “*perejil*” (parsley) to be used as a tool of social exclusion, the way former President Rafael Trujillo’s soldiers would determine if someone was Haitian by the way they pronounced it. She fiercely defended her Dominicaness, in all its complexity.

Sergia Galván is executive director of *Colectiva Mujer y Salud* in Santo Domingo, Dominican Republic.

Alejandro Toledo

A Country Advances

By Alejandro Toledo

Peru's economic growth between 2001 and 2006 surpassed the region's already impressive growth over the past 10 years. And in 2006, our country soared to an impressive 7.5 percent GDP growth rate. By 2008, it reached 9.8 percent.

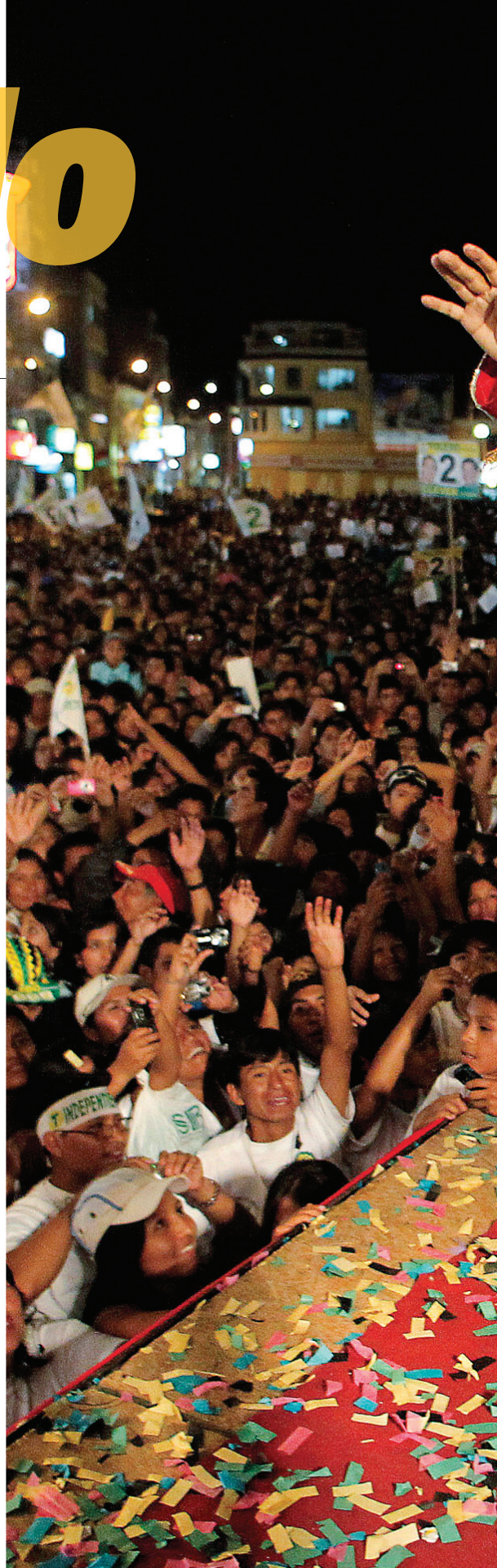
How can we explain the recent success of Peru and Latin America? On the one hand, exogenous factors have favored us. International markets have paid high prices for our traditional exports, such as mineral resources. But the region has also reaped the fruits of a 60-year internal effort to put its economic house in order. We have deliberately opened new markets to the world and adopted responsible macroeconomic policies.

This economic progress has substantially reduced poverty in Latin America. However, income inequality (as measured by the Gini coefficient) has fallen to a much lesser degree.

In the late 1990s, Peru did not seem on course to arrive where it is today. Alberto Fujimori was well into his second term as president. In the midst of a domestic insurgency, Fujimori had taken advantage of the country's vulnerable situation to subvert Peru's democratic institutions. His regime tightened its authoritarian grasp on power by systematically hijacking the national parliament, the judicial system, the armed forces, the electoral board, and most media. In addition to unprecedented levels of corruption, Peru suffered from grave human rights violations, drug trafficking and arms smuggling.

By 1997, Peru was a dangerously high-risk country in the eyes of investors. The nation became isolated from the international financial community. Private and public investment dropped steeply. The fiscal deficit ballooned, and the country stumbled into recession.

The end of the Fujimori regime left Peru deeply wounded and disappointed, but it also gave us an opportunity to come together in new ways. Although modern Peru never had a national leader of Indigenous origin, it was just such a person who led this de-



ENRIQUE CASTRO-MENDIVIL/REUTERS

President Alejandro Toledo campaigning in the city of Huánuco for another term as president, March 2011.



“Our democracies must be inclusive and deliver concrete and measurable results.”

cisive democratic coalition.

Destiny bestowed this momentous responsibility upon me. One of 16 siblings of Andean descent, I became our continent’s first democratically elected Indigenous president in five centuries.

Despite my academic and professional credentials, I didn’t look like a typical Peruvian president at the time. Indeed, my appearance evoked an adverse reaction from many members of our minority elite. Yet this historic election opened the door to millions of women and men who had been politically, economically and culturally excluded from their own society.

After electing its first Indigenous president, Peru focused on expanding economic opportunities to its neglected majority. During my administration, we launched a government program that provided 550,000 jobs. We established our country’s first free health care insurance for people living in extreme poverty. We also created a direct-cash-transfer system, based on successful precedents in Mexico and Brazil. This program paid poor women in rural areas \$35 per month for proof of prenatal exams, vaccinating their children and sending them to school. In addition, we doubled the salaries of teachers and professors in real terms.

In combating infant mortality, early malnutrition and illiteracy, our intention was to build human capital over the long term, particularly for the traditionally excluded Andean and Amazonian regions of our country. That is, we sought to improve the distribution of human development opportunities where they were precarious at best. We targeted areas where poverty was endemic.

The return of social stability has been accompanied by the return of investment in Peru. Along with creating opportunities for excluded groups, Peru has sought to diversify its economy to accommodate a growing middle class. Although the mining sector still represents 67 percent of Peru’s foreign-exchange revenue, our country has begun expanding in other productive sectors. We have especially promoted la-

bor-intensive activities such as agro-industry, manufacturing and tourism. This increase in economic complexity has helped Peru become one of the fastest-growing countries in our hemisphere.

As a result of these policies, we reduced poverty from 54.5 percent in 2001 to 45 percent in 2006. Extreme poverty fell from 24 percent to 16 percent over the same period. President Alan García’s government continued to grow the economy, reducing poverty down to 32 percent in 2010. However, we cannot be complacent about these achievements. The 85 percent of Peruvians who are of Indigenous and *mes-tizo* descent are still overwhelmingly the poorest and most excluded—especially women and children.

The challenges for Latin America going forward are several.

It is imperative that these high levels of economic growth in Peru and Latin America be converted—through public policies and corporate social responsibility—into more explicit equal distribution of opportunities for the excluded people in the rural areas, particularly the Indigenous and Amazonian population, as well as for women and children.

We must promote awareness that our cultural diversity is one of our main strengths—not a weakness.

We must take advantage of high commodity prices to invest in the minds of all of our citizens. Only then will we succeed in building knowledge economies to successfully compete with other regions. And we must not forget to reinvest our wealth in equitable opportunities for all.

We need to build strong, democratic and independent institutions that are accountable to our citizens. Our democracies must be inclusive and deliver concrete and measurable results for all Latin Americans.

And we must accomplish these goals while protecting the environment. That’s because the achievement of a more prosperous, inclusive and democratic Latin America has to be sustainable for our children and the generations to come.

The door of possibility that I once walked through will never close again in Peru. One can now hear Peruvians exclaim, “If the *cholo* Toledo made it, then my children can also become president!”

Yet my path was extraordinarily improbable at the time. It still remains out of reach for many. So we must continue to strive toward the goals set forth above. But one thing is certain: the wider the door of social inclusion opens, the greater will be the economic benefits for all groups, for all societies and, indeed, for our entire world.

Benedita da Silva

Who Says I Can't?

By Benedita da Silva

There are so many phases and aspects, so much suffering—and joy too—that it's difficult to describe my journey. But for all the ups and downs, an invisible thread runs through my life.

I was born in the Chapéu Mangueira favela in Rio de Janeiro—a girl, black and from a very poor family. From an early age I knew and felt what that meant: social, racial and gender-based prejudice. I suffered, but I responded. And that response has taken me from being an activist to becoming a federal minister and senator.

With effort, I managed to study and, before long, I could read—unlike many of the adults in my favela. I became a community leader, and in 1980 I helped found a party that years later would change the country. It was through that party, the *Partido dos Trabalhadores* (Workers' Party—PT), that I was elected councilwoman, congresswoman and federal senator.

I was elected governor of Rio de Janeiro state in 2002. My political career also included serving as the minister of social action in the first administration of President Luiz Inácio Lula da Silva.

Every step of the way, I've stood up to discrimination, and I've never stopped fighting for social, racial and gender equality. My faith in God has given me an inexhaustible spiritual strength to confront any challenge.

Now, at 69, that struggle continues to give me strength. The social advances of former President Lula and current President Dilma Rousseff fill me with pride. I've been a part of a political and social transformation—a transformation that has been marked by the lifting of over 40 million people out of poverty, through racial quotas in higher learning and the Maria da Penha Law, which combats violence against women.

Still, I know that we have a long way to go. I will always be what the lyrics from the Rio Carnival samba school have called me, “Bené the Warrior.” I can't help it.



Benedita da Silva at the Chamber of Deputies in Brasília, February 2010 (above). Then-Governor da Silva en route to a news conference with Reverend Jesse Jackson, September 2002 (left).

Helen *Rivas*



Fighting the Anti-Immigrant Backlash in Alabama

By Helen Rivas

Equal treatment for all: Helen Rivas outside Birmingham's Beloved Community Church, which also fights for social justice in Alabama, February 3, 2012.

“Attitudes in the United States toward immigrants run in cycles. Right now, we are at a shamefully low point.”

I grew up learning to prize fairness and justice, which has driven my participation in civic and political advocacy. This is what sustains me every day in the fight for immigrant rights in Birmingham and across Alabama—a daily struggle that has become all the more difficult with passage of the cruelly restrictive, headline-generating HB 56 law that aims to make life intolerable for the state’s undocumented immigrants.

My fight for immigrant rights traces back decades, beginning with what might be termed basic social work services. Today, I am active across social, ethnic and faith lines as a founding member of *Latinos Unidos de Alabama* and an at-large board member of the Birmingham Metro Diversity Coalition. But most of my time is spent working as a member of the steering committee of the Alabama Coalition for Immigrant Justice, making sure that immigrants and their families find the help they need.

Unfortunately, Alabama is not alone. Many U.S. states have been less than welcoming to undocumented immigrants. From the front lines in Birmingham, I see the effects every day: undocumented immigrants have left Alabama for fear of arrest, uprooting immigrant children from their schools and communities. Economically, only 9 percent of agricultural jobs vacated by immigrants have been filled, resulting in reduced productivity and economic decline for all Alabamians.

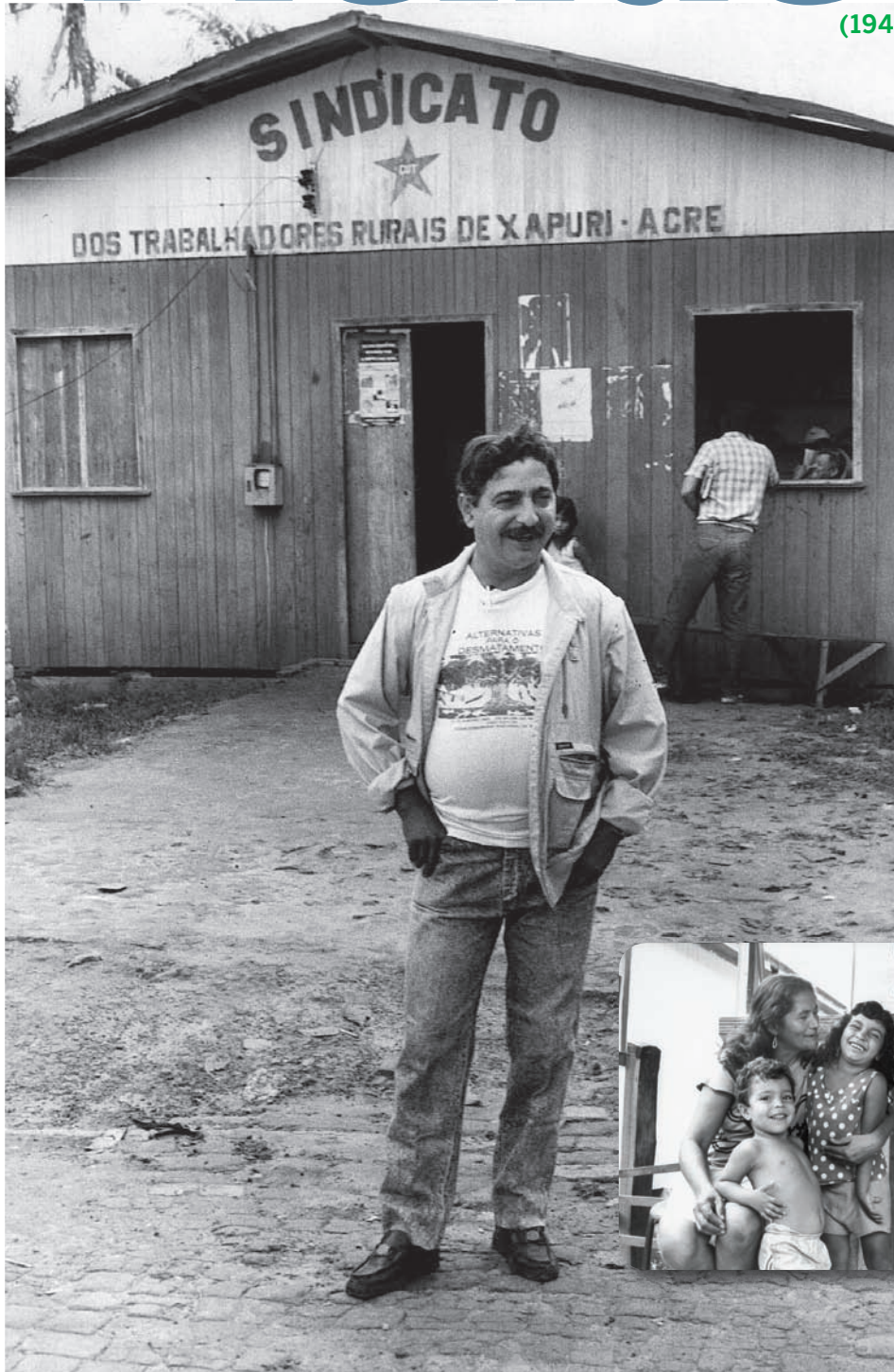
There are plenty of people fighting behind the scenes for immigrant rights. My advice for them is to reach out wherever they go, take advantage of every opportunity to listen to people, to inform and educate, and to enlist allies who can often be found in surprising places.

Attitudes in the United States toward immigrants run in cycles. Right now, we are at a shamefully low point, where a few who speak of patriotism and love of country, of the rule of law and of our country’s founding principles, and of family values, have fallen prey to the cockamamie idea that some people do not deserve to be seen as fellow human beings and are not entitled to rights under the U.S. Constitution.

That must change. I am confident that we, as Alabamians and as a nation, will eventually beat back horrible laws such as HB 56, whether by changing hearts and minds or by political and legal action.

Chico Mendes

(1944–1988)



In Acre state, Chico Mendes stands outside the rubber tappers union headquarters shortly before his December 1988 assassination (left). His children, Sandino and Elenira, with their grandmother in November 1989 (below).



MARIANA BAZO MB/SV/REUTERS; INSET: H. JOHN MAIER, JR./TIME LIFE PICTURES/GETTY

A Life of Peaceful Commitment to the Environment Remembered

By Marina Silva

Yes, Francisco “Chico” Mendes is an important global symbol. But I can’t separate that from how I knew him: as a simple man, a loyal friend to all. He was a rubber tapper, a man of the forest, who since childhood had a strong sense of justice and was committed to his family and community.

For Chico, founding a workers union and fighting against exploitation were as natural as planting a garden or tapping a rubber tree. Struggle was part of life. Chico did everything with simplicity, and he was a person of peace. He was a storyteller, not a speechmaker, who cared about young people and knew how to listen.

Chico’s roots in the Amazonian region made him a different leader, one who sought new ways to move forward, keeping his ties with the Left while remaining close to environmentalists, scientists, anthropologists, and educators to help improve life in the forest. Initially, his movement resisted expulsion and fought for land tenure. What he sought was not a plot of land to farm, but a broader collective commitment to the land that included the forest, rivers, streams, and animals.

Chico began the practice of the human chain in the Amazon, known as an “*empate*,” as a means

of protecting against deforestation. In an alliance with the Indigenous peoples, he supported the establishment of extractive reserves.

On December 22, 1988, Chico was killed by a rancher in his hometown of Xapuri. He was the nineteenth environmental activist to be killed in Brazil that year.

Chico’s struggles have changed the behavior of international banks, governments, political parties, the media, and all those who previously ignored the environment and were compelled to recognize their own responsibilities. His ideas became laws, public policies and social programs in local communities and institutions.

I have tried to uphold Chico’s ideals and struggles as a public servant: in the Senate, as part of President Lula’s government and in international forums. There is a difference between using environmental causes for political interests and using politics to defend environmental causes. Chico held positions that brought him no political advantage, and these positions could not protect him from those who opposed his ideology.

Marina Silva served as Brazil’s minister of the environment between 2003 and 2008 and was the first rubber tapper elected to the Federal Senate.

“For Chico, founding a workers union and fighting against exploitation were as natural as planting a garden or tapping a rubber tree.”

Víctor Hugo Cárdenas



Indigenous Institutional Reformer

By Víctor Hugo Cárdenas

Throughout my life, I have fought to eradicate racism and discrimination. In the 1940s, my father had to change his Indigenous last name (Choquehuanca) to a Spanish name (Cárdenas) just to enroll in school. In high school and college, I suffered discrimination because of my skin color and rural roots. And during the Bolivian dictatorships of the 1970s, as a young political activist, I was the victim of political repression.

In 2009, when I criticized the new Bolivian Constitution, people close to the current government broke into my home and attacked my wife, children and relatives. The Banzer and García Meza dictatorships of the past were always merciless toward me, but they never touched my family.

The party I helped form and lead, the *Movimiento Revolucionario Túpac Katari de Liberación* (MRTKL), helped contribute to the National Governability Program—which was sponsored by the Inter-American Development Bank and produced research on governance issues—and the Legislative Modernization Committee. MRTKL's efforts helped lead to the reform of districts and election laws that increased the participation and representation of Indigenous peoples, education reform, decentralization, and the recognition of

Indigenous territorial rights.

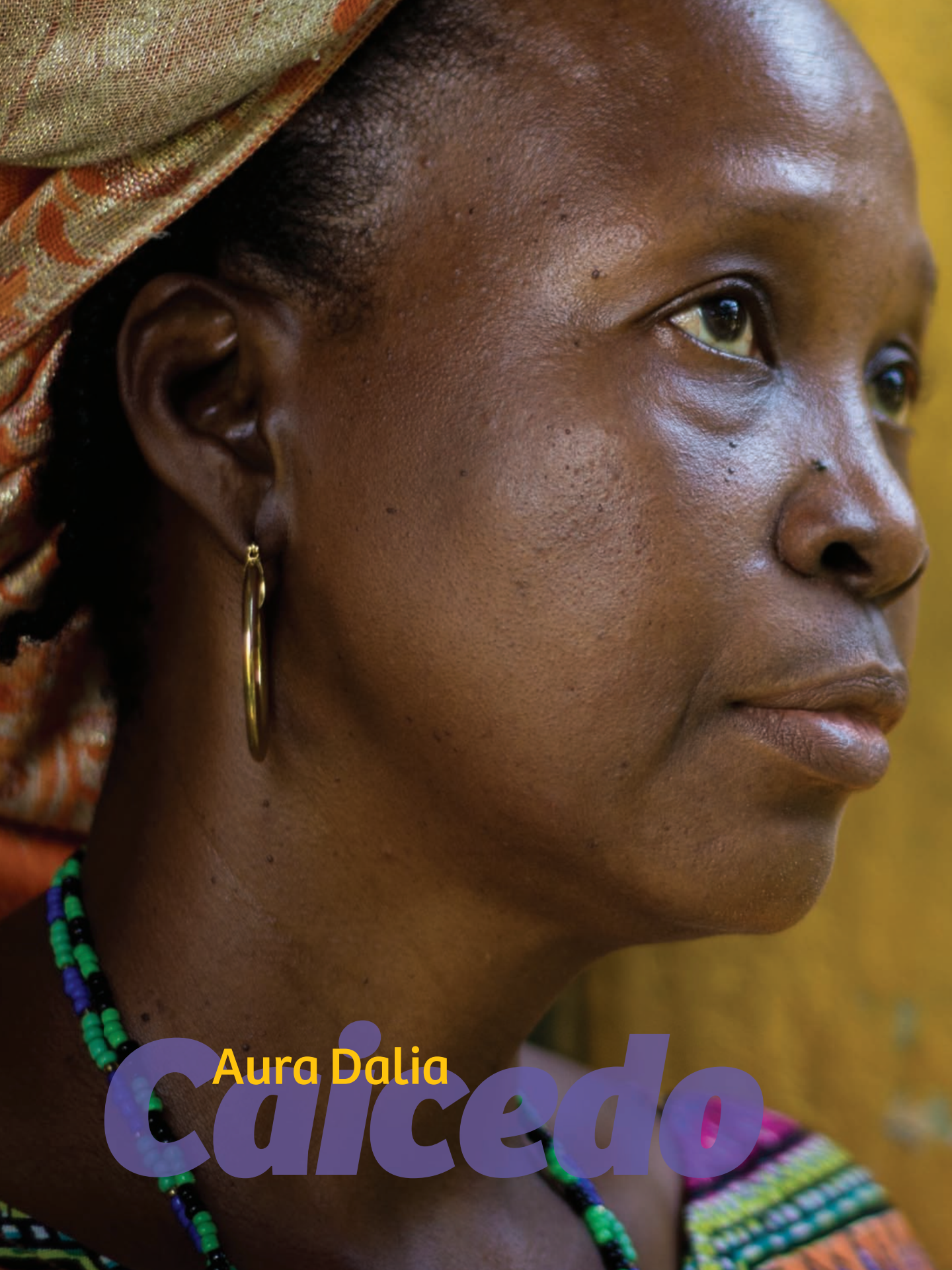
The plurinational state, as it is defined and codified in the current constitution, seeks to promote a process of society-building in ethnic—not political—terms. The constitution and the *Movimiento al Socialismo* (MAS) government use Indigenous peoples to legitimize a project for authoritarian power. In truth, after seven years, the plurinational state is a centralist, authoritarian, *caudillo*-style project that does not respect human rights, is an enemy of Mother Earth, and has allowed for the increase in drug trafficking.

This has deepened historical cleavages in Bolivian politics and society, divisions between ethnicities (stoked by the idea of historical revenge for Indigenous peoples), income inequality (fueled in part by increased drug trafficking), territorial rifts (augmented by the struggle between the highlands and lowlands), and between the democratic origin (popular vote) of the MAS government and its authoritarian and antidemocratic tactics and goals.

We must aspire instead to a creative synthesis of the best of the liberal democratic tradition with the customs and demands of Indigenous peoples, workers, peasants, and other sectors. United, we must look to the next 500 years without neglecting the negative and positive lessons of the past.

Former Bolivian Vice President Víctor Hugo Cárdenas, who also ran against President Evo Morales in 2009, in La Paz, February 7, 2012.

“The Banzer and García Meza dictatorships of the past were always merciless toward me, but they never touched my family.”



Aura Dalia

Caicedo

Defending the Rights of Afro-Colombians

By Aura Dalia Caicedo

I became involved with Afro-Colombian women's issues for the first time in 1983. Growing up in Buenaventura on the Pacific Coast, I came to recognize that while our history is full of pain and exclusion, our present is defined by the strength and energy of our community.

I currently lead the "Kambiri" National Network of Afro-Colombian Women. I work with the organization's collectively coordinated National Directorate, which comprises 11 coordinators in different regions of the country.

Without an understanding of our rights, we cannot exercise our full citizenship as women. The same is true for all Afro-Colombians. We need to make our rights relevant in our day-to-day environment: to know and inform others about them, to make them count, and to defend them.

It is an act of social justice to make visible all the contributions that Black people have given to Colombia, Latin America and the world throughout history. Otherwise, those struggles and hopes risk being forgotten. To avoid this, we need to honor Black people's

struggles and recognize their shouts of hope for a future whose construction continues despite the difficulties that envelop and tarnish our lands.

I do not believe it was simply a coincidence that I took up this challenge. I feel that life called me to embody the common dreams and struggles of many people. My participation in these struggles reflected my sense of being part of a larger group. It has meant learning from others and working collectively to carve out new paths in the effort to build the future that we deserve: a dignified life with equality and social justice.

As someone who was present in the early years of the Afro-Colombian women's movement, I believe my greatest legacy will be in demonstrating that commitment and dedication to treating people with respect, rigor and clarity produces results. I am part of an extended family, and I hope to leave them my force and energy. What remains will be the footprints of women who are autonomous, with their special identity, ethnicity and culture, and who are strong enough to demand rights—women's rights.

Aura Dalia Caicedo in Puerto Tejada, Colombia, January 30, 2012 (preceding page). In Cali, in 2009, with the first Afro-Colombian female cabinet minister, then-Minister of Culture Paula Moreno, at a school ceremony (below).

"Without an understanding of our rights, we cannot exercise our full citizenship as women."

