

Section News

Asia and the Americas Promoted Dialogue on the Trans-Pacific Partnership

The Section for Asia and the Americas hosted a high-level forum on the Trans-Pacific Partnership (TPP) and the Pacific Alliance prior to the LASA2013 Congress. It was held at the Inter-American Dialogue in Washington, DC. The forum was entitled “China, Latin America, and the Changing Architecture of Trans-Pacific Engagement” (www.thedialogue.org/the_changing_architecture_of_trans-pacific_engagement). Funding from the Open Society Institute enabled the event to bring together four ambassadors from TPP countries with key analysts from Latin America, the United States, and China. The event program was coordinated by Adrian H. Hearn (Chair of the Section for Asia and the Americas) and Margaret Myers (the Inter-American Dialogue). The TPP’s wide-ranging provisions on private enterprise, human rights, labor standards, and freedom of online data make it impossible in the foreseeable future for China to join the negotiations. Several Chinese newspapers have therefore interpreted the TPP as an attempt to exclude China, while a prominent Chinese official has stated that the TPP is being used by the United States “as a part of its Asia Pacific Strategy to contain China.” International dialogue on the TPP that includes Chinese voices, whether through official or informal channels, has been lacking. Promoting such dialogue was the motivation for the forum. A public press conference at the event’s conclusion summarized its main themes. Following the event Dr. Hearn published an article in the *Australian Financial Review* on China’s announcement that it will consider joining the TPP.

Gender and Feminist Studies and Sexualities Studies Sections Pre-Conference

A region usually known for its Catholic religiosity and patriarchal institutions has expanded gender and sexual rights in an unprecedented manner, as we have seen the enactment of anti-violence and antidiscrimination legislation, gay marriage, and the world’s most progressive gender identity law. The daylong conference “Gender, Sexuality, and Struggles for Justice in Latin America: Legal, Political, and Social Dimensions” held at American University’s Washington College of Law on May 29 2013, just prior to the 2013 LASA Congress, brought together 82 legal practitioners, scholars, and activists from the Americas, Europe, and the Washington area to discuss and assess the advances made through legal activism. It was sponsored by the Washington College of Law Impact Litigation Project and the American University Center for Latin American and Latino Studies. This third collaboration between the Gender and Feminist Studies and the Sexualities Sections was a resounding success.

The discussion about the role of legal activism in the pursuit of social justice and equity issues was organized around two morning panels and an afternoon structured discussion session. The first panel offered an overview of several decades of legal activism, beginning with a description of the activities of the Inter-American Commission on Human Rights (IACHR) LGBT rights unit, and recognizing the debt owed to feminist activism and scholarship in this field. It included discussions about the veritable boom in dialogic judicial activism on same-sex marriage in places like Colombia, Brazil, and Mexico. Advances in reproductive rights and the involvement of the IACHR to guarantee legal access in

Latin America was also discussed, as were challenges faced by attorneys and activists from Latin America working in the areas of diversity and reproductive rights in contexts characterized not by lack of legislation but by a disregard of the law and by impunity. The second panel continued this assessment of the challenges and limitations of legal activism by examining the entanglements of diverse groups with legal discourses of rights, and asking who is protected, how, and under what conditions. A bioethicist from Central America opened this discussion with a cautionary tale about the dangers of mobilizations whose diverse demands are channeled into single legal issues, and called attention to the limitations of IACHR as an effective tool in the region. Two feminist activists from the Washington area addressed the particular challenges faced by Latina LGBT migrants, for whom the transit through Mexico to the United States is already a nightmare and the pursuit of legal remedies in the United States typically poses insurmountable cultural and economic problems. A final presentation addressed the experience of Mapuche indigenous women in Chile with the law, and posed the question, what happens when laws meant to protect do not protect?

A spirited structured discussion followed in the afternoon. The limits of legal tools for social activism were considered by social scientists, activists, and legal experts and attorneys in a very fruitful, interdisciplinary exchange. Lawyers warned about the common assumption that the law acts like a “magic wand”; social scientists from Central America reminded us that the region, now labeled the most violent on the planet, is a place where the letter of the law of the Inter-American Commission on Human Rights is simply disregarded. Where social struggles are not metaphorical

but very concrete, asked one, should we not consider the possibility of activism *delictivo*, the violation of the law as a legitimate tool?

Our event coincided with the death at the age of 90 of Dr. Henry Morgentaler, Holocaust survivor and family doctor whose well-publicized, repeated, and deliberate violations of Canada's restrictive abortion legislation in the 1970s and 1980s led to a major legal victory on reproductive rights.

The Colonial Section held its first business meeting at LASA2013. Members discussed the prizes the Section will award in the coming years, the publication of our quarterly newsletter, the organization of the Section's two sponsored panels for LASA2014, and a succession plan for the group's leadership. The Section celebrated its inaugural reception at the Cosmos Club near Dupont Circle on May 31. ■