

# LAW AND POLITICS IN LATIN AMERICA

## Class activities\*

### Class 1 Jan.9: Introduction

**Brainstorming:** All you know about Latin America

### Discussion questions

**Read the following articles and discuss these questions**

- 1) What is Latin America? Is it a geographical concept? A political concept?
- 2) What do you know about Latin America?
- 3) What stereotypes have you encountered about Latin America or people from Latin America? How can you account for them?
- 4) What is the origin of Latin America? How and why has this region come to be known as Latin America?
- 5) How does Latin America differ from other areas of the “developing world”? In what ways is it similar?
- 6) Since there are more than 40 million Latinos in the United States (more than the entire population of Canada and more Spanish language speakers than Spain), could the United States (or at least some regions of the US) be considered part of Latin America?
- 7) Does (or should) Latin America matter to the United States? Why and in what ways?
- 8) Discuss the Latin American community in Canada.

## **Is America becoming a Hispanic country?**

By **Ruben Navarrette Jr.**, CNN Contributor

March 18, 2011 10:15 a.m. EDT

### **STORY HIGHLIGHTS**

Ruben Navarrette says census data show U.S. Hispanic population up dramatically. He says when all numbers come in, Hispanics should show as 17% of U.S. population. Hispanics will define media, politics, arts, he says; this threatens some who slam immigration. Navarrette: Hispanics have positive impact; Americans must not discriminate.

*Editor's note: Ruben Navarrette Jr. is a CNN.com contributor, a nationally syndicated columnist and an NPR commentator.*

**(CNN)** -- The United States is becoming an Hispanic country. And it's happening much faster than anyone expected.

According to an analysis of newly released 2010 U.S. Census data by the Pew Hispanic Center, the Hispanic population in the United States is growing more quickly and more dramatically than demographers had estimated.

In the 33 states for which data has been released so far, there are almost 600,000 more Hispanics than previously thought. Twenty-eight states had more Hispanics than expected. And, while the current count is 38.7 million Hispanics, there is still data coming from 17 states, making it likely that the final figure could surpass 55 million, or 17% of the U.S. population.

What is really interesting is that this "Hispanicization" of America is most noticeable in states that are not typically thought of as being places where Hispanics live.

The real story isn't what's happening in Texas, California, Florida or New York, which have long been home to significant numbers of Hispanics. It's about the demographic changes in states such as Alabama, Louisiana, Kansas and Maryland, where Hispanics are a relatively new commodity -- and the accommodations that have to be made between new arrivals and longtime residents.

One day soon, Hispanics will help define the worlds of media, politics, commerce, fashion, music, entertainment, sports and science. There will be no turning back.

But you knew that already. Maybe your first hint was the Latina models on magazine covers.

Or that salsa is more popular than ketchup. Or the Spanish-language billboards you see on rural highways. Or that some members of Congress gather weekly for Spanish lessons.

Or maybe you figured out that the Hispanic population in the United States was exploding when you saw the quixotic efforts of some to stop the trend by cracking down on illegal immigration and -- for an encore -- trying to limit legal immigration as well.

Most immigrants to the United States, legal and illegal, come from Mexico and the rest of Latin America. But in states such as Arizona, Texas, Colorado and New Mexico, you also have Hispanic families that can trace their American roots back hundreds of years.

Still, for many Americans, changing demographics isn't cause for celebration. Rather, it's cause for alarm. It brings a sense of fear, anxiety and desperation. They know enough to know that the country in which they grew up is changing, and they'll do whatever they can to reverse those changes and return the cultural landscape to what it used to be.

In fact, Hispanics have become so accustomed to this sort of reaction that I know many of them who actually dread the census and all the related media coverage. Every 10 years, there is the possibility of a backlash. For Hispanics, being counted is a mixed bag. They gain numbers and prominence, but they also have to contend with resistance and hostility from those who feel threatened.

This partly explains what happened in Arizona, where a surging Hispanic population so panicked the state's residents that they began pushing lawmakers to pass immigration-related bills aimed at making the state less hospitable to illegal immigrants. This wasn't about reaffirming the rule of law. It was about returning Arizona to what it looked like 50 or 60 years ago, when the number of Hispanics in the state was much smaller than it is now.

It seems to have worked. The analysis of census data done by the Hispanic Pew Center shows that in Arizona, the number of Hispanics came in at 1.9 million, or 180,000 fewer than expected.

But many of those immigrants had simply moved on to other states. This approach would not be much of a national strategy; besides, who is to say that many of those people won't return to Arizona when the economy improves or some of these excessively punitive laws are dismantled.

Ultimately, you can't fight demographics. Hispanics are already here, and most of them aren't going anywhere. Instead of wishing otherwise, Americans would be better off accepting this new reality. While they're at it, they should acknowledge the positive impact to their communities and their country of having a growing population of people who are, by nature, conservative, hardworking, optimistic, patriotic and entrepreneurial. Hispanics aren't a threat to the United States; they're an essential component.

Visit any military cemetery in the United States and count the Spanish surnames. You'll see that Hispanics have already contributed so much to this country. And, in the decades to come, they and their children stand ready to contribute so much more -- if we put aside our prejudice and let them. That's the path to a better country.

## How Miami became the capital of affluent Latin America

By Luis FajardoBBC Mundo, Miami

16 May 2016

**In just a few decades, Miami has been transformed from a sleepy Southern city into an energetic Hispanic metropolis. How?**

Ask Americans about Hispanic migration to the United States. For many of them, the first image that will come to mind will be one of impoverished migrants walking across the Arizona desert to enter the country illegally.

But alongside the millions of undocumented men and women who have arrived with little money or formal education in recent decades from Mexico and other Latin American countries, the US has also received a smaller but significant inflow of more affluent migrants from south of the border, many of them choosing to live in Miami.

Armed with work permits, university degrees, and high expectations of upward mobility, many of them buy houses with swimming pools, big lawns and access to good school districts. Elsewhere in America, politicians like Donald Trump promise to build big walls along the border with Mexico.

But Miami seems more at ease with the overwhelming influence of Latin America in this metropolis of 2.5 million inhabitants, where close to 70% of the population is Hispanic, Spanish is spoken almost everywhere and most of its current residents seem to be fine with it.

### **Class 2. Jan. 16 Latin American legal and political culture. US-Mexican War, and Puerto Rico**

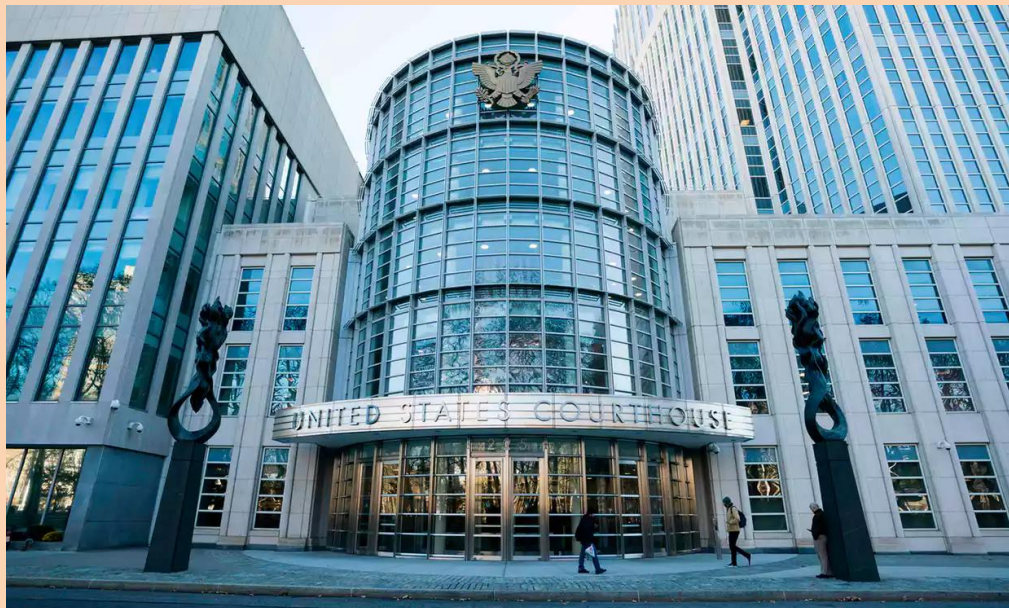
#### **Read the news articles and discuss the following questions**

- 1) What does football (soccer) mean in Latin America?
- 2) What is football (soccer) culture in Latin America?
- 3) What is the FIFA gate? What happened?
- 4) How does it affect Latin America?
- 5) Who was Julio Grondona?
- 6) Who is Loretta Lynch?
- 7) What are the criminal charges? Why?
- 8) What are the US, and where appropriately New York, Criminal Law definitions of “bribery” “corruption” “racketeering” “wire fraud” and “money laundering”?
- 9) Why are these crimes being prosecuted in New York? What do you think of US jurisdiction to hear these cases?

10) What is the real reason behind these criminal charges?

11) Read (the relevant parts) of the indictment in US v. Jeffrey Webb et al.

12) What is the connection between this case and dependency?



**FORTHEWIN**

# ARRESTED



Rafael Esquivel

Venezuelan Soccer Federation President  
CONMEBOL executive committee member



José María Marin

Current member of the FIFA organizing committee for the  
Olympic football tournaments. Former CBF president.



Eduardo Li

Current FIFA executive committee member-elect,  
CONCACAF executive committee member and Costa  
Rican soccer federation (FEDEFUT) president.



Eugenio Figueredo

FIFA vice president and executive committee  
member. Former CONMEBOL president and  
Uruguayan soccer federation (AUF) president.



Nicolás Leoz

Former FIFA executive committee member and  
CONMEBOL president.



Jack Warner

Ex-FIFA vice president and executive committee member,  
CONCACAF president, CFU president and Trinidad and  
Tobago Football Federation (TTFF) special adviser.



Jeffrey Webb

Current FIFA vice president and executive committee  
member, CONCACAF president, Caribbean Football Union  
(CFU) executive committee member and Cayman Islands  
Football Association (CIFA) president.



Julio Rocha

Current FIFA development officer. Former Central  
American Football Union (UNCAF) president and  
Nicaraguan soccer federation (FENIFUT) president.

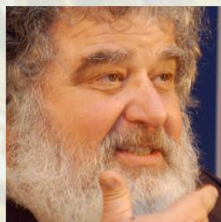
## CHARGED WITH ... **fraud, bribery, money laundering**

and other various criminal activities from 1991 to the present. The indictment alleges that two generations of soccer officials abused their positions of trust for personal gain, frequently through an alliance with unscrupulous sports marketing executives who shut out competitors and kept highly lucrative contracts for themselves through the systematic payment of bribes and kickbacks.

The soccer officials are charged with conspiring to solicit and receive well over **\$150 million** in **bribes and kickbacks**.

Other alleged schemes relate to the **payment and receipt of bribes and kickbacks** in connection with the sponsorship of the Brazilian national soccer federation by a **major U.S. sportswear company**, the selection of the host country for the **2010 World Cup**, and the **2011 FIFA presidential election**.

## GUILTY



Former FIFA executive, Chuck Blazer, secretly plead guilty in federal court in 2013, has been helping the FBI investigation since, forfeited \$1.9 million, and will make a second payment at sentencing.

Fifa official took bribes to back Qatar's 2022 World Cup bid, court hears  
Julio Grondona, who died in 2014, told witness Alejandro Burzaco he was owed money for vote, Burzaco testifies amid corruption investigation

## **Oliver Laughland** in New York

**@oliverlaughland**

Wednesday 15 November 2017 02.41 GMT  
Last modified on Wednesday 15 November 2017 17.03 GMT

A senior Fifa official took at least \$1m in bribes to vote for Qatar to host the 2022 World Cup, a witness testified in court on Tuesday, as part of a broad investigation into corruption at [Fifa](#).

Julio Grondona, a senior vice-president at Fifa and head of the Argentinian football association until his death in 2014, allegedly told the witness, Alejandro Burzaco, an Argentinian sports marketing executive, that he was owed the money in exchange for his vote, which helped Qatar secure the lucrative tournament.

Qatar's victory, announced in December 2010 after four rounds of knockout voting by Fifa's 22-person executive committee in Zurich, has been plagued with [allegations of bribery and misconduct](#). The sworn testimony, given in a New York City court on Tuesday, is some of the strongest evidence the 2022 vote was tainted.

Burzaco, the former CEO of the Argentinian sports marketing executive Torneos y Competencias, has pleaded guilty to handing out millions of dollars in bribes to senior South American football officials in exchange for broadcast rights to major regional tournaments.

His testimony on Tuesday alleges a sustained program of annual and one-off bribes, often over \$1m a time, to a group of influential executives on South American football's governing body, Conmebol, over a period of about a decade.

Burzaco testified that while he was arranging a \$1m bribe payment to Grondona and another \$1m bribe to another senior Fifa executive, Ricardo Teixeira, Grondona informed Burzaco he had taken a bribe for his World Cup vote. In total, the former executive said, he had arranged \$15m in bribes

for securing the rights to the Copa América, which at that point were held by a rival marketing company.

Burzaco said that Grondona told him in January 2011 to also pay him Teixeira's \$1m Copa América bribe, which the Brazilian "owed him" as "Grondona voted for Qatar to host the 2022 World Cup".

The marketing executive had accompanied Grondona, Teixeira and Nicolás Leoz, then the Conmebol president, to Zurich for the vote in 2010 and had heard of their intention to back Qatar.

"It was not a private thing," Burzaco said.

As the voting got under way, Burzaco said Grondona told him that Leoz had initially voted for Japan and then South Korea. During a break, he and Teixeira then pulled Leoz aside to "shake him up" and ask: "What the hell are you doing? Are you the one not voting for Qatar?" When the officials returned for the next vote, Leoz backed Qatar, Burzaco said.

The former marketing executive said that Grondona had not told him the total amount of money he accepted to make the Qatar vote or who the source of the bribe was. But he claimed to have witnessed an altercation between Grondona and Qatari officials at a Fifa event months later where the football executive was furious at [news reports](#) implicating him in corrupt dealings and insinuated he had been underpaid for his vote.

"Basically, Grondona told them [the Qatari officials]: you will pay me \$80m or write a letter saying you never paid me," Burzaco said.

Burzaco's evidence portrayed the Argentinian executive as a kingmaker in Conmebol's allegedly corrupt enterprise. The marketing executive said Grondona personally approved the bribes he and five other senior Conmebol officials were paid for regional tournament rights, often dictating the amounts – frequently seven-figure sums – and taking cuts for himself.

Burzaco would frequently travel with Grondona from Argentina to Conmebol's headquarters in Luque in Paraguay, where "three or four Mercedes" would wait for them by the runway and take them straight from the plane, allowing them to skip customs, as "someone would take care of that".

When Grondona arrived at the headquarters, Leoz would fly “40 or 50 Argentine flags around the building” to greet him. Teixeira, who resigned as president of Brazil’s federation amid corruption allegations in 2012, would receive the same treatment.

Burzaco’s testimony, which is expected to continue into Wednesday, also implicated the three former football executives, José Maria Marín, Manuel Burga and Juan Ángel Napout, currently on trial.

The three former officials, some of whom went on to replace Grondona, Teixeira and Leoz at the head of Conmebol, deny their role in the alleged 24-year scheme involving at least \$150m in bribes.

As his testimony commenced on Tuesday morning, Burzaco was asked to point out the three defendants in the courtroom while testifying that he bribed all of them.

The witness described a series of meetings at hotels and restaurants in Buenos Aires starting in 2012 in which he helped strike deals for annual six-figure bribes for Maín, who replaced Teixeira as president of Brazil’s soccer federation; Burga, former president of Peru’s soccer federation; and Napout, ex-head of Paraguay’s soccer federation.

After one meeting where arrangements were made to wire Marín a portion of a \$2m bribe, Marín “gave me a hug and showed me his gratitude”, Burzaco said. At another, Burga “told me he was happy collecting the bribes”, he said.

After being charged in 2015, following a morning raid on a hotel in Zurich, Burzaco testified that he briefly went into hiding before deciding to turn himself in and cooperate.

“I said, ‘Alejandro, you go to the United States and face justice,’” he said about the decision. “Accept responsibility.”

The former marketing executive also claimed that several of the region’s best-known broadcasters that he had partnered with had paid bribes to football officials to secure rights to games. This included Fox Sports, partnered with Burzaco in the T&T sports marketing company, which owned the rights to the Copa Libertadores. Fox held a 75% share of T&T from 2005, Burzaco said.

The court was presented with a sham contract written by T&T Sports and signed by the former Fox Pan American Sports chief operating officer James Ganley, [which Burzaco said was created to pay out \\$3.7m in bribes](#) to Conmebol officials to keep the rights to the tournament.

Fox Sports denied that the company had been aware of or approved bribes, saying in a statement: “Fox Sports had no operational control of the entity which Burzaco ran. The entity run by Burzaco was a subsidiary of Fox Pan American Sports, which in 2008, at the time of the contract in question, was majority owned by a private equity firm and under their operational and management control.”

The trial continues.

## Fifa trial: two ex-soccer officials found guilty on multiple charges of corruption

Juan Angel Napout and José Maria Marin both found guilty in New York  
Fifa corruption spanned decades and resulted in \$150m in bribes

Fri 22 Dec '17 19.49 GMT First published on Fri 22 Dec '17 18.40 GMT

Two former South American football officials were found guilty on multiple corruption charges on Friday by a [New York](#) City jury in the first case brought to trial as a result of the US government's sprawling investigation of Fifa.

Juan Ángel Napout, the former president of South American football's governing body (Conmebol) and José Maria Marin, the former president of Brazil's football federation were both found guilty of racketeering and wire fraud conspiracies following a five-week trial in New York City.

A verdict on their co-defendant, Manuel Burga, the former head of football in Peru, is pending.

The convictions add to the 23 guilty pleas prosecutors have already been secured against individuals and entities accused of bribery in the government's sprawling investigation of corruption at football's governing body, [Fifa](#).

Over 40 people and companies have been charged as part of the investigation, which the US attorney's office says remains ongoing. The case was the first to come to trial since [a dramatic dawn raid at a hotel near Fifa headquarters in Zurich](#) revealed the investigation to the public for the first time.

The trial, which lasted five weeks and saw 28 witnesses testify for the prosecution, revealed a web of corrupt practice that prosecutors say spanned several decades and resulted in at least \$150m in bribes.

The bribes were paid to the defendants in exchange for the rights to the region's premier tournaments including the Copa América and the Copa Libertadores.

During closing arguments US prosecutors totaled the amounts each of the defendants had been owed in bribes between 2010 and 2016. Napout's was a total of \$10.5m, Marin's \$6.5m and Burga's \$4.4m.

All three were charged with racketeering conspiracy, with Napout and Marin now convicted as Burga's case remains before the jury. Napout was also convicted on two counts of wire fraud conspiracy in relation to the Copa América and Copa Libertadores bribery schemes.

Marin – who was also accused of taking bribes for the rights to the Copa do Brasil, Brazil's domestic knockout tournament – was convicted on six counts in total.

None of the three men called any witnesses in their defence. Although lawyers for each acknowledged the bribery schemes had existed, they claimed their clients had not been part of it and described the charges as government overreach.

The verdict will be seen as a stunning success for prosecutors, whose years-long investigation sent shockwaves around the world of international soccer.

The trial saw a host of former soccer executives and sports marketers testify against their former colleagues.

Alejandro Burzaco, the government's star witness and the former CEO of an Argentinian media company that paid millions in bribes gave four days of evidence accusing all three men of taking multiple illicit payments.

Burzaco estimated he had paid \$160m in bribes throughout his career to dozens of officials in exchange for broadcast and marketing rights. The former CEO also told the court he was aware that Julio Grondona, formerly Sepp Blatter's number two at Fifa until his death in 2014, had taken at least \$1m in exchange for his vote for Qatar to host the 2022 World Cup.

The Argentinian also alleged that some of the world's top broadcasters he had partnered with, including TV Globo in Brazil and Fox Sports in America, were complicit in some bribe payments. Both companies deny the allegations.

The trial unfolded under heightened security at a federal courthouse in Brooklyn amid concerns over witness intimidation.

Burga, the defendant still awaiting a verdict, was accused by prosecutors of making throat-slitting gestures towards Burzaco during his testimony. Burga denied the allegations through his lawyer.

After the guilty verdicts were read on Friday afternoon, Judge Pamela Chen ordered Napout, 59 and Marin, 85, be remanded in custody before sentencing as both were deemed flight risks.

As the order was made, three plainclothes US Marshal officers unveiled their badges and entered the court and surrounded both men, who appeared stunned at the officers' presence.

A spokesperson for Fifa said the organization would now "seek restitution and recover any losses caused" as a result of the two men's conduct while in office.

### **Some Criminal Charges**

- (a) Title 18, United States Code, Section 1343 (wire fraud, including honest-services wire fraud);
- (b) Title 18, United States Code, Sections 1956 and 1957 (money laundering and money laundering conspiracy);
- (c) Title 18, United States Code, Section 1952 (interstate and foreign travel in-aid-of racketeering);
- (d) Title 18, United States Code, Section 1512 (obstruction of justice); and multiple acts involving bribery, in violation of New York State Penal Law Sections 180.03 and 180.08

## **Class 2: US-Mexican War**

- What was the US-Mexican war?

- American schoolchildren often read heroic stories about “the Mexican-American War” of the 1840s, while their Mexican counterparts learn about the “War of the North American Invasion.” What is the meaning of this difference? In other words, what is the significance of the Mexican War in United States history? What is the significance of the Mexican War in Mexican history?
- What was the origin of the war? What is Manifest Destiny?
- What are the consequences of the war?
- What was the Mexican Repatriation Act?
- Discuss current and past US immigration policies.
- Why did it take so long to negotiate a peace treaty? What were the terms of the Treaty of Guadeloupe-Hidalgo? Why were the terms of this treaty controversial?
- Draw or find online a map of the United States. Instead of states, draw the borders of the different territories the United States has acquired over the course of American history. Indicate the date, how the land was acquired and from whom it was acquired.

### **Puerto Rico**

- Do you think Puerto Rico is part of Latin America? Why or why not?
- What is Puerto Rico’s current relationship with the United States?
- Are Puerto Ricans citizens of the United States? Do U.S. citizens living in Puerto Rico enjoy all the benefits of citizenship that belong to U.S. citizens residing in States?
- Why is Puerto Rico called a “commonwealth”?
- Do Puerto Ricans support the islands’ current political status? Discuss the plebiscites and referendums?
- Why is Puerto Rico not a State?
- Why is Puerto Rico not an independent nation?
- Most Puerto Ricans primarily speak Spanish rather than English. Would this prevent Puerto Rico from becoming a State?
- What concerns do people have about statehood for Puerto Rico?

## **Law and Politics in Latin America**

- 1) Do some research about the assigned Latin American country: population, geography, language/s, history, politics, culture, sports, notable people, wars and other conflicts, and legal system, among others.
- 2) Prepare a presentation.

## **Class 4 Jan. 30 Populism in Latin America**

### **Prepare a short presentation on one of the following Latin American leaders**

- Alberto Fujimori
- Carlos Menem
- Dilma Rousseff
- Evo Morales
- Getúlio Vargas
- Hugo Chávez
- Juan Perón
- Luiz Inácio da Silva (Lula)
- Néstor and Cristina Kirchner
- Rafael Correa

### **Evita**

- 1) Who was Juan Perón?
- 2) Why was Peron very popular?
- 3) Who was Evita?
- 4) What was Peron's influence in Argentine politics?

- 5) Do a search about populism in Latin America after the Second World War. What does populism mean in Latin America? Find some historical or contemporary examples. Was Perón a populist?
- 6) What role did the United States play in the Argentine elections in 1945? Who was ambassador Braden? How did he try to influence the elections?
- 7) Why was Perón overthrown in 1955? What happened after the coup of state? Who led Argentina? What was the United States role?

### **Education in Latin America**

Latin America's campus revolution

*The region has had a boom in universities. Now it needs to make them better*

Jun 1st 2017

HE LIVES in a house of cardboard and tin in Puente Piedra, a sprawling poor district on Lima's northern fringe. His mother sells cooked food in the street; his father is a mechanic. Yet César Huamán is studying architecture at a new private university. To pay the fees of \$137 a month he works on building sites during the holidays. His parents and six siblings chip in. "We all want to have a professional in the family, even if it's only one," says Inés, his mother.

Mr Huamán is part of a revolution in higher education in Latin America. The region has some 20m students, more than double the number at the turn of the century. The gross enrolment rate, meaning the proportion of 18- to 24-year-olds in higher education, surged from 21% in 2000 to 43% in 2013, a faster expansion than in any other region in this period, according to a new report from the World Bank. Many of the new students are, like Mr Huamán, from hard-up families. While students from the poorer half of the population accounted for 16% of the total in 2000, in 2012 they made up 24% of the (bigger) total—an increase of 3m students from such backgrounds.

To meet this demand, since the early 2000s some 2,300 new universities or institutes offering diploma courses opened in the region. Many of them are private, and do not set an entrance exam. (Less than half of students are now at public institutions.) This huge expansion is a sign of rapid socio-economic progress in Latin America. It is the result of faster economic growth, the spread of secondary education and the aspirations of an emerging lower-middle class. It is a welcome change in a region with a big shortage of skilled labour. In Latin America, only 14% of the workforce has a higher-education diploma, according to María Marta Ferreyra, the lead author of the bank's report. In the United States the figure is 42%.

But there is a catch. Almost half of those who enroll in universities drop out without getting a degree, Ms Ferreyra warns. And some of those who graduate will find that their course was a waste of money, in that the extra salary they might command will not compensate for the cost of the degree and the income forgone while studying. Students from poorer backgrounds are more likely than others to drop out. Neither the public secondary schools that they attend nor their parents, who often have little more than primary schooling, prepare them for the academic challenge of university.

After the headlong expansion, Latin America needs to rethink policies on higher education, especially because the region's economic slowdown is forcing some governments to curb spending. The first problem is a lack of information about which courses at which universities are worthwhile. The region has too many students of law and social science, and not enough engineers and scientists. Many of the newer institutions offer a poor-quality education. And the average degree course lasts for five years—an encouragement to drop out.

The second issue is whether public funds are being used effectively. Governments have expanded student grants and low-interest loans. But these can have unintended consequences. Free (ie, taxpayer-funded) university tuition, as Chile's president, Michelle Bachelet, proposes, can ease the pressure on students to complete their degrees while being a gift to the better-off. In Brazil there is evidence that student loans have had the effect of pushing up tuition fees at for-profit universities. Peru and Colombia have both introduced schemes aimed at students who are both hard-up and clever, which look to be a more effective use of public money. Mentoring and help with preparing for university could increase the chances that poor students graduate.

Proper evaluation and oversight of universities is crucial, too. There has been some timid progress in this. Chile shut down Universidad del Mar, a large, shoddily managed institution with murky finances. Peru has closed several substandard teacher-training institutes. Above all, Latin America needs to offer more variety to its school leavers. Many of those attending bad universities might be better served by expanded and improved vocational training.

For people like Mr Huamán, studying at university represents a risky bet. Many families have gone into debt to finance their children's studies. If universities do not offer a better and more predictable return, that is a formula for social discontent. Chile has already seen years of student protests over the high cost of studying. Governments should note that frustrated students are a potentially revolutionary class.

### **Discussion questions**

- 1) What are the major differences between higher education in Latin America and Canada/US?
- 2) Choose a Latin America country and discuss its higher education system. Is it paid? Is it free? What are the entry requirements? What are programs like?
- 3) Choose a university and analyze it in depth. When was it created? How many students does it have? Identify famous alumni. What would you need to do in order to apply for a program in the university?
- 4) What are the distinctive characteristics of the Latin American experience of higher education development in relation to modernization, according to Schwartzman?
- 5) What factors have led to the demise of the Latin American model of higher education according to Bernasconi?
- 6) What are the historic reasons that students have played a very important role in Latin American universities?

**Class 5 Feb. 6: Military dictatorships**

## MILITARY DICTATORSHIPS IN LATIN AMERICA

In the 1960's, there were 10 military coups d'etat in Latin America. This trend became so pronounced during this period because:

- There was tremendous internal and external pressures to crack down on potential communists and maintain stability, even at the cost of social and economic reform.
- In the build-up to these coups include political unrest, economic instability and social elite fear of radical redistributive reform.
- The US supported the different militaries in the region to replace civilian rule with right-wing, anti-Communist dictatorships, ostensibly to keep order and bring an end to political, social and economic chaos.

While military intervention in Latin American politics was common at this time, what distinguished these interventions from similar ones that had occurred previously was the length of time these new governments remained in power, the changes in economic philosophy they introduced and the level of repression they brought with them.

### The Inter-American Military System

The military officers who seized power in Latin America during the 1960's were also different than those that came before them. They had all attended staff training colleges that were part of the Inter-American Military System, organized by OAS and included the School of the Americas, originally located in the Panama Canal Zone (which was controlled by the USA) and later moved to the US state of Georgia.

It was at these training schools that these officers not only studied traditional military curricula such as counter-insurgency tactics (and some non-traditional tactics such as covert operational strategies) but also the social and economic conditions prevalent in Latin America. In their opinion, this broader range of military and civic education put them in the best position to control and govern their countries. The fact that so many Latin American military officers passed through this system also explains why so many military dictatorships in the region were so similar.

### The military junta in Brazil (1964-1985)

Joao Goulart was a left-wing populist president who came in power in 1961 upon the resignation of his predecessor, a moderate conservative.

Like many Latin American countries, there were many deeply entrenched social, economic and racial divides in Brazil at a time when the shock of the Cuban Revolution was still fresh. In the early 1960's there were demands for radical social reform, including land redistribution, from trade unionists, students and peasant leagues (ligas). This in turn alarmed the social and economic elites of Brazil, who often owned big businesses and valued a strong relationship with the USA.

Moreover, Goulart appeared to be reaching out to China, the USSR and Cuba. In 1964, as social unrest increased, the Army stepped in to restore order and removed Goulart from power.

Between 1964 and 1968, the military created an absolute dictatorship through legal means (see the video above).

They obtained the rights to select electoral candidates, dissolve congress and suspend habeas corpus. They used these powers to ruthlessly suppress dissent, killing 200 but exiling and torturing thousands. They also abandoned populist ISI policies (Import-Substitution Industrialization) and replaced them with Neoliberal economic policies such as supply-side (or 'trickle down') economics as championed by Milton Friedman of the University of Chicago.

Supply-side economics sought to minimize government intervention in the economy in order to create a free market, and in Brazil's case, attract foreign investment. Measures introduced to ensure Brazil was an attractive market for multinational corporations to invest in included government deregulation, wage freezes, lower taxation and curtailing of trade unions. One of the effects of these policies was a marked decrease in social spending.

Over a 10 year period, the 'Brazilian economic miracle' achieved growth at 10% of GDP but this growth was unequal.

While big business thrived, the poor suffered from low wages, unemployment and lower social spending. Moreover, the OPEC oil embargo of the 1970's hit the Brazilian economy hard and the government was forced to reintroduce some elements of ISI to maintain growth. This resulted in high levels of foreign debt (cheap loans were readily available from oil producing countries) and increased inflation.

This situation was exacerbated in the late 1970's when international interest rates increased and Brazil was forced to borrow more to service its debts. In spite of this, the economic policies of the 1970's did result in increased development and diversification of the Brazilian economy, although millions of ordinary Brazilians suffered.

With the military realising that their economic experiment had largely failed by the late 1970's, they promised *distensao*- a gradual return to civilian rule. This was achieved by 1985, when the first free elections in over 20 years were held.

### Augusto Pinochet in Chile (1973-1990)

The coup that put Pinochet in power is discussed in more detail [here](#). Below is a summary:

- Left Wing president Salvador Allende had been elected in 1970 when the Chilean electorate was deeply polarized and the socio-economic issues within the country were many.
- His election excited groups on the left of the political spectrum who were clamouring for social reform, like Brazil this also meant land redistribution.
- As in Brazil, the election of Allende alarmed both the socio-economic elite and the Nixon administration in the USA, and there was active CIA sabotage of the Chilean economy in order to destabilise the Allende government. This included the organization of a truck drivers strike, causing shortages of essential items such as food and inflation.
- US and Canadian copper companies (Chile was rich in copper) and other multinational corporations cut back of production and other business to further disrupt the economy. The result was chaos and civil unrest.
- Allende also began to lose control of his own support base who began to initiate reform without government authorization, as worker seized control of factories and peasant took over farm land.

- As in Brazil, the US supported the military (under the command of Pinochet) when they stepped in to restore order.

In total, it is estimated that 3,000 Chileans were "disappeared" or murdered (they became known as "desaparecidos", the Spanish word for disappeared) and at least 30,000 tortured. Pinochet's pursuit of exiled opponents became the model for Operation Condor (see bottom of the page). In the words of one prominent Human Rights activist:

*"[Pinochet] shut down parliament, suffocated political life, banned trade unions, and made Chile his sultanate. His government disappeared 3,000 opponents, arrested 30,000 (torturing thousands of them)... Pinochet's name will forever be linked to Desaparecidos, the Caravan of Death, and the institutionalized torture that took place in the Villa Grimaldi complex"*

Economically, Pinochet installed similar policies as had been installed by the dictatorship in Brazil-Milton Friedman's supply-side economics. Pinochet's advisers were even former students of Friedman at the University of Chicago, the so-called "Chicago Boys". These policies were more successful in Chile than in Brazil (or Argentina) but again, the economic recovery was uneven and unequal.

Pinochet remained in power until 1990, when the changing international climate as the Cold War was ending meant there was less external support for his regime. As part of his agreement to transfer power to civilian democratic control, he was declared a senator-for-life and granted immunity from prosecution. However, by the early 21st Century a series of changes occur which resulted in him being charged with many of the crimes his regime had committed. He died in 2006 before standing trial.

### **The military junta in Argentina (1976-1983)**

Populist former president Juan Peron returned to his homeland from exile with his second wife Isabel (a Panamanian) in 1973 and the following year the pair became president and vice-president respectively. However, the Peronist movement was in the process of fracturing and Peron was unable (or unwilling) to unite the different factions. When Peron died in 1974, Isabel became president but was little more than a puppet for the far-right factions and Argentina deteriorated into a battleground where far-right paramilitary death squads fought Marxist rebels in a guerilla-style conflict. As had often been the case in Argentina, the military stepped in to restore order, only this time they remained in power instead of handing back control to civilian politicians.

Serious economic problems had emerged in Argentina by 1981, where the triumvirates attempts to install the same supply-side economic policies as their counterparts in Brazil and Chile were unsuccessful. Inflation was rampant, there were food shortages, minimal government spending and high levels of government debt. The triumvirate gave way to General Leopold Galtieri, who attempted to distract public opinion from domestic issues by invading the Falkland Islands, a British colony (or as the Argentinians called them, Los Malvinas). The ensuing Falklands War was a disaster for Argentina, as the British quickly regained control. The war caused further financial problems and stirred up more criticism of the regime. In 1983, Galtieri agreed to hand back control of the government to civilian politicians.

### **Comparing the three regimes**

Of the three regimes, Brazil's was the least repressive and its military created an absolute dictatorship gradually and by legal means over a number of years in the 1960's. In contrast, the power grabs in Chile and Argentina were more sudden and government control far more

oppressive.

All three regimes suppressed dissent in similar ways- through the use of military death squads, secret police, censorship, curfews, concentration camps and torture. They are also installed very similar economic policies with varying degrees of success. All three regimes were fascist, extremely right-wing and authoritarian in nature but crucially, were accepted by the United States because of their opposition to Communism.

What is also illuminating is the manner in which all three dictatorships gave way to civilian rule. Brazil's ruling junta recognized that its economic policies were not working and gradually retreated out of political affairs. Pinochet agreed to handover power once he saw that the end of the Cold War would lead to an increase in international pressure to reform. Galtieri only surrendered power as a result of a dire economy, domestic and international pressure and the disaster in the Malvinas.

Finally, all three dictatorships were so similar because so many of the officers in charge of these regimes were trained in the Inter-American Military System. To emphasize this last point, the governments of Brazil, Argentina, Chile, Uruguay, Paraguay and Bolivia all participated in Operation Condor, a coordinated attempt to purge these countries of Communists in 1975.

- 1) Discuss the military dictatorships of the 1970's and 1980's in Latin America.
- 2) What were the dirty wars? What crimes did military officers in government commit? How did they commit these crimes? Have they ever been prosecuted?
- 3) What were the main guerrilla groups in 1970's Latin America? Discuss their roles, achievements, strategies, and legal conflicts.
- 4) Why did the army overthrow so many governments in Latin America? Where was the military personnel trained? Who supported them?
- 5) Draw a parallelism between the military coups of state in Latin America and the regime changes in the 2000's.
- 6) What is soft toppling? How does it work? What is the role of the media?
- 7) Discuss the Pinochet extradition case in the United Kingdom.
- 8) Discuss Malvinas/Falklands 1982 War. Who was involved? What was the origin of the war? What was the United States role in the war? What is the Monroe doctrine? Was it applied in the conflict? How or how not?
- 9) Who are the Mothers of Plaza de Mayo?

## **Class 6: Feb. 13: Cuban Revolution**

- 1) What was life in pre-revolution Cuba like?
- 2) What was the United States role in Cuba?
- 3) Who was Batista?
- 4) Discuss the Cuban revolution.
- 5) Who was Che Guevara? What was his role in the Revolution?
- 6) Who was Fidel Castro? What was his role in Cuba?
- 7) What was the Bay of Pigs conflict?
- 8) What was the relation between Cuba and the Soviet Union during the Cold War?
- 9) What is the Orphan generation?
- 10) Discuss other socialist governments in Latin American history. What happened to these governments?
- 11) What role has Cuba played during the 2000's in Latin America?
- 12) What are US-Cuban relations now? What role did Pope Francis play in reestablishing US and Cuban relations?

## **Class 7 Feb. 27: Test**



## **Class 8 March 6 Latin America and the Civil Law tradition**

## The Civil Law tradition in Latin America

Compare the main theories, principles, and methods of assigned areas of the law in the assigned common law and civil law jurisdictions.

- 1) Sexual assault in Canada and Argentina.
- 2) Criminal procedure in New York and Brazil.
- 3) Legal treatment of aboriginals in Bolivia and Regina.
- 4) Contract formation in New York and Chile.
- 5) Labour laws in Brazil and Ontario.
- 6) Common law partners in Argentina and Ontario.
- 7) Extracontractual responsibility (torts) in Mexico and California.
- 8) Divorce in Canada and Uruguay.
- 9) Sexual harassment in Colombia and Michigan.
- 10) Hiring (labour laws) US and Peru.

## Presentations

- Venezuela
- Columbia
- Nicaragua
- Bolivia

## Class 9 March 13: Human Rights in Latin America and The San Jose Pact

The Organization of American States is the world's oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890. That meeting approved the establishment of the International Union of American Republics, and the stage was set for the weaving of a web of provisions and institutions that came to be known as the inter-American system, the oldest international institutional system.

The OAS came into being in 1948 with the signing in Bogotá, Colombia, of the [Charter of the OAS](#), which entered into force in December 1951. It was subsequently amended by the [Protocol of Buenos Aires](#), signed in 1967, which entered into force in February 1970; by the [Protocol of Cartagena de Indias](#), signed in 1985, which entered into force in November 1988; by the [Protocol of Managua](#), signed in 1993, which entered into force in January 1996; and by the [Protocol of Washington](#), signed in 1992, which entered into force in September 1997.

The Organization was established in order to achieve among its member states—as stipulated in Article 1 of the Charter—"an order of peace and justice, to promote their solidarity, to strengthen

their collaboration, and to defend their sovereignty, their territorial integrity, and their independence."

Today, the OAS brings together all 35 [independent states](#) of the Americas and constitutes the main political, juridical, and social governmental forum in the Hemisphere. In addition, it has granted [permanent observer](#) status to 69 states, as well as to the [European Union](#) (EU).

The Organization uses a four-pronged approach to effectively implement its essential purposes, based on its main pillars: democracy, human rights, security, and development.

Article 2 of the Charter of the OAS states that:

"The Organization of American States, in order to put into practice the principles on which it is founded and to fulfill its regional obligations under the [Charter of the United Nations](#), proclaims the following essential purposes:

## PURPOSE

- a. To strengthen the peace and security of the continent;
- b. To promote and consolidate representative democracy, with due respect for the principle of nonintervention;
- c. To prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the [Member States](#);
- d. To provide for common action on the part of those States in the event of aggression;
- e. To seek the solution of political, juridical, and economic problems that may arise among them;
- f. To promote, by cooperative action, their economic, social, and cultural development;
- g. To eradicate extreme poverty, which constitutes an obstacle to the full democratic development of the peoples of the hemisphere; and
- h. To achieve an effective limitation of conventional weapons that will make it possible to devote the largest amount of resources to the economic and social development of the Member States."

## PRINCIPLES

Article 3 of the Charter of the OAS states that:

"The American States reaffirm the following principles:

- a. International law is the standard of conduct of States in their reciprocal relations;
- b. International order consists essentially of respect for the personality, sovereignty, and independence of States, and the faithful fulfillment of obligations derived from treaties and other sources of international law;
- c. Good faith shall govern the relations between States;

- d. The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy;
- e. Every State has the right to choose, without external interference, its political, economic, and social system and to organize itself in the way best suited to it, and has the duty to abstain from intervening in the affairs of another State. Subject to the foregoing, the American States shall cooperate fully among themselves, independently of the nature of their political, economic, and social systems;
- f. The elimination of extreme poverty is an essential part of the promotion and consolidation of representative democracy and is the common and shared responsibility of the American States;
- g. The American States condemn war of aggression: victory does not give rights;
- h. An act of aggression against one American State is an act of aggression against all the other American States;
- i. Controversies of an international character arising between two or more American States shall be settled by peaceful procedures;
- j. Social justice and social security are bases of lasting peace;
- k. Economic cooperation is essential to the common welfare and prosperity of the peoples of the continent;
- l. The American States proclaim the fundamental rights of the individual without distinction as to race, nationality, creed, or sex;
- m. The spiritual unity of the continent is based on respect for the cultural values of the American countries and requires their close cooperation for the high purposes of civilization;
- n. The education of peoples should be directed toward justice, freedom, and peace."

The Organization of American States accomplishes its purposes by means of the following:

#### STRUCTURE

- The [General Assembly](#);
- the [Meeting of Consultation of Ministers of Foreign Affairs](#);
- the [Councils](#) (the [Permanent Council](#) and the [Inter-American Council for Integral Development](#));
- [the Inter-American Juridical Committee](#);
- the [Inter-American Commission on Human Rights](#);
- the [General Secretariat](#);

- the [specialized conferences](#);
- the [specialized organizations](#); and
- [other entities](#) established by the General Assembly.

The General Assembly is the supreme organ of the Organization of American States and comprises the delegations of all the [member states](#). All member states are represented at the General Assembly and have the right to one vote.

The [Permanent Council](#) attends to the matters entrusted to it by the General Assembly or the Meeting of Consultation of Ministers of Foreign Affairs; monitors the maintenance of friendly relations among the member states and the observance of the standards governing General Secretariat operations; and acts provisionally as Organ of Consultation under the [Rio Treaty](#).

## **ENHANCING CANADA'S ROLE IN THE OAS:**

### **CANADIAN ADHERENCE TO THE AMERICAN CONVENTION ON HUMAN RIGHTS**

---

#### **IV. DISCUSSION OF ISSUES RAISED WITH THE COMMITTEE**

##### **A. Government Concerns**

Canadian government Officials have said [\[105\]](#) that the *Convention* has an impact on matters of provincial jurisdiction, making it difficult for Canada to proceed without the support of the provinces and territories. However, no details were given as to specific provincial issues because of concerns that the federal-provincial consultation process remain confidential. Some insight into federal and provincial concerns was provided by one witness, who believed they were unfounded [\[106\]](#). The concerns were said to be:

- Lower standards than those of other international instruments. However, as pointed out by the witness, article 29 of the Convention provides that if there is a higher standard, it applies.

· Article 22 prohibiting the expulsion of nationals could be considered incompatible with Canadian law and practice authorizing the extradition of Canadians. However, as pointed out by the witness, expulsion is not synonymous with extradition and article 22 does not prevent the extradition of nationals. [\[107\]](#)

· Article 13, prohibiting prior censorship could be considered incompatible with Canadian legislation on hate propaganda. However, the Convention makes an exception in the case of hate propaganda. The witness also suggested that an interpretive declaration could be added.

· Article 14, providing for the right of reply when one is injured by inaccurate or offensive statements, unknown in Canadian legislation. The witness suggested that since Canadian legislation does provide for reparation, the risk of a successful petition against Canada is minimal. This issue was the subject of further study by the Committee, as discussed below. [\[108\]](#)

Senior Canadian government officials expressed some more general concerns and provided reasons why the Government of Canada is reluctant to ratify the *American Convention*.

### **1. Ratification of the Convention will have little impact on Canadians**

Canadian government representatives have suggested that ratification of the Convention would have little impact on Canadians as Canada has a *Charter of Rights and Freedoms* as well as provincial and federal legislation protecting the human rights of Canadians. [\[109\]](#)

Although it is true that Canadians already enjoy protection under the Charter as well as federal and provincial human rights legislation, this Committee believes that human right norms and complaint mechanisms are developed for the benefit of individuals, not the State. It cannot be said that people have so much protection that they do not need any more. In addition, ratification of international treaties and recognition of the jurisdiction of the bodies created to oversee their implementation give another level of protection not afforded by domestic courts, especially in Canada where the absence of legislation implementing international treaties seriously limits the possibility of invoking them before the courts.

### **2. Ratification will raise the issue of the jurisdiction of the Inter-American Court**

Canadian government representatives alluded to the non-binding nature of the decisions from the human rights bodies to which Canada is subject, including the Inter-American Commission, as opposed to the binding decisions of the Inter-American Court.[\[110\]](#)

### **3. Canada is already subject to the jurisdiction of the Inter-American Commission**

In this regard, officials expressed concerns about the lengthy delays in getting a decision from the Commission. This was said to be both a resource issue and an issue of the credibility of the Commission. The example given was that of the precautionary measures imposed on Canada with respect to immigration, requesting a stay of removal pending the Commission's consideration of a petition. Years later, Canada still awaits the Commission's conclusions.

The following example would tend to indicate that the Commission is not necessarily entirely responsible for delays, but that both Canada and the petitioners may contribute to them. On February 27, 2002, the Commission declared admissible a petition against Canada which had been filed on July 26, 1996. The petition alleged that the government of Canada bore international responsibility for the denial of fundamental human rights to a refugee from Sri Lanka.[\[111\]](#) It would appear, according to the Commission's report, that several requests for information were addressed to the Canadian government between August of 1996 and April of 1997, when the Commission granted Canada an extension until the end of June 1997. Canada presented its submission on the admissibility of the petition on July 31, 1997. The Commission forwarded it to the petitioners a few days later, giving them 30 days to respond. On October 23, 1997, the petitioners requested an extension until mid-November. On January 16, 1998, the Commission requested Canada to stay the pending deportation of Mr. Suresh from Canada until it had an opportunity to investigate the allegations made in his petition. The Commission held a hearing on February 23, 1998. Subsequent developments in Mr. Suresh's case in Canada, including a decision of the Supreme Court of Canada which held that Mr. Suresh was entitled to a new deportation hearing, led to the withdrawal of most of the issues raised in the initial petition, with the exception of those pertaining to the compatibility of his detention with the *American Declaration*.

In addition, as noted above, Committee members learned that the Commission is evolving and making an effort to address the issues that could adversely affect its credibility and effectiveness. As a Party to the *American Convention*, Canada would increase its chances of having a Canadian Commissioner, thereby enhancing

the role it could play in bringing about necessary changes to improve the Inter-American system.

## **IACHR Presents Report on Murdered and Missing Indigenous Women in British Columbia, Canada**

*January 12, 2015*

Washington, D.C. - The Inter-American Commission on Human Rights presents today a report on missing and murdered indigenous women in British Columbia, Canada. The report analyzes the context in which indigenous women have been murdered and gone missing over the past several years and the response by the Canadian State. It also offers recommendations geared towards assisting the State in strengthening its efforts to protect and guarantee indigenous women's rights.

The numbers of missing and murdered indigenous women are particularly concerning considering that indigenous people represent a small percentage of the total population of Canada. The disappearances and murders of indigenous women in Canada are part of a broader pattern of violence and discrimination against indigenous women in the country. During an on-site visit conducted by the IACHR in August 2013, the Canadian government indicated that indigenous women are significantly over-represented as victims of homicide and are also three times more likely to be victims of violence than non-indigenous women.

According to the information received, the police have failed to adequately prevent and protect indigenous women and girls from killings, disappearances and extreme forms of violence, and have failed to diligently and promptly investigate these acts. Family members of missing and murdered indigenous women have described dismissive attitudes from police officers working on their cases, a lack of adequate resources allocated to those cases, and a failure to investigate and recognize a pattern of violence. This situation in turn has perpetuated the violence, as the failure to ensure that there are consequences for these crimes has given rise to both real and perceived impunity.

Canadian authorities and civil society organizations largely agree on the root causes of this situation, which are related to a history of discrimination beginning with colonization. As a consequence of this historical discrimination, the IACHR understands that indigenous women and girls constitute one of the most disadvantaged groups in Canada. Poverty, inadequate housing, economic and social relegation, among other factors, contribute to their increased vulnerability to violence. In addition, prevalent attitudes of discrimination – mainly relating to gender and race – and the longstanding stereotypes to which they have been subjected, exacerbate their vulnerability.

The lack of due diligence in cases of violence against indigenous women is especially grave as it affects not only the victims, but also their families and the communities to which they belong. The IACHR stresses that addressing violence against indigenous women is not sufficient unless the underlying factors of racial and gender discrimination that originate and exacerbate that violence are also comprehensively addressed.

The IACHR acknowledges the State's efforts to address the situation of missing and murdered indigenous women in British Columbia. The findings in the Missing Women's Commission of Inquiry report regarding the irregularities in the handling of the investigations can serve as a starting point for reforms to the investigative function. This could help prevent irregularities in investigations of future disappearances or murders of indigenous women. The IACHR also stresses the importance of the right of families and relatives to know what happened to their loved ones.

The report issues a series of recommendations to the State of Canada. The IACHR notes the willingness and openness of the Canadian State, at both the federal and provincial levels, to discuss the situation, its causes, and how it can be further addressed. The IACHR also recognizes the steps already taken by the Canadian State, at both the federal and provincial levels, to address some of the particular problems and challenges that indigenous women and girls in Canada, and British

Columbia specifically, must confront, a number of which have been identified in this report. In light of the State's commitment to improve the rights and circumstances of indigenous women, the IACHR hopes that the conclusions and recommendations offered in this report will assist it in putting its commitment into practice.

The Commission would like to express its gratitude to the State of Canada for its excellent collaboration in the organization of the visit in August 2013 and for the valuable information it provided for the elaboration of this report. The Commission would also like to express its appreciation for the information provided by representatives from civil society, as well as by indigenous women, their families and communities.

A principal, autonomous body of the Organization of American States (OAS), the IACHR derives its mandate from the OAS Charter and the American Convention on Human Rights. The Inter-American Commission has a mandate to promote respect for human rights in the region and acts as a consultative body to the OAS in this area. The Commission is composed of seven independent members who are elected in an individual capacity by the OAS General Assembly and who do not represent their countries of origin or residence.

Read the Convention available at [http://www.oas.org/dil/treaties\\_B-32\\_American\\_Convention\\_on\\_Human\\_Rights.htm](http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm) and discuss the following questions

### **Discussion questions**

- Is America one continent? Two? Three? Does this matter? Why or why not?
- What is the Organization of the American States (OAS)?
- What states are parties to the OAS?
- What is the purpose of the OAS? What are its main principles?
- What is the Inter-American Convention on Human Rights or San Jose Pact?
- What are the main rights?
- What is the role of the Commission?
- What is the role of the Court?
- What are Canada's reasons for not ratifying the Convention?
- What are the real reasons why Canada and the United States are not parties to The San Jose Pact?
- Discuss some cases decided by the Court.
- Discuss the Chief Michael Mitchel case (Report No. 61/08 Case 12435).

### **Presentation**

- Brazil

### **Class 10 March 20 Latin American legal and political culture**

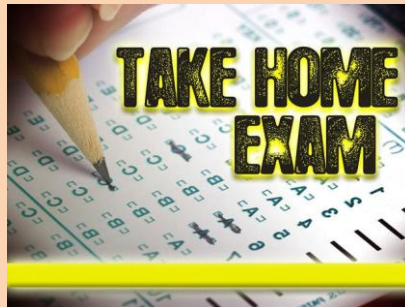
#### **Presentations**

- Haiti
- Dominican Republic
- Guatemala
- Peru

### **Class 11 March 27 Distribution of final take-home**

#### **Presentations**

- Mexico
- Chile
- Panama



### **Class 12 April 3 Submission of final take-home**



### \* TRIGGER WARNINGS



Some materials in this course may be sensitive. Course materials, including lectures, class activities, hypotheticals, scenarios, examples, court cases, and films shown in class, may have mature content, including violent, sexual, and strong language content.

#### **Disclaimers**

Except for newspaper articles and court cases, all class activities are hypothetical and fictitious. Any resemblance to actual persons, institutions, or events is purely coincidental. The views and opinions expressed in the articles assigned for reading in this course, as well as those expressed in videos shown in class, are those of the authors or the individuals who made those opinions and do not necessarily reflect the position of the course professor. Questions, follow-up questions, examples, and comments made within the context of class activities do not purport to reflect the opinions or views of the course professor. All such articles, comments, questions, examples, and activities are meant solely to facilitate the discussion and study of Law. They are not meant to

advocate or promote any crime or unlawful action. Neither are they meant to advance any ideological perspective. Discretion advised before signing up for this course.