

Dignity Rights Project



Widener University Delaware Law School

The Dignity Rights Project works to advance human dignity through education, advocacy, and litigation support. It was founded by Professors Erin Daly and James R. May in 2016.

Virtual Workshops, Future and Past

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The DRP is hosting a 2nd Virtual Workshop on Dignity Rights on **Friday, November 17, 2017 from 10 a.m. to 1 p.m. (New York time).**

This program provides a forum for academics, policymakers, and members of civil society to share ideas about how rule of law can protect human dignity in its various manifestations. Because the Dignity Rights Project aims to put "**dignity in action**," we welcome scholarly contributions as well as interventions based on dignity-based advocacy and legal work. We will use ZOOM video and audio conferencing, which also permits participants to observe without presenting. Instructions will be provided in the week prior to the event. There is no registration fee.



This event builds on the [First Virtual Workshop](#), held in May 2017, which included participants from Colombia, Uruguay, Israel, Portugal, Bhutan, the UK, Nigeria, Norway, Canada, and (cont'd on p4)

Applied Learning — the Dignity Rights Practicum

Each year, the DRP offers a Dignity Rights Practicum for JD and LLM students at Delaware Law School. Students work with partners to help develop theoretical arguments and practical strategies to advance dignity rights around the world. [Videos from previous classes are available on the DRP website](#). This semester, students are working to advance dignity with:

- an [environmental law clinic in Colombia](#) to help advocate for the dignity of indigenous communities diminished by the loss of coral reefs in the context of Colombia's ecological and social constitution. (cont'd on page 3)

Dignity in Action — An amicus brief in climate change litigation



The Dignity Rights Project submitted an Amicus Brief on behalf of more than 60 Law Professors in Support of Plaintiffs Kelsey Cascadia Rose Juliana and others, in the atmospheric trust litigation brought by Our Children's Trust against the U.S. Government for actions contributing to climate

change. When the District Court in Oregon found that the young plaintiffs had adequately pled that the government had violated their substantive due process rights to liberty under Fifth Amendment (among other things), the Administration asked the 9th circuit for an extraordinary writ of mandamus. The Law Professors' brief argues that the district court's decision did not constitute "clear error" nor violate separation of powers and that the decision below was consistent with a long line of Supreme Court due process cases that recognize that liberty interests are not frozen in time but can adapt to new circumstances. It further argues that neither the novelty, nor the importance, nor the complexity of the issues involved justifies withdrawing the claim from the jurisdiction of the federal courts. Finally, the brief argues that issuing a writ under these circumstances would allow the U.S. Government to avoid judicial oversight and ignore core federal judicial functions to determine the application of constitutionally protected fundamental rights. [The full brief is available here.](#)

"Being a part of the Dignity Rights Project and taking the practicum course has been one of the most rewarding experiences I've had during law school thus far."

**-Madison McGuirk,
2L, Delaware Law**

Education through Partnerships

The Dignity Rights Project has concluded an agreement with PILnet, the **Public Interest Lawyers' Network**, which works with hundreds of lawyers around the world to advance human rights.



As part of the partnership, we conducted a *webinar* for lawyers from Egypt, Lebanon, Morocco and Palestine, on how to advance the right to dignity in their cases, and we met with PILnet Human Rights Fellows to discuss the evolving human right to dignity. More events are planned for Fall 2017 and Spring 2018.



We have also been working with the **Université de la Fondation Dr. Aristide** (UNIFA) in Haiti to develop a civic education program, in which law students will provide civic education to members of the local community as well as through radio and television. The program is funded by a generous grant of the **International Bar Association**.

Practical Learning (cont. from p. 1)

- **Refugee Legal Support** a team of immigration lawyers helping to protect the dignity of war refugees in Europe; students are assisting advocates for refugees strengthen their arguments in national and supra-national venues by elucidating how the human right to dignity of those who live in refugee camps is being threatened by the lack of information available to refugees, the lack of protection from human smugglers who make extortionate and inhumane demands for the promise (often unfulfilled) of safe passage, and by the failure of national officials to attend to the needs of maintaining family integrity and assuring family reunification for those who have been separated.
- The **Institute for Romani Culture in Albania**, a civic organization for Roma youth in Albania seeking to protect the dignity of the Roma community in their ability to participate in governance processes and in their quality of life and protection from discrimination; we are developing a plan of action to help Roma youth advocate for themselves as Albania begins to implement a legal framework for the integration of Roma citizenry.
- **Delaware Concerned Residents for Environmental Justice**, a grassroots organization advancing environmental justice for residents of Wilmington, Delaware; students are participating in community meetings and developing a dignity-based framework to be used in advocacy and in legislative initiatives at the state and national levels.
- the **Lenape Tribe of Delaware**, which -- *building on a paper submitted by a student in the Spring 2017 Practicum* -- is examining whether and how a Dignity Rights Commission (modeled on truth and reconciliation commissions) could advance the

Upcoming Event:

On Friday, April 13, 2018, the DRP and Widener Law Review will sponsor a symposium on DIGNITY RIGHTS AND ENVIRONMENTAL JUSTICE. Please let us know if you are interested in participating, and watch for a call for papers and further announcements as plans develop.

In past years, the Practicum has worked with the **UN Office of the High Commission for Human Rights** (where the Office of Human Rights invited our students to submit a report on threats to the dignity of children brought about by climate change — *the only academic institution to do so*); the **Institute for Justice and Democracy in Haiti** (helping lawyers obtain reparations and an apology from the United Nations for its introduction of cholera into Haiti's water supply, which since 2010 has infected 7% of the Haitian population); the **Center for Applied Legal Studies** at Witwatersrand University, South Africa (supporting legal arguments concerning the dignity implications of mining operations); and the **Jigme Singye Wangchuck School of Law** in Bhutan (assisting the development of arguments about the dignity rights the aging population, dignity implications of urbanization, and more), and others.



Dignity in Action

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Working with Judges

With the organizational support of Advisory Council Member Angela Kariuki, Jimmy May and Erin Daly participated in a Judicial Colloquium on "Constitutions, Environment, and Human Rights: Practice and Implementation" in May 2017. Under the Auspices of UN Environment, the Federal Senate of Brazil – through the Environment Committee and the Joint Senate and House Permanent Committee on Climate Change – and the Global Judicial Institute for the Environment, this event was part of a global effort in collaboration with the Special Rapporteur on Human Rights and Environment and other partners to sensitize the judiciary on constitutional environmental rights and to evaluate the impact of these rights on environmental protection.



We've updated [the website!](#) In addition to information about the DRP generally, the website contains a list of constitutional provisions about human dignity from more than 160 countries, compiled by Delaware Law School Librarian Janet Lindenmuth. It is an invaluable resource for those seeking to understand how dignity is protected in constitutional systems around the world. While the listing demonstrates an enormous range of dignity rights, it also indicates a common sense of the meaning and value of human dignity as a right to be protected.

Virtual Workshop, *continued from first page.*

the United States, as well as many observers. We discussed the role of dignity rights in education, prisoners' rights, health, and the environment, among other things. The 2 1/2 hour event was as intellectually engaging as it was stimulating, and fun! [A video of the First Workshop is available on the website.](#)

If you would like to participate in the 2nd Workshop on November 17, [please send either of us a brief abstract of your proposed contribution on or before October 30, 2017.](#) Anyone interested in attending without presenting is also welcome to do so. We hope that you can join us. You are welcome to join whether or not you participated in the 1st Virtual Workshop.

