

Brief Reflections on “Jessica Gonzales v. the United States of America”
January 27, 2009

- As part of CHRGI’s Litigating Human Rights Series—which once a semester features a panel discussion on a specific case that uses litigation as a tool for redressing human rights violations—on January 27, 2009, the Center hosted a panel discussion on *Jessica Gonzales v. United States of America*, a case currently before the Inter-American Commission of Human Rights (IACHR).
- The panel, moderated by Amna Akbar (IHRC Fellow), featured Ms. Lenahan (formerly Gonzales), the first woman in the United States to sue the government for its failure to respect the human rights of battered women, alongside her attorney Carrie Bettinger Lopez, Deputy Director of the Human Rights Institute and a Lecturer in the Human Rights Clinic at Columbia Law School, and Christina Brandt Young, appellate attorney for the Domestic Violence Appellate Representation Project of the New York Legal Assistance Group.
- The discussion focused on the significant challenges, themes, and tactics involved in litigating cases in which domestic litigation is one part of a broader international strategy to seek redress for human rights abuses. The panel also examined the how the legal movement for greater recognition of battered women’s human rights has manifested in the United States.
- The discussion with Ms. Lenahan was a forum for encouraging students, and those within the wider human rights community, to think creatively about pursuing human rights in the United States and to ensure that these strategies are responsive to the concerns of victim-survivors and not just human rights advocates. Particularly enlightening in this regard was Jessica Lenahan, herself. Ms. Lenahan passionately articulated her struggle for the recognition of her rights and the rights of other women who are threatened by domestic violence and are inadequately protected by the State. Jessica related how the process of filing a case before the IACHR gave her, as an aggrieved individual, a forum to sue the United States government after the U.S. Supreme Court had ruled that she had no constitutional right to police enforcement of her restraining order.
- During the discussion, Ms. Bettinger Lopez highlighted the implications the case would have on both U.S. law and international human rights law and Ms. Brandt-Young explained the ways in which international human rights law can be woven into domestic family law cases through the use of amicus briefs, footnotes, and evidence.

For more about the event and for documents about the case, please [click here](#)