



ASA Section on Human Rights Rights Under Siege Winter 2020 Newsletter

WINTER 2020

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Letter from the Chair

Many thanks to Timothy Gill and Tianna S. Paschel for assembling this timely newsletter. I'm honored to be able to work with such great people as Chair of the Section. In this introduction, I provide an overview of the Newsletter contents, along with a few thoughts on academia, rights, and the Trump Administration.

In today's hyper-partisan environment, it may be the best of times and the worst of times for human rights. More than ever, United States activists are using human rights language and turning to international human rights organizations to forward their claims. For example, sociologists have long been concerned that conflating the public and private sectors works against the public interest (e.g., Mills 1956). Only recently, however, has this research been connected with human rights. Professor Jackie

Smith, University of Pittsburgh, working with community leaders in U.S. cities, has taken the issue of

inappropriate corporate influence to the UN Human Rights Council. The report she has co-authored will be part of the universal periodic human rights review of the U.S., a process that all UN member states undergo every five years. You can read more about this important initiative below.

With new initiatives like this, it's a great time to reflect on integrating human rights into our teaching. In another contribution, SUNY-Buffalo graduate student Julia Schoonover describes how she has sought to incorporate human rights issues into her classroom, with a special emphasis on the rights of immigrants and refugees in the local community.

Unfortunately, even as scholars and activists work together to promote rights in some realms, in other realms, we see a retrenchment of rights. A case in point is the [Commission on Unalienable Rights](#), formed by Secretary of State Mike Pompeo. The Commission seems destined to further divorce the U.S. from international human rights law and undermine global consensus on

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Newsletter Co-editors:

Tim Gill - University of North Carolina - Wilmington

Tianna S. Paschel - University of California - Berkeley

what constitutes fundamental rights. At the first meeting of the newly formed commission, Secretary Pompeo [expressed fear that human rights have become conflated with "personal preferences."](#) He noted that the UN and the Council of Europe have 64 human rights-related agreements between them. For him, this is concrete evidence that human rights have expanded too much. In contrast, my primary reaction to this figure is "So what?" The number has no meaning in itself; if anything, it is a positive signal of the level of global consensus concerning human rights.

Alarming for members of the ASA Human Rights Section is the role that respected academics, including Sociologists, are playing in legitimating the Commission. Scholars are serving as members of the Commission and presenting their research at Commission meetings. Some of these academics have conducted research with conclusions at odds with the goals of the Commission. No doubt, they are hoping their participation can mitigate negative outcomes.

Others, like Professor Mary Ann Glendon, a law professor at Harvard and Chair of the Commission, have world views that align more closely with Pompeo's. Even these individuals, however, may be pushed in uncomfortable directions. As my co-authors and I describe in our recent *Annual Review of Law & Social Sciences* article, Glendon was the first woman to head a Holy See delegation to a United Nations conference. Her views reflect a mix of cultural conservatism and deep concern over economic inequalities. In terms of the Commission, both Pompeo and Glendon view the Commission's work as urgent. Beyond that, according to the [Center for American Progress](#), while for Glendon a primary concern is China's

attempts to undermine the global consensus on human rights, for Pompeo the primary goal is to review and limit universal human rights. In fact, the U.S. actions may be as harmful as the Chinese actions in terms of undercutting global human rights norms.

The Commission on Unalienable Rights is just one example of how it's a critical moment to reflect on the best ways for scholars to engage with policymakers, particularly within a regime that plays fast and loose with the rule of law. Will participation lead to a better outcome, or simply lend legitimacy to a dangerous and deleterious endeavor? Careful observation and analysis, such as that provided below by graduate student Miray Philips, is certainly one important intervention. Attending the 2019 Values Voters Summit, where Trump was the keynote speaker, Philips is able to report on the intersection of domestic and international politics.

This newsletter gives several other examples in which scholars and scholarship can enlighten and potentially influence human rights outcomes. It begins by reprising the Section's 2017 issue of "Rights Under Siege" to assess where things stand today. Professor Cecilia Menjivar provides an update concerning migrants at the border, and we link back to her original contribution—the abuses outlined there continue today. Professor Rodney Coates updates his contribution on intersectional politics under Trump. He calls on members of the Human Rights Section and other critical sociologists to "choose to dismantle the racial structures that manipulate White anxieties—often at the expense of people of color and other marginalized groups."

In sum, this Newsletter provides much food for thought for Sociologists interested in human rights. Please feel free to share your own scholarship in future newsletters and on our Facebook and Twitter feeds, so that we can continue the conversation.

Sincerely,

Elizabeth Heger Boyle, Section Chair

Reference

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Reflection on the Trump Administration

By Cecilia Menjivar

University of California -Los Angeles

Two years ago, I wrote a reflection on what the dramatic expansion of immigration enforcement under the Trump administration meant for immigrants' rights. I pointed out the myriad legal, formal ways that facilitate the erosion of immigrant rights, both as workers and as members of their communities. I included an example from a decade earlier to underscore the enduring nature of these strategies; they have been in place for over two decades so it is not a new development under this administration. The example of the Guatemalan Maya worker was also meant to highlight how enforcement mechanisms pave the way for immigrants to start believing

that they have no rights, lacking even the 'rights to have rights.' My reflection signaled both, an enduring trend in immigration enforcement toward punitive measures that erode rights, but also the insidious nature of the regime itself in immigrants' worldviews and sense of self and belonging.

This situation has worsened today. The expansion of enforcement, both in the interior of the country and beyond the physical borders of the country into 'transit' countries, has been amplified. Almost weekly, the administration proposes new rules and regulations that continue to encroach on immigrants' livelihoods and rights, affecting all aspects of life. Recently, the Justice Department issued a rule for federal authorities to collect DNA samples from immigrants crossing the border, which could have wide-ranging implications for the immigrants themselves and for their families already in the United States, and further undermine immigrants' rights through expanded surveillance. Like two years ago, the sustained expansion of enforcement and its insidious effects have also galvanized immigrant rights' organizations into action. For instance, groups rallied to defeat the administration's efforts to add a citizenship question to the 2020 Census; it was rejected by the U.S. Supreme Court. The threat to end temporary protected status for certain groups spurred a forceful response, such as the formation the National TPS alliance to lobby legislators, engage in marches and protest, and fight the threats through the courts. They have garnered some victories, such as additional extensions of this permit for some groups. And the threat to end DACA has met with a similar response from a wide range of groups; this case now awaits the U.S.

Supreme Court's decision. While the long-standing trend to expand enforcement continues so does the response from rights groups to confront and counter the attacks. The power imbalance between the two is enormous, but through hard work and perseverance immigrant rights groups are making a dint.

Corporate Influence Threatens Human Rights in Communities Nationwide

By Jackie Smith
University of Pittsburgh

In 2017, Amazon launched an unprecedented inter-city competition to see which municipality could offer the most generous package of public subsidies, tax breaks, and other incentives in exchange for becoming host to the 2nd headquarters of one of the world's richest corporations. The company just made another unprecedented—and equally outrageous—move as it [spent \\$1.5 million on campaign contributions to shape local elections](#) in its headquarter city of Seattle. Such actions have drawn scrutiny from growing numbers, as more Americans are recognizing the links between corporate influence and rising housing costs, inequality, and under-funded public budgets.



As presidential candidates like Bernie Sanders and Elizabeth Warren put forward policy initiatives for new rules to rein in corporate influence, community leaders in cities across the country have filed a formal report entitled "[The growth of corporate influence in sub-national political & legal institutions undermines U.S. compliance with international human rights obligations](#)" to the United Nations. The report is part of the UN's [Universal Periodic Review \(UPR\) of the United States' human rights record](#), which invites stakeholder reports from community representatives to help UN officials and other world leaders evaluate performance reports supplied by the national government.

Recognizing that "human rights don't trickle down," activist groups around the country are rising up to become part of the solution to persistent gaps in human rights. The aim is to shift the focus of local and national government from the current priorities of corporate profits and economic growth to human rights and well-being.

More than a year of consultations among community-based organizers and municipal officials inform the stakeholder report. Cross-city

conversations have revealed corporate practices as a common challenge, and the report links these to human rights deficiencies in the areas of democratic participation, affordable housing, privatization and the right to water, militarism and gun violence, environment and health, and racial equity. Report authors argue that routine operations of corporate entities prevent governments from doing a better job enforcing international human rights obligations. Poor regulation and enforcement as well as corporate corruption of local and national politics are cited as the leading causes of violations.

Some additional highlights from the report include:

At a time when many municipal budgets are seriously under-funded, officials in many cities offered billions of dollars of public subsidies to become host to Amazon's 2nd headquarters. In most cases these bids were developed without meaningful public consultation and kept secret from the public, often in direct violation of open records laws. This is just the most visible example of large corporations effectively denying residents a voice in how their communities develop.

Corporate-led development has contributed to spiraling housing costs and undermined people's right to affordable and safe housing. At the same time, the long-term trend of reduced corporate tax rates has deprived governments of revenues needed to maintain public infrastructures and ensure universal access to basic needs. The global housing crisis contributes to worldwide poverty and displacement that is especially harmful for groups protected under human rights law, including low-income people, people

of African descent, and those with disabilities.

Privatization of public utilities has also limited people's access to clean and affordable water, and restrictions on the internationally recognized human right to water disproportionately impact African American residents. Other issues cited in the report included the inequitable distribution of environmental hazards, racial discrimination and equity, and gun violence. Many of these issues arise from the lack of effective regulation on corporate practices, which has worsened with Trump administration rollbacks of protections for civil and political rights, the environment, and consumers.

The experiences documented in a range of cities—including Washington, DC, Pittsburgh, New Orleans, Detroit, among others—reveal patterns of violations of a considerable body of national and international laws and standards detailed in the document. For instance, the United States is a party to the [International Convention on the Elimination of all forms of Racial Discrimination](#), which requires national efforts to eliminate systemic disparities based on race. Often local officials are not aware of their legal obligations under this and other international human rights conventions, despite the obligation of national leaders to educate and inform sub-national officials and the general public.

A Focus on Solutions

The UPR process designed to engage a variety of stakeholders in efforts to find solutions, and the report makes a number of recommendations for improving national policies affecting municipalities' ability to carry out human rights obligations. It cites a

[U.S. Conference of Mayors 2017 Resolution](#) to move federal tax dollars "from militarism to human and environmental needs" in calling on the U.S. government to provide municipalities with the resources they need to ensure that all residents' rights are protected.

It also calls on the U.S. government to support international efforts to hold corporations accountable to international human rights standards, including the [draft treaty to regulate the activities of transnational corporations](#). The size and scale of today's multinational corporations make it impossible for most national governments—much less local ones—to monitor and enforce regulations. Local communities need greater national and international enforcement of existing regulations.

Concerted action at the national level is needed to counter racism and xenophobia and to promote a culture that supports human rights and democratic values. The extreme polarization encouraged by Trump's rhetoric and xenophobic policies undermines social cohesion and fuels conflict in local settings, undermining efforts of local governments to manage the variety of other challenges they face, such as ageing urban infrastructures, economic globalization, and threats from climate change.

The [U.S. Human Rights Cities Alliance](#) is working to raise consciousness about these issues and to advance the stakeholder report's recommendations. Between now and the UN Human Rights Council's formal review of the United States record in May of 2020, local and national consultations will help develop and share strategies for realizing human rights in our communities and cities, seeking to

change policy discourse to make human rights the overriding focus and goal of public policy.

This article was originally published on Monday, October 28, 2019 by [Common Dreams](#).

Rights Under Siege: A Graduate Student Perspective

By Julia Schoonover

University of Buffalo

Living and working in Buffalo, New York, a sanctuary city, and a major destination for refugees has allowed me to better understand the hurdles that refugees and immigrants face as they establish their new lives in a new city. Sanctuary cities provide undocumented immigrants protection from enforcement agencies, like Immigration and Customs Enforcement (ICE) who frequently overstep their boundaries. As a Graduate Instructor at the University at Buffalo, I teach students from varying backgrounds and work with refugees and immigrants, all with varying levels of civil, political, and social citizenship.

I have spent time talking with my students and different members of my community about what it means to have our rights realized. Through my work with refugee resettlement and immigrant advocacy agencies, I have been able to better understand the many different ways that our rights are under siege. It is of particular interest to myself, as well as community advocates to understand the ways that cities, such as Buffalo ensure and enable the sanctuary of those who are undocumented, who are trans, or who may be discriminated against based on their varying identities.

While places that deem themselves as sanctuary cities are only promising to limit their cooperation with federal immigration enforcement, I have recently undertaken a study to see how true this may be. To better understand this problem, I will be partnering with local advocacy organizations and enforcement agencies to analyze the frequency in which sanctuary principles are violated. I was able to undertake this project, as well as other research projects due to the strength of my relationships with NGOs and advocacy organizations throughout my community. In the past, I have worked with refugee resettlement agencies to better understand the barriers that many individuals and families face upon their arrival. My work at the International Institute, a refugee resettlement agency is outlined below: "During her time at the Institute, Julia spearheaded many projects, including the enhancement of the HELLO Program (IIB's English-as-a-new-language program) and most notably the creation of the Internship Matching Assessment; a one-of-a-kind matching program that served to link prospective interns to the most suited internships. Julia brought an intersectional approach to the Institute - she considered how the individuality of all interns, clients and fellow staff impacted the outcomes of case planning objectives."

Improving human rights comes in many forms. Personally and professionally, I work hard to challenge the siege of human rights in the United States through centering my teaching and researching around human rights. In the classroom, I have attempted to establish an environment that shows students the ways that their rights may be under siege. This is done

through active learning and empowering students to find possible, personal solutions to the issues for which they have the most passion. We participate in activities, and I regularly ask students to consider the following questions: How knowledgeable are you on the concept of social privilege? Do you ever reflect upon the systematic privileges you may or may not experience because of race, gender, age, class, sexual orientation, religion, physical/mental abilities, nationality, and citizenship status? Many students are in positions of power as they have been able to access higher education, but they experience this with the duality of their lives outside of the university. Students have diverse backgrounds, some of which have been shaped by stark sieging of their rights. Connecting the sieging of these rights to institutional, local, and national social inequalities can enable students to identify possible solutions or ways in which they can claim and reclaim their rights.

To say that our rights are under siege is to say that those who oppose individual autonomy are taking active steps to make them surrender, to silence them. It is often that we, as Americans, give up our civil and political rights and the rights of others for our security to be guaranteed. As I continue to advance as a student and scholar, I have begun to understand the value that combining community context and advocacy can help students not only connect with material in the classroom but further impact our community as well as my research. While teaching my current class, Social Inequality, following our discussion of problems I inform students about opportunities within their communities to address these issues. Through my research and teaching, I attempt to inform

individuals that the power realizing your rights has. Realizing your rights enables individuals to realize their power and repossess their autonomy.

Northeastern Syria Caught Between Trump's Nationalism and Evangelical Internationalism

By Miray Philips

University of Minnesota

When President Trump decided to pull U.S. troops out of Northern Syria, enabling Turkey to invade, there was outrage across the foreign policy establishment in Washington DC. Advocates, lawmakers, and politicians across the political aisle expressed dissent through public statements, [social media](#), and even proposed legislation. The dissenting force was so unsurmountable that in a matter of weeks, the U.S. House passed legislation to [recognize the Armenian Genocide](#), allocate an additional [\\$40 million](#) in financial aid to Armenia, and [sanction](#) Turkish officials and arms-sales to Turkey. Trump's decision shook evangelical political and religious leaders, even the [loyalists](#) amongst them, who believed that the withdrawal of U.S. troops betrays Kurdish military allies and endangers Syrian Christians. Considering the importance of religious freedom and combatting Christian persecution for evangelicals, this decision heightened tensions between Trump's nationalism and evangelical internationalism.

Days after his decision, President Trump [keynoted](#) the 2019 Values Voter Summit, an annual conference

promoting conservative values and policies on abortion, the family, religious liberty, and sexuality. At the conference, I spotted a priest who paired his clerical black cassock with a MAGA hat, and others who sported Make the Family Great Again hats. The summit is hosted by the Family Research Council, spearheaded by Tony Perkins, who is also the Chair of the U.S. Commission on International Religious Freedom (USCIRF). Earlier, USCIRF had [tweeted](#) and published a [statement](#) citing concerns that Turkey's incursion would harm ethnic and religious minorities. Trump speaking at a conference that allegedly espouses religious liberty is an inherent contradiction, and one that was felt throughout the summit.

At the gala dinner, where Trump was going to speak, I sat next to a young Minnesotan mother who was an ardent Trump supporter. We started chatting, and I introduced myself as Coptic Egyptian. She knew who Copts were and was concerned about "all the terrorism" in Egypt, declaring that, "I don't think we're doing enough! We should do more." This sentiment is common amongst evangelical Christians, who have mobilized relentlessly around the [Persecuted Church](#) in Muslim-majority countries. This phenomenon is what Melani McAlister (2019) argues is an example of evangelical internationalism. Since the rise of ISIS, Christians in the Middle East have become an object of this activism, reinforcing the [belief](#) that Christians are the most oppressed religious group in the world.

Trump entered the stage and immediately the room erupted in chants calling for four more years, drowning out the "eight more years!" coming from an elderly white woman at my table. While Trump's

remarks on abortions was received with standing ovations after almost every other sentence, his comments on Northeastern Syria were met with lesser audible enthusiasm. He was applauded, however, when he leveraged national concerns about the border: "I don't think our soldiers should be there for the next 50 years guarding a border between Turkey and Syria when we can't guard our own borders at home." Trump appealed to his base by creating a dichotomy between national concerns and international responsibilities: We cannot have troops *there*, because we need them *here*.

After the keynote, my neighbor inquired about my thoughts on Trump's remarks on Syria and Turkey. Drawing on internal logics about the war on terror and Christian persecution, I cited news sources reporting that ISIS fighters have broken out of prisons and Christians have been killed. She questioned the news' reliability, calling journalists liars. "The U.S. needs to pull out its troops from Syria and let them just figure it out," she echoed Trump's isolationist talking points. On my other side, an elderly Texan man shared similar convictions about how the U.S. cannot fix "ancient wars in the Middle East."

It comes as no surprise that evangelicals are outraged when Christians in the Middle East are threatened. Through the Persecuted Church movement, evangelicals have come to identify with Christians in the Middle East as part of a global Persecuted Body of Christ (McAlister 2018), where they feel a responsibility towards protecting their co-religionists. Particularly amongst evangelical populists, "Middle East Christians" are wielded as symbols of the horrors of terrorism and Islam, which was one

of many reasons voters were drawn to Trump in 2016 ([Whitehead, Perry and Baker, 2018](#)). Trump's decision to withdraw from Northeastern Syria and subsequent justifications not only leverage, but juxtapose, U.S. nationalism against any international responsibility. Though this juxtaposition was met with resistance amongst religious and political leaders, it appears to resonate with supporters who know less about the nuances of the situation unfolding in Syria. Aught between evangelical internationalism and U.S. nationalism, Syrians ultimately bear the price of the U.S.' populist politics.

Make America Hope Again

By Rodney Coates

Miami University

When Ilhan Omar, a Somali born, Muslim, Black woman immigrated to the United States as a refugee in 1992, she joined many other refugees and immigrants who left their homes in an effort to avoid restrictive governments, where

political freedoms of speech and assembly were denied. They, in large part, came to our country where such freedoms are not only protected, but celebrated. Many became outspoken activists, community organizers and even elected officials. Representative Omar, elected as the U.S. Representative for Minnesota's 5th congressional district in 2019, brings this point home, as she has spoken out on U.S. foreign policy, Palestinian liberation and immigrants' rights (Gessen 2019). The wave of women of color elected

into office in 2018 may help spur more women to become more politically involved by running for office. These issues highlight the importance, and often overlooked impact of political intersectionality on our electoral processes. Intersectional politics makes reference to the political identity groups (i.e. the patterning of intersectional identities race/ethnicity, class and gender) that forge alliances, develop strategies, and attempt to control political discourse, issues, processes, elections, and events. In this way, intersectional identities produce

intersectional politics that reflects the complicated terrain that defines the American political structures. This piece's main focus is to understand intersectional politics as it relates to power, politics and identities.

Many people in America on the political left believe that working-class white voters made Donald Trump president in 2016. According to this logic, these voters, historically

bigoted, were essentially reaffirming their racial preference. The problem with this logic is that a significant number of these very same voters made it possible for Barack Obama to be elected in both 2008 and 2012. The reality of Donald Trump's election was that it reflected the intersectional politics that lies at the core of our political structure. Consequently, it's the intersection of racial resentment and economic anxiety that played a key role in the election of Trump to become the 45th president of the U.S. (Cherlin, Andrew 2019)

On October 23, 2019, a group of Republicans forced their way into the closed-door impeachment proceedings, delaying the



disposition of witnesses for five hours. But the real news was how these actions were described by Democrat Rep. Jackie Speier as “a high school prank by a bunch of 50-year-old white men.” Rep. Matt Gaetz, one of the Republicans objecting to the label, responded “Did she say we were a bunch of white men? What does the fact that we are white men have to do with our desire to represent the millions of constituents we serve?” And in a strange irony, not unlike so much of our politics, his comment harkens to the 2011 hit song by Lady Gaga “Born This Way” which makes specific reference to “cholas” and “orients.” The song is considered by many as an anthem for marginalized and disenfranchised, racial minorities, to include LGBT, and an expression of self-empowerment. Gaetz continues “I am a white male, I guess I’m a little old-fashioned. Identify as a white male because I am a white male and . . . I guess it’s because I was born that way” (Hall 2019). Intersectional identities, which include race, gender and social status, continue to define our racial landscape.

Donald Trump effectively marshaled various White identity groups and capitalized on White angst, anger, and fears with his slogan “Make America Great Again.” Angry White

males in the U.S. often coalesce into political, far-right extremist movements. Fueling these movements are notions of humiliation, which can also lead to violence. And we saw this violence erupt as anti-racist and alt-right forces collided in Charlottesville.

The real question before us, as sociologists, is: where do we go from here? The marches and counter marches shine the spotlight on our racial fault lines, but they are ill-equipped to do more. Critical sociologists can provide the analytical tools to not only reveal, but also point to ways by which these racial fault lines may be deconstructed. Simply put, the problems at the core of White anger and the victimization of people of color are structural. Removing the symbols of this anger and victimization may provide some

measure of psychic relief for people of color, but only serves to aggravate the angst of poor Whites. Sociologists can continue to fight these symbolic battles and relish the symbolic victories, or we can choose to dismantle the racial structures that manipulate White anxieties—often at the expense of people of color and other marginalized groups. We might discover that “hurting people hurt others” and that many of

our policies and many of our actions have only aggravated the fault lines. Academics could also suggest that universities and public sites become more open and inclusive by providing scholarships, training, and access to marginalized people. Perhaps a start would be to recognize that not only people of color and gendered/sexual minorities are marginalized, but also poor, Whites. Through such a process, maybe, just maybe we can provide some healing of our various racial wounds.

Currently the song playing across America is “Make America Hate Again.” This song, with its sad refrains of bigotry, homophobia, sexism, hopelessness, and despair - unless you are part of the chosen few - can only take us down. Let us sing today a new song, made fresh with the hopes and dreams of countless millions. Let their song ring from the mountaintops of possibilities and cleanse the valleys of nothingness. Let us sing now and “Make America Hope Again.”