
Creating Human Rights How Noncitizens Made Sex Persecution Matter To The World

Pennsylvania Studies In Human Rights

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World Migration Report 2020 University of Wales Press

The story of West Indian immigrants to the United States is generally considered to be a great success. Mary Waters, however, tells a very different story. She finds that the values that gain first-generation immigrants initial success—a willingness to work hard, a lack of attention to racism, a desire for education, an incentive to save—are undermined by the realities of life and race relations in the United States. Contrary to long-held beliefs, Waters finds, those who resist Americanization are most likely to succeed economically, especially in the second generation.

The Bureaucratic Savior University of Pennsylvania Press
Lacking civil and political rights, over 30 million noncitizens in the United States hold de facto citizenship through the accumulation of social rights. Although governments confer rights, the United States relies on non-profit human service organizations to deliver many social support services. As the primary institution that interacts with noncitizens, human service organizations not only make policy in practice, but also play a key role in determining who gets to stay and who should receive help in doing so. This arrangement poses important questions: How do human services interact with pressures from immigration and welfare regulation? How does the institutional and organizational environment affect professionals' prioritization of services and client selection? Through ethnographic interviews with human service directors, this study analyzed on the ground policy implementation and how noncitizens gain access to social rights and legitimacy. Due to regulatory pressures and referrals across professional networks, human services adopt similar practices and structures that decreased case variability irrespective of noncitizen's needs. Additionally, directors responded to uncertainty in their work by

using formal intake processes to serve varied interests and motivations. Thus, the immigration policy environment constrains discretion and narrows directors' practical understanding of eligibility, limiting rather than expanding access to social rights.

Globalization and America Greenwood Publishing Group
Five leading thinkers on the concept of 'rights' in an era of rightlessness Sixty years ago, the political theorist Hannah Arendt, an exiled Jew deprived of her German citizenship, observed that before people can enjoy any of the "inalienable" Rights of Man—before there can be any specific rights to education, work, voting, and so on—there must first be such a thing as "the right to have rights." The concept received little attention at the time, but in our age of mass deportations, Muslim bans, refugee crises, and extra-state war, the phrase has become the center of a crucial and lively debate. Here five leading thinkers from varied disciplines—including history, law, politics, and literary studies—discuss the critical basis of rights and the meaning of radical democratic politics today.

Human Rights and Constitution Making Harvard University Press
Punctuated by marches across the United States in the spring of 2006, immigrant rights has reemerged as a significant and highly visible political issue. *Immigrant Rights in the Shadows of U.S. Citizenship* brings prominent activists and scholars together to examine the emergence and significance of the contemporary immigrant rights movement. Contributors place the contemporary immigrant rights movement in historical and comparative contexts by looking at the ways immigrants and their allies have staked claims to rights in the past, and by examining movements based in different communities around the United States. Scholars explain the evolution of immigration policy, and analyze current conflicts around issues of immigrant rights; activists engaged in the current movement document the ways in which coalitions have been built among immigrants from different nations, and between immigrant and native born peoples. The essays examine the ways in which questions of immigrant rights engage broader

issues of identity, including gender, race, and sexuality.
Global Human Rights and Minority Social Movements in Japan
Oxford University Press

A multidisciplinary group of scholars examines how the actions of the United States as a global leader are worsening pressures on people worldwide to migrate, while simultaneously degrading migrant rights. Uniting such diverse issues as market reform, drug policy, and terrorism under a common framework of human rights, the book constitutes a call for a new vision on immigration.
Aftermath Univ of California Press

Recent events such as 'Iran's Green Revolution' and the 'Arab Uprisings' have exploded notions that human rights are irrelevant to Middle Eastern and North African politics. Increasingly seen as a global concern, human rights are at the fulcrum of the region's on-the-ground politics, transnational intellectual debates, and global political intersections. *The Routledge Handbook on Human Rights and the Middle East and North Africa*: emphasises the need to consider human rights in all their dimensions, rather than solely focusing on the political dimension, in order to understand the structural reasons behind the persistence of human rights violations; explores the various frameworks in which to consider human rights—conceptual, political and transnational/international; discusses issue areas subject to particularly intense debate—gender, religion, sexuality, transitions and accountability; contains contributions from perspectives that span from global theory to grassroots reflections, emphasising the need for academic work on human rights to seriously engage with the thoughts and practices of those working on the ground. A multidisciplinary approach from scholars with a wide range of expertise allows the book to capture the complex dynamics by which human rights have had, or could have, an impact on Middle Eastern and North African politics. This book will therefore be a key resource for students and scholars of Middle Eastern and North African politics and society, as well as anyone with a concern for Human Rights across the globe.

The Human Rights of Non-citizens Routledge

This volume deals with the basic human rights of aliens from the perspective of international and comparative law. It examines the rules regarding treatment of aliens and the extent to which these rules have been adopted in the domestic legislation of more than 40 different states. It aims to achieve two basic goals: 1) to define the status of aliens under international law, that is, which rights are granted to every person by international instruments; and 2) to establish whether this set of rules has been adopted by the domestic legislation of the states under review. The author classifies the basic human rights of aliens into seven different categories, namely: 1) fundamental rights; 2) private rights; 3) social and cultural rights; 4) economic rights; 5) political rights; 6) public rights; and 7) procedural rights. For each of these categories she reviews opinions of international legal commentators, decisions of international and regional tribunals, as well as national legislation, domestic court decisions, and opinions of local authorities.

The Right to Have Rights Cambridge University Press

International migration is a central theme of social science research. This book promotes cross-disciplinary discussion, examining the challenges and opportunities created by global migration at the start of the 21st century.

Undocumented Immigrants in the United States Creating Human Rights How Noncitizens Made Sex Persecution Matter to the World

In principle, no human individual should be rendered stateless: the Universal Declaration of Human Rights stipulates that the right to have or change citizenship cannot be denied. In practice, the legal claim of citizenship is a slippery concept that can be manipulated to serve state interests. On a spectrum from those who enjoy the legal and social benefits of citizenship to those whose right to nationality is outright refused, people with many kinds of status live in various degrees of precariousness within states that cannot or will not protect them. These include documented and undocumented migrants as well as conventional refugees and asylum seekers living in various degrees of uncertainty. Vulnerable populations such as ethnic minorities and women and children may find that de jure citizenship rights are undermined by de facto restrictions on their access, mobility, or security. The Human Right to Citizenship provides an accessible

overview of citizenship regimes around the globe, focusing on empirical cases of denied or weakened legal rights. Exploring the legal and social implications of specific national contexts, contributors examine the status of labor migrants in the United States and Canada, the changing definition of citizenship in Nigeria, Germany, India, and Brazil, and the rights of ethnic groups including Palestinians, Rohingya refugees in Bangladesh, Bangladeshi migrants to India, and Roma in Europe. Other chapters consider children's rights to citizenship, multiple citizenships, and unwanted citizenships. With a broad geographical scope, this volume provides a wide-ranging theoretical and legal framework to understand the particular ambiguities, paradoxes, and evolutions of citizenship regimes in the twenty-first century. Contributors: Michal Baer, Kristy A. Belton, Jacqueline Bhabha, Thomas Faist, Jenna Hennebry, Nancy Hiemstra, Rhoda E. Howard-Hassmann, Audrey Macklin, Margareta Matache, Janet McLaughlin, Carolina Moulin, Alison Mountz, Helen O'Nions, Chidi Anselm Odinkalu, Sujata Ramachandran, Kim Rygiel, Nasir Uddin, Margaret Walton-Roberts, David S. Weissbrodt.

Non Citizen Workers and the International Human Rights Paradigm Independently Published

Since the late 1970s, the three most salient minority groups in Japan - the politically dormant Ainu, the active but unsuccessful Koreans, and the former outcaste group of Burakumin - have all expanded their activism despite the unfavorable domestic political environment. In *Rights Make Might*, Kiyoteru Tsutsui examines why, and finds an answer in the galvanizing effects of global human rights on local social movements. Tsutsui chronicles the transformative impact of global human rights ideas and institutions on minority activists, which changed their understandings about their standing in Japanese society and propelled them to new international venues for political claim making. The global forces also changed the public perception and political calculus in Japan over time, catalyzing substantial gains for their movements. Having benefited from global human rights, all three groups repaid their debt by contributing to the consolidation and expansion of human rights principles and instruments outside of Japan. Drawing on interviews and archival data, *Rights Make Might* offers a rich historical comparative analysis of the relationship between international human rights

and local politics that contributes to our understanding of international norms and institutions, social movements, human rights, ethnoracial politics, and Japanese society.

Creating Human Rights Oxford University Press

Selected by *Choice* magazine as an Outstanding Academic Title for 2009 *Creating Human Rights* offers the first systematic study of a pioneering women's refugee movement and its challenge, as an international trigger case, to more conventional paths toward human rights policy development. Lisa S. Alfredson argues that such cases, which unfold in the context of a specific country and have profound impacts on international human rights efforts, have been neglected in research and pose a challenge to recent theorizing on human rights change. In the early 1990s, Canada witnessed the emergence of the world's first comprehensive refugee policy for women who were seeking protection from female-specific forms of violence—rape, domestic abuse, public stoning of adulterers, genital mutilation—while challenging a gender-biased system. Close examination of this novel movement, Alfredson contends, provides crucial insights into why and how states may articulate new human rights that set international precedents. Analyzing original empirical data and sociopolitical historical trends, the book documents the decisive global impacts of the movement while shedding light on the paradox of noncitizen politics and asylum seekers' little recognized political strength. Contrary to expectation, findings suggest transnational networks and pressures are not required for some forms of change. Rather, international trigger cases illuminate a range of other key actors and advocacy strategies leading, subsequently, to a more comprehensive understanding of human rights acceptance. In the case of the women's refugee movement, the convergence of human rights and noncitizen politics points toward a new dimension for human rights scholarship that, in the current age of globalization, is becoming critically important.

Race, Human Rights, and Inequality West Academic Publishing

States have historically led in rights expansion for marginalized populations and remain leaders today on the rights of undocumented immigrants.

Making Human Rights Real Martinus Nijhoff Publishers

This thought-provoking book critically analyses how the

implementation of the EU-Turkey Statement on Refugees affects the rights of refugees and asylum seekers. Bringing together an in-depth examination of both EU and Turkish law and fieldwork data within a theoretical human rights framework, Hülya Kaya discusses the operational realities and failures of the agreement between Turkey and the EU from a socio-legal perspective.

Rights, Outcomes, and Policy University of Pennsylvania Press
States have long denied basic rights to non-citizens within their borders, and international law imposes only limited duties on states with respect to those fleeing persecution. But even the limited rights previously enjoyed by non-citizens are eroding in the face of rising nationalism, populism, xenophobia, and racism. *Beyond Borders* explores what obligations we owe to those outside our political community. Drawing on contributions from a broad variety of disciplines – from literature to political science to philosophy – the volume considers the failures of law and politics to guarantee rights for the most vulnerable and attempts to imagine new forms of belonging grounded in ideas of solidarity, empathy, and responsibility in order to identify a more robust basis for the protection of non-citizens at home and abroad. This title is also available as Open Access on Cambridge Core.

Beyond Borders University of Pennsylvania Press

In recent years, there has been an explosion of writing on the topic of human dignity across a plethora of different academic disciplines. Despite this explosion of interest, there is one group – critical legal scholars – that has devoted little if any attention to human dignity. This book argues that these scholars should attend to human dignity, a concept rich enough to support a whole range of progressive ambitions, particularly in the field of international law. It synthesizes certain liberal arguments about the good of self-authorship with the critical legal philosophy of Roberto Unger and the capabilities approach to agency of Amartya Sen, to formulate a unique conception of human dignity. The author argues how human dignity flows from an individual's capacity for self-authorship as defined by the set of expressive capabilities s/he possesses, and the book demonstrates how this conception can enrich our understanding of international human rights law by making the amplification of human dignity its fundamental orientation.

Making Human Rights Intelligible Cambridge University Press

Human rights have become a defining feature of contemporary

society, permeating public discourse on politics, law and culture. But why did human rights emerge as a key social force in our time and what is the relationship between rights and the structures of both national and international society? By highlighting the institutional and socio-cultural context of human rights, this timely and thought-provoking collection provides illuminating insights into the emergence and contemporary societal significance of human rights. Drawn from both sides of the Atlantic and adhering to refreshingly different theoretical orientations, the contributors to this volume show how sociology can develop our understanding of human rights and how the emergence of human rights relates to classical sociological questions such as social change, modernisation or state formation. *Making Human Rights Intelligible* provides an important sociological account of the development of international human rights. It will be of interest to human rights scholars and sociologists of law and anyone wishing to deepen their understanding of one of the most significant issues of our time.

Deportation Law and the New American Diaspora

International Organization for Migration

This essay asks whether international human rights arguments are likely to be effective in advancing immigrants' rights in the United States. There are certainly reasons to be pessimistic. Despite its history as a nation of immigrants and the ever-increasing diversity of its populace, the United States remains a deeply parochial and nationalist culture. International human rights arguments are often seen as the advocates' last refuge. In the absence of an international forum that can hold the United States accountable, and in the face of Congressional directives that the international human rights treaties it has ratified are not self-executing, international human rights often seem only aspirational. International human rights arguments are rarely advanced in domestic U.S. courts, where they are broached, they are as often as not ignored or dismissed. Yet there are also reasons to be hopeful about the potential for advancing immigrants' rights through international human rights. Human rights are just that – human rights – and therefore generally do not acknowledge distinctions in fundamental rights between citizens and noncitizens. Human rights offers a common language and standard for global pressure. And international law has always

been an integral part of immigration law. Accordingly, human rights discourse offers tremendous normative power and potential for advancing social justice on behalf of foreign nationals in the United States. Analogizing to the New Deal revolution in the role of the federal government vis-a-vis the economy and rights protection, this essay argues that we may be living in a similar global revolution marked by the simultaneous rise of a global economy and an international human rights regime. I propose a three-pronged strategy: advancing modest claims of statutory construction and constitutional interpretation in the courts; advocating more expansive conceptions of international human rights in the political and popular realms; and pushing for the creation of institutions and processes to bring international human rights considerations into domestic policymaking at the outset, before disputes arise.

Bringing Human Rights Home LAP Lambert Academic Publishing
Unequal Protection of the Law: the Rights of Citizens and Non-Citizens in Comparative Perspective, explores the disparate allocation of legal rights of persons from a comparative, global perspective. In particular, the chapters herein canvass some of the timely, hot-topic issues relative to the legal rights of persons vis-à-vis the rights of citizens, migrants, refugees, and immigrants. In conducting a comparative analysis, the chapters elucidate how various migrant, refugee, and immigrant populations are disproportionately disadvantaged under national laws as compared to citizens within the same jurisdictions. The chapters also explicate how the disparate allocation of rights under national laws raises a number of human rights law violations. Towards this endeavor, the chapters discuss which particular international laws, treaties, declarations, and/or conventions are implicated as a result of the disparate and unequal treatment of migrants, refugees, and immigrants under law. This book seeks to contribute important analyses and discussions on the current state of affairs relative to the rights of persons within the context of the rights of citizens vis-à-vis non-citizens (migrants, refugees and immigrants). In shedding light on how various migrant, immigrant and refugee populations are disproportionately disadvantaged under national laws as compared to citizens within the same jurisdictions, the chapters will raise general awareness of the differences in legal standing of people before the law. Students and scholars alike will gain

exposure to timely international issues of civil rights and human rights - which can inform and guide the creation of norms relative to the rights all persons should enjoy as well as foment a greater awareness of the issue of legal rights within civil society. This book seeks to contribute scholarly discourse to the extant literature on citizenship and migration - and particularly - the interface of these two concepts. Lastly, this book aims to serve as a resource for students, scholars, practitioners, and even those with a casual interest, who seek a deeper understanding of some of the prevailing issues relative to the (dis)equal protection of laws throughout the globe. Collectively, the chapters in this book weave together a mosaic of case-studies and narratives that poignantly illustrate the disparate allocation of legal rights of persons from a comparative, global perspective. The chapters also make a strong case for why we should care about the rights of persons; about why we should care about human rights. Richard T. Middleton, IV, editor and contributor, is an Associate Professor of Political Science at the University of Missouri-St. Louis. Middleton is also an adjunct professor of law at St. Louis University School of Law where he teaches courses on immigration law and citizenship, social justice and human rights.

He is also a licensed attorney who has practiced immigration law for many years.

Assessing Its Impact on Fundamental Rights Verso Books

Since 1996, when new, harsher deportation laws went into effect, the United States has deported millions of noncitizens back to their countries of origin. While the rights of immigrants-with or without legal status--as well as the appropriate pathway to legal status are the subject of much debate, hardly any attention has been paid to what actually happens to deportees once they "pass beyond our aid." In fact, we have fostered a new diaspora of deportees, many of whom are alone and isolated, with strong ties to their former communities in the United States. Daniel Kanstroom, author of the authoritative history of deportation, *Deportation Nation*, turns his attention here to the current deportation system of the United States and especially deportation's aftermath: the actual effects on individuals, families, U.S. communities, and the countries that must process and repatriate ever-increasing numbers of U.S. deportees. Few know that once deportees have been expelled to places like Guatemala, Cambodia, Haiti, and El Salvador, many face severe hardship, persecution and, in extreme instances, even death.

Addressing a wide range of political, social, and legal issues, Kanstroom considers whether our deportation system "works" in any meaningful sense. He also asks a number of under-examined legal and philosophical questions: What is the relationship between the "rule of law" and the border? Where do rights begin and end? Do (or should) deportees ever have a "right to return"? After demonstrating that deportation in the U.S. remains an anachronistic, ad hoc, legally questionable affair, the book concludes with specific reform proposals for a more humane and rational deportation system.

The Human Rights of Non-citizens Algora Publishing

Since 2000, IOM has been producing world migration reports. The World Migration Report 2020, the tenth in the world migration report series, has been produced to contribute to increased understanding of migration throughout the world. This new edition presents key data and information on migration as well as thematic chapters on highly topical migration issues, and is structured to focus on two key contributions for readers: Part I: key information on migration and migrants (including migration-related statistics); and Part II: balanced, evidence-based analysis of complex and emerging migration issues.

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