

Human Rights At Home Blog

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The “Trickle Up” Effect

By Human Rights at Home Blog

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Local human rights declarations appear to be trickling up to the federal level. A post earlier this week reported on the latest round of local human rights resolutions related to domestic violence, with Ithaca becoming the 23rd U.S. city to declare freedom from domestic violence to be a fundamental human right. These efforts join the ranks of local human rights resolutions and declarations related to other domestic issues, including those declaring housing to be a human right.

Recently, human rights language has begun to appear in Presidential proclamations, as well. Two examples surfaced just this month. In proclaiming April to be Child Abuse Prevention Month, President Obama states, “we reaffirm the fundamental human rights of all children to live free from violence and abuse.” The Presidential Proclamation declaring April to be National Sexual Assault Awareness and Prevention Month recognizes the fundamental human right to be free from sexual assault and domestic violence.

Add these new examples to previous Presidential proclamations recognizing the relevance of human rights in the domestic context. As reported here, in September 2014, on the 20th anniversary of the Violence Against Women Act, President Obama signed a Presidential proclamation affirming “the basic human right to be free from violence and abuse.” The following month, the President included a similar statement in proclaiming October to be National Domestic Violence Awareness Month.

The federal government has recently acknowledged the relevance of human rights in other domestic policy contexts, too. For example, on its website, the U.S. Interagency Council on Homelessness recognizes the human right to housing, noting that it “means more than protecting people from discrimination; it means ensuring that all Americans have appropriate levels of housing assistance.”

Can advocates working at the local level take at least partial credit for the federal government’s adoption of such human rights language? And, more importantly, what impact might this language have?

For years, human rights scholars including Judith Resnik, Catherine Powell, and Martha Davis have articulated the importance of state and local recognition and implementation of human rights as a means of influencing and contributing to national policy, including human rights compliance, and to integration of human rights norms at the national level, more generally.

For sure, the inclusion of human rights language in Presidential proclamations and other statements by the federal government in contexts where localities have similarly proclaimed the importance of human rights is promising. At the very least, such statements indicate an emerging acceptance of a human rights framework,

including the recognition that every level of government has the obligation to promote and protect the dignity and equality of all people.

Thus, the “trickle up” is encouraging.

And perhaps human rights will “trickle in,” as well. Ultimately, such language will be meaningful only if the result is a fuller integration of human rights principles at the policy level. Here, too, the federal government might do well to look to (and, indeed, support) growing examples of robust state and local human rights implementation.

http://lawprofessors.typepad.com/human_rights/2015/04/the-trickle-up-effect.html

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