

Oct 3rd, 11:00 AM - 12:30 PM

Institutionalizing Rights: The Rise and Fall of the Human Rights Paradigm in Managing Migration

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Scribner, Todd, "Institutionalizing Rights: The Rise and Fall of the Human Rights Paradigm in Managing Migration" (2019).
Conference: The Social Practice of Human Rights. 52.
https://ecommons.udayton.edu/human_rights/2019/events/52

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Going Against the Grain

University of Dayton Human Rights Center
Social Practice of Human Rights Conference, Oct. 1-4, 2019

Institutionalizing Rights: The Rise and Fall of the Human Rights Paradigm in Managing Migration

Presented by:

Todd Scribner, *U.S. Conference of Catholic Bishops*

Session: Paradigm Shifts: Migrant and Refugee Rights

Abstract:

In a December 2018 message to a gathering in Rome, Pope Francis challenged attendees to place “human rights at the centre of all policies,” even if it meant going against the grain of popular opinion. The occasion for his message was the 70th anniversary of the [Universal Declaration of Human Rights](#), which, at least rhetorically, placed human rights at the center of the international order. Three years after its proclamation, the United Nations used the Universal Declaration as a key pillar on which it built its [Convention Related to the Status of Refugees](#), thus making human rights a key component in refugee protection.

The appeal to human rights in this vein marked an important moment in the development of migration policy, but it was its institutionalization in political and civil structures that helped to operationalize this work. In recent years there have been increased efforts by various political actors to weaken national and internationally based institutions that had long structured governmental responses to migration streams. This opposition is partly rooted in the growth of nationalist and populist movements that are generally opposed to globalization and international cooperation efforts, and which instead affirm the centrality of national borders and a suspicion of foreign influences. One consequence is the weakening of protections for refugees and other migrant populations, and the attempted abdication of a human rights paradigm as a defining element in migration policy.

Examining political developments in both an American and European context to highlight this tendency, this presentation will focus on the way in which a human rights paradigm has traditionally informed refugee and asylee protection, how it has been operationalized through institution building, and explore contemporary efforts to deconstruct the institutions that have actualized this commitment. Understanding these developments is crucial to grasping the role that human rights will continue to play in migration policy moving forward.

Presenter information:

Todd Scribner is the Education Coordinator at the United States Conference of Catholic Bishops’ Department of Migration and Refugee Services. His work examines the intersection of Catholic social thought, migration policy, and U.S. history.