



# President Trump's Alarming Human Rights Agenda at Home and Abroad

By Alexandra Schmitt | December 10, 2019

The United States' founding story portrays it as a “city on a hill” and a model for the rest of the world.<sup>1</sup> U.S. presidents, from Ronald Reagan to John F. Kennedy, have proclaimed how exceptional the United States is as a country where freedoms are upheld at home and defended abroad.<sup>2</sup> On international Human Rights Day, it is important to consider these popular notions, realizing that they distort a more complicated reality. While the United States has made important contributions to human rights around the world, it has also undermined and denied them overseas and at home.

Indeed, conceptions of human rights in the United States tend to separate what happens abroad and what goes on at home. Consider the Founding Fathers, who enshrined fundamental freedoms in the Bill of Rights but also participated and profited from slavery; or the fact that the U.S. government has installed and long kept in place laws and policies that disproportionately target its own vulnerable communities, while at the same time helping to spread rights and democracy in other parts of the world.<sup>3</sup>

The United States cannot credibly speak against abuses in other nations if its own policies are perpetuating human rights abuses abroad or if it is failing to uphold and protect rights at home. China and Russia, for example, repeatedly try to use U.S. abuses of rights domestically—such as police brutality and voter suppression—to undermine American efforts to condemn and dissuade other governments from committing human rights abuses.<sup>4</sup> These authoritarian states also point to U.S. hypocrisy on human rights to advance their own alternative view of human rights—one that often allows states to violate fundamental freedoms.<sup>5</sup>

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## The United States is a glass house when it comes to human rights

The protection of human rights, then, is a matter of national security. Promoting human rights has been deemed a priority in U.S. national security strategies and enshrined in U.S. law.<sup>6</sup> Before the Trump administration, the United States supported the advancement of human rights through funding, engaging in multilateral institutions such as the U.N. Human Rights Council, and federal legislation such as

the Leahy Laws, which prohibit U.S. assistance to abusive foreign security forces.<sup>7</sup> President Donald Trump's failure to uphold these traditional efforts to promote human rights is well documented. But what has received less attention is the administration's human rights record at home.

The Trump administration's approach emboldens opponents of human rights and undermines not only the nation's moral standing but also its security. The administration's policies on religious liberty, reproductive rights, and issues that affect people of color, immigrants, and indigenous populations have harmed people at home and around the world.

### Distorting religious liberty

The Trump administration has often used religious freedom as justification to restrict the rights of Americans at home and foreign aid recipients abroad. Secretary of State Mike Pompeo's Commission on Unalienable Rights—which was condemned by more than 400 rights groups and officials—is composed primarily of scholars who hold anti-choice or anti-LGBTQ views.<sup>8</sup> The commission's stated purpose is to review what the United States considers human rights and redefine their role in U.S. foreign policy. However, given the commission's composition and its first two meetings, it appears to be attempting to constrict unalienable rights through a narrow focus on the “founding conceptions” of human rights.<sup>9</sup> By suggesting that some rights are “unalienable” and others are “ad hoc,” there is a serious possibility that the commission will give the administration the green light to ignore many vulnerable groups under the guise of protecting religious liberty.<sup>10</sup> Any document that the commission produces could ultimately affect future U.S. foreign policy and national security decisions if it restricts what is considered a fundamental right worth defending.<sup>11</sup>

Despite this focus on religious freedom, President Trump has lavished praise on foreign leaders who crack down on religious minorities. President Trump hosted Narendra Modi, the Hindu nationalist prime minister of India, for a rally in Texas and a White House visit in June 2017 despite evidence that he repeatedly stoked violence against Muslim minorities in his country.<sup>12</sup> Trump has also praised the leader of China, where 1 million Muslim Uighurs are detained in camps because of their religion.<sup>13</sup> And despite bipartisan pressure, the Trump administration has been virtually silent on Myanmar's Rohingya, a Muslim minority group that has been the target of genocide.<sup>14</sup> At the same time, hate crimes within the United States have reached a 16-year high since President Trump entered office, and he has refused to condemn attacks on Muslim communities.<sup>15</sup>

The Trump administration has used the nominal guise of protecting religious minorities as justification to discriminate in the allocation of federal funds at home and abroad. It issued domestic regulations that allow recipients of federal funds to deny necessary health care services to and discriminate against LGBTQ people

and women in the United States.<sup>16</sup> The administration also politicized U.S. foreign assistance by directing funding for the Middle East toward Christian minorities at the expense of other groups.<sup>17</sup> Officials at the U.S. Agency for International Development warned White House officials that providing the aid solely to Christian groups risked inflaming religious tensions in the region and could be unconstitutional. Moreover, U.S. regulations state that aid must be free from political interference and not provided on the basis of religious affiliation.<sup>18</sup> The administration has also redirected U.S. funds originally earmarked for the United Nations toward faith-based organizations that primarily protect Christians.<sup>19</sup> Additionally, U.S. officials are apparently considering further conditioning U.S. aid on a U.S. determination of a country's treatment of religious minorities.<sup>20</sup>

### Restricting reproductive rights

Conservative movements in the United States have long tried to restrict reproductive rights, but the Trump administration's approach has reached new levels of discriminatory and harmful policies at home and on the international stage.

Access to abortion has been legalized and protected by the U.S. Supreme Court and affirmed as a fundamental human right by U.N. bodies and 50 countries around the world.<sup>21</sup> But the Trump administration has used its influence at the United Nations to pressure states to deny these rights abroad while eroding abortion rights in the United States.<sup>22</sup> President Trump's federal budget proposals and rules have targeted reproductive health programs that provide critical assistance to women and families in domestic and foreign budget accounts.<sup>23</sup> He imposed an extremely expansive "Global Gag Rule," which restricts U.S. funds for nongovernmental organizations that provide abortion counseling and services.<sup>24</sup> While versions of the rule have been adopted in Republican administrations since 1984, its reach expanded exponentially under the Trump administration, affecting an estimated \$8.8 billion in U.S. global assistance, compared with about \$500 million in previous administrations.<sup>25</sup> The Trump administration has also imposed a version of the rule within the United States, known as the "Domestic Gag Rule," which prevents providers participating in the nation's only domestic family planning program, Title X, from referring patients for an abortion while requiring referrals for prenatal services, requires abortion services to be physically separate from all other services, and removes requirements that patients be provided information about all of their pregnancy options.<sup>26</sup>

The effects of these gag rules go well beyond restricting reproductive health funds. Evidence shows that the Global Gag Rule harms maternal, newborn, and child health around the world and affects global funding for other critical diseases such as AIDS, tuberculosis, and malaria.<sup>27</sup> Within the United States, the Domestic Gag Rule cuts off millions of people—particularly low-income women—from critical health care services such as diagnostic testing and contraceptive care.<sup>28</sup> Furthermore, research shows that abortion rates in the developing world actually increase when the Global Gag Rule is in place because women turn to abortion when they cannot

access affordable contraception—which is contrary to the administration’s stated goals.<sup>29</sup> Similar impacts could result within the United States.

In addition to cutting funding, the administration has attacked the language of reproductive rights itself, including by attempting to strip references to “sexual and reproductive health and rights” from U.N. documents.<sup>30</sup> The U.S. Department of State has also stopped reporting on reproductive rights in annual human rights reports, sending a clear signal that it believes this right should not exist.<sup>31</sup> In addition to cutting off access to contraception, the Domestic Gag Rule restrictions impose a definition of “family planning” that is no longer evidence-based or keeping with medical standards.<sup>32</sup>

### Rolling back LGBTQ protections

Despite campaign pledges to protect the LGBTQ community, the Trump administration has issued regulations, executive orders, and policies that have largely reversed Obama-era advances to improve the lives of LGBTQ people both at home and abroad.<sup>33</sup> For example, the Trump administration has argued in three U.S. Supreme Court cases that discrimination protection on the basis of sex does not apply to LGBTQ people.<sup>34</sup> It also banned transgender troops from serving in the military, refused to enforce protections prohibiting discrimination based on gender identity and sexual orientation for students and workers, and proposed new regulations that seek to roll back the rights of LGBTQ individuals as well as women who have had or will have an abortion.<sup>35</sup>

Human rights advocates also point to President Trump’s refusal to condemn the targeting of gay men in Chechnya and his unqualified praise for Brazil’s new anti-LGBTQ president.<sup>36</sup> Trump has also refused to recognize and condemn the murder of LGBTQ activists and transgender people in the United States and abroad.<sup>37</sup> When the administration has spoken out, often under global pressure, its statements have been weak—for example, noting “concern” with Brunei’s new law that would legalize the stoning of LGBTQ people, a heinous crime more forcefully opposed by the European Union, the United Kingdom, and other governments.<sup>38</sup>

### Implementing racist policies

President Trump has expressed racist views time and time again while in office, which researchers have identified as contributing to a significant rise in hate crimes at home and harming vulnerable communities abroad.<sup>39</sup> He has referred to migration as an “invasion” and has cozied up to European leaders who have used dehumanizing language to refer to asylum-seekers.<sup>40</sup> He tweeted that four U.S. congresswomen of color should “go back” to the countries they came from, a racist trope used to denigrate people of color—who often are U.S. citizens—for generations.<sup>41</sup> He also refuses to condemn violent white supremacy.<sup>42</sup>

The Trump administration has proposed racist policies and budgets on foreign and domestic issues. Policy proposals from the U.S. Department of Housing and Urban Development and the U.S. Department of Education, for example, make it harder for families of color to fight against discrimination in U.S. public housing and schools.<sup>43</sup> And cuts to the U.S. Environmental Protection Agency will harm African American and Hispanic communities in polluted areas.<sup>44</sup> Meanwhile, the administration's federal travel bans have targeted people from Muslim-majority countries with mostly citizens of color.<sup>45</sup> Proposed deep cuts in foreign aid budgets and policy would deprioritize those most in need of humanitarian aid. For example, the administration cut all U.S. funds that support Palestinians yet upheld blanket support for Israel, leaving communities in the West Bank and Gaza in desperate conditions.<sup>46</sup> In addition, the Trump administration has sped up drone attacks and the targeted killing policy—which allows the United States to kill suspected terrorists with limited to no transparency—largely in countries such as Pakistan, Yemen, and Somalia.<sup>47</sup> Finally, President Trump has repeatedly disparaged people from the global south, calling Haiti and African states “shithole” countries during a tirade in front of U.S. senators.<sup>48</sup>

### Shutting the doors on refugees and immigrants

Deviating from previous administrations, refugee and immigration policies under the Trump administration have restricted certain groups—mostly those who are low-income, non-Christian, and people of color—from entering the United States.<sup>49</sup> The Trump administration has also proposed changes to the U.S. immigration system that would favor the wealthy and privileged while shutting pathways to the most vulnerable, including children, the LGBTQ community, and people with disabilities or in need of medical care.<sup>50</sup>

Once the world's leader in refugee resettlement, the United States lost this title for the first time ever under Trump's harsh policies.<sup>51</sup> The United States will accept just 18,000 refugees despite global displacement at record-breaking levels; the Obama administration set the cap at 110,000.<sup>52</sup> Those who are allowed in are increasingly white; admissions remain steady or are rising for resettlements from Europe, while admissions from other parts of the world have been cut by as much as 90 percent.<sup>53</sup> President Trump's travel ban disproportionately affects refugees, with disastrous effects for the Rohingya as well as Syrian, Afghan, and Iraqi refugees.<sup>54</sup> Closer to home, asylum-seekers at the U.S. southern border have been forcibly separated from their family members and held in conditions that the United Nations has deemed “appalling” and potentially in violation of international law.<sup>55</sup> U.S. judges have ruled this family separation policy unlawful, and the horrifying detention conditions likely violate U.S. law.<sup>56</sup> In fact, U.S. attorneys and physicians who have treated children in detention facilities are suing the Trump administration for this mistreatment.<sup>57</sup>

The Trump administration has also attempted to rewrite the rules for asylum-seekers, forcing them to remain in dangerous conditions in Mexico to await trial or apply for asylum directly from the home countries that they are trying to flee.<sup>58</sup> Refugees already

in the United States have been targeted as well. The Trump administration ended the Temporary Protected Status program, which protects vulnerable migrants from El Salvador, Haiti, and Honduras, despite repeated warnings from career U.S. officials and diplomats about the effect of such an action on U.S. national security, diplomatic relations, and the migrants' safety as well as that of their American family members.<sup>59</sup>

### Undermining indigenous rights

Days after his inauguration, President Trump authorized the U.S. Army Corps of Engineers to expedite the review and approval process for the Dakota Access Pipeline—a project with potentially devastating environmental impacts on the Standing Rock Sioux Reservation—reversing the Obama administration's belated intervention to stop the project.<sup>60</sup> Moreover, Trump's proposed budgets repeatedly cut significant federal funds that provide critical education and health services to Native American populations.<sup>61</sup> The Trump administration has also moved to privatize federal lands that belong to Native Americans—often to the benefit of President Trump's political allies and wealthy friends—and its proposed border wall would violate the sovereign territory of the Tohono O'odham tribe.<sup>62</sup>

This same disregard for indigenous rights is visible on the international stage. President Trump unreservedly praised Brazil's new far-right president, Jair Bolsonaro, who has made frequent racist and disparaging comments about native communities in Brazil and whose policies have devastated indigenous communities in the Amazon.<sup>63</sup> Meanwhile, President Trump's decision to pull the United States out of the Paris climate agreement will disproportionately harm indigenous communities, who are among those most at risk of the effects of climate change.<sup>64</sup> His administration's devastating cuts to foreign aid will also disproportionately affect indigenous communities, such as those in Central America.<sup>65</sup>

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## Conclusion

The United States must reckon with the disastrous human rights legacy that the Trump administration will leave behind. The next U.S. president should take a holistic view of protecting and defending human rights at home and around the world. This progressive approach would acknowledge the way that human rights in the United States affect what its leaders can achieve abroad and would craft policies that make progress on both fronts.

A progressive U.S. strategy on human rights should start with an honest reflection about the linkages between human rights inside U.S. borders and what the United States promotes overseas. The next administration must reinvest and recommit to upholding fundamental rights for all Americans, including women, people of color, the LGBTQ community, indigenous groups, and people with disabilities. In its foreign policy, a new administration should commit to upholding and defending rights

regardless of religion or economic status. It should roll back harmful policies such as the Global Gag Rule and make the United States a leader in refugee resettlement and humanitarian aid. It should also commit to engaging productively in multilateral institutions while pledging to promote human rights in its bilateral relationships.

A progressive human rights strategy would create more equality for Americans at home while building a more free and fair international system. It would also allow the United States to fully take up the mantle of defending and promoting human rights around the world.

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