

> The Transnational Diffusion of Nationalism

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How exactly does nationalism/retrenchment threaten international human rights? What are the less-than-obvious ways in which these ideologies and their associated policy effects threaten the underlying structure of international organizations and the spread of human rights norms? And with respect to forms of nationalism/populism that are coupled with neo-fascism and xenophobia, how can policymakers and others use research in the academy to try to stop, slow, or reverse these trends?

In this thought paper, I draw from existing research on the transnational diffusion of norms in two ways. First, I examine how empirical research on the global diffusion of human rights norms can help identify the scope and conditions under which nationalism threatens to reverse rights protections. Second, I suggest how scholars and policymakers can look to empirical studies on the transnational diffusion of norms to reverse engineer and better understand the global diffusion of nationalism/populism.

This thought paper focuses primarily on the contemporary conditions in the United States. My effort is to use this opportunity as a pipeline between social science research and the world of policy and practice. I frame my ideas around four areas of application. In each area, I propose practical ways in which people who work to affect policy can counteract the deleterious effects of nationalism.

1. AMERICA IS NOT THIS PRESIDENT

The Office of the President of the United States generally plays a vital role in deciding the fate of U.S. participation in the international human rights system—both in promoting human rights abroad and in institutionalizing global human rights norms domestically. The extent to which President Donald Trump will ultimately reflect and promote a form of nationalism and retrenchment that undermines human rights is unclear. What could

be a response on the part of actors who seek to promote human rights, and maintain U.S. participation in the global and regional human rights system?

It could be important to create different **centers of power** outside of the White House to safeguard against the erosion of basic human rights. In the climate change context, states such as California and New York are filling the void left behind by the White House's inward turn. In the context of the Travel Ban, nationwide demonstrations by citizens and the creation of sanctuary cities have created a signal that counteracts, to some degree, the message that America stands for Islamophobia and xenophobia. These efforts should be conceived as creating alternate centers of power, and could be more deliberately pursued as platforms for building and preserving the United States' commitment to human rights norms. Social science research suggests that national-level **civil society** participation in international organizations fosters the domestic institutionalization of human rights norms. In short, there is reason to think that a more deliberate effort of civil society and governmental actors (from the municipal to state-level) to maintain "U.S." participation in global and regional human rights systems could help reduce the impact of a radically nationalist/isolationist President.

In the creation of alternate centers of power, a more ambitious project would be to create an informal version of a "Shadow Government"—loosely modeled on the British system which includes a Shadow Foreign Secretary and other positions of authority. Such an effort would be most successful if it was bipartisan—a "shadow government of national unity," or if it formed in a political environment in which such extraordinary times were more widely understood to require such extraordinary measures. Such an environment would be created, for example, were special counsel Robert Mueller's investigation to produce highly damaging material implicating the president, but impeachment stalled.

Regardless of their precise form, such centers of power can help promote human rights norms on the global plane and guard against American retrenchment from the international community (which would undermine human rights commitments at home). These initiatives also help preserve the idea that a nation's standing in international community is important. And it is that element of the international system—the concept of reputation and respect in international society—that helps promote human rights compliance. Finally, these centers of power may also be unusually effective in promoting human rights norms because they can be more self-critical about the U.S. government's own policies and practices. It is more difficult to promote global human rights norms from a position of hypocrisy or double standards.

2. DO SWEAT THE SMALL STUFF

Will the United States government remain committed to the largest and more powerful multilateral institutions that are dedicated to promoting human rights? That question—which focuses on the flagship human rights institutions—may fail to appreciate the significance of the “small stuff.” The latter includes U.S. participation in seemingly less powerful multilateral institutions and multilateral institutions that do not address human rights. Human rights policymakers and advocates should focus on both.

Considerable attention has been focused on ensuring the United States remains committed to the most significant human rights institutions. Pressure from outside and inside the U.S. government increased after the Trump administration appeared to back away from the Inter-American Commission on Human Rights and after media reported that the White House was contemplating abandoning the United Nations Human Rights Council.

Attention to these actions is important. Many social science studies suggest that the greater degree of involvement in **intergovernmental** organizations helps foster the domestic internalization of global norms. There is also reason to think such effects are nonlinear. For example, once states reach a critical threshold of linkages, they may experience the effects of global cultural norms (including global human rights) more powerfully. Similarly a critical threshold of withdrawals from intergovernmental organizations could have a dramatic effect on the relationship between a country and the global polity.

Empirical research, however, suggest that we should focus not only on participation in international human rights bodies if we are concerned about the promotion of human rights. Studies indicate that respect for human rights norms is spread across States as a result of their participation in international organizations that have no human rights mandate and that may not be as significant in what those organizations try to accomplish. Instead, the structural network of States within multilateral organizations and their average human rights records may be of paramount importance. A leading political scientist in research on inter-State networks, Brian Greenhill concludes: “the specific make up of IGOs [intergovernmental organizations]—in terms of the human rights records of their member states—is much more important than the nature of the IGOs themselves.”

Accordingly, policymakers, advocates, the media, and others should focus on the potential United States' withdrawal or scaling down of its commitments to international institutions across a range of cases, not only the most salient human rights bodies. And we should also think of the appropriate baseline: How many new institutional arrangements and new memberships would the United States have formed had it not been under the influence of a nationalist/isolationist agenda?

3. SOCIAL MOVEMENT MOBILIZATION

How to build an effective human rights social movement in the face of rising nationalism and retrenchment?

A key question is what spurs the mobilization of rights-based social movements: setbacks in the form of government regression/repression or political victories that build on one another? The answer from social science may be “both”—but under different conditions. The most relevant literature may be scholarship on “political opportunity structure,” which was born out of studies of the civil rights movement in the United States.

According to these studies, government actions to relieve pressure by making a relatively small concession can cue social actors to deepen their commitment to mobilization. Human rights groups may therefore build a campaign that first seeks smaller and easier victories rather than building an effort solely around larger and more distant goals.

The scholarship also suggests that the known existence of allies inside the government is correlated with social mobilization. This makes it important for actors within the administration to signal their commitment to

preserve respect for human rights—such as through leaks, public remarks, or “Alt” social media accounts by civil servants dedicated to the rule of law. Social groups that seek to promote human rights should gather and disseminate communications from these allies to their followers and would-be followers.

4. STUDYING NATIONALISM (AND NEO-FASCISM, WHITE SUPREMACY) AS A FORM OF TRANSNATIONAL DIFFUSION

Nationalism and populism have spread in recent years through parts of Europe and the United States. Scholars and policymakers should look to empirical studies on the global diffusion of human rights and other norms to understand better the transnational diffusion of contemporary forms of nationalism. Nationalist ideas and normative frameworks are spread in part through **transnational advocacy networks**; they include “**norm entrepreneurs**” (like Steve Bannon), and they try to shape new understandings of **legitimate government action**. Some research along these lines already exists, including Deborah Barrett and Charles Kurzman’s 2004 study of the transnational spread of the eugenics movement in the interwar period. Studies of how global norms travel without the assistance of intergovernmental organizations may also have special relevance here (e.g., Yu-Jie Chen’s dissertation on Taiwan’s incorporation of human rights norms absent membership in intergovernmental organizations). By identifying the conditions that facilitate the transnational diffusion of norms more generally, we may identify ways to stop, slow, or reverse the spread of dangerous ideologies.

Also, by studying nonlinear relationships, we may better understand unanticipated effects and threats. It is important to knowing if small thresholds can generate cascade effects in the spread and acceptance of a new norm. Such insights may alert policymakers to the need for resistance early on, and help them understand that they may not anticipate when a general shift in the direction of nationalist sentiment may come.

In addition to the study of global norm diffusion, the study of domestic political opportunity structure is also relevant. How, for example, does the presence of allies in the administration and government concessions to nationalist forces lead such groups to mobilize? Other social science studies on the institutionalization of global norms into the local level may also be relevant. For example, Sally Engle Merry’s study of the “vernacularization” may help understand how nationalist conceptions of “sovereignty” and populist conceptions of “self-determination” are translated to local communities in the United States and elsewhere.



It is possible to conceive of forms of nationalism that do not threaten basic human rights and fundamental freedoms. And certain forms of nationalism have had positive effects, including throwing off the yoke of colonialism. Coupled with neo-fascism and xenophobia in powerful states, the forms of nationalism that have grown in recent years pose a special danger. The available research on the transnational diffusion of norms can help to understand the effects of these movements and how to counteract them.