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The United States as a melting pot of cultures: universality of human rights

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Abstract: The universality of human rights means ensuring equal human rights to each individual regardless of any differences (race, sex, gender, religion, etc.). The United States has struggled with actively supporting the universality of human rights since its inception. The U.S. is a country built by immigrants and continues to be a destination for opportunity. However, balancing the different cultures from Asia to Europe to Africa has proved to be an increasingly difficult task for the U.S. The country has moved from one extreme (assimilation) to another (cultural relativity) while trying to be a true “melting pot” of cultures. This essay analyzes the costs and benefits of each of these solutions through a historical lens while also examining less extreme options for ensuring the universality of human rights such as promoting differences and ensuring equality.

Keywords: assimilation, cultural relativity, melting pot, human rights, universality, culture

Estados Unidos como crisol de culturas: la universalidad de los derechos humanos

Resumen: La universalidad de los derechos humanos implica garantizar la igualdad de derechos humanos a cada individuo, independientemente de las diferencias (raza, sexo, género, religión, etc.). Estados Unidos es un país construido por inmigrantes y sigue siendo un destino de oportunidades, y desde su creación, ha luchado por defender activamente la universalidad de los derechos humanos. Sin embargo, equilibrar las diferentes culturas provenientes de Asia, Europa y África ha resultado ser una tarea cada vez más difícil. El país ha pasado de un extremo (asimilacionismo) a otro (relativismo cultural) mientras intentaba ser un verdadero “crisol” de culturas. Este ensayo analiza los costos y beneficios de cada una de estas soluciones a través de una perspectiva histórica, a la vez que examina opciones menos extremas para garantizar la universalidad de los derechos humanos, como promover las diferencias y garantizar la igualdad.

Palabras clave: asimilación, relatividad cultural, crisol de culturas, derechos humanos, universalidad, cultura

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Os Estados Unidos como um caldeirão cultural: a universalidade dos direitos humanos

Resumo: Universalidade dos direitos humanos significa garantir direitos humanos iguais a todos os indivíduos, independentemente das diferenças (raça, sexo, gênero, religião, etc.). Os Estados Unidos são um país construído por imigrantes e continua sendo um destino de oportunidades, e desde sua criação, tem lutado para defender ativamente a universalidade dos direitos humanos. Entretanto, o equilíbrio das diferentes culturas da Ásia, Europa e África provou ser uma tarefa cada vez mais difícil. O país passou de um extremo (assimilação) para outro (relativismo cultural) enquanto tentava ser um verdadeiro “caldeirão de culturas”. Este ensaio analisa os custos e benefícios de cada uma dessas soluções através de uma perspectiva histórica, enquanto examina opções menos extremas para garantir a universalidade dos direitos humanos, como a promoção das diferenças e a garantia da igualdade.

Palavras-chave: assimilação, relatividade cultural, caldeirão cultural, direitos humanos, universalidade, cultura

1. Introduction

The United States has been referred to as a “melting pot” of cultures for decades. This saying refers to all the different cultures forming one new culture, the American culture. However, there are hundreds of different cultures that each have their own traditions and norms that go into creating the American culture. When each of these cultures encounters a new culture it creates friction on which norms are “right” or which should be valued more. The universality of human rights helps to ease the friction by reminding everyone that each person deserves equal human rights simply through the virtue of being human. However, this often comes into conflict when two cultures intersect and have different values on a single topic. Through this essay, the universality of human rights in the United States will be dissected through two extremes: assimilation and cultural relativity. Then after examining the issues with the extremes, this essay will examine better ways to incorporate the universality of human rights in the United States and what has already been done, and what could still be done.

2. The Universality of Human Rights

The universality of human rights is the idea that humans have equal rights just by being human beings. This means that every single person has the same innate human rights from Croatia to China and to the United States regardless of status or characteristics. (*Universality*, 2022). However, when cultures interact there are stark differences in what each culture values, so how can there be universal values and rights? For example, the United States still allows the death penalty in 27 states and is legal federally as well. (States and Capital Punishment, n.d.). However, Denmark and Portugal have abolished the death penalty for all crimes. (Center, 2022). This is a simple illustration of how different countries and cultures value vastly different things, which creates the problems that come with the universality of human rights. These countries might judge the other for being too harsh or too lenient on crimes. America is a combination of hundreds if not thousands of different cultures that have immigrated to America over the centuries. Countries and cultures have fought to have dominant cultures throughout the years through colonization, wars, and international organizations. Even within a single country, there are different cultures and perspectives. The first way to try and organize these differences is through the extreme manner of assimilation or eradicating the differences of newcomers in a country.

2.1 Assimilation

Assimilation has a long history in the United States that reaches back centuries. The United States is a country of immigrants that started in large waves during the Industrial Revolution (1850-1915) with European immigrants. “Assimilation is the process by which the characteristics of members of immigrant groups and host societies come to resemble one another.” (Brown, 2021). This process has implications for immigrants’ economic, cultural and social aspects. Assimilation occurs over multiple generations with most

anthropologists finding that the third and fourth generations of immigrants are fully assimilated into the new culture.

In the U.S. when 30 million Europeans immigrated due to the open border policy, there were many concerns by native-born Americans that immigrants would not assimilate. One thought was that these immigrants would take lower-paying jobs and slowly work their way up to the same pay and job parity as native-born Americans. (Brown, 2021). However, these Europeans largely started at the same rate as Americans depending on their origin country. Immigrants from richer countries such as England and Germany could move up faster than natives while immigrants from poorer countries such as Italy and Russia moved at a much slower pace. The U.S. even implemented laws in favor of western Europeans compared to southern and eastern Europeans by allowing more western Europeans to immigrate when they started limiting the number of immigrants. (What History Tells Us About Assimilation of Immigrants, 2017).

While there are numbers to track following job growth, it is much harder to track changes in the way an immigrant dresses, eats and acts in social contexts over different generations, which are key insights into an immigrant's assimilation process. A simple way to measure a form of assimilation is by measuring language skills in the native language. However, learning the native language is not total assimilation, but just a way to get jobs and have a successful life in a new country, especially the United States. Researchers have found ways to measure assimilation through the names given to immigrant and native babies. The longer an immigrant is in the country before having a child the more likely it is to have a more native-sounding name. However, many retain some form of their cultural identity within their child's name while also making it more American.

Children with more native names were shown to complete more schooling and have a higher income than those with foreign names. The native names also were less likely to marry a foreigner than those with foreign names. The research suggests that while giving a child a foreign name retains cultural identity more easily, it opens up the child to more racial discrimination. (What History Tells Us About Assimilation of Immigrants, 2017). This is a form of racialization, which is the process of defining people as certain races and then on that basis being subjected to different and unfair treatment. (Racialization, n.d.). Racialization through names occurs when people associate certain names with races. A person with a more American-sounding name will be discriminated against less simply because people will assume they are American, even if they are not. This is especially important for assimilation because immigrants who are seen as white in the United States are more likely to assimilate quicker than those deemed as "other".

It is also important to understand there are different forms of assimilation in the United States. These forms of assimilation can be broken down into three distinct topics. First, there is Anglo conformity which is when the immigrants are taught that the U.S. culture is superior and they should adopt those norms as their own in order to be accepted. (Formulated as $A+B+C=A$). Second, there is the melting pot theory which is that the immigrant's culture and the host country's culture blend and merge into a new culture that incorporates aspects of each. (Formulated as $A+B+C=D$). This is what people would typically expect from American culture. Finally, there is the salad bowl theory which states that the racial/ethnic minority retains their own cultural norms and identity while

also sharing norms, basic identities, and culture with the host country. (Formulated as $A+B+C=A+B+C$). So while the United States may be famous for being a “melting pot” it is much more likely to be an Anglo-conforming society when it comes to assimilation. (Assimilation & Ethnic Identity : Asian-Nation :: Asian American History, Demographics, & Issues, n.d.). The United States pushes immigrants to conform and adapt to their new environment instead of embracing new cultures and ideas.

This is an issue because instead of supporting and creating spaces for new cultures and identities, the U.S. culture swallows differences and nuances in order to create conformity. This has led to high racial tension within the culture that culminates in discrimination, hate crimes, and legislation that purposefully or inadvertently harms racial and ethnic minorities. Assimilation takes away core parts of people’s familial and cultural identity in order to become more like the majority. This reduces tolerance of other cultures and creates patriotism that borders on superiority over pride in one’s country.

Assimilation also has negative impacts on the immigrant themselves. Often throughout generations, languages change and the newest generation doesn’t learn their parent’s native language or is unable to speak or write it. These create cultural boundaries within people’s own families and can lead to mental health issues such as depression, isolation, and a lack of cultural identity. (Misra, 2015).

Not only does the United States expect immigrants to assimilate, but it also expects them to assimilate without any help from the U.S. government. Learning English is extremely important to new immigrants and 95% of immigrants say that it is the biggest barrier. However, the U.S. does not do nearly enough to help new immigrants learn the language. It does not provide resources to new immigrants to learn the language, but it also does not even provide signs in different languages throughout the country. Almost every sign and advertisement are solely in English which offers no help to new immigrants who may have had zero experience with the language before moving to America. English as a second language programs have declined while the number of immigrant children in public schools has risen, leading to inadequacies in helping these children reach their true potential. (Misra, 2015).

Assimilation also leads to higher crime rates for immigrants. When immigrants first move to the U.S. they often live in neighborhoods further away from white, native-born residents. These neighborhoods tend to have much lower crime rates than those of mostly native-born citizens. However, as assimilation occurs, newer generations reach the same crime rate as native-born citizens. (Misra, 2015).

Assimilation has clear negative and positive impacts on immigrants and native-born citizens. Assimilation though fails to support new cultures and instead expects them to throw away their cultural differences in order to become more “American”. This lack of regard for different cultures is not how a country achieves human rights for each of its citizens. Cultural relativity is another extreme response to the universality of human rights that must be examined. Instead of eliminating differences, cultural relativity seeks to understand and accept all differences as long as the host culture accepts them as a norm. This leads to a number of different problems that infringe upon human rights as well.

2.2 Cultural Relativity

Cultural relativism is the practice of regarding one culture from the viewpoint of itself and not from the perspective of another. This philosophy suggests that no single culture is better than any other culture. It also states that there is no absolute standard of good and evil in society. There are two types of cultural relativism: critical and absolute. The absolute method suggests that everything that occurs in a culture should not be questioned by outsiders. The critical method though looks into who is accepting the norms and why and examines the power structures within a culture. (Nickerson, 2021).

For example, in Afghanistan since August 15, 2021, the Taliban have taken over Kabul and have control of the government. The Taliban is a theocracy that follows the practice of killing people who do not agree with their beliefs. These beliefs include devote religious practices, men must have beards and can marry multiple women, and women cannot receive an education or show most of their body outside of the home. (Amnesty International, n.d.). The absolute method would say that these practices cannot be judged from the western perspective. (Nickerson, 2021). The critical method however would look into the power structures and the conflict between the Taliban and non-Taliban Afghans still without imposing western values into the equation. (Nickerson, 2021). These two methods of cultural relativism would come to drastically different conclusions most likely. (Amnesty International, n.d.). However, the international community (mostly as a united front) has declared many of the Taliban's tactics to be a violation of international law and standards. Cultural relativism does not value even a general consensus of countries around a certain norm and would not take international consensus into consideration for its evaluation.

This is very different from ethnocentrism which is applying one's one culture when evaluating another culture. (Nickerson, 2021). For example, it is commonplace in some countries to eat insects as a food source, and they are sold in large quantities by street vendors. That behavior is nearly non-existent in the United States. Therefore, an American may say that eating insects is disgusting, while it is actually a cheap way for many people to get many nutrients throughout the day. Cultural relativism removes the person from their own culture in order to evaluate another culture's norms and traditions.

Cultural relativism in the United States could have many impacts if it was taken seriously. It would lead to the conclusion that no one country's belief system is superior to another. Following that premise and the earlier example of the Taliban, the United States would not have believed it necessary to start wars in the Middle East in order to instill a government that the United States is comfortable with. If Americans believed in cultural relativism, they would evaluate the practices in Afghanistan, not from their own viewpoint, and try to understand the government of Afghanistan from their own practices. However, the United States was and still is more likely to employ ethnocentrism in situations such as this one. (Amnesty International, n.d.).

On the other hand, cultural relativism can also lead to beliefs that most people would conclude are wrong. For example, in the 1940s during World War II, most people would consider the genocide of the Jewish people to be morally wrong and unfathomable. However, under cultural relativity, one could not judge from their cultural perspective. One must look into if it was an accepted norm in Germany at the time and if it was

then the practice would be deemed respectable. This would lead to the conclusion that this act was not morally wrong, which is an irrational conclusion and therefore cultural relativity cannot be applied to all acts or used as the only way to apply the universality of human rights. (Rachels, 1999).

Another issue with cultural relativity is that it stops people from being able to criticize their own culture as well. The test is simply to ask if the action conforms to the norms of society. In the United States, an example of this in the past is slavery. Until the 1860's slavery was legal and encouraged in many southern states as a way to increase one's power and prowess. If someone at the time was trying to figure out if this practice was wrong and they looked to see if society accepted the behavior it would seem to be that it is okay. However, most people would find this appalling. Therefore, cultural relativity is not the answer in many scenarios to how to approach the universality of human rights. (Rachels, 1999).

Cultural relativity and assimilation are not the only two options when evaluating how a country can create equal human rights for each of its citizens. These are two extreme options that come with clear problems that are difficult to solve if those were the only options. Between erasing the differences between cultures through assimilation and accepting every action of a different culture, there lies a middle ground. Two other options, promoting differences and ensuring equality, provide a way for countries to balance the majority culture with new cultures arriving through immigrants. These two options allow immigrants to participate fully in a new culture while also retaining their traditions and norms that tie them to their family and original culture. Each of these though also comes with problems that the U.S. must recognize in order to fully guarantee equal human rights to immigrants.

2.3 Promoting the Differences

While assimilation and cultural relativity each have their own unique problems, there are less extreme answers to how to incorporate human rights into different cultures. Assimilation encourages everyone to be the same at the expense of the "other" culture, while cultural relativity basically states there is no issue with any culture if it is a widely accepted norm within that culture. One way of meeting in the middle is to simply promote the differences within the American system that each culture provides.

In the United States, there is a separation of church and state. It is also constitutionally protected that each person may practice their own religion as their religion dictates. One way the U.S. has promoted the differences is by allowing people to follow their faith. One example is that Jehovah's Witnesses can practice their beliefs even in life-or-death situations. Jehovah's Witnesses do not believe in blood transfusions. Therefore, they are allowed to deny themselves a blood transfusion even if it is the only thing that would save their lives. Doctors must respect this decision even if it means losing a patient, regardless of how the doctor feels about the patient's choice. (Caine, 2014). If a Jehovah's Witness accepts a blood transfusion they may be ostracized or expelled from their community which could have devastating mental health complications if it was not their choice to receive these transfusions. (Caine, 2014). This dramatic show of promoting differences conveys the importance of promoting the differences in people's beliefs and culture.

Not only can someone refuse life-saving treatment, but also they are empowered to do so within the American culture.

A less extreme example is historically black colleges or universities (HBCUs). HBCUs are colleges or universities that are predominantly black, though anyone is allowed to apply and attend. These schools were developed out of necessity due to decades of black students being unable to apply to traditionally white schools even after the abolition of slavery and segregation. These schools are dedicated to teaching about African culture, and prominent black members of society and offer a space for black Americans to not feel prejudiced, while also simply providing the college experience and schooling to its students. (Buchkova, 2021)

These schools not only provide a quality education that many Americans would not be able to find elsewhere, but they also accelerate black mobility in the economy. These schools account for 17% of all degrees of black Americans and have an estimated \$10 billion increase in the salaries of black workers. (How HBCUs Can Accelerate Black Economic Mobility, 2022). Currently, in the U.S. 80% of black judges and 50% of black lawyers attended HBCUs, which shows the power these schools have in giving black students the tools to be successful. HBCUs have been attended by Oprah Winfrey, director Spike Lee, and most notably Vice President Kamala Harris. (Buchkova, 2021). These schools promote the differences between African and American cultures while successfully setting up graduates in the workplace. HBCUs are one of the most successful examples of promoting differences in the United States.

304 ■ Finally, Chinatowns within the United States are another example of promoting differences. Similar to HBCUs, the beginning of Chinatowns are based on racism and xenophobia towards Chinese immigrants. The first Chinatown developed in California during the gold rush, and originally Chinese immigrants were tolerated. However, as immigration increased and the job market competition increased as well. Not only did hate crimes such as lynching start to occur, but also the U.S. made it illegal for more Chinese to enter the U.S., which was its first law restricting immigration. While racism and hate for the Chinese grew, Chinatowns became a sanctuary for many Chinese as they were less likely to be attacked there. These towns became a hub for newly immigrated Chinese individuals and families and provided a social group that understood their struggles intuitively. (Yarlagadda, 2022).

Chinatowns have since become a cultural marker within many of America's largest cities. There are currently around 50 Chinatowns within the U.S., each a different size and varies slightly in culture. However, reverse white flight (whites returning from suburban areas back to urban areas) risks gentrification of these neighborhoods. (Yarlagadda, 2022). These neighborhoods not only provide close cultural connections for new immigrants, but they also share their culture with non-Chinese Americans through food, clothes, and entertainment not found in other neighborhoods in U.S. cities. The U.S. must continue to protect these neighborhoods from gentrification and rising housing prices in order to protect the culture that is housed within in neighborhood. A loss of any of these neighborhoods would negatively impact not only Chinese Americans but also the community at large in each area. Chinatowns provide an example of promoting differences in a healthy way that allows cultures to co-exist together in a peaceful and meaningful way.

Promoting the differences between cultures promotes awareness of different cultures and their norms. This normalization of different traditions creates more comfort with the average American and increases the chances of each person feeling an attachment to that other culture. The more Americans that feel comfortable with Jehovah's Witnesses, black excellence, and Chinese culture the more likely each community is going to be respected and treated equally within the law and community. Promoting the differences loudly and in a way that benefits not only the group at hand but the community at large is one way in which human rights can be respected throughout the nation. However, promoting the differences between different communities is not the only way that the U.S. can create a universality of human rights.

2.4 Ensure Equality

Ensuring equality is yet another way to find a balance in universalizing human rights. Ensuring equality can come in many different forms, but it ensures that foreign-born and native-born citizens have the same rights and opportunities. One way this has played out extensively in the United States is through higher education in colleges and universities. Affirmative action is a practice of many universities in admitting students of "diverse backgrounds" (usually students of color) into colleges and universities. Throughout the years it had been held unconstitutional to set aside specific seats for these students or to give them a significant advantage over white students. The Supreme Court has battled since the 80s with different admissions schemes, getting into the most minute details in order to differentiate from its prior rulings. (History of Affirmative Action - American Association for Access Equity and Diversity - AAAED, n.d.). The Supreme Court is still fighting the battle with affirmative action in 2022 and until it has a clear set of rules it will continue to have to deal with similar problems. While the goal of affirmative action was to provide a road without discrimination for minorities, it has been more effective in stoking more discrimination against these minorities. Many white Americans feel that minorities are given special treatment with affirmative action instead of being provided with equal treatment (admission without discrimination).

This has led to the American public having heated debates about whether or not affirmative action is fair. The only people who have sued in these cases are white students who were not admitted to the institutions that applied these tactics. This leads to many issues about whether people of color are given unfair advantages in admissions. (History of Affirmative Action - American Association for Access Equity and Diversity - AAAED, n.d.). The main goal of affirmative action though is to make up for decades of excluding these students. It is trying to ensure that people are not being discriminated against for their ethnicity or race or socioeconomic background, which is a goal of ensuring quality. While it remains controversial, it is an example of how colleges and universities are trying to ensure equal treatment of different cultures.

On the other hand, the United States has failed many times in ensuring equality. One of the most egregious examples of this is the Japanese internment camps during World War II. After the attack of Pearl Harbor in 1941, The United States government established internment camps (concentration camps) that housed large numbers of Japanese Americans in under 48 hours after the attack. The camps were meant to protect the West Coast. However, Pearl Harbor is in Hawaii and many of these people could

not read or speak Japanese and had no family still in Japan to even connect with if they wanted. (Magazine, 2017). These people were forced from their homes and forced to remain under military watch for months. There was no proof that many of these people had any connection to the attack on Pearl Harbor or had any connection with the war itself. Many Japanese Americans were also barred from enlisting in the war even if they wanted. There was also no relocation of German or Italian citizens, each country being America's other enemies during WWII. The exclusion of Japanese citizens after Pearl Harbor was not only due to the Pearl Harbor attacks but also because it was easier to see them as other, instead of Europeans who fit in with the white Americans. (Magazine, 2017).

In one of the most controversial Supreme Court decisions (*Korematsu*), the Supreme Court upheld the constitutionality of the internment camps stating that the military had the best insight into this situation and that the Supreme Court should not impede. (Trickey, 2017) This case is now taught as an example of the Supreme Court making wildly inappropriate decisions but has yet to be officially overturned. But it is a clear case of how the United States has worked directly against universality in human rights and has prioritized white Americans over Asian Americans, African-Americans, and Latino Americans. In 1988, President Ronald Reagan and his administration tried to right the wrongs of the past and issued reparations for the families of the prisoners held in internment camps in WWII. (Trickey, 2017). This shows that the United States is working towards ensuring equality, but has continued to make egregious mistakes along the way.

Finally, ensuring equality as extends to environmental justice. Environmental justice is seeking environmental equality for people regardless of race, ethnicity, socioeconomic status, or background. In the U.S. there is a long history of environmental racism, which is an environmental injustice that disproportionately impacts people of color. For example, there is a town in Louisiana, that is nicknamed "Cancer Alley". This is because the residents in this town are 50% more likely to develop cancer than the average American, and the majority of its population is black. It is an 85-mile stretch that is covered in oil refineries and petrochemical plants that recklessly dispose of their waste, which causes a severe impact on the town's residents. (Colarossi, 2020). The people who live here simply cannot afford to move to a safer area, and the U.S. government should work towards ensuring environmental equality for people in areas such as this one. This would be one of the most positive ways that the U.S. government could ensure equality. By promulgating stricter environmental regulations on large factories and oil refineries, it could provide a safer environment for its own citizens.

While there are numerous examples of environmental racism impacting black communities, there are even more egregious examples of it occurring to Native Americans. This is perhaps even more disrespectful because the pollution occurs on sacred lands of different Native American tribes. (Arvin, 2021). One major battle in Minnesota over the last few years has been the fight over Line 3, a new pipeline that would expand a current pipeline an extra 350 miles that have a high risk of oil spills. These oil spills, if they were to occur, would mostly impact indigenous lands throughout Minnesota and Wisconsin. These are sacred lands that feed, water, and provide shelter to many different Native American tribes. The suggested impact of the extended oil pipeline is roughly equivalent to bringing 50 new coal plants into the area. (Arvin, 2021). This is another

example of where the United States could improve its dedication to the universality of human rights. Each person has the right to the enjoyment of life, and these lands are sacred to a culture that the United States has a long history of disrespecting. If the United States were to better respect other cultures and ensure equality and promote differences within the many cultures within its borders, it could provide better environmental justice to minority groups such as these Native American tribes.

The United States has a long way to go before it can honestly say it has created equality for each of its citizens. The examples above show the constant back and forth that progress requires. Ensuring equality can come in many different forms and there are many examples that could not be listed, however, it is clear there is no perfect solution for any one problem. While promoting differences and ensuring equality work much better than assimilation or cultural relativity the U.S. has not yet found the solution to merging the number of cultures it currently boasts within its borders.

3. Conclusion

Overall, the United States is not a melting pot of cultures but is still focused on assimilation and trying to fit everyone into a singular mold of a culture that has not evolved in many years. The problems with assimilation such as mental health issues, dissolution of family culture between generations, and a feeling of being other will continue until the United States can better handle the universality of human rights. On the other hand, cultural relativity would be a drastic overcorrection that would also cause issues. Cultural relativity would allow human rights violations if taken too far and would not help cultures grow together. The solution to providing human rights to all of its citizens is not a simple one. There are many steps that need to be taken in a number of different areas of law and public policy. However, simply understanding, recognizing, and naming the issues is the first big step the United States should take to remedy the issues it has caused with assimilation. Promoting differences and ensuring equality are just two middle-ground options that the U.S. can employ in creating equal human rights for each of its citizens. The universality of human rights creates unique problems when applied to cultures co-mingling in a single society and not one country has perfected it yet. But there are many ways to improve the cohesiveness of a country without erasing cultural differences.

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