



**THE  
WAGNER  
REVIEW**

**2018 Midterm  
Election Edition**

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# Letter from the Editor

Over the past two years, and even more so recently, I've asked myself: at what point do ethics matter in policy and how do elected policymakers think about ethics and morals in their decisions? It feels like the moral compass has been lost, leaving me to wonder what kind of ethical training or guidance policymakers receive and how underlying morals and values shape them. Ethics courses are generally required for future doctors, and it is a certification requirement from the American Board of Physician Specialties. For aspiring lawyers, the Multistate Professional Responsibility Examination (MPRE) acts as the professional ethics portion of the bar exam and is required in nearly every state. But how and when do we train our elected officials and lawmakers to act in a manner representative of the ethical and moral standards of their constituents?

The last two years have drawn as much attention to ethical and moral issues of corruption and sexual misconduct as they have to matters of trade or immigration policy. The 2018 midterm elections seem to be no exception as campaigns are equally focused on ethical and moral standards, equitable representation, and policy driven by their constituents rather than their party.

Many Wagner students who started during the 2017-2018 academic year were driven by their values, morals, and ethics to pursue deeper education in public service following the 2016 election. Because of this, my goal for *The Wagner Review* this year is to represent these students, highlight their diverse personal and professional backgrounds, and their unique perspectives and policy interests. I feel this issue does just that as we share thoughtful pieces on sustainable (and ethical) trade, sexual misconduct, and criminal justice reform. But keep in mind that there is so much more that *The Wagner Review* covers online throughout the year, including immigration, education, and healthcare.

I hope you enjoy the first print edition of *The Wagner Review* and stay engaged with us to continue these important conversations and to learn about other perspectives on a range of policy issues that are so pertinent in how we think about ethics in policy.

Meagan Beckmeyer  
Editor-in-Chief, *The Wagner Review*

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# Labor Rights Provisions in the New NAFTA Agreement

By Camille Mori  
Staff Writer

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The new trilateral trade agreement between the US, Mexico, and Canada is a beacon of hope for better working conditions in our global supply chains. The new agreement, which is simply named the US-Mexico-Canada Agreement or USMCA, has many similarities to NAFTA.

It differs in its inclusion of opening up Canadian dairy markets for US farmers and increased percentage of car manufacturing that has to occur in the US to qualify for zero tariffs. One exciting difference for workers within the manufacturing industries is the labor provisions. This was a component borrowed from the abandoned Trans-Pacific Partnership (TPP) agreement, developed by the Obama administration to answer NAFTA's criticisms, and seems to be a common issue for both parties. The provisions ensure that the US will not lose manufacturing jobs to Mexico as a result of corporations manufacturing in factories with forced labor conditions or paying workers less than minimum wage.

Before understanding how the USMCA labor provisions impact the textile industry, it is important to note that NAFTA failed to enforce their accord for the protection of workers. The Human Rights Watch monitored and reported on the failures of NAFTA to protect workers, and produced a report to outline their shortcomings. Although it was stated that NAFTA should uphold certain labor standards, there were no processes outlined for enforcing this standard. Now, with the USMCA, it has been determined that an independent counsel will be consulted in resolving disputes between the three countries.

The US has a few pending requests for Mexico to update their labor laws once the agreement is put into place. Some key issues are: freedom of workers to unionize, the ability to negotiate their own labor contracts, improved rights for women in the workplace and better wages and working conditions. These issues not only plague the automotive manufacturing industry, highlighted throughout these negotiations, but also the garment and textile manufacturing industries.

According to an analysis of census data from Queens College, New York City's garment manufacturing workforce has declined by 95% since its peak in the 1950s. A bulk of this decline has happened in the last thirty years. The US Department of Commerce reported, apparel, leather, and allied product manufacturing lost 912,000 jobs in the US, declining by 84 %. This shift in garment manufacturing production has been mainly from the US to China, but

also to Mexico, where garment manufacturers have benefitted from perks of free trade as a result of NAFTA. The New York City garment industry is a shell of what it once was: with garment factories dwindling to those who cater to the luxury industry on one end, to sweatshops flying under the radar and selling to brands looking the other way. Back at the turn of the twentieth century, the labor movement was heating up in New York City. Some of its strongest leaders were women from the garment industry. As unions gained power and demanded better working conditions and rights, the cost of production clothing increased. Eventually, the globalized economy allowed corporations to source factory production in countries with weak unions and few labor rights regulations to drive their prices back down. New free trade agreements made it possible to produce clothing in foreign countries, like China and Mexico, at a lower cost. Since the garment manufacturing industries were in their nascency, they didn't have the labor rights and protections that had forced prices up back in the US.

Now that trade policies are incorporating labor rights provisions, what does the future of a globalized supply chain look like? The next step in the puzzle is how to implement enforcement strategies for these provisions. The US has an opportunity to step forward and be a leader in demanding better human rights in our supply chains. Although the creation of new labor rights provisions may be coming from a protectionist stance, to make it unaffordable for countries to produce products at the minimum wages agreed upon, these policies and their enforcement have major implications for how we view labor rights issues in countries where US products are being produced. From the cars we drive to the clothing we wear, the USCMA has the potential to drive up the standards of how we treat the people who produce them. rights provisions in the New NAFTA agreement - a path for better working conditions in our global supply chains?

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# Let's Talk About Sex(ual Assault), Baby

By Liz Hensler  
Contributing Editor

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Executive Producer Dick Wolf's mind. We have a sexual assault problem in the United States, one that spans policy and culture. If we are to make a substantial societal shift away from rape culture, our political system needs to reflect it.

I am writing this, in October, just a few weeks from the midterm elections. In the past ten months, we have seen the meteoric rise of the #MeToo movement, sparked by Tarana Burke and made viral by whistleblowers in Hollywood publically calling for justice for victims of sexual assault. However, policy and our justice system have not demonstrated a similar forward-moving trajectory, as evidenced by several of the most famous recent cases. In August, Secretary of Education Betsy DeVos proposed changes to campus sexual assault policy, a move that survivors and advocates claim favors the accused, rather than the victim. In late September, Bill Cosby, accused of drugging and assaulting over 50 women, was sentenced to a mere three to ten years in prison. Harvey Weinstein, accused of assaulting over 70 women, is set to stand trial in November; however in the meantime, the judge denied the request for house arrest and Weinstein has been released on bail. Most recently, Dr. Christine Blasey Ford, Deborah Ramirez, and Julie Swetnick accused then-Supreme Court nominee Brett Kavanaugh of sexual assault. Kavanaugh was sworn in on October 6th, after a hasty and ugly confirmation process.

So, the message seems to be that sexual assault is socially acceptable when adults, particularly women, are the victims. But what about kids? Surely, as a society, we can draw the line at children. However, in the past two years, we have seen the narrow defeat of alleged pedophile and former Chief Justice Roy Moore by a margin of 1.7% in an Alabama special senate election. Equally upsetting, if not more absurd, openly proud pedophile and pro-rape Virginia congressional candidate Nathan Larson garnered almost 2% of his district, which is 2% more than I would hope any American would stand for. Outside of government politics, this summer, the Catholic diocese in my hometown of Allentown, Pennsylvania was cited among a number of dioceses under federal investigation of 70 years of sexual abuse of thousands of children, reminiscent of the Boston scandal almost 20 years ago.

For better or worse, I spent my formative years as an avid fan of Law & Order: SVU. Olivia Benson is my hero. Lately, however, I haven't been able to bring myself to tune in. Recent headlines have felt like a storyline ripped directly from

Last Thanksgiving, while talking with a family member about sexual assault (you know, standard turkey and mashed potatoes conversation), he said, "Well, what if she is lying?" It is a question that echoed in each public "he said, she said" case; most evident in the recent Kavanaugh case. It's a fair question, one born of the idea of due process on which our judicial system is based. It's not a valid one, however. The truth is that only 2-10% of reported sexual assaults are false allegations. It is much more likely that a victim is telling the truth. According to the Rape, Abuse, & Incest National Network (RAINN), an American is sexually assaulted every 98 seconds; every 8 minutes, that victim is a child. However, only 31% of assaults are reported to the police, and less than 1% of perpetrators will serve time.

As these stories continue to accumulate, it seems that the moral argument is not strong enough to influence policymakers. In addition to the emotional and physical tolls sexual assault takes on victims, the lifetime financial costs per rape per victim is an estimated \$151,423 in physical and mental health care costs, loss of income and attainment of higher education, and legal costs for those who do report assault. Rape costs the US \$127 billion per year. With gender rights and women's empowerment taking center stage in the conversation leading up to the midterm elections, supporting sexual assault survivors and being an advocate of abolishing rape culture change is the morally right and the fiscally responsible thing to do.

As an American woman who can say #MeToo, and as a registered voter, the actions policymakers have taken to reduce sexual assault is vital to how I, and many other survivors and advocates, will cast my vote in the midterms. I implore our policymakers to raise the bar for what is unacceptable. At the very least, these survivors are your constituents and your neighbors, who are poised to vote you out of office in just a few days. At the most, they are fellow human beings who deserve your respect and your protection.

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*Liz Hensler is a second year MPA student at NYU in the International Specialization and is an education nonprofit professional.*

# Guilty Until Proven Innocent: What to Know About Criminal Justice Reform Before the Election

By Elisa Nolasco

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to \$2.5 billion per year to incarcerate New Yorkers in jails across the state, in addition to the \$3.7 billion spent annually on state prisons. With midterm elections right around the corner, New Yorkers have the opportunity to elect representatives who will finally prioritize criminal justice reform rather than continue to allow mass incarceration to permeate throughout our state.

Advocates across the state have highlighted key policy reform initiatives that would begin to dismantle our broken criminal justice system. Bail reform has been a predominant area of advocacy, given that the current system places a price tag on the freedom of New Yorkers not yet convicted of a crime. The practice of money bail deprives New Yorkers living in poverty of the ability to maintain employment and custody of their children. To address this, our elected officials must put an end to money bail and ensure that pretrial detention be reserved exclusively for cases with significantly convincing evidence that the person presents a high risk of not appearing in court.

The unjust bail system is coupled with a lack of speedy trials for accused individuals. The immense backlog of criminal cases results in people being incarcerated for years awaiting the opportunity to present their case. Speedy trial should not be a vague term without a deadline. To make matters worse, these incarcerated New Yorkers are also legally refused access to vital evidence concerning their case until right before trial, ensuring that proper defense cannot be constructed and that the person in question remains in the dark about the case made against them. New Yorkers should have mandatory and early access to any and all evidence presented against them in order to have an equal opportunity to present their case.

On election day, demand more from your elected officials. Demand that our constitutional right to the presumption of innocence be defended. Demand better and just use of our tax dollars. Demand the defense of civil liberties for all New Yorkers, not exclusively those with the ability to buy out of the system. Almost every elected official is up for reelection. Among these positions are all

The United States Constitution guarantees the presumption of Innocence, yet 67% of New York's incarcerated population is legally innocent. Thousands of New Yorkers are sitting behind bars across the state awaiting trial due to countless hurdles—particularly targeting working class communities—in our broken criminal justice system. It costs the state close

of New York's seats in the House of Representatives and every seat in the state senate. Criminal justice reform has too often and too easily been ignored and November 6th can be when New Yorkers begin to change that.

Although not all are pushing for the comprehensive reform that New Yorkers deserve, here are some of the representatives running in the midterm elections who have made criminal justice reform part of their platform.

*Julia Salazar (State Senate District 18)*

*Catalina Cruz (Assembly District 39)*

*Alexandria Ocasio-Cortez (Congressional District 14)*

*Dana Balter (Congressional District 24)*

*Antonio Delgado (Congressional District 19)*

*Jose Serrano (Congressional District 15)*

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# About the Wagner Review

*The Wagner Review* is the student-run publication from the Robert F. Wagner Graduate School of Public Service at New York University. It focuses on current policy issues and nonprofit topics that are critical in locally in New York, the United States, and internationally.

*The Wagner Review* manages both online publishing via their website, [www.thewagnerreview.org](http://www.thewagnerreview.org), and print publishing via the *The Wagner Review Journal* and bi-semesterly zine featuring pieces from the online collection. They host an annual policy competition, allowing students to present policy analysis and solutions to peers, faculty, and field experts.

All students, faculty, and alumni are encouraged to submit to the review, adding to the diversity of perspectives and experiences at different levels of policy and nonprofit management across multiple sectors, including health, finance, and urban planning, at local, state, and federal levels.

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