

# **The US Constitution and Globalization of Human Rights: Motivation and Contextualization in the Community College Classroom**

**Professor David O. Monda  
Mt. San Jacinto College**

# Learning Objectives

- \* Be able to define human rights
- \* Understand the similarities and differences between US Constitution and UN Declaration on Human Rights
- \* Understanding the limitations of the universal application of Human Rights through International Organizations
- \* Evaluate, Critique and Analyze contemporary case studies of human rights abuses and decision maker responses

# (Mis)Perceptions in US Constitutionalism and Human Rights

- \* The Bill of Rights and the Anti-Federalists concern with protection of individual rights
- \* Competing view of Federalists - concerns for functional and strong government
- \* Selective Incorporation, 14<sup>th</sup> Amendment & Equal Protection Clause as applicable to Human Rights
- \* Contemporary examples of Equal Protection Clause, past and present case precedent

# International Context of Human Rights and Challenges of Globalization

- \* Post WW II Creation of the *Universal Declaration on Human Rights*.
- \* Formation of the International Criminal Court at the Hague – its options, possibilities and challenges.
- \* Evaluation of signatories to the Rome Statute that domesticates the provisions of International Law to national constitutions (highlight, Sovereignty, impunity and enforcement)
- \* Introduction to specific case studies and transition to simulation situations.

# Individual Case Studies in International Relations

- \* Regional Country focus:
- \* Asia – China & Tibet, North Korea
- \* Africa – Rwanda, DRC, Liberia
- \* Middle East – Iran, Syria, Iraq (US involvement, Al Quaida)
- \* Europe - former Yugoslavia, plight of the Roma in France and Italy, Albania & Kosovo
- \* North America - Canada (First Nations), US (Native American Reservations) & Mexico (Chiapas & Zapatista land rights issues)
- \* South America – Argentina (Dirty Wars), Chile (Pinochet war crimes trial)
- \* Oceania – Australia (Aboriginal Rights), New Zealand (Maori)

# Case Study Simulations - I

- \* Developing real life case study scenarios
- \* Regional Country focus:
  - \* Asia – China & Tibet: Dalai Lama appealing to UN Security Council to censure China for genocide in Tibet (North Korea )
  - \* Africa – Rwanda, DRC, Liberia, Kenya, Ivory Coast (Bagbo’s Conviction at the ICC an renewed violence in Ivory Coast )
  - \* Middle East – Iran, Syria, Iraq (US involvement, Al Quaida) - discuss US fear of its troops being accused at the ICC and the implications
  - \* Europe - former Yugoslavia, plight of the Roma in France and Italy, Albania & Kosovo
- \* (evaluating the role of the ICC<sup>6</sup> in the Balkans)

# Case Study Simulations - II

- \* Regional Country focus:
- \* North America - Canada (First Nations), US (Native American Reservations) & Mexico (Chiapas & Zapatista land rights issues)
- \* #Discussion the options for Native American populations and the realities of justice vs status quo
- \* South America – Argentina (Dirty Wars), Chile (Pinochet war crimes trial)
- \* Oceania – Australia (Aboriginal Rights), New Zealand (Maori)
- \* #evaluate trends and evolving ideas in human rights, globalization and US Constitutionalism

# Community College Classes in Context

1. PS 101 – American Government
2. PS 102 - Comparative Government
3. PS 103 – Ethnic Politics
4. PS 104 - Issues and Trends