



AMERICAN EXCEPTIONALISM  
AND HUMAN RIGHTS

EDITED BY  
**MICHAEL IGNATIEFF**

# American Exceptionalism And Human Rights

**Timothy C. Shiell**

## American Exceptionalism And Human Rights:

**American Exceptionalism and Human Rights** Michael Ignatieff, 2009-01-10 With the 2003 invasion and subsequent occupation of Iraq the most controversial question in world politics fast became whether the United States stands within the order of international law or outside it Does America still play by the rules it helped create American Exceptionalism and Human Rights addresses this question as it applies to U S behavior in relation to international human rights With essays by eleven leading experts in such fields as international relations and international law it seeks to show and explain how America s approach to human rights differs from that of most other Western nations In his introduction Michael Ignatieff identifies three main types of exceptionalism exemptionalism supporting treaties as long as Americans are exempt from them double standards criticizing others for not heeding the findings of international human rights bodies but ignoring what these bodies say of the United States and legal isolationism the tendency of American judges to ignore other jurisdictions The contributors use Ignatieff s essay as a jumping off point to discuss specific types of exceptionalism America s approach to capital punishment and to free speech for example or to explore the social cultural and institutional roots of exceptionalism These essays most of which appear in print here for the first time and all of which have been revised or updated since being presented in a year long lecture series on American exceptionalism at Harvard University s John F Kennedy School of Government are by Stanley Hoffmann Paul Kahn Harold Koh Frank Michelman Andrew Moravcsik John Ruggie Frederick Schauer Anne Marie Slaughter Carol Steiker and Cass Sunstein *Human Rights in Us Foreign Policy* Sonja Meyer, 2008-10 Essay from the year 2007 in the subject Politics International Politics Region USA grade A University of Otago New Zealand University of Otago 16 entries in the bibliography language English abstract The traumatic experience of World War II led to an international consensus on the need of a universal framework protecting the rights of each individual and the integrity of communities The United States having been largely isolationist before the War entered the World stage and took a substantial part in the formulation of human rights Against the background of the Cold War the institutionalization of a common framework was everything but easy In retrospect it seems that the American commitment to human rights is ambivalent On the one hand American rhetoric constantly uses human rights as a legitimating moral claim on the other hand it stays in its exceptionalist tradition and sees itself not to be in need of any international supervision To understand the gap between ideal and reality the concept of American exceptionalism needs to be examined How does this conception affect the political culture in the USA and how can we explain this sense of superiority Another question will be the legitimacy of this belief and the rationale that drives policy makers to perpetuate this notion To evaluate the commitment to human rights in foreign policy it will be necessary to have a look at the different administrations and their attitude toward human rights They all face institutional constraints in policy decision making so that even if there is a real commitment to human rights it is not enough that the president himself endorses such a framework Similarly there are other national interests that can trump

moral considerations which was especially evident during the Cold War Special events and public opinions as well as ideological beliefs of the main actors strongly influence the place of human rights in the hierarchy of preferences Even thou

**American Exceptionalism, the French Exception, and Digital Media Law** Lyombe S. Eko,2013-07-10 This volume explores the sameness and difference between the United States and France in the matters of freedom of expression on the Internet The United States and France are liberal democracies that are part of the Western family of nations However despite their many similarities they have a number of cultural and ideological differences The United States is generally France s ally in time of war and its cultural nemesis in time of peace One of the reasons for this unusual relationship is that the United States and France are self described exceptional countries The United States and France are therefore two Western countries separated by different exceptionalist logics Lyombe Eko uses this concept of exceptionalism as a theoretical framework for the analysis of American and French resolution of problems of human rights and freedom of expression in the traditional media and on the Internet This book therefore analyzes how each county applies rules and regulations designed to manage a number of issues of media communication in real space to the realities and specificities of cyberspace within the framework of their respective exceptionalist logics The fundamental question addressed concerns what happens when rules and regulations designed to regulate the media in clearly defined national and regional geographic spaces are suddenly confronted with the new realities and multi communication platforms of the interconnected virtual sphere of cyberspace

**Introduction: American Exceptionalism and Human Rights** ,2005 **American Exceptionalism Reconsidered** David P. Forsythe,Patrice C. McMahon,2016-11-25 Is the US really exceptional in terms of its willingness to take universal human rights seriously According to the rhetoric of American political leaders the United States has a unique and lasting commitment to human rights principles and to a liberal world order centered on rule of law and human dignity But when push comes to shove most recently in Libya and Syria the United States failed to stop atrocities and dithered as disorder spread in both places This book takes on the myths surrounding US foreign policy and the future of world order Weighing impulses toward parochial nationalism against the ideal of cosmopolitan internationalism the authors posit that what may be emerging is a new brand of American globalism or a foreign policy that gives primacy to national self interest but does so with considerable interest in and genuine attention to universal human rights and a willingness to suffer and pay for those outside its borders at least on occasion The occasions of exception such as Libya and Syria provide case studies for critical analysis and allow the authors to look to emerging dominant powers especially China for indicators of new challenges to the commitment to universal human rights and humanitarian affairs in the context of the ongoing clash between liberalism and realism The book is guided by four central questions 1 What is the relationship between cosmopolitan international standards and narrow national self interest in US policy on human rights and humanitarian affairs 2 What is the role of American public opinion and does it play any significant role in shaping US policy in this dialectical clash 3 Beyond

public opinion what other factors account for the shifting interplay of liberal and realist inclinations in Washington policy making 4 In the 21st century and as global power shifts what are the current views and policies of other countries when it comes to the application of human rights and humanitarian affairs **American Exceptionalism Reconsidered** David P. Forsythe,Patrice C. McMahon,2017 *Implementation of International Law in the United States* Johan D. Van der Vyver,2010 Even though the Constitution proclaims treaties entered into by the United States to be part of the supreme law of the land and authorises prosecution of offences against the law of nation in federal courts the United States has had a checkered record in ratifying human rights instruments in upholding decisions of international tribunals and indeed in submitting itself to the jurisdiction of such tribunals It refused to uphold judgments of the International Court of Justice within its municipal legal system terminated the competence of the ICJ to adjudicate international disputes to which it is a party and attempted to undermine the functioning of the international criminal court It engaged in armed conflicts in blatant violation of international humanitarian law and subjected belligerent detainees to unbecoming interrogation techniques There are clear indications that the Obama administration is setting the United States on a new course of international comity and Vlkerrechtsfreundlichkeit **Campus Hate Speech on Trial** Timothy C. Shiell,2009 Ban it the initial arguments for campus speech codes Wayne dicks plea the critics fight back See you in court the campus hate speech cases Hostile environment takes a front seat The attack on hostile environment And the verdict is The debate 1998 2008

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### **Crimes of Power & States of Impunity**

Michael Welch, 2009 Since 9/11 a new configuration of power situated at the core of the executive branch of the US government has taken hold. In *Crimes of Power States of Impunity* Michael Welch takes a close look at the key historical political and economic forces shaping the country's response to terror. Welch continues the work he began in *Scapegoats of September 11th* and argues that current US policies many enacted after the attacks undermine basic human rights and violate domestic and international law. He recounts these offenses and analyzes the system that sanctions them offering fresh insight into the complex relationship between power and state crime. Welch critically examines the unlawful enemy combatant designation, Guantanamo Bay, recent torture cases and collateral damage relating to the war in Iraq. This book transcends important legal arguments as Welch strives for a broader sociological interpretation of what transpired early this century analyzing the abuses of power that jeopardize our safety and security

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Julian Ku, John Yoo, 2012-03-26 As the nations of the world become more interconnected and less isolated every day, the US legal system has struggled to take advantage of globalization's benefits while protecting the country's sovereignty. In *Taming Globalization* Julian Ku and John Yoo offer a bold new look at this growing problem, arguing that the political branches and not the courts should be implementing and enforcing international law in the US. This reconciliation of globalization and the US Constitution will influence debates now raging in courtrooms, the halls of Congress and the public arena

### **UC Irvine Law Review**

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Giuseppe Franco Ferrari, 2019-09-24 *Judicial Cosmopolitanism: The Use of Foreign Law in Contemporary Constitutional Systems* offers a detailed account of the use of foreign law by supreme and constitutional Courts of Europe, America and East Asia. The individual contributions highlight the ways in which the use of foreign law is carried out by the individual courts and the path that led the various Courts to recognize the relevance for the purpose of the decision to foreign law. The authors try to highlight reasons and types of the more and more frequent circulation of foreign precedents in the case law of most high courts. At the same time they show the importance of this practice in the so called neo constitutionalism

### **Varieties of Activism**

Sarah Snip Stroup, 2008

**Michigan Law Review** ,2007    **Human Rights in Our Own Backyard** William T. Armaline,Davita Silfen

Glasberg,Bandana Purkayastha,2011-09-28 Most Americans assume that the United States provides a gold standard for human rights a 2007 survey found that 80 percent of U S adults believed that the U S does a better job than most countries when it comes to protecting human rights As well discussions among scholars and public officials in the United States frame human rights issues as concerning people policies or practices over there By contrast the contributors to this volume argue that many of the greatest immediate and structural threats to human rights and some of the most significant efforts to realize human rights in practice can be found in our own backyard Human Rights in Our Own Backyard examines the state of human rights and responses to human rights issues drawing on sociological literature and perspectives to interrogate assumptions of American exceptionalism How do people in the U S address human rights issues What strategies have they adopted and how successful have these strategies been Essays are organized around key conventions of human rights focusing on the relationships between human rights and justice the state and the individual civil rights and human rights and group rights versus individual rights The contributors are united by a common conception of the human rights enterprise as a process involving not only state defined and implemented rights but also human rights from below as promoted by activists

**Symposium** ,2007    *The Democratic Legitimacy of International Law* Steven Wheatley,2010-06-02 This book restates the deliberative ideal developed by Habermas and applies this to the systems of global governance    [UCLA Journal of International Law and Foreign Affairs](#) ,2013

The book delves into American Exceptionalism And Human Rights. American Exceptionalism And Human Rights is a vital topic that must be grasped by everyone, from students and scholars to the general public. The book will furnish comprehensive and in-depth insights into American Exceptionalism And Human Rights, encompassing both the fundamentals and more intricate discussions.

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- Chapter 1: Introduction to American Exceptionalism And Human Rights
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- Chapter 3: American Exceptionalism And Human Rights in Everyday Life
- Chapter 4: American Exceptionalism And Human Rights in Specific Contexts
- Chapter 5: Conclusion

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5. In chapter 4, this book will scrutinize the relevance of American Exceptionalism And Human Rights in specific contexts. The fourth chapter will explore how American Exceptionalism And Human Rights is applied in specialized fields, such as education, business, and technology.
6. In chapter 5, this book will draw a conclusion about American Exceptionalism And Human Rights. This chapter will summarize the key points that have been discussed throughout the book.

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