HUMAN RIGHTS IN THE CONSTITUTIONAL LAW OF THE UNITED STATES

In the period since the end of the Second World War, there has emerged what never before existed: a truly global morality. Some of that morality – the morality of human rights – has become entrenched in the constitutional law of the United States. This book explicates the morality of human rights and elaborates three internationally recognized human rights that are embedded in U.S. constitutional law: the right not to be subjected to cruel, inhuman, or degrading punishment; the right to moral equality; and the right to religious and moral freedom. The implications of one or more of these rights for three great constitutional controversies – capital punishment, same-sex marriage, and abortion – are discussed in depth. Along the way, Michael J. Perry addresses the question of the proper role of the Supreme Court of the United States in adjudicating these controversies.

Michael J. Perry holds a Robert W. Woodruff Chair at Emory University, where he teaches in the law school. Previously, Perry held the Howard J. Trienens Chair in Law at Northwestern University, where he taught for fifteen years, and the University Distinguished Chair in Law at Wake Forest University. Perry has written on American constitutional law and theory; law, morality, and religion; and human rights theory in more than seventy-five articles and essays and eleven books, including The Political Morality of Liberal Democracy; The Idea of Human Rights; We the People: The Fourteenth Amendment and the Supreme Court; Under God? Religious Faith and Liberal Democracy; Toward a Theory of Human Rights: Religion, Law, Courts; and Constitutional Rights, Moral Controversy, and the Supreme Court.
Human Rights in the Constitutional Law of the United States

Michael J. Perry

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For Sarah, Daniel, and Gabriel, the loves of my life
CONTENTS

About the Author

Introduction: Human Rights in the Constitutional Law of the United States ...................................... 1

PART I. THE MORALITY OF HUMAN RIGHTS

1. The Internationalization of Human Rights ......................... 7
2. What Is a “Human Right”? ........................................... 19
3. The Normative Ground of Human Rights ......................... 27

PART II. THE CONSTITUTIONAL MORALITY OF THE UNITED STATES

4. Capital Punishment ................................................... 59
5. The Question of Judicial Deference ................................. 92
6. The Right to Moral Equality ....................................... 105
7. The Right to Religious and Moral Freedom ..................... 112
8. Same-Sex Marriage .................................................. 136
9. Abortion ................................................................. 158

Concluding Note ....................................................... 179

Index 181
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