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Religion and International Relations Theory: The Case of "New" Historiography of Human Rights

Andrew Lloyd Williams

Department of Philanthropic Studies, IUPUI, Indianapolis, IN 46202, USA; alw10@iu.edu

Abstract: International relations theory (IRT) often ignores or has difficulty accounting for religion. Thus, the choice of "new" historians of human rights to focus on religious actors in the lead-up to the Universal Declaration of Human Rights (UDHR) is a noteworthy development. One important finding of this stream of scholarship is the crucial role played by Christian personalists in the cultivation of "human rights" discourse in the 1930s and 1940s. However, new school historiography carries assumptions consistent with IRT liberalism that weaken its analysis of religion in the origins of human rights. Most problematic is its dichotomous framework that pits liberal secularism against reactionary religion, which tends to minimize interpretive possibilities. By contrast, IRT constructivism is attuned to the emergence and socialization of norms as different cultures, religious traditions, and value systems interact. Various actors and social networks create, inter-subjectively, pragmatic consensus from positions of fundamental ideological difference. As such, this paper, following a constructivist impulse, uses the case of new school historiography of human rights to better understand the weakness and the promise of IRT in explaining the role of religion in international relations.

Keywords: international relations theory; religion; human rights; historiography; liberalism; constructivism

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1. Introduction

The Universal Declaration of Human Rights (UDHR) is a touchstone of the post-World War II international order. Preeminent scholar of human rights law, Louis Henkin, describes the UDHR as the "authoritative articulation of the international human rights standards: the symbol, the representation, the scriptures" (Henkin 2000, pp. 3–12). The "International Bill of Rights" is composed of the UDHR and its two most prominent offspring—the International Covenant of Civil and Political Rights and the International Covenant of Economic, Social and Cultural Rights. A committee chaired by Eleanor Roosevelt drafted the text of the UDHR and saw its adoption, without a single dissenting vote, by the 58 member UN General Assembly on 10 December 1948 (Glendon 2002).

An emerging "new" school of human rights historiography finds, surprisingly, that human rights discourse is difficult to locate prior to the 1940s (Shortall and Steinmetz-Jenkins 2020). Furthermore, Christian personalists, some of whom were directly involved in the production of the UDHR, are one of the few sources of human rights advocacy in the interwar era (Duranti 2017; Moyn 2015). New school scholarship has advanced our understanding of the origins of human rights substantially. However, the scholarship of leading new school historians is weakened by assumptions consistent with the international relations theory (IRT) of liberalism. Specifically, its analyses omit the nineteenth-century philosophical foundations of personalism, neglect the theology and spirituality of Christian personalism, and adopt a modernist interpretive schema. By contrast, IRT constructivism is attuned to the emergence and socialization of norms as different cultures, religions traditions, and value systems interact. A constructivist view, in which various actors and social networks inter-subjectively create pragmatic consensus from positions of fundamental ideological difference, is better suited to understand the role of religious actors in the development of human rights in the lead-up to the UDHR.

Methodologically, the argument uses IRT as an interpretive lens through which to approach two sets of information: historiography of Christian personalist contributions to human rights and primary source documents of personalist intellectuals. The former consists principally of the scholarship of several leading new school historians (i.e., Duranti, Hunt, and Moyn), but also includes analyses that challenge new school accounts on certain points (e.g., Hoffman, Milbank, and Renaud). The latter spans from the early nineteenth to the mid-twentieth centuries and includes philosophical antecedents (e.g., Jacobi), phenomenology (e.g., Husserl), and Christian personalism proper (e.g., Flewelling and Maritain). That is to say, this paper employs theory, current historiography and primary source writings to construct a more complete account of the role of Christian personalism in human rights advocacy in the mid-twentieth century.

In terms of organization, this essay begins with two sections providing an overview of new school historiography of human rights and discussing its relation to prominent theories of international relations. Secondly, the paper details three ways in which new school historiography, due to IRT liberal commitments, errs in its account of Christian personalism and human rights. Finally, I discuss a variety of implications of the history of the development of human rights in the 1930s and 1940s for the treatment of religion in each of the three major theories of international relations.

2. The "New" Historiography of Human Rights

The publication responsible, more than any other, for initiating recent advances in the knowledge of the origins of human rights is Moyn's (2010) *The Last Utopia*. It critiques the historical method of scholars in the "classic" or "classical" school of human rights historiography saying, "They regard their basic cause—much as the church historian treated the Christian religion—as a saving truth, discovered rather than made in history" (Moyn 2010, p. 6). Moyn makes much of the breach in time between the human rights discourse and instruments in the immediate aftermath of WWII (e.g., the UDHR and the European Convention on Human Rights) and the proliferation of human rights activity in the 1970s. For new school historiography, this gap is evidence that the focus on historical precedents is of little importance; and, in its place, scholars should look to the immediate political factors and contingencies that led to a surge of human rights interest in the 1970s and beyond. This pioneering monograph also noted the radical difference between the notion that rights are secured within and by nation-states (eighteenth century), and "the recasting of rights as entitlements that might contradict the sovereign nation-state from above and outside" (Moyn 2010, p. 13). This is the difference between citizen rights dependent on a polis, and supra-political, universal human rights.

In a related work, Moyn details the role of Christian personalists in the origins of human rights—they were one of few communities who came to explicitly advocate human rights in the interwar period. At this time, Catholics began to speak of the dignity of the human person to push against the dehumanizing effects of materialism, be it of liberal bourgeois or Marxist-communist varieties. The 1937 constitution of deeply Catholic Ireland "first canonized dignity;" and the 1942 Christmas message of Pope Pius XII, "in the perspective of world history," unfurled new values (Moyn 2015, pp. 2, 27). The first of five peace points in that Papal message, the "Dignity of the Human Person," states that the human person has "dignity given to it by God from the very beginning;" and, as such, all people should "uphold respect for and the practical realization of . . . fundamental personal rights" (Moyn 2015, p. 2). However, this theological articulation of human rights is "invention of tradition" in which "Christian human rights were injected into tradition by pretending they had always been there, and on the basis of minor antecedents now treated as fonts of enduring commitments" (Moyn 2015, p. 5). Prior to the 1930s and 1940s, human rights had always been a "promise of secular emancipation" associated with the French Revolution (Moyn 2015, p. 24). Thus, Moyn views the history of human rights in the twentieth century as the usurpation by Christian leaders and intellectuals, mostly conservative, of the more historic and progressive French Enlightenment and Revolutionary tradition. With this in

mind, plus the observation that few non-Christian theorists or activists embraced human rights at the time, new school historians conclude that human rights were, in the immediate post-WWII period, "Christian human rights" (Moyn 2015, p. 127).

Hunt is, per Moyn, the scholar who initiated "a seismic shift of massive proportions" in the historiography of human rights (Moyn 2020, p. xi). Hunt proposes a genealogical connection between the Enlightenment with its rights of man and post-WWII human rights. For example, she highlights the similarity in the grounding rationale of the UDHR and the language of The Declaration of the Rights of Man and of the Citizen: "All human beings are born free and equal in dignity and rights" (UDHR); and "Men are born and remain free and equal in rights" (French Declaration) (Hunt 2007a, p. 17). This is consistent with an emphasis on the particularities of the history of human rights as these rights "entered into political discourse only at certain times and in specific places" (Hunt 2007b, p. 3).

The first step in the morphosis of rights into human rights was Hugo Grotius' book, *De iure belli ac pacis* (*Of the rights of war and peace*) (1625), that formulated natural rights without a divine or religious basis. An additional step in the evolution of rights was the shift from rights based in a particular common-law and history (e.g., The English Bill of Rights of 1689) to a framework of rights existing prior to a polity (e.g., the U.S. and French declarations of 1776 and 1789). Rousseau's *Social Contract*, which was originally published in 1762, is one important mile-marker in that process because it contains the earliest known use of the phrase, "rights of man" (Hunt 2007b, p. 7).

The central hypothesized innovation in the invention of human rights, the self-evidence of rights, is what makes eighteenth-century France key for Hunt. A prime example is the 1755 article in Denis Diderot's pioneering work, *Encyclopédie*, in which he describes natural law:

> The use of this term is so familiar, that there is almost no one who would not be convinced inside himself that the thing is obviously known to him. This interior feeling is common both to the philosopher and to the man who has not reflected at all. (Hunt 2007b, p. 8)

Another important illustration of this innovative concept is the famous phrase proclaiming inalienable rights in the U.S. Declaration of Independence: "We hold these truths to be *self-evident* [emphasis added], that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness" (U.S. 1776). Having homed-in on this idea, Hunt raises a difficult question about the "paradox" of self-evidence. If these truths or rights are self-evident, why have they only been recognized in certain times and places. This dilemma grows in scale with the assertion that human rights have three criteria: they must be equal, natural, and universal (Hunt 2007a, p. 20). The risk for Hunt is that we may have to become rights pragmatists. Hunt's solution revolves around the eighteenth-century concept of "sympathy" in the context of increasing appreciation of personal autonomy. She posits that rights became universal because sympathy had acquired a nearly universal place or consensus in society. Specifically, through "reading accounts of torture or epistolary novels" ordinary people developed greater levels of sympathy (Hunt 2007a, p. 33). Ultimately, "an emotional appeal . . . strik[ing] a chord in each person" undergirds this argument for the self-evidence of sympathy in the eighteenth century (Hunt 2007a, p. 26).

A third scholar, Duranti, is linked by Shortall and Steinmetz-Jenkins (2020) with Moyn and the new human rights historiography (p. 3). Duranti focuses on the decade immediately after WWII in which the European Court of Human Rights (ECHR) and the UDHR were created. His concern is two-fold. First, he shows a specific motivation of Holocaust remembrance was not part of human rights discussions—in fact the term "Holocaust" only gained traction in the 1960s after the landmark Israeli trial of Adolph Eichmann. Instead, such discussions referred to the broader crimes and atrocities of Nazi Germany. On the positive side, Duranti argues that the pursuit of political consensus to build broad coalitions within the United Nations precluded discursive focus on the suffering of any one ethnic group—even at the scale of six million deaths. On the negative

side, right wing constituencies wishing to down-play non-Axis-power complicity in Jewish annihilation, contributed to silence about the specific plight of the Jewish people. Moreover, "circumstantial evidence" exists that the conservative push for rights was a strategy to use them as "a vehicle for protecting the civil rights of collaborators" (Duranti 2017, p. 162). These two types of silence, "integrative" (or coalition building) and "complicit" (or guilt protecting), contributed to the failure to mention specific crimes against Jews in human rights discussions in the late 1940s (Duranti 2012, p. 171).

The second task of Duranti's article is to show that the connection between the French Declaration of 1789 and human rights in the post-WWII era (particularly with regard to the ECHR) is equivocal. His argument juxtaposes an heir of the French Enlightenment legacy, Rene Cassin, who won the 1968 Nobel Peace Prize for his influential role in drafting the UDHR, with the right-wing French figures Alexandre Marc (a personalist) and Louis Salleron. The pair of conservatives sought to repudiate both the "'atomistic' and 'statist' spirit of the 1789 Declaration" (Duranti 2012, p. 162). Marc and other "non-conformists" rejected both capitalism and communism, both the bourgeoisie and authoritarian state. However, their vision was an "illiberal" corporatism that would protect Europe from "totalitarian impulses of majoritarian democracies," which they attributed to the Jacobin tradition (Duranti 2012, p. 162). Corporatism emphasizes societal structures that exist between the individual and the state: family, church, profession, locality, region, etc.

In his subsequent work on the same topic, *The Conservative Human Rights Revolution*, Duranti (2017) reports on "the disproportionate support of conservatives and disproportionate opposition of socialists" to a European human rights court in the aftermath of WWII (p. 7). He then discusses the history of human rights including the significance of natural law going as far back as Medieval theories of just war and Aquinas' move to universalize certain ethical norms (Aristotle having restricted numerous obligations only to his fellow Greeks). This work also notes the "disaggregation of the law of nations from natural law" (e.g., Hugo Grotius) and the subsequent growth of protections of individuals against the power of the nation-state beginning with religious liberty in the Peace of Westphalia.

In addition, "romantic internationalism" and "technocratic internationalism," from the nineteenth through the mid-twentieth centuries, are particularly important for Duranti's (2017) account of the evolution of rights in international law (pp. 14–15). The former denotes looking back "to an idealized deeper past to overcome the centrifugal forces of the modern age, conceiving of time as cyclical rather than linear" (Duranti 2017, p. 15). The latter denotes "a liberal faith in progress and reason, believing they could harness for the good of humanity the material transformations wrought by capitalism, industrialization, and globalization" (Duranti 2017, pp. 14–15). These two conflicting forces were, per Duranti's analysis, the major impulses that shaped and produced post-WWII human rights ideas and institutions.

A final point on the historiography of human rights is to note limits of the new school as an analytical category. Though scholars recognize the utility of grouping Duranti and Hunt with Moyn (the standard-bearer of new school historiography of human rights), it obscures important differences between them. Hunt's interest in the French Revolution, for instance, rests primarily in the codification of classical liberal rights of the individual. Thus, she highlights the "full civil and political" rights of Jews advocated by the likes of Henri Grégoire and included in the French Declaration of the Rights of Man and of the Citizen (Hunt 2007b, p. 16). Hunt also connects the French Revolution to Mary Wollstonecraft's drive for women's rights without addressing the bourgeois inflection of Wollstonecraft's 1792 *Vindication of the Rights of Woman*. Moyn, in contradistinction, has an eye toward more radical notions of equality and fraternity (or solidarity). Thus, he criticizes Hunt for "omitting even to mention" the social rights included in the 1793 draft of the Declaration of the Rights of Man and of the Citizen—among other social rights, this document contained the right to work and the right to education (Moyn 2010, p. 247). Duranti, likewise, departs from Moyn at certain points. One of the most impactful differences is his more capacious approach. Duranti (2012) writes, "a close examination of this volatile postwar period,

when many found themselves struggling to adapt to shifting political currents, reveals the polyvalence and polygenesis of international human rights norms" (p. 163). The openness to multiple genealogies enables him to apply critical and political lenses (consistent with Moyn), while not dismissing ideological and philosophical antecedents of human rights (at odds with Moyn). Thus, the category of new historiography of human rights has both utility and limitations.

3. New Historiography of Human Rights and International Relations Theory

New school historiography mainly inhabits the theoretical or interpretive space of liberalism and constructivism. However, it has features that fit well with realist views of international relations. One example is its explanation of the gap between the human rights innovations of the 1940s (e.g., UDHR and ECHR) and the flowering of human rights norms and discourse in the 1970s or even the 1990s. Moyn (2010) explains the time-lapses as the impact of the "deep freeze" of the Cold War on human rights (p. 81). Keys (2014), another scholar following new historiographic intuitions, argues that the 1970′s human rights revolution, including the Carter administration's embrace of human rights language, was in significant part a product of the U.S. need to move past its defeat in the Vietnam War. U.S. Congressman Donald Fraser described human rights as a way for "the United States [to] feel better about itself" in the aftermath of "the trauma of the Vietnam War" (Keys 2014, pp. 3–5). For progressives, this pivot helped "restore faith in American values;" and, for conservatives, it was "a potent tool to resurrect anti-communism" (Keys 2014, p. 10). By this analysis, both sides of the political divide supported increasing U.S. advocacy of human rights in the 1970s for reasons of national interest.

3.1. IRT Constructivism and New Historiography of Human Rights

That said, the lion's share of new historiography's attention rests on the power of ideas, not on the self-interest or strength (military or economic) of nation-states and empires. This focus links most directly with IRT constructivism, which Snyder describes as the shaping of international politics "by persuasive ideas, collective values, culture, and social ideas" (Snyder 2009, p. 59). In addition, the very choice itself to analyze religion, in this case Catholic and protestant personalisms, is also most resonant with a constructivist view of international relations.

New school historians also confirm constructivist leanings in their methodological statements. Moyn (2010), as quoted above, critiques classical historiography for believing that human rights are "a saving truth, discovered rather than made in history" (p. 6). In contrast, he attributes the "ideological ascendancy of human rights" to "the construction of human rights" as a compelling alternative to other "universalistic schemes" that had collapsed (Moyn 2010, p. 7). Moreover, "human rights are not so much an inheritance to preserve as an invention to remake" in his view (Moyn 2010, p. 9).

Hunt (2007b) makes a similar point in articulating the paradoxical origins of human rights: "what is imagined to be universal and above history turns out to be contingent and grounded in a particular history" (p. 3). Not surprisingly, Hunt's (2007a) longer treatment of human rights origins is entitled *Inventing Human Rights*. As discussed above, this book takes a psychological approach to posit that human rights are grounded in emotion, specifically the feelings of sympathy and autonomy that emerged in eighteenth-century European and American cultures. Her analysis ends with the acknowledgment of the "undeniable circularity" of its proposed ground of human rights: "you know the meaning of human rights because you are distressed when they are violated" (Hunt 2007a, p. 214). This combination of culture and individual psychology resonates with the constructivist emphasis on social identities.

Duranti's affirmation of multi-valence also seems at home in IRT constructivism. For example, as noted above, he observes "the polyvalence and polygenesis of international human rights norms" in the aftermath of WWII (Duranti 2012, p. 163). He sees the possibility of multiple origins of human rights—a pluralistic approach that fits well with the idea

of overlapping consensus in constructivism (Dunne and Hanson 2009, p. 65). In addition, Duranti's epilogue casts the future health of the EU as dependent on pro-Europe constituencies agreeing on central "markers of European identity," and on Europeans creating a "new consensus" regarding the rights and duties they hold (Duranti 2017, p. 409). This language of identity and consensus is constructivist in nature.

3.2. IRT Liberalism and New Historiography of Human Rights

Despite its choice of topic (i.e., religion) and the methodological elements that resonate with IRT constructivism (see Section 3.1), the new school historiography of human rights is IRT liberalist at its core. With regularity, historians in this school appeal to a particular and uniquely valid source of human rights: the Enlightenment, and especially, its secular and French versions. Moyn (2015) writes, "This book [*Christian Human Rights*] on the origins of human rights therefore focuses most of all on the extent to which across the 1930s and1940s, the language of rights was extricated from the legacy of the French Revolution" (p. 9). This is not merely a descriptive claim of a scholar, it is also a lament: the loss of the identification of human rights with the "French Revolution and its secular emancipation ... haunts politics to this day ... prizing moderation against extremes over liberation of human capacity and restoring order to its regrettable if time-honored status as the centerpiece of justice" (Moyn 2014, p. 24). Moyn is clear in his preference for liberation, embodied in the principles of 1789, over order.

Hunt (2007b) lists three related assumptions of human rights: (1) they are universal and equal; (2) they are natural, "from human nature itself," or what prior generations would have called natural rights; and (3) government legitimacy rests on "its ability to guarantee under the law the human rights of all its members" (p. 4). The first and the third of these assumptions are consistent with IRT liberalism. The second assumption, with Hunt's emphasis on imagination, has constructivist connotations. Yet, the IRT liberalist view that rights from nature are a part of the "moral basis of human rights" is also evident in this second assumption (Snyder 2009, p. 65). In addition, *Inventing Human Rights* begins with the famous U.S. and French declarations, and then introduces an "angry" and "thunder[ing]" Edmund Burke as the familiar French Enlightenment foil. Even the optics of Hunt's monograph communicate a liberalist view. Its cover features the famous 1830 painting by Eugène Delacroix, *Liberty Leading the People*, with its French Revolutionary symbolism (e.g., the Tricolour and Phrygian hat). Hunt's (2007b) shorter treatment of human rights history, "The Paradoxical Origins of Human Rights," culminates in the French Revolution (whereas her monograph begins with it) (pp. 15–18). That book chapter also has a subsection entitled, "The Enlightenment Origins of Human Rights" (Hunt 2007b, p. 7). Finally, as stated above, Hunt highlights linguistic parallels between Article 1 of the UDHR and Article 1 of the Declaration of the Rights of Man and of the Citizen.

Duranti (2017), for his part, exhibits a similar IRT liberal commitment with a framework that pits "liberal cosmopolitanism and technocracy" against "nostalgic Christian internationalism" (p. 403). In addition, the epilogue to *The Conservative Human Rights Revolution* centers on the future of the European Union and Europe itself. He discusses Euroskeptics in a balanced manner, yet explicitly advocates the cause of the European Union. The final paragraph of the book warns that "the stakes are high" and it enjoins Brussels and Strasbourg to "win back those who feel profoundly disconnected to European institutions" (Duranti 2017, p. 409). For Duranti, the disconnection of Euroskeptics derives from the conflict between, on the one hand, "democracy and human rights;" and, on the other hand, "the supranational prerogatives of EU institutions" (Duranti 2017, p. 408). The linking of human rights to democratic legitimacy and transnational institutions are traits of IRT liberalism.

4. IRT Liberalism Weakens New Historiography's Analysis of Religion

Haynes reminds us that "three of the most significant theoretical approaches applied to the study of international relations—realism, liberalism and constructivism—all struggle

to factor religion into their paradigm" (Haynes 2021, p. 6). New school historiography takes an important step toward breaking this unhelpful pattern. Religion factors prominently, even centrally, in its accounts of the origins of human rights. This is one of new school historiography's contributions to the study of international relations.

However, new school historiography's treatment of religion suffers at times due to the liberalism embedded in its accounts of the origins of human rights—despite its affirmations of constructivist methodology. I explore three such weaknesses below. The first two are relatively specific: undervaluation of 19th century philosophical origins of personalism, and lack of attention to Christian personalist spirituality. The third weakness is an overarching modernist schema that simplistically opposes secular liberalism to reactionary religious conservatism.

4.1. New Historiography Largely Omits the 19th Century

With echoes of a Hegelian view of history, new school historiography sees the origins of human rights as anchored in the late-eighteenth century. From there, the next significant step in the evolution of human rights does not occur until the mid-twentieth century. The intervening century is implicitly devalued, and thus, receives little attention in its analyses. Hoffman agrees, saying new school historians have, "as it were, skipped over" the nineteenth century (Hoffmann 2016, p. 308). Yet, personalism derives from nineteenth-century philosophical and theological criticism of certain Enlightenment arguments.

Perhaps the single most important forebearer of IRT liberalism is Immanuel Kant (1724–1804). His "Perpetual Peace: A Philosophical Sketch," and ethical work on human dignity (e.g., the categorical imperative) are among the reasons he is seen as a founder of liberalism. Yet, for personalism and its early antecedents, Kant's philosophy of human cognition was problematic. His transcendental idealism distinguishes between *phenomena* and *noumena*. The former are our perceptions of objects in conformity to the synthetic a prioris of human cognition. The latter are the objective "things in themselves" (Kant 2004, p. 64). Though Kant believed that noumena exist he argued that we can know very little about them.

Friedrich H. Jacobi (1743–1819), philosopher and theologian, initiated the critique of Kant's proposal for human cognition with a forceful attack in a piece entitled "On Transcendental Idealism," which is a *locus classicus* of anti-Kantianism (di Giovanni and Livieri 2020). Jacobi (1995b) criticized Kant's position, stating, "In brief, our entire cognition contains nothing, nothing whatsoever, that could have any *truly* objective meaning" because "according to the Kantian hypothesis, the empirical object, which is always only appearance, cannot exist outside us and be something more than a representation" (p. 355). By contrast, Jacobi believed "actual objects or things independent of our mind representations" do exist. The transcendental idealist denial of the ontological reality of external objects (or the more modest Kantian denial that we can know much of anything about external objects) opens the door to solipsism or the philosophical notion that the self is all that one can know to exist. In addition, given that transcendental idealism calls into question our knowledge of the external world, it logically undermines the basis of interpersonal relationships. Jacobi disagreed, arguing not only that the external world is real and knowable, but that self-conception can only exist in relation to an external non-self. His most famous proposition is that "without a *Thou*, the *I* is impossible" (Jacobi 1995a, p. 231).

Herman Lotze (1817–1881), the "immediate predecessor of the personalist movement," picks up Jacobi's thought (De Tavernier 2009, p. 361). He argues that the "ego" is "at the same time subject and object of the act of ideation" (Lotze and Ladd 1887, p. 59). Sullivan explains the implication, writing, "our own subjectivity is not founded in opposition to objectivity: the subject (the 'I') is not opposed and formed in reaction to the object (the 'not-I') but rather in its encounter with another subject (a 'thou')" (Sullivan 2018). Lotze concluded, contra transcendental idealism, not only that humans know objects in the external world, but also that a human person can come to know itself only in relation to that external world and most especially in relationships with other persons.

In addition, both Jacobi and Lotze fought against mechanistic views of nature that tended toward the dissolution of the human person. Jacobi wrote, "If there are only efficient, but no final, causes, then the only function that the faculty of thought has in the whole of nature is that of observer; its proper business is to accompany the mechanism of the efficient causes" (Jacobi 1995a, p. 189). As such, our belief that we have acted in anger, love, magnanimity or reasoning is "mere illusion!" (Jacobi 1995a, p. 189). By contrast Jacobi held "no concept more intimate than that of the final cause," a transcendent and "an intelligent personal cause of the world" (Jacobi 1995a, p. 189). In other words, he avoids the philosophical dissolution of the human person or "nihilism," a term he popularized, via appeal to a personal final cause, God. Similarly, Lotze worked to articulate the proper boundary between necessity and freedom. For him, both mechanism and personal agency are fundamental elements of human nature. Yet, the Spinozist "machine of Nature" makes "the possibility of any sort of personal existence one of the darkest of problems" (Lotze et al. 1885, p. 25). Thus, he conceived of personality as a philosophical-theological key to reality.

Lotze was a pivotal figure who influenced personalism on both sides of the North Atlantic. In Europe, his philosophical-theology fertilized the phenomenology of Edmund Husserl (1859–1938), and historians point to the heavy cross-pollination between personalism and phenomenology (Kohák 1997; Schmiesing 2000). Husserl followed the critique of Kant's noumena/phenomena framework with his exhortation that "we must go back to the 'things themselves'" (Husserl and Dummett 2001, p. 168). He also advocated "intersubjectivity," or the notion that a subject (or ego) perceives or experiences others as subjects (or alter egos):

> If, with my understanding of someone else, I penetrate more deeply into him, into his horizon of ownness, I shall soon run into the fact that, just as his animate bodily organism lies in my field of perception, so my animate organism lies in his field of perception and that, in general, he experiences me forthwith as an Other for him, just as I experience him as *my* Other. (Husserl 1999, p. 157)

He proceeds to apply this notion of the subject perceiving or experiencing other subjects to the level of a community. The result is a subject experiencing another subject (or "Other"), not merely as a subject, but also in relation to yet additional subjects. This multi-relational experiencing of Others is an "open plurality" of people "as subjects of possible intercommunion" or a "community of monads" (Husserl 1999, pp. 157–58). Thus, personalism's roots have a strong relational and communal bent.

On the other side of the North Atlantic Ocean, the father of U.S. personalism, Borden Parker Bowne (1847–1910), a Methodist clergy member who studied under Lotze in Germany before becoming a professor at Boston University, wrote, "I largely agree with Lotze, but I transcend him" (Dirksen and Schotsmans 2012, p. 389). His *Personalism*, published originally in 1908, is an important source for the U.S. branch of the school. It covers critiques of Enlightenment philosophy similar to those of Jacobi, Lotze and Husserl and offers this summative claim: "we affirm that impersonalism is a failure whether in the low form of materialistic mechanism or in the abstract form of idealistic notions, and that personality is the real and only principle of philosophy which will enable us to take any rational step whatever" (Bowne 2017, p. 263). Bowne also defines the universe as "a society of persons" led by "a Supreme Creative Person who gives meaning" to the finite world (Bowne 2017, p. 263; Dorrien 2003, p. 300).

Albert C. Knudson (a student of Bowne), Edgard S. Brightman (a colleague of Bowne), and Ralph T. Flewelling (who studied at Boston University) are other prominent U.S. personalists in the first half of the twentieth century. The latter created a second center of North American personalism at the University of Southern California (also Methodist-affiliated at the time) and founded *The Personalist* journal in 1920. He wrote,

> Our choice lies between an incoherent purposeless accident, demanding an infinite regress, and therefore unknowable, or an inaccessible pantheistic cause wherein matter is wholly phenomenal; or we may choose a self-creative person-

> ality as the ground of being sustaining itself according to general uniformities discoverable in limited and partial ways within ourselves. (Flewelling 1920, p. 221)

Reality is personal and is grounded in a personal and uncaused entity. Or, "personality is the key to reality" was Brightman's succinct summary of the personalist philosophy of Bowne and Knudson (Brightman 1943, p. 42).

Though more could be said, post-Enlightenment critiques of transcendental idealism and materialism—both of which threaten the existence of the self and the possibility of interpersonal relationships—are not ancillary components of personalist philosophical-theology. They lie at the center of its thought. As such, the absence, almost entirely, of this lineage in new school historiography limits its portrayal of why Christian personalists came to embrace human rights.

4.2. New Historiography Neglects the Theology and Spirituality of Christian Personalism

Renaud (2017), who follows new school historiography in several ways, notes that "while Samuel Moyn and others have investigated the contemporary Christian roots of human rights, they focus on the political contours at the expense of its theological foundation" (p. 494). Considering international relations more broadly, Stack (in James 2011) describes it, molded by Enlightenment thought, as embracing secularization theory and its liberal expectancy of the downfall of religion. As such, much IRT assumes "spiritual values simply are not of enough weight to really matter when the chips are down" (John F. Stack, Jr., Religious Challenge to International Relations Theory in James 2011, p. 27). Yet, for many personalists, theology and spirituality drove their system of thought. Commentary on Dostoyevsky and Nietzsche, who represent opposite sides of an existentialist criticism of modernity (even though neither of them was actually an existentialist), provides a window into the spirituality at the center of twentieth century personalism, including its earliest known (to this author) explicit defense of human rights.

Eminent Christian personalist, Jacques Maritain used Dostoyevsky and Nietzsche as paradigmatic illustrations of two types of atheism. On the one hand, Dostoyevsky's character Kirilov embodies "negative atheism," which is "a merely negative or destructive process of casting aside the idea of God" (Maritain 1952, p. 104). In *The Possessed* (also known as *Demons*), Kirilov comes under the influence of the book's central character, Stavrogin. The latter, who neither feels nor knows good and evil (they are mere prejudice), encourages Kirilov in his effort to overcome the idea of God through suicide—the ultimate triumph of human will. For Maritain (1952), this form of atheism is concerned simply with "the freedom of doing exactly as we please" (Maritain 1952, p. 104). Whether it be in voluntary self-annihilation (i.e., suicide) or the more common libertine pursuit of comfort negative atheism drives toward the "divine independence" of the self. On the other hand, Maritain's "positive atheism" or "antitheism" is an active struggle against anything that has to do with God—it is a "state of war against God" (Maritain 1952, p. 104). This product of dialectical materialism is, unsurprisingly, embodied by Nietzsche. Positive atheism was, for Maritain, of greater concern than negative atheism because it was a new and fashionable faith, without values or morality, to which people were devoting themselves.

Nietzsche was a partially more positive example for Emmanuel Mounier (1905–1950), whom Moyn (2015) describes as "without question the man who made the intellectual fortune of personalism" (p. 71). In fact, Mounier's *L'Affrontement Chrétien* (English title: *Spoil of the Violent*) is written as a running dialogue with Nietzsche. There in, Mounier challenges Christians, using Nietzsche's own incisive accusations against the faith, to an "heroic" Christianity—a religion that resists becoming bourgeois (Mounier 1955). In addition, Mounier appeals to Nietzsche in his signature *Le Personnalisme* (English: *Personalism*). In this publication, Nietzsche's role is to illuminate the nihilism of liberalism in which the human subject either disappears or is rendered merely an object. This is the same philosophical-theological ground tread by Jacobi, Lotze and others discussed above. From this nihilistic impasse, Mounier notes that Nietzsche took the path of existentialism to "the primacy

of temperament, of zeal or the will to power" (Mounier 1989, p. 74). Nietzsche serves, therefore, as both an trenchant critic of the incoherence of modernity (Nietzsche's frequent target) and an embodiment of the emptiness of atheistic existentialism (what Nietzsche prefigured). Thus, Mounier is grateful to Nietzsche for "proclaim[ing] the nihilism of Europe before yielding the floor to Dostoyevsky" (Mounier 1989, p. 98). In Mounier's analysis, Nietzsche was an admirably consistent, even heroic, prophet of humanity's fate in a world devoid of spiritual meaning.

However, despite this semi-salutary role as both prophet and embodiment of anti-modernity, the ethics derived from Nietzsche's Godless and valueless world were deeply problematic for personalism. Flewelling, the personalist at USC mentioned above, saw the "doctrine of the superman" as a "morally untempered" individualism (Flewelling 1920, p. 279). This brand of individualism, inspired by Romanticism, Goethe and evolutionary theory, fostered an "egotistic selfishness" which "embarrassed individualism" (Flewelling 1920, p. 280). Flewelling connects individualism of this nature with secularism—the lack of spiritual, religious or moral elements. By contrast, the "dominant principal" of personalism, which is a "higher individualism," is "the dependence of individual culture upon the moral and spiritual values" (Flewelling 1920, p. 285). The greatest ethical distinction between these two species of individualism, or what he also labels "individualism" and "personalism," is egocentrism versus the willingness to sacrifice for a higher good such as community and the welfare of others. For Flewelling, the paradigmatic figures of this conflict are, on one hand, the Nietzschean *übermensch* and his will to power; and, on the other hand, the "real superman" who is willing to "lay down his life for his friends," Jesus Christ (Flewelling 1920, p. 287). The former philosophy, the individualism of Nietzsche, is transparently threatening to universal human rights. Flewelling explained:

> Individualism with its exaltation of individual preferment at the expense of the many, with its ethical doctrine that whatever is useful in furthering its culture is morally right, with its scorn of the weak and helpless as beyond the pale of its care and responsibility, with its disregard and skepticism toward all spiritual values, is lined up in a great world conflict against all who believe in the inviolable *human rights* [emphasis added] of the least and feeblest in the social structure. (Flewelling 1920, p. 286)

Thus, as early as 1920, a Christian personalist had generated a defense of universal human rights in explicitly personalist language. Moreover, Flewelling grounded his argument for inviolable human rights in theological and spiritual terms.

4.3. The Modernist Schema of New Historiography

Milbank (2020) offers an insightful observation about Moyn's account of human rights origins: "to take contemporary frames of reference of modernity for granted and to fail to see that 'liberal' or 'reactionary' may be equally and specifically *modern* options" is to beg "the most vital questions at issue" (p. 23). This modernist schema, which also includes the opposition of secular progress and religious conservatism, is visible throughout much new school scholarship.

Illustrating the point, Moyn views human rights as "closely linked, in their beginnings, to an epoch-making reinvention of conservatism" (Moyn 2010, p. 87). Conservativism, with its religious associations, is problematic, and he explicitly prefers the secular liberation associated with the French Declaration of the Rights of Man and of the Citizen. This ideological commitment colors and misshapes some of Moyn's specific analyses of human rights origins. For instance, he sees "the pervasive corporatist assignment of 'dignity' to groups" as opposed to individuals, and uses it as evidence against the possibility of broad Catholic support of the dignity of the individual prior to the 1937 Irish constitution (Moyn 2015, p. 34). However, this analysis fails to account for the Thomistic revival that began in the nineteenth century and which "strongly link[s] dignity with personhood" through Aquinas' own writings (Milbank 2020, p. 24). The omission of the revival of

Thomism is surprising given that the two personalists most involved in the creation of the UDHR, Maritain and Charles Malik, were Thomist philosophical theologians.

Moyn, as well as Duranti, also complain that the Nuremberg Trial's charge of "crimes against humanity" lacks a specific reference to the murder of six million Jews. They interpret this legal innovation (i.e., the doctrine of "crimes against humanity") as evidence of a conservative and corrupt view of justice and rights. Yet, new school histories fail to mention the opening statement of the lead U.S. prosecutor at Nuremberg and an Associate U.S. Supreme Court Justice, Robert H. Jackson. The single largest section of his oration, 14 of its 89 pages, is entitled "Crimes Against the Jews" (Jackson 1946, pp. 33–47). Moreover, Milbank notes that the charge of crimes against humanity is "the more radical one" because it assumes that the victims are fully human regardless of their ethnicity or religion (Milbank 2020, p. 32). The Nuremberg Charter supports Milbank's contention by defining crimes against humanity as persecution, murder or inhumane acts committed on the basis of the "political, racial or religious" identity of the victims (Nuremberg Charter 1945).

Duranti's (2017) analysis exhibits other defects at times due to a modernist schema that juxtaposes "liberal cosmopolitanism" with "nostalgic Christian internationalism" (p. 403). For example, he includes personalist socialist leanings and interest in a European "new order" that would restrain the sovereignty of the nation-state as evidence for "an illiberal and particularist understanding of rights and liberties" (Duranti 2012, pp. 174–75). Yet, Duranti himself advocates for the European Union against Euroskeptics. He also characterizes advocacy of the institutions between the state and the individual (e.g., family, church, labor union, guild, etc.) as "neo-medievalism" and "illiberal corporatism" (Duranti 2012, p. 177; 2017, pp. 260–63). In these two illustrations, and others, he minimizes the orthogonal character of the non-conformist and third-way affinities of personalism. As Shortall and Steinmetz-Jenkins (2020) state, "to reject liberalism is not necessarily to embrace conservatism" (p. 7). Unfortunately, a binary theoretical lens reduces interpretive possibilities.

In addition, a modernist schema is visible in Hunt's historical framework for the invention of human rights when she identifies "the important first step," taken by Hugo Grotius, to define "natural rights as something self-possessed and something conceivable separate from God's will" (Hunt 2007b, p. 4). The logic of this assertion makes secularization of rights fundamental to the proper origin of human rights. Hurd describes this assumption as "laicism," which is one of a pair of divergent secularisms involving religion and international relations:

> Claims to universality grounded either in the claim to have overcome religio-cultural particularities altogether, as in laicism, or to have located the key to democratic moral and political order in a particular religio-cultural heritage, as in Judeo-Christian secularism, are problematic. (Hurd 2011, p. 61)

Her statement takes seriously the valid objection by new school historians that a particular religious approach (e.g., Christian personalism) cannot be universally acceptable as a theory or grounding of human rights, even if that specific religious formulation assigns human rights to all people (e.g., Flewelling and Maritain). Yet, Hurd also sees the inconsistency in modernist or new school historiographic objections to religious particularity while making secularity, itself a particular view of the world, a criterion for universality.

5. Implications for Religion and International Relations Theory

As mentioned above, international relations theory has largely neglected religion (Barnett 2011; Haynes 2021; James 2011; Snyder 2011). The work of new school historians breaks this trend and exemplifies the potential value of more robust treatment of religious actors in issues of international relations. At the same time, this paper shows the challenge of interpreting religious actors in their complexity. These may be the two most important ramifications of the preceding analysis. In addition, the following subsections discuss other noteworthy implications of the development of human rights in the 1930s and 1940s for each of the three major theories of international relations.

5.1. Implications for IRT Realism

Barnett (2011), a self-described late arriver to the importance of religion in the contemporary international order, identifies doubt of its causal significance as one of two central reasons (the second reason, the presumption that religion is a destructive and irrational force, is discussed at the beginning of Section 5.3) for the lack of interest in religion by international relations theorists (pp. 93–94). Consistent with this appraisal, both the seminal work and self-edited reader of leading realist, Waltz, do not address religion (Waltz [1979] 2010, 2008). Even where the role of ideology enters Waltz' discussion, it is "subordinated to [national] interest," and "a prop to national policy" constrained by international structures (Waltz 1979, pp. 172–73). As such, IRT realism has shown little use, not only for religion, but also for human rights—another topic not treated in these two major works by Waltz.

Yet, the history of human rights suggests at least three ways in which IRT realism can and should incorporate religion to strengthen its analyses. Firstly, Donnelly's (2000) sympathetic internal critique of IRT realism observes that its adherents "see realism only as a starting point for a single dimension of international relations" and keep "'realist' insights in dialectical tension with higher human possibilities" (p. 193). One of the specific realists that he mentions in this regard, E. H. Carr, was the chair of the UNESCO committee that developed a preliminary list of rights for consideration by the drafters of the UDHR (Glendon 2002). Maritain also sat on this committee and wrote the well-known introduction to its report, "Human Rights: Comments and Interpretations." Thus, realism does not demand exclusivity—power and national-interest are important, but other, and at times, "higher human" factors (to invoke the Donnelly quote from just above) influence international relations.

Secondly, Reinhold Niebuhr, a leading post-WWII era realist, who factors heavily in a volume by Waltz and Walt (2018), illustrates an additional way in which realism and religion are linked. Despite his significant theological affinities for Christian personalism (and a warm friendship with Maritain), Niebuhr was skeptical of human rights. Following Karl Barth and neo-orthodoxy, Niebuhr saw original sin as a central reality that constrained moral and political progress (Zubovich 2020, p. 156). Thus, he criticized Christian perfectionists and pacificist for "fail[ing] to realize to what degree the sinfulness of men, even the best, makes justice between competing interests and conflicting wills a perennial necessity of history" (Niebuhr 1941, p. 4). This is to say, one of the most important realists of the immediate post-WWII era based his theory of international relations in religious reasoning. Might not other influential figures, institutions, and even nation-states justify certain of their international actions or theories, overtly or tacitly, with religious reasoning?

Thirdly, opposed to realism's myopic focus on "unit-level causes and effects" (i.e., the interaction of states in the work of theorists such as Hans Morgenthau), neo-realists recognize an additional "structural" level of causes and effects (Waltz 2008, p. 76). Therefore, structures, in addition to states, are important objects of analysis. This point comports well with the historical accounts of Duranti and Moyn showing the formative role of religious ideas and religiously inspired actors in the creation of international institutions such as the UDHR and the ECHR. If international structures can be causally significant, and religion is important in the development of certain of these structures, religion has a place in neo-realist theory of international relations.

5.2. Implications for IRT Liberalism

IRT liberalism overlaps to some degree with neo-realism on the topic of international structures and institutions. Keohane (2005) rejects the unbalanced extremes of realism and institutionalism. In their place he appreciates "sophisticated institutionalists" who recognize that international institutions of cooperation can meaningfully effect nation-state behavior (pp. 7–8). As such, IRT liberalism can and should account for religion's influence in international relations via international institutions and structures.

Unfortunately, the most important implication of the historiography covered in this essay for IRT liberalism is, arguably, to raise doubts about analyses of religion based

on its presuppositions. Doyle's (1986) foundational liberalist paper embraces Kantian republicanism because it is, admirably, "capable of appreciating the moral equality of individuals and of treating other individuals as ends rather than as means" (p. 1162). Yet, Kantian or liberal republics—characterized by democratic representation, individual equality, and universal law—only recognize the rights of other republics. Shockingly, non-republics "have no rights of non-interference" because they "do not authentically represent the rights of individuals" (Doyle 1986, p. 1162). Whatever one thinks about the descriptive or predictive value of this argument, the implicit Western and secular bias is strong. The population of nation-states that have political and moral sanction, by its logic, to invade others is dominated mostly by Western and secularizing nations; and the theory itself is grounded in the thought of an Enlightenment thinker, Kant, who sought a universal secular ethic.

International relations scholarship on contemporary human rights issues exhibits related assumptions. Forsythe (2017), for instance, treats the status of human rights in the twenty-first century as the effort "to make international relations conform to the liberal prescription for the good society" (p. 3). The good society is founded in "equality and autonomy of individuals" so much so that "liberalism is a synonym for attention to personal rights" (Forsythe 2017, p. 3). Lauren's framing resembles that of Forsythe, but it adds the commonly unstated point of negative comparison. That is, the evolution of human rights is the quest for individual dignity, freedom, equal protection, and social justice against those who fear "'upsetting public order,' 'endangering national unity' 'threatening the natural order' [and] 'challenging tradition'" (Lauren 2011, p. 292). Moyn makes a similar point, as noted above, by juxtaposing emancipation and order. Undoubtedly, there is a crucial element of truth to this framework, but it is an oversimplification that dichotomously pits rights against duties, and the individual against society. Christian personalism's "third-way" and "non-conformist" character rejected this opposition: the person is both an individual with inviolable human rights and a social being with obligations to other humans and the greater society.

5.3. Implications for IRT Constructivism

The identification of these types of dubious assumptions in international relations is an important contribution of analyses with a constructivist character. The second of two major reasons (the first reason, skepticism of religion's causal influence in international relations, is discussed at the beginning of Section 5.1), posited by Barnett (2011), for the neglect of religion in international relations scholarship is the presumption that religion is a destructive and irrational force (pp. 93–94). Similarly, Hurd describes a form of secularism in international relations that views religion as "an impediment to modernization and development" (Hurd 2011, p. 60). New school historiography of human rights, while also generating numerous insightful discoveries and analyses, illustrates the kind of substantive errors that can result from this presumption (see Sections 4.2 and 4.3 above). Duranti, Hunt, and Moyn are a particularly interesting case because they set out to challenge an existing historiography, in part, by disavowing its particularity and biases. While they rightly criticize religious and teleological theories as incapable of producing a universally valid justification for human rights, they seem unconcerned that their scholarship also evinces a particular ideology that appears to aspire to universality and objective veracity. Despite methodological commitments to explore the invention of human rights and to frame the UDHR as the product of political struggle new school historiography shows a predilection to regard as unique and universally valid the particular view of human rights embodied in the French Declaration of The Rights of Man and the Citizen. Constructivists provide a scholarly service by pointing out this inconsistency of liberalism.

The history of human rights underscores the value of IRT constructivism in an additional way. Instead of assuming tension between human rights values and the interests of nations-states, and taking a position in that struggle, constructivism examines how "shared norms and values" are created (Dunne and Hanson 2009, p. 64). The foundation of

human rights is "overlapping consensus" among nation-states, transnational institutions, and other actors involved in international relations. This conception does not see human rights as a natural virtue or right, such as liberalism, but as "an inter-subjectively generated commitment" (Dunne and Hanson 2009, p. 64). As Maritain famously quipped about the 1947 UNESCO committee and its provisional list of human rights, "Yes, we agree upon the rights, but on condition that no one asks why" (Glendon 2002, p. 77). Snyder (2009), also describing IRT constructivism, adds that "international change results from intellectual entrepreneurs who proselytize new ideas and 'name and shame' actors whose behavior deviates from accepted standards" (p. 60). As new school histories of human rights have shown, Christian personalists, among others, filled this intellectual entrepreneurial and proselytizing role in the drive toward an intersubjectively generated commitment to human rights in the aftermath of WWII.

6. Conclusions

In conclusion, new school historians have shed important light onto the development of human rights in the mid-twentieth century. Two of their most significant findings are the surprisingly quick ascension of the idea of "human rights" from obscurity to consensus in the 1940s and the crucial role of Christian personalism in that ascent. However, the assumptions of IRT liberalism embedded in their scholarship produce important flaws. They miss the philosophical-theological development of personalism in the nineteenth century, focus on the politics of Christian personalism while neglecting its spirituality, and exhibit a modernist schema that dichotomously valorizes liberal secularism over reactionary religion. By contrast, IRT constructivism both (a) illuminates the assumptions of IRT liberalism that cloud its analysis of religion in international relations; and (b) provides a framework that is well equipped to understand the impact of religion in international relations because it is attuned to the emergence and socialization of norms as different cultures, religious traditions, and value systems interact. This is not to say that constructivism is the only, or necessarily the most useful theory of international relations. Snyder (2009) describes the role of "each of the three theoretical traditions as a check on the irrational exuberance of the others" (p. 61). Even prominent scholars who are committed to one of the various theoretical lenses acknowledge the value of other theories (e.g., Keohane 2005; Wendt 1999). Yet, in the case of Christian personalism and the creation of the UDHR, constructivist theory is a reliable guide for understanding the ability of religious ideas and religious actors to influence international relations.

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