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A World of Persons

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This is a study of subjecthood in international thought. Human beings and states, while often held to be opposed to one another, share this: they are international thought's key subjects. The following chapters attempt to answer the question of why that is. The main argument advanced is that this is because of the particular language in which subjecthood is articulated, the language of personhood, which stipulates certain criteria—chief among them rationality—by which someone or something becomes a person and thus a subject. This theoretical argument is one that is made historically: rather than explaining why this needs to be the way in which subjecthood is assigned, it is a study of how this came to be.

Through a study of key texts in the history of international thought from the seventeenth-century to today, it purports to document both this language's emergence and its effects. It traces, on the one hand, how the language of personhood became a central language of international thought and how this has led to the prioritization of human beings and states, on the other. The final chapter of this study broadens the scope to discuss other implications this language has had upon international thought in general and humanity and the state in particular, arguing that it has not only cemented these two as international thought's central subjects, but also made them dependent upon one another, which in turn makes it exceedingly difficult to specify which of the two ought to be taken as the most important subject of international thought.

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Abstract

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A World of Persons

Sindre Gade Viksand

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To my parents

Acknowledgements

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1 Introduction

This is a study of humanity and the state in international thought. This being the subject, one would think that what follows is a defense of one over the other, since this is how the two have traditionally figured together in the writings of international theorists. Usually, such a defense has been articulated on normative grounds. Some have sought to make a normative claim for the primacy of humanity by invoking the ancient idea of a community of humankind, an idea whose promise it is to bring humanity out of the morally arbitrary confines of the state and into the same universal moral community from which it originally descends, and in which all human beings will yet again be assigned moral value simply by virtue of being human.[1] Others have argued that, as humanity consists of so many different peoples, as these peoples find themselves assembled into a multiplicity of different states, and as the boundaries of these states contain their local identities, the state ought to be respected rather than found morally arbitrary.[2] But both of these claims have also been bolstered by analytical arguments on the conditions of possibility for international thought itself. The pledged move from the state to the community of humankind will never be able to deliver on its promises, it is sometimes argued, since the promised destination will not be universal humanity

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[1] Andrew Linklater, *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era* (Cambridge: Polity Press, 1998); Charles R. Beitz, *Political Theory and International Relations* (Princeton: Princeton University Press, 1979); Charles Jones, *Global Justice. Defending Cosmopolitanism* (Oxford: Oxford University Press, 1999); Simon Caney, *Justice Beyond Borders: A Global Political Theory* (New York: Oxford University Press, 2005).

[2] Robert Jackson, *The Global Covenant: Human Conduct in a World of States* (New York: Oxford University Press, 2000); Terry Nardin, *Law, Morality, and the Relations of States* (Princeton: Princeton University Press, 1983); Michael Walzer, *Thick and Thin: Moral Argument at Home and Abroad* (Indiana: University of Notre Dame Press, 1994); Michael Walzer, "The moral standing of states: a response to four critics," *Philosophy & Public Affairs* 9, no. 3 (1980); Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983); James Mayall, *Nationalism and International Society* (Cambridge: Cambridge University Press, 1990); James Mayall, *World Politics: Progress and its Limits* (Cambridge: Polity Press, 2000).

but rather the universalization of a particular way of being human.[3] But, so it has also been retorted that the very claims to particularity must themselves rest upon universalist assumptions, for the existence of boundaries can only be articulated by way of capacities that are universal to the whole human species, and the appeal to toleration and respect of their particularity can only be made from a universal moral vantage point from which tolerance can be celebrated and intolerance condemned.[4]

   In the chapters that follow, however, I intend neither to defend humanity nor argue the case for the state. Nor shall I attempt to reveal the reasons why international theorists tend to privilege one over the other. Instead, by taking a step back, I shall inquire into a different set of conditions for international thought, namely those which underlie their joint centrality: how they together emerged as international thought's central subjects, and why it seems so difficult to move beyond them. For it is undoubtedly true that, however much they are pitted against one another as if they were in an eternal struggle, the human being and the state are nonetheless together the central subjects of international thought; among the many beings, entities, or associations that are of potential interest to the international theorist, the two have long reigned supreme. And it does seem remarkably difficult to move beyond them and recognize other subjects of equal value. Some have sought to displace the centrality of the human being by defending the standing of nonhuman animals, rivers, or even nature itself.[5] Others have considered the subjecthood of other human associations than the state, such as international

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[3] R. B. J. Walker, *After the Globe, Before the World* (Abingdon: Routledge, 2010); Naeem Inayatullah and David L. Blaney, *International Relations and the Problem of Difference* (New York: Routledge, 2004).

[4] Jens Bartelson, *Visions of a World Community* (Cambridge: Cambridge University Press, 2009); William Bain, "One order, two laws: recovering the 'normative' in English School theory," *Review of International Studies* 33, no. 4 (2007).

[5] See, for instance, Erika Cudworth and Stephen Hobden, *Posthuman International Relations: Complexity, Ecologism and Global Politics* (New York: Zed Books, 2011); Rafi Youatt, *Interspecies Politics: Nature, Borders, States* (Ann Arbor: University of Michigan Press, 2020); Matthew Leep, "Stray dogs, post-humanism and cosmopolitan belongingness: Interspecies hospitality in times of war," *Millennium: Journal of International Studies* 47, no. 1 (2018); Rafi Youatt, "Personhood and the rights of nature: The new subjects of contemporary earth politics," *International Political Sociology* 11, no. 1 (2017); Anthony Burke, "Interspecies cosmopolitanism: Non-human power and the grounds of world order in the Anthropocene," *Review of International Studies* 49, no. 2 (2023).

organizations.[6] What remains constant, however, is that these challenges have until now been largely unsuccessful.

Most importantly, however, the human being and the state have withstood the attempt to transcend them both, an attempt to which I shall pay significant attention in the chapters to come. This classical attempt sought to accentuate the difference between the individual human being and humankind as a whole so as to make a case for the primacy of the latter over the former, thus challenging also the state as the primary human association with subjecthood. This argument has recently resurfaced in a renewed attempt to establish humankind as a distinct form of being from the human beings of which it is composed by emphasizing the former's status as a victim of crimes and as a protagonist in bringing about the destruction of the planet.[7] By inquiring into the failure of these attempts of displacement, then, the question is this. How have the human being and the state acquired and continues to maintain this unassailable position within international thought?

Now, such a question opens up for many different modes of inquiry. One rather straightforward approach would, for instance, be to trace the intellectual history of the arguments in favor of the human being and the state over other beings, entities, and associations. But, since the aim is not only to understand how they emerged as the central subjects of international thought, but also to make sense of why they are likely to remain so also in the future, such a historical undertaking would arguably be insufficient, especially since these arguments have not remained the same over the course of the history of international thought, nor are they likely to do so in the future. To this end, I suggest taking a further step back.

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[6] See, for instance, Toni Erskine, ""Blood on the UN's Hands''? Assigning Duties and Apportioning Blame to an Intergovernmental Organisation," *Global Society* 18, no. 1 (2004). See also the discussion in Chris Brown, "Moral Agency and International Society: Reflections on Norms, the UN, the Gulf War and the Kosovo Capaign," in *Can Institutions have Responsibilities? Collective Moral Agency and International Relations*, ed. Toni Erskine (Basingstoke: Palgrave MacMillan, 2003).

[7] On humanity as a collective subject of crimes, see Sinja Graf, *The Humanity of Universal Crime: Inclusion, Inequality, and Intervention in International Political Thought* (New York: Oxford University Press, 2021); Raphaëlle Nollez-Goldbach, "Crimes against Humanity: The Concept of Humanity in International Law," in *International Criminal Law in Context*, ed. Philipp Kastner (New York: Routledge, 2018); Christopher Macleod, "Towards a Philosophical Account of Crimes Against Humanity," *The European Journal of International Law* 21, no. 2 (2010). On humanity as the protagonist or agent of climate change, see Clive Hamilton, *Defiant Earth: The Fate of Humans in the Anthropocene* (Cambridge: Polity Press, 2017); Scott Hamilton, "I am uncertain, but We are not: a new subjectivity of the Anthropocene," *Review of International Studies* 45, no. 4 (2019); Dipesh Chakrabarty, *The Climate of History in a Planetary Age* (Chicago: University of Chicago Press, 2021); Dipesh Chakrabarty, "Postcolonial Studies and the Challenge of Climate Change," *New Literary History* 43, no. 1 (2012).

For what has remained rather constant and is likely to continue to do so also in the future is the *language* which have come to structure the assignment of subjecthood within international thought; a language whose own structure sets the conditions for the prioritization of certain beings, entities, and associations over others. Rather than writing with the aim to determine who the subjects of international thought ought to be, the purpose of the following is instead to make better sense of the conditions underpinning the assignment of subjecthood in international thought. This, then, will not so much be a study of the defense of the state and humanity in the history of international thought as it will be a historical study of the language in which this defense has been articulated: how this language came to be a part of international thought, how it came to structure what was possible to say or argue within it, and how it continues to do so even today.

But what is this language which has come to structure international thought? Like any domain of thinking, international thought has always been articulated by way of a specialized but extensive vocabulary, parts of which have been borrowed from other intellectual domains, other parts having developed organically within international thought itself. As I would like to argue, international thought has been particularly structured by one language and that is the language of *persons, personality,* and *personhood.* It is by adopting this language that the human being and the state have acquired the position as the central subjects of international thought. And while they have acquired this position partially because they both qualify as persons, their position has been cemented because there is no viable third person capable of challenging them. As long as the world that international theorists define, describe, and analyze is a world of persons, the human being and the state are more likely than not to withstand any attempt to displace their hegemony.

This is a language which, like any good language, has proved to be highly effective in ordering a complex world in which a multitude of different beings, entities, and associations would seem to matter a great deal. It does so by providing a definite set of conditions for personhood, thus making it possible to single out those who matter from those who do not on the basis of an anterior discrimination between those who qualify as persons from those who do not. A necessary part of this language is that of rationality, since this is the general term under which the particular characteristics that define a person can be subsumed. Any being, entity, or association capable of thinking and acting rationally as one substance, not only by being conscious but also by having a unified intellect and will, can be

considered to be a person in its own right. The logic behind these particular conditions for personhood is that it allows for the separation between those who can truly own their actions from those who cannot, and in this way discriminate between those who can and those who cannot be considered as moral, legal, or political substances. While someone or something without the capacity for rational thought may act and thus have an effect upon the world, it does not make sense, according to this language, to consider such actions as moral, legal, or political actions since such actions need to emanate from substances which can truly own and for this reason take responsibility over them.[8]

Personhood is therefore a status assigned to someone or something on the basis of their capacity to act as a person. In this sense, the language of personhood goes beyond its colloquial use as a general reference to human beings, since not all human beings are persons and not all persons are human beings. That is to say, because not all human beings are capable of rational thought and action, there are those human beings who do not qualify for personhood. Conversely, since there are those entities or associations who by way of certain organizational structures can be said to act as one person, not all who qualify for personhood are human beings. For this reason, the plural form of 'person' is in this language not 'people' but 'persons'.

This does not mean, however, that a tight bond between personhood and humanity is lacking. On the contrary, the language of personhood stands centrally in the defense of the idea of the community of humankind. From its origins in the ancient theatre in which it designated the mask actors wore on stage, through its adoption by jurists in defining a legal subject, the idea of the person became

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[8] Although law pertains also to 'things', to be a 'person' of the law designates quite a different subject who, because of its capacity to act, is one with a radically different legal standing. 'The whole of the law by which we are governed', Gaius famously proclaimed, 'relates either to persons, or to things, or to actions'. Gaius, *Institutiones or Institutes of Roman Law*, ed. and trans. Edward Poste, 4th ed. (Oxford: Clarendon Press, 1904), §8. See also Patrick W. Duff, *Personality in Roman Private Law* (Cambridge: Cambridge University Press, 1938); Roberto Esposito, *Persons and Things from the Body's Point of View*, trans. Zakiya Hanafi (Cambridge: Polity Press, 2015); Jan Klabbers, "The Concept of Legal Personality," *Ius Gentium* 11 (2005). Similarly, persons, whose agential capacities make them capable of being the subject of moral rights and obligations, are afforded a particular status in the sphere of morality. See Mary Anne Warren, *Moral Status: Obligations to Persons and Other Things* (Oxford: Oxford University Press, 1999); Amy Kind, *Persons and Personal Identity* (Cambridge: Polity Press, 2015); Agnieszka Jaworska and Julie Tannenbaum, "Persons and Moral Status," in *Persons: A History*, ed. Antonia LoLordo (Oxford: Oxford University Press, 2019); Sean Fleming, "Moral Agents and Legal Persons: The Ethics and the Law of State Responsibility," *International Theory* 9, no. 3 (2017).

an essential part of the Christian articulation of the intrinsic value of the human being.[9] Believed to be gifted with reason, and thus the capacity for reasoned actions, the human being was endowed with a certain dignity belonging only to persons; a belief which, by way of the language of personhood, made it possible to separate humanity off from the rest of nature. The language of such a doctrine, rooted as it was in medieval scholastic philosophy and theology, still plays a vital role today in the defense of human rights and the human dignity upon which such rights are based.[10]

But since personhood is not restricted to human beings, it opens up the possibility to give a moral, legal, and political reality also to human associations as distinct entities capable of bearing a personality of their own. Among these associations—which have ranged from universities to private clubs—the state is undoubtedly the most important, not at least within international thought.[11] Indeed,

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[9] Esposito, *Persons and Things*; Roberto Esposito, *Third Person: Politics of Life and Philosophy of the Impersonal* (Cambridge: Polity Press, 2012). For its Roman origins, see Duff, *Personality in Roman Private Law*. For an overview over the various uses of the category of the person, see Marcel Mauss, "A Category of the Human Mind: The Notion of Person; The Notion of Self," in *The Category of the Person: Anthropology, Philosophy, History*, ed. Michael Carrithers, Steven Collins, and Steven Lukes (Cambridge: Cambridge University Press, 1985).

[10] Samuel Moyn, "Personalism, Community, and the Origins of Human Rights," in *Human Rights in the Twentieth Century*, ed. Stefan-Ludwig Hoffmann (Cambridge: Cambridge University Press, 2011); Samuel Moyn, *Christian Human Rights* (Philadelphia: University of Pennsylvania Press, 2015); Michael Rosen, *Dignity: Its History and Meaning* (Cambridge: Harvard University Press, 2012); Thomas D. Williams, *Who is My Neighbor? Personalism and the Foundations of Human Rights* (Washington, DC: Catholic University of America Press, 2005); Thomas Finegan, "Conceptual Foundations of the Universal Declaration of Human Rights: Human Rights, Human Dignity and Personhood " *Australian Journal of Legal Philosophy* 37 (2012).

[11] On the history of the idea of state personality, see Otto Gierke, *Political Theories of the Middle Age*, trans. Frederic William Maitland (Boston: Beacon Press, 1959); Otto Gierke, *Natural Law and the Theory of Society, 1500 to 1800*, trans. Ernest Barker (Cambridge: Cambridge University Press, 1958); Quentin Skinner, "The Sovereign State: A Genealogy," in *Sovereignty in Fragments: The Past, Present and Future of a Contested Concept*, ed. Hent Kalmo and Quentin Skinner (Cambridge: Cambridge University Press, 2010); David Runciman, *Pluralism and the Personality of the State* (Cambridge: Cambridge University Press, 1997); Ben Holland, *The Moral Person of the State: Pufendorf, Sovereignty and Composite Polities* (Cambridge: Cambridge University Press, 2017); Jens Bartelson, "Sovereignty and the Personality of the State," in *The Concept of the State in International Relations: Philosophy, Sovereignty and Cosmopolitanism*, ed. Robert Schuett and Peter M. R. Stirk (Edinburg: Edinburg University Press, 2015); Sean Fleming, "The two faces of personhood: Hobbes, corporate agency and the personality of the state," *European Journal of Political Theory* 20, no. 1 (2017); Henry S. Turner, *The Corporate Commonwealth: Pluralism and Political Fictions in England, 1516-1651* (Chicago: University of Chicago Press, 2016); Mónica Brito Vieira, *The Elements of Representation in Hobbes: Aesthetics, Theatre, Law, and Theology in the Construction of Hobbes's Theory of the State* (Leiden: Brill, 2009).

the idea that the state is a person is so fundamental for international theory that it has been compared to a religious belief.[12] It is what gives the state a presence on the world stage as a political actor, for as a person, the state can be presumed to have interests or an identity that differ from the interests and identities of its members.[13] As a person, it is also a moral actor, for it can in this way it can be said to have acquired rights and responsibilities on its own.[14] And it is as an independent person that the state is not merely a container of legal subjects, but is also itself a subject of international law, just as human persons are of municipal law.[15] By way

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[12] Mika Luoma-Aho, "Political theology, anthropomorphism, and person-hood of the state: The religion of IR," *International Political Sociology* 3, no. 3 (2009).

[13] Alexander Wendt, "The state as person in international theory," *Review of International Studies* 30, no. 2 (2004); Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), 193-245; Erik Ringmar, "On the Ontological Status of the State," *European Journal of International Relations* 2, no. 4 (1996); Iver B. Neumann, "Beware of organicism: the narrative self of the state," *Review of International Studies* 30, no. 2 (2004); Colin Wight, "State agency: social action without human activity?," *Review of International Studies* 30, no. 2 (2004); Patrick Thaddeus Jackson, "Hegel's House, or 'People are states too'," *Review of International Studies* 30, no. 2 (2004); Jacob Schiff, "'Real'? As if! Critical reflections on state personhood," *Review of International Studies* 34, no. 2 (2008); Amy Eckert, "Peoples and Persons: Moral Standing, Power, and the Equality of States," *International Studies Quarterly* 50, no. 4 (2006); Jorg Kustermans, "The state as citizen: state personhood and ideology," *Journal of International Relations and Development* 14, no. 1 (2011); Ulrich Franke and Ulrich Roos, "Actor, structure, process: transcending the state personhood debate by means of a pragmatist ontological model for International Relations theory," *Review of International Studies* 36, no. 4 (2010); Luoma-Aho, "Political theology, anthropomorphism, and person-hood of the state: The religion of IR."; Bianca Naude, *Revisiting State Personhood and World Politics: Identity, Personality, and the IR Subject* (New York: Routledge, 2022); Nina C. Krickel-Choi, "State personhood and ontological security as a framework of existence: moving beyond identity, discovering sovereignty," *Cambridge Review of International Affairs* (2022), https://doi.org/https://doi.org/10.1080/09557571.2022.2108761.

[14] David Runciman, "The Concept of the State: The Sovereignty of a Fiction," in *States and Citizens: History, Theory, Prospects*, ed. Quentin Skinner and Bo Stråth (Cambridge: Cambridge University Press, 2003); Sean Fleming, *Leviathan on a Leash: A Theory of State Responsibility* (Princeton: Princeton University Press, 2020); Sean Fleming, "Leviathan on trial: should states be held criminally responsible?," *International Theory* 13, no. 3 (2021); Sean Fleming, "Artificial persons and attributed actions: How to interpret action-sentences about states," *European Journal of International Relations* 23, no. 4 (2017); Harry D Gould, "International criminal bodies," *Review of International Studies* 35, no. 3 (2009); Toni Erskine, "Assigning Responsibilities to Institutional Moral Agents: The Case of States and Quasi-States," *Ethics & International Affairs* 15, no. 2 (2001); David Runciman, "Moral Responsibility and the The Problem of Representing the State," in *Can Institutions have Responsibilities? Collective Moral Agency and International Relations*, ed. Toni Erskine (Basingstoke: Palgrave Macmillan, 2003); John M. Parrish, "Collective Responsibility and the State," *International Theory* 1, no. 9 (2009); Milla Emilia Vaha, *The Moral Standing of the State in International Politics: A Kantian Account* (Cardiff: University of Wales Press, 2021).

[15] Edwin DeWitt Dickinson, "The Analogy between Natural Persons and International Persons in the Law of Nations," *The Yale Law Journal* 26, no. 7 (1917); Adam Strobeyko, "The Person of the

of its personification, the state has therefore become an independent subject of politics, morality, and law.

Now, given my argument that the language of personhood has come to structure international thought, the significance of this language goes beyond how it sometimes appears in contemporary international thought, namely as a set of useful metaphors or analogies to make better sense of the state or any other being, entity, or association. Such anthropomorphisms have always flourished throughout the history of political, social, and moral thought.[16] And international thought has proved to be no exception to this general trend, being particularly enthralled with Hobbes's verdict that the state is 'but an Artificiall Man', and using this metaphorically or analytically to ascribe to the state distinctly human (or masculine) qualities.[17] The state is thus held to be an actor which sometimes acts rationally on the basis of its own interests, sometimes irrationally because of its particular identity or emotions.[18] Insofar as this is a language of international thought, then,

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State: The Anthropomorphic Subject of the Law of Nations," *Journal of the History of International Law* (2022), https://doi.org/https://doi.org/10.1163/15718050-bja10076; Roland Portman, *Legal Personality in International Law* (Cambridge: Cambridge University Press, 2010); Oleg I. Tiunov, "The International Legal Personality of States: Problems and Solutions," *St. Louis University Law Journal* 37, no. 2 (1993); Janne Elisabeth Nijman, *The Concept of International Legal Personality: An Inquiry into the History and Theory of International Law* (The Hague: T.M.C. Asser Press, 2004).

[16] See, for instance, Leonard Barkan, *Nature's Work of Art: The Human Body as Image of the World* (New Haven: Yale University Press, 1975).

[17] Thomas Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: Cambridge University Press, 1996), 9. See J. Ann Tickner, "Identity in International Relations Theory: Feminist Perspectives," in *The Return of Culture and Identity in IR Theory*, ed. Yosef Lapid and Friedrich Kratochwil (Boulder: Lynne Rienner Publishers, 1996), 151. See also, Richard K. Ashley, "Living on the Border Lines: Man, Poststructuralism, and War," in *International/Intertextual Relations: Postmodern Readings of World Politics*, ed. James Der Derian and Michael Shapiro (New York: Lexington Books, 1989); R. B. J. Walker, "Gender and Critique in the Theory of International Relations," in *Gendered States: Feminist (Re)Visions of International Relations Theory*, ed. V. Spike Peterson (Boulder: Lynne Rienner Publishers, 1992); Hidemi Suganami, *The Domestic Analogy and World Order Proposals* (Cambridge: Cambridge University Press, 1989); Chiara Bottici, *Men and States: Rethinking the Domestic Analogy in a Global Age*, trans. Karen Whittle (Basingstoke: Palgrave Macmillan, 2009); Charlotte Epstein, *Birth of the State: The Place of the Body in Crafting Modern Politics* (New York: Oxford University Press, 2021).

[18] Ringmar, "On the Ontological Status of the State."; Jonathan Mercer, "Feeling like a State: Social Emotion and Identity," *International Theory* 6, no. 3 (2014); Brent E Sasley, "Theorizing states' emotions," *International Studies Review* 13, no. 3 (2011); Earl Gammon, "Affective neuroscience, emotional regulation, and international relations," *International Theory* 12, no. 2 (2020); Emma Hutchison, *Affective Communities in World Politics: Collective Emotions after Trauma* (Cambridge: Cambridge University Press, 2016); Jennifer Mitzen, "Ontological Security in World Politics: State Identity and the Security Dilemma," *European Journal of International Relations* 12, no. 3 (2006); Catarina Kinnvall, "Feeling ontologically (in)secure: States, traumas and the governing of gendered

it would appear to be one which is only employed because it usefully allows the international thinker to speak of the state as something which it is not. 'The state', Walzer argues, 'is invisible' and must therefore 'be personified before it can be seen, symbolized before it can be loved, imagined before it can be conceived'.[19]

But, as I want to emphasize, such portrayals of how the language of personhood figures in international thought significantly understate the structuring effect this language has upon the possibilities and limits of international theorizing. Two such effects shall be particularly highlighted in the chapters to come, one demonstrating the possibilities that open up by use of this language, the other the limitations it has placed and continues to place upon international thought. The first is that, when the language of personhood first entered international thought, it made it possible to displace the human being from the center of the universe of politics, law, and morality. By grounding the dignity of the human being in what made it a person, it opened up for the possibility that other beings, entities, and associations could be endowed the same form of dignity, providing that they possessed the same qualities that made the human being a person. The personification of the state is in this sense not a way to make tangible what was previously nebulous, but to give it a political, legal, and moral reality on the basis of its sufficient and observable similitude with the human being. Without already being sufficiently like a human being, the state could not be personified at all, for in the absence of these human qualities, the state would be nothing more than a collection of human persons. The attribution of rationality to the state is therefore not a consequence of its construal as an 'Artificiall Man', but rather the opposite: the state's capacity for rational action is the condition of possibility for thinking of the state as an equal being to that of 'man'. That is to say, the state is not like a human person because it, too, is a being to whom interests, identities, rights, and responsibilities may be assigned. Conversely, the state is a being to whom interests, identities, rights, and responsibilities can be attributed precisely because it is sufficiently like a human person.

The second is that, while the language of personhood opens some doors, it closes others. For while it opens up for the possibility to consider as equals all who

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space," *Cooperation and conflict* 52, no. 1 (2017); Catarina Kinnvall, "Globalization and Religious Nationalism: Self, Identity, and the Search for Ontological Security," *Political Psychology* 25, no. 5 (2004); Adam B. Lerner, "What's it like to be a state? An argument for state consciousness," *International Theory* 13, no. 2 (2021).

[19] Michael Walzer, "On the Role of Symbolism in Political Thought," *Political Science Quarterly* 82, no. 2 (1967).

display a certain set of human qualities, the door remains closed for those who do not. This is what makes it exceedingly difficult to challenge the human being and the state's hegemony as the two principal subjects of international thought, for as long as the world of which international theorists seek to make sense is a world of persons, any beings or entities that are to be recognized to have the same kind of value to that of the human being need to display distinctly human qualities; any association of human beings need to be organized in a similar fashion to the state, for it is this organizational structure that makes the state sufficiently rational to be considered a person in its own right.

In order to demonstrate how difficult it is to move beyond the human being and the state, I shall study the many attempts by international theorists to do precisely this. In particular, I shall focus on that which would truly challenge their hegemony, namely the attempt to argue that the community of humankind is itself a person, not merely an association containing a multitude of individual persons. If this argument were to be successfully made, it would both defy the state as the supreme form of human association and radically alter the constitution of the community of humankind. As I shall hope to make clear in the chapters that follow, the many attempts to do so were thwarted by the theoretical language in which they were made, for in order to successfully make the claim that humanity as a whole had a certain value in its own right—that this association could itself possess rights, bear responsibilities, and have interests and identities—it was necessary to make the anterior argument that humanity was itself a rational being, which is an argument difficult to uphold and easy to reject. Thus, as long as the language of personhood remains the mean by which the standing of beings and entities is judged, and as long as the community of humankind is not organized in such a fashion that it resembles a human being, it is all but guaranteed the continuity of the present constitution of this community as a community *of* persons not as a community *as* a person. Indeed, granted that the language of personhood persists as a language central to international thought, any attempt to move from the state to humanity would rather seem to reinforce the basis upon which the centrality of the state rests and, conversely, any attempt to bolster the state by way of this language would seemingly only strengthen the existence of this idea of the community of humankind.

So impactful has this language been that international theorists seem to take for granted that this is how the community of humankind is constituted. Though the community of humankind is often spoken of as if it was a larger social whole

in which both human beings and states are embedded, it seemingly goes without question that this social whole is qualitatively different than that which is the state. Indeed, if both political and international thought are driven by a common assumption, it is that humanity is fundamentally many and not one. While both traditions of thought may, in various ways and to a different extent, be influenced by cosmopolitan ideas on the oneness of humanity, there is nonetheless an agreement that, although (or precisely because) strong bonds may form *between* human beings, humanity always exist in the plural. Rather than recognizing humanity as a being in its own right, the language of personhood helps make the point which is at the heart of the idea of the community of humankind, namely that all human persons are of equal worth, irrespective of their nationality, religion, gender, or sexual orientation. By virtue of their distinct human qualities, all human beings are afforded a particular dignity that is associated with being a person.[20] And, in as much as they are persons, all human beings possess a set of inalienable rights.[21] But, as one commentator symptomatically put it, any talk of human dignity and any claim that this applies to the whole human species is not the same as 'saying that the species has a real existence apart from the individuals that make it up'.[22] Arendt seems therefore to have been correct in arguing that numerical plurality is an essential part of the human condition; that 'men, not Man, live on the earth and inhabit the earth' and that 'this plurality is specifically *the* condition—not only the *conditio sine qua non,* but the *conditio per quam*—of all political life'.[23]

The majority of what follows shall thus be concerned with the process by which the language of personhood became institutionalized as a language of international thought and the consequences this institutionalization has had and continues to have on the possibilities and limits of making theoretical sense of the

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[20] On the idea of human dignity and its connection to human rights, see George Kateb, *Human Dignity* (Cambridge: Harvard University Press, 2011). On the concept of human dignity, see also Jürgen Habermas, "The Concept of Human Dignity and the Realistic Utopia of Human Rights," *Metaphilosophy* 41, no. 4 (2010); Andrea Sangiovanni, *Humanity without Dignity: Moral Equality, Respect, and Human Rights* (Cambridge: Harvard University Press, 2017); Jack Donnelly, "Normative versus taxonomic humanity: Varieties of human dignity in the Western tradition," *Journal of Human Rights* 14, no. 1 (2015).

[21] For a recent exposition of the link between human rights and personhood, see Costas Douzinas, *The Radical Philosophy of Rights* (Abingdon: Routledge, 2019).

[22] Kateb, *Human Dignity*, 6.

[23] Hannah Arendt, *The Human Condition*, Second ed. (Chicago: The University of Chicago Press, 1998), 7, emphasis in original. See also John Williams, *Ethics, Diversity, and World Politics: Saving Pluralism from itself?* (New York: Oxford University Press, 2015).

international realm. In the final chapter, however, I shall bring this genealogy to a close by returning to the debate that opened this chapter and in which humanity and the state most often figure in contemporary international thought, namely on whether it is the human being or the state that ought to be considered the supreme subject of international thought. While I shall not address this question directly, I shall instead end by considering how the language of personhood affects the arguments that are made for the superiority of one over the other. As I shall suggest, by virtue of cementing their position as the two central subjects of international thought by way of this language, the human being and the state have, in a sense, become co-dependent. On the one hand, the purpose of personifying the state is surely to give it a political, legal, and moral reality independent from both the human beings of which it is composed and the wider community of humankind. But, because this language is so closely related to distinctly human qualities, this makes the independence of the state itself dependent upon the same human qualities that grounds the dignity of the human being. As such, any critique of the moral superiority of the community of humankind is likely also a derogation of the foundations upon which the independence of the state rests. On the other hand, those who defend the dignity of the human being do so by highlighting the unreasonable moral worth assigned to the state, often accompanied with a rejection of the premise that sustains state personhood, namely that it possesses the same qualities that grounds human personhood. Yet, those who attempt to reject the standing of artifices like the state on these grounds will find it difficult to do so without also depreciating that which grounds their argument for the dignity of the human being, for if state personhood is rejected on this basis so may the dignity of so many human beings who are incapable of displaying a sufficient rationality to qualify as a person. Thus, it would seem, the language of personhood, however effective it might be in making the state and the human being the central subject within international thought, comes with certain philosophical commitments, some of which are abject to the purposes for which it was introduced into international thought in the first place.

The rest of this introductory chapter shall be structured as follows. In the next section, I will elaborate upon the relationship between humanity and the state in contemporary international thought, arguing that the arguments in favor of both rest upon the same assumption that the state is an association with personhood and humanity is not. In the second section, I shall detail the historical argument of this book on how the language of personhood became part of international

thought and how this affected the ability to personify other beings, entities, and associations. The third section will explain my methodological approach, and the fourth will outline the plan for the chapters to come.

Between Unity and Plurality

Humanity and the state are, as noted, often found on opposite sides in contemporary debates in international thought. Whereas references to the former is often taken to be a defense of unity and universality, the latter symbolizes claims to plurality and particularity. Still, one fundamental assumption is shared among proponents of both humanity and the state, namely on the constitution of these two subjects of international thought. Whether analyses begin with a plurality of states or with the unity of humankind, the state is greater than the sum of its parts while the community of humankind is not. The premise of such an assumption is, of course, that wholes and parts can be meaningfully distinguished in the first place; that the world is not composed only of wholes of which there are no parts. But only a radical individualist would reject such a premise. Most, if not all, recognize that the social world is composed of both human beings and the associations into which they have assembled and that the former may in some cases be a part and that the latter is sometimes a whole.

Human beings are each a whole in their own right. They have bodies that are greater than a collection of their individual organs; they have their own identities and interests that can be meaningfully separated from that of others. But, inasmuch as they are citizens of states, they are also parts of a greater whole; a political body which has interests and identities of its own which can be distinguished from those of its citizens. What is characteristic about international life, however, is the assumption that there is no meaningful and significant whole above the state. The state is a whole in its own right, but there is no whole of which the state is a part. The human species is sometimes spoken of as a whole, but in political terms what is usually meant is an aggregate of all human beings and not a whole that is distinct from the sum of its parts. Thus, although the language of a community of humankind or a world community is often evoked in international thought in order to embed the state in some larger social whole, there is a tacit understanding that such a community signifies the moral bonds that exists between all of humanity and not that this community has any moral or political value apart from the

human beings of which it is composed. The main argument I shall advance in these chapters is that this is a premise which is so easily accepted because the language of personhood is already institutionalized as a language of international thought.

This is particularly evident in those who explicitly take plurality to be a point of departure in making sense of the world; those, that is, that take plurality to be ontologically prior to unity. We have already seen Arendt argue this point: plurality is an essential part of the human condition. Other political and international theorists have also sought to make such an argument, often without references to the human condition but rather to the fact that some of the central concepts of political and international theory presumes a plurality of states.[24] The concept of the 'international' does this. The combination of the prefix 'inter' with the suffix 'national' succeeds in what Bentham, the inventor of the concept, intended, namely to come up with a concept that better designated a domain that took place between states rather than inside them.[25] So does arguably the concept of the sovereign state. When considered from the inside, sovereignty certainly denotes unity. But when viewed from the outside, the domain of politics is fragmented into a plurality of distinct and autonomous political units.[26] 'Each state, to begin with, is one among a plurality of states', Poggi has argued; 'it is an entity which necessarily exists in the presence of other entities like it'.[27] And, for some, so does the concept of the political. As Schmitt, for instance, has argued, '[t]he political entity presupposes the real existence of an enemy and therefore coexistence with another political entity. As long as a state exists, there will thus always be in the world more than just one state'.[28]

For these reasons, just as plurality is an essential part of the human condition, it can also be taken to be the defining condition of international relations. It is

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[24] But see Williams, *Ethics, Diversity, and World Politics*; Christian Reus-Smit, *On Cultural Diversity: International Theory in a World of Difference* (Cambridge: Cambridge University Press, 2018).

[25] See Hidemi Suganami, "A Note on the origin of the Word 'International'," *Review of International Studies* 4, no. 3 (1978); David Armitage, "Globalizing Jeremy Bentham," *History of Political Thought* 32, no. 1 (2011).

[26] R. B. J. Walker, "Security, sovereignty, and the challenge of world politics," *Alternatives* 15, no. 1 (1990): 9; Richard K. Ashley, "Untying the Sovereign State: A Double Reading of the Anarchy Problematique," *Millennium: Journal of International Studies* 17, no. 2 (1988): 248-49.

[27] Gianfranco Poggi, "The Constitutional State of the Nineteenth Century: An Elementary Conceptual Portrait," *Sociology* 11, no. 2 (1977): 311-12.

[28] Carl Schmitt, *The Concept of the Political* (Chicago: The University of Chicago Press, 1996), 53.

international thought's 'deepest ontological premise'.[29] Indeed, in seeing how international theorists have felt justified in taking plurality as the proper point of departure for making sense of the international domain, the deep-rootedness of this premise would seem hard to deny. As Aron once argued: 'The theory of international relations starts from the plurality of autonomous centers of decision'.[30] And as Bull concurred: 'The starting point of international relations is the existence of *states*, or independent political communities each of which possesses a government and asserts sovereignty in relation to a particular portion of the earth's surface and a particular segment of the human population'.[31]

This ontological premise has implications not only for how the phenomenon of international relations is understood, but also how one may begin to move beyond it. Some, of course, want to preserve, respect, and tolerate plurality and difference as much as possible, believing in the intrinsic value of the particularity of human customs and identities.[32] But others abhor the consequences such a pluralism brings, believing instead in the necessity for, or the inevitability of, the construction of unity among the human species by way of assembling into a polity that can encompass them all.[33] Yet, such a search for unity, critics maintain, only creates more problems, since the unity towards which one attempts to move will be severely hampered by the fact that it always needs to begin in a particular

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[29] Justin Rosenberg, "International Relations in the Prison of Political Science," *International Relations* 30, no. 2 (2016): 135.

[30] Raymond Aron, *Peace & War: A Theory of International Relations* (Abingdon: Routledge, 2017), 16.

[31] Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (London: Macmillan, 1977), 8, emphasis in original.

[32] Jackson, *The Global Covenant*; Nardin, *Law, Morality, and the Relations of States*; Chris Brown, "International theory and international society: the viability of the middle way?," *Review of International Studies* 21, no. 2 (1995); Mayall, *Nationalism and International Society*; John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 1999).

[33] I shall discuss the moral unity of humanity below. On the political unification of humanity, see Luis Cabrera, *Political Theory of Global Justice: A Cosmopolitan Case for the World State* (Abingdon: Routledge, 2004); Pavel Dufek, "Why strong moral cosmopolitanism requires a world-state," *International Theory* 5, no. 2 (2013); Raffaele Marchetti, "Global Governance or World Federalism? A Cosmopolitan Dispute on Institutional Models," *Global Society* 20, no. 3 (2006); Shmuel Nili, "Who's afraid of a world state? A global sovereign and the statist-cosmopolitan debate," *Critical Review of International Social and Political Philosophy* 18, no. 3 (2015). On the inevitability of this, see Alexander Wendt, "Why a World State is Inevitable," *European Journal of International Relations* 9, no. 4 (2003).

place.[34] All claims to unity will as such be 'contained within a universalizing particularity'.[35] This impossibility is, moreover, only perpetuated by the logic of identity undergirding this conception of unity, according to which any unified identity is only so by virtue of being different from others: 'as long as we regard this logic of identity as a predominant source of human belonging and identification, the formation of a community of all mankind will look highly unlikely simply because there are no human Others left that could provide it with a sense of sameness'.[36] In the absence of any extra-terrestrial life, a subjectivity—a sense of self—can therefore only be attained within particular communities and not within the community of humankind whole.[37]

But whether unity is found alluring, inevitable, intolerable, or unattainable, there exists a tacit understanding that unity is something not yet present and which can only become real once the basic state of plurality has been transcended. This is partly because the point of departure for all of these claims is that plurality ontologically precedes unity. But, as I want to suggest, what undergirds this assumption is a belief in the primordial existence of a plurality of social wholes, and that this belief is in turn justified with references to the fact that each of these social wholes is a person in its own right.

What makes this presumption particularly defining for international thought, I want to argue, is that it is not only shared among those who take plurality to precede unity but also those who criticizes this assumption and defends the presumption that unity precedes plurality. This is an unwarranted assumption, these critics hold, because the very premise on which such analyses rests is highly contingent on a particular historical development; such thinking is merely a product of the successful nationalization of the concept of community.[38] Indeed, as Bartelson has sought to demonstrate, prior to such a nationalization, there existed

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[34] Sergei Prozorov, "Generic universalism in world politics: Beyond international anarchy and the world state," *International Theory* 1, no. 2 (2009): 217; Hartmut Behr, *A History of International Political Theory: Ontologies of the International* (Basingstoke: Palgrave Macmillan, 2010), 234; Walker, *After the Globe, Before the World*.

[35] Walker, *After the Globe, Before the World*, 228-29.

[36] Bartelson, *Visions of a World Community*, 43.

[37] Anthony D Smith, "Towards a Global Culture?," *Theory, Culture & Society* 7, no. 2-3 (1990).

[38] See Arash Abizadeh, "Does collective identity presuppose an other? On the alleged incoherence of global solidarity," *American Political Science Review* 99, no. 1 (2005); Sofia Näsström, "What Globalization Overshadows," *Political Theory* 31, no. 6 (2003). On this process of nationalization, see Bernard Yack, "Popular Sovereignty and Nationalism," *Political Theory* 29, no. 4 (2001).

conceptions of a world community which were 'universal in scope and boundless in character'.[39] For this reason, boundaries need themselves to be morally justified. But they are rarely justified and more often than not taken for granted. As Anacharsis Cloots remarked over two centuries ago, the assumption that the world consists of a plurality of states rests upon a 'prejudice' which 'spring from such deep roots that no one has even thought of asking: *Why is there more than one state?*'.[40] While political thinkers have made a great effort in explaining why the state is needed, there is a void left for international thinkers to explain why humanity has assembled into many states and not one. One may operate on the basis that such a division of humanity is our reality and that this reality is justifiable, but as Donelan notes, 'it has to be grounded and the extent of it reasoned through; it cannot simply be assumed'.[41]

This opens up for the conceptual possibility to see the state as embedded within a larger whole; that the unity of humankind precedes its dispersal into a plurality of states. By recognizing the existence of a boundless and universal community that would encompass the entirety of humanity, unity does not need to emerge *from* plurality because a consistent argument can be made that that unity ontologically precedes plurality. This is an argument Bull once sought to make, when he argued that the '[o]rder among mankind as a whole is something wider than order among states; something more fundamental and primordial than it; and also, I should argue, something morally prior to it'.[42] Thus, rather than beginning moral reasoning with the assumption of a preexisting states system, analyses can begin with the premise that, not only is there 'a primordial moral community of the whole of mankind' but also that it is from this community that 'our separate states are derivative'.[43] Even the most ardent pluralist, whose most cherished virtue is that of tolerance, needs to appeal to a 'higher law' whose foundation can only be found in the community of humankind and whose authority permits us to laud the tolerant and condemn the intolerant. Thus, unity is neither a telos towards

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[39] Bartelson, *Visions of a World Community*, 10.

[40] Quoted in Pauline Kleingeld, "Defending the Plurality of States: Cloots, Kant, and Rawls," *Social Theory and Practice* 32, no. 4 (2006): 561, emphasis in original.

[41] Michael D. Donelan, "The Political Theorists and International Theory," in *Reason of States: Study in International Political Theory*, ed. Michael D. Donelan (London: George Allen & Unwin, 1978), 81-82.

[42] Bull, *The Anarchical Society*, 21.

[43] Donelan, "The Political Theorists and International Theory," 82.

which the world is moving nor an ideal towards which we ought to strive; 'we began there and we are still there'.[44] Unity must therefore be seen as the primordial state of humankind which both precedes and is constitutive of all plurality.

The problem, however, is that this defense of unity rests upon the same assumption as that which they criticize. While this assumption is not based on the primordial existence of a multiplicity of states, it is assumed that the primordial community of humankind is made up of a multiplicity of human beings and their inherent value. By proposing that unity precedes plurality, the appeal is made to universal features or qualities that all human beings share so as to minimize any differences that may cause division. Because no immediate moral value is assigned to the associations human beings have formed, 'the ultimate units of concern' can be 'human beings, or persons'.[45] On this basis, one may vindicate 'the right of every human being "to have rights," that is, to be a *legal person*, entitled to certain inalienable rights, regardless of the status of their political membership'.[46] Any sources of difference will not detract from the recognition of the humanity of human beings, and to 'give its fundamental ingredients, reason and moral capacity, our first allegiance and respect'.[47] The loyalty one may have to communities into which one has been arbitrarily born cannot supersede the loyalty to humanity and the moral community of humankind. By presuming that unity can be equated with universality and plurality with difference, a coherent argument can be made that any claim to unity does not necessarily mean the denial of the plurality and difference that constitutes the human condition. Emphasizing the basic morality of the human being does not necessarily mean to construct 'one transcendental moral subjectivity' by which all plurality is reduced to unity.[48] Instead, by placing unity before plurality, unity does not replace plurality but is rather constitutive of it. In locating the source of unity in humanity itself, one may argue that it is 'precisely *differences* in social practices, values, beliefs, and institutions that

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[44] Bain, "One order, two laws: recovering the 'normative' in English School theory," 572-73.

[45] Thomas W. Pogge, "Cosmopolitanism and Sovereignty," *Ethics* 103, no. 1 (1992): 48. For almost the exact same statement, see Bull, *The Anarchical Society*, 21.

[46] Seyla Benhabib, *The Rights of Others: Aliens, Residents, and Citizens* (Cambridge: Cambridge University Press, 2004), 3, emphasis in original.

[47] Martha C. Nussbaum, "Patriotism and Cosmopolitanism," in *For Love of Country. Debating the Limits of Patriotism*, ed. Joshua Cohen (Boston: Beacon Press, 2002), 7; Martha C. Nussbaum, "Kant and Stoic Cosmopolitanism," *The Journal of Political Philosophy* 5, no. 1 (1997): 7.

[48] Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), 100-01.

represent the most important expression of our *common* humanity'.[49] The ingredients that make human beings worthy of universal respect are also the very same that allows for the construction of particularity, the articulation of difference, and the contestation of universality. Thus, the community that encompasses the entirety of humankind is not universal because some of the same ethical standards are shared or that a global culture has successfully developed. Rather, such a community can be 'universal precisely by virtue of being *diverse* in its composition'.[50] There is, in other words, unity precisely because of, rather than in spite of, difference. Whether analyses begin with the multiplicity of states as a primordial fact or the primordial community of humankind, matters therefore a great deal for how unity and plurality are reconciled.

Yet, while one may on this basis successfully argue that the state is embedded in a larger whole, there is an underlying assumption about what this whole is and what it is not. Bartelson argues convincingly, for instance, that the concept of world community must be understood as 'an integrated whole, ultimately something more than the sum of its individual parts'.[51] This integrated whole 'exists by virtue of those uniquely human capacities being used by human beings', making it pointless 'to distinguish *categorically* between communities of different scope, since all human communities derive from the same underlying and species-wide capacities'.[52] While this may be true from the perspective of individual human beings, who would according to this argument have no theoretical means at their disposal to categorically distinguish between their *membership* in a particular community and in the community that encompasses all of humanity, as *communities* they are nonetheless taken to be categorically distinct. That is to say, if both the state and the community of humankind are wholes under which parts are subsumed, it is still assumed that the one is a categorically different whole than the other. The state is a whole in its own right, distinct from the sum of its constituent parts, because it is itself capable of behaving like a human being, making it a subject of politics, law, and morality. Few would say the same about the community of humankind. Instead, it is a whole by virtue of encompassing a plurality of human beings who share some universal human capacities.

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[49] Andrew Hurrell, *On Global Order: Power, Values, and the Constitution on International Society* (Oxford: Oxford University Press, 2008), 40, emphasis in original.

[50] Bartelson, *Visions of a World Community*, 82, emphasis in original.

[51] Bartelson, *Visions of a World Community*, 6, 20, 35, 43

[52] Bartelson, *Visions of a World Community*, 11, emphasis in original.

But if the *a priori* division of humanity into states is an unwarranted assumption to make because it arbitrarily assumes what ought not be assumed, so one may question the veracity of the assumption about the ontological constitution of the community of humankind. For if the first assumption is unfounded because it assumes the existence of a plurality of states, the second may be found equally wanting on account of its assumption that the world primarily and primordially consists of a plurality of human beings. If political theorists of the state can successfully separate the unity of the whole from the plurality of the parts, international theorists seem to be stuck with accounting for two different spheres of plurality with an ostensible impossibility of envisioning a whole above the level of the state that would not also threaten the existence of plurality.

A World of Persons

As I shall argue, while one may believe that plurality or unity constitute the human condition, they are both conditioned by the very same assumption: that the world consists primarily of persons. Indeed, what allows for the argument that all human persons ought to be recognized and respected no matter their diversity is the same argument that can sustain a coherent defense of the morality of the state: both are, despite their obvious differences, believed to be persons in their own right. As persons, they are worthy of a certain standing that is not afforded to other beings or things. And as persons, they organize the drama of world politics in which two characters take center stage: the human being and the state. What is left for the orthodox international theorist to discuss is how these two persons may coexist; what is left for the heterodox international theorist is to convince others that those characters looming in the background deserve to be brought forth into the limelight.

The main purpose, however, is not to discuss the coexistence of the human being and the state. Nor is it to expand the list of beings and entities that ought to be considered persons in their own right. Rather, it is to analyze the historical conditions of possibility of their supremacy and how these conditions influence the possibility of dethroning one or both. That is to say, instead of taking for granted that the world of international relations primarily consists of human beings and states, I shall investigate how we came to organize this world by discriminating between those beings and entities that can be considered persons and those

that cannot. For this assumption is just as historically contingent as that which assumes that communities need to be bounded. There may have existed a relatively stable conception of a universal and boundless world community up until the concept of community was successfully nationalized in the nineteenth century. But there is a great difference between recognizing that, notwithstanding its universality and boundlessness, such a community has a *sui generis* existence in its own right and that it is a mere collection or aggregation of its constituent parts. While the former attaches some political, legal, or moral value to the whole, the latter assigns the same only to the parts. The task for the political and international theorist was, and arguably still is, to specify the criteria by which such a distinction could be made. And, rather than challenge the supremacy of the human being and the state, I shall instead seek to demonstrate how difficult it is, once the language of personhood became institutionalized as a central language within international thought, to move beyond both.

As I shall attempt to make plain, seventeenth-century international thought saw a radical shift in the standard by which human communities were judged, whether such communities encompassed the entirety of humankind or only a portion of it. While the traditional argument that the modern territorial and sovereign state emerged in the middle of this century has been convincingly declared a myth, I will argue that this century made way for some key developments that would cement the supremacy of the state.[53] As the language of personhood became the central tool by which wholes could be separated from parts, an entirely new set of criteria entered the vocabulary of international thought. That this language, as I will demonstrate, was a theological language gives some credence to Schmitt's argument that concepts of the state are secularized theological concepts. But his argument that the personalistic elements of the idea of the state is tied to the idea of God, which is one that is frequently repeated by others who advance such a

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[53] Benjamin de Carvalho, Halvard Leira, and John M. Hobson, "The Big Bangs of IR: The Myths That Your Teachers Still Tell You About 1648 and 1919," *Millennium: Journal of International Studies* 39, no. 3 (2011); Andreas Osiander, "Sovereignty, International Relations, and the Westphalian Myth," *International Organization* 55, no. 2 (2001); Benno Teschke, *The Myth of 1648: Class, Geopolitics, and the Making of Modern International Relations* (London: Verso, 2003); Luke Glanville, "The Myth of 'Traditional' Sovereignty," *International Studies Quarterly* 57, no. 1 (2013); Stéphane Beaulac, "The Westphalian Legal Orthodoxy - Myth or Reality," *Journal of the History of International Law* 2, no. 2 (2000); Peter M. R. Stirk, "The Westphalian model and sovereign equality," *Review of International Studies* 38, no. 3 (2012). For an overview, see Sebastian Schmidt, "To Order the Minds of Scholars: The Discourse of the Peace of Westphalia in International Relations Literature," *International Studies Quarterly* 55, no. 3 (2011).

political-theological thesis, is not the argument that I seek to advance.[54] For while the person of the sovereign might have received its supremacy from being a God-like figure, the supremacy of the state itself—as one person, independent from both the ruler and the ruled—was drawn from its sufficient likeness to a human being. Indeed, because the language of personhood, as it was adopted by international thinkers, was inextricably linked to the human being, all beings or entities were judged according to criteria that were distinctly human. For associations to be recognized as *sui generis* beings—as wholes in their own right, independent of their constituent parts—they needed to display qualities and capacities that were used as criteria to distinguish between human beings and animals. This was how the state, which was and still is deemed to be sufficiently like a human being, became recognized as one person. And this is how the community of humankind, which was and still is deemed to display few or none of the qualities that make a human being different from an animal, came to receive the same standing as the latter rather than the former. An inextricable bond was thus tied between the human being and the state: among human associations, the state became supreme because it was the primary association that displayed uniquely human qualities; the community of humankind became categorized as an aggregation of human persons because it, unlike the state, displayed none of these.

What made a human a human, and what made the state a person, was their capacity to act freely. And what made an animal an animal, and what relegated the community of humankind to a multitude of individuals, was their incapacity to do so. To be sure, it was not denied that all four could, in various ways, be said to be capable of action in the sense that they can have a direct influence upon the world. A cow may, as it eats grass in a field, make alterations to this field which potentially takes away the opportunity for others to enjoy it. Likewise, the actions of humanity as a whole, as has become all too clear, have an impact upon the world which may destroy it altogether. But what separates these actions from being distinctly *human* actions, as they were defined in the seventeenth century, is that neither can be said to be *free* actions in the sense that they are the result of the exercise of both reason and will by the one who carries out the action.[55] A cow does not exercise its free will when it eats because it has no such thing; it eats out

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[54] Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago: University of Chicago Press, 2006), 36-52.

[55] See Annabel S. Brett, *Changes of State: Nature and the Limits of the City in Early Modern Natural Law* (Princeton: Princeton University Press, 2011).

of instinct. And if the actions of the whole of humanity can be separated from the actions of individuals, one cannot say that this was in any way willed by the former, because the former does not hold the capacity to will anything. This is what would come to separate the human being and the state from animals and humanity: the former two can display true agency, while the latter two cannot. And this is what would give a unique status to the state as the primary human association that could display uniquely human qualities.

Thus, while a conception of a universal and boundless world community dominated the world-view of medieval and early-modern thinkers, there is a great difference between a thinker like Dante, who had no problem conceiving of humanity as a whole in its own right, and Suárez, who conceived of this community as an aggregation of human persons.[56] For while both may have seen this community to be universal and boundless, they disagreed on its character. Beyond evoking an organic metaphor of the body, the former saw no necessity to think of humanity as a person. Humanity was naturally and organically a whole in its own right. The latter, however, evaluated the status of groups based on their intellectual abilities. Whereas Dante compared humanity to a body, Suárez evaluated the status of such a body by whether or not it was accompanied with a head. No body could act without an accompanying head for the simple reason that the former is dependent upon the latter in making the action a free action. Thus, a body of people may appear to be united, but without an accompanying head, this headless body is but a mere multitude of individuals that happen to assemble in the same place. This is what made Suárez recognize the personhood of the state and reject the standing of humanity as a whole: while the former, as a body of individuals, had united under a common head, the latter had not. The former was thus a person in the true sense of the word, while the latter was not.

Although these ideas may seem so impossibly archaic to still be relevant, I shall argue that they have made the world of international relations and continue to do so. As I shall attempt to make plain, as personhood became the primary organizing principle of our political, legal, and moral worlds, thinkers whose goal it was to grant some legal standing to the associations above the state were, in some sense, conceptually forced to defend the idea that these associations could be regarded

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[56] On how Suárez's moral anthropology influenced subsequent ideas of state personhood, see Holland, *Moral Person of the State*; Ben Holland, "The moral person of the state: Emer de Vattel and the foundations of international legal order," *History of European Ideas* 37, no. 4 (2011); Ben Holland, "Pufendorf's Theory of Facultative Sovereignty: On the Configuration of the Soul of the State," *History of Political Thought* 33, no. 3 (2012).

as a person in its own right. Just like the thinkers who followed in Suárez's wake needed to evaluate the status of human associations based on their distinctly human-like capacities, so do contemporary thinkers. And just as thinkers who today seek to establish the standing of animals or plants tend to appeal to their human-like qualities, so did and do international theorists who attempt to the same for the community of humankind.[57] Thus, when the German philosopher and jurist Christian Wolff presented humanity as one great city, he compared it to a human being, but he did so not only in general corporeal terms, but also by ascribing it personhood. Humanity, for him, ought to be considered as an equal to both the individual human being and the state, namely as a moral person in its own right. Although Wolff was one of only a few who seriously considered this idea in the eighteenth century, its zenith was reached in the nineteenth century when the existence of such a person was a central focus of academic debates. What nineteenth-century international thinkers debated was whether a will that was distinct from all the different individual human wills could be ascribed to humanity as a whole. But, precisely because personhood was in this way equated with a human-like capacity for action, it was relatively easy for those whose goal it was to reject the standing of humanity to do so based on humanity's demonstrable lack of human qualities. They did not have to engage in a prolonged discussion of whether or not humanity as a whole is worthy of moral consideration. Nor did they have to demonstrate that there was no genuine whole of which both states, citizens, and all individual persons were parts. All they had to prove was that humanity, unlike the individual and the state, lacked a unified rational faculty that would enable it to act freely.

Emer de Vattel, as we shall see, was one such skeptic. He did argue that, just as states are composed of 'men naturally free and independent, and who, before the establishment of civil societies, lived together in the state of nature', so 'nations or sovereign states are to be considered as so many free persons living together in the

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[57] Matthew Hall, *Plants as Persons: A Philosophical Botany* (Albany: State University of New York Press, 2011); Tomasz Pietrzykowski, *Personhood beyond Humanism: Animals, Chimeras, Autonomous Agents*, trans. Krystyna Warchal (Cham: Springer, 2018); Alexia Staker, "Should Chimpanzees Have Standing? The Case for Pursuing Legal Personhood for Non-Human Animals," *Transnational Enviromental Law* 6, no. 3 (2017); Gary L. Francione, *Animals as Persons: Essays on the Abolition of Animal Exploitation* (New York: Columbia University Press, 2008).

state of nature'.[58] Granting any status or standing to human associations above the state, such as one that would encompass the entirety of humanity, would by contrast constitute an unsatisfactory and irrelevant 'fiction', which was how Vattel dismissed his predecessor Christian Wolff's attempt to defend the moral personhood of humankind.[59] Similarly, while E. H. Carr would two centuries later present the personification of the state as indispensable to international law and morality, he rejected the idea that the world community could possess some of the same unity, coherence, and standing as the state as 'a dangerous illusion'.[60] Bernard Bosanquet, the thinker to whom Carr was responding, believed likewise that this was an idea against which it was necessary to guard ourselves.[61] And Hedley Bull, who is believed to have castigated Carr's views of international morality, nonetheless agreed with his assessment of the idea of assigning some moral value to a *sui generis* world community as dangerous. Though it was presently only an 'idea or myth which may one day become powerful, but has not done so yet', it was one that it necessary to repress because it 'carries with it the seeds of subversion of the society of sovereign states in favour of an organising principle in which an international or supranational body…has displaced sovereign states as the chief repositories of rights and duties on the world political stage'.[62]

This was what made the *sui generis* character of humanity as a whole a mere chimera, an illusion. For it to be considered a whole in its own right, which in turn was necessary to consider it as a genuine character, its constitution would need to be radically altered. Rather than challenging this predominant view of humanity or the community of humankind as a dangerous illusion, I shall seek to explain its historical emergence. That is to say, rather than demonstrating that such a community exists as a whole in its own right, and rather than arguing that it deserves to be considered as an equal to the individual and the state, I shall attempt to diagnose why we find it so difficult to do so in the first place. These

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[58] Emer de Vattel, *The Law of Nations, or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury* (Indianapolis: Liberty Fund, 2008), Preliminaries, §4, 68.

[59] Vattel, *Law of Nations*, Preface, 14.

[60] E.H. Carr, *The Twenty Years' Crisis, 1919-1939* (London: Palgrave Macmillan, 2016), 147.

[61] Bernard Bosanquet, "The Function of the State in Promoting the Unity of Mankind," *Proceedings of the Aristotelian Society* 17 (1916-1917): 48.

[62] Bull, *The Anarchical Society*, 82; 146-47. For Bull's view of Carr, see the former's "The Twenty Years' Crisis Thirty Years On," *International Journal* 24, no. 4 (1968).

chapters will therefore explore the historical incapacitation of humanity and how this paved the way for the supremacy of the human being and the state.

The World We Made

Insofar as this is a study of how humanity and the state have been constructed by way of the language of personhood, is grounded in the belief that the world in which we live are of our own making.[63] Some such constructions are more persistent than others, of course, and it is the argument of the following chapters that a particular way of classifying beings, entities, and other social wholes by way of distinctly human characteristics has been notably enduring. The focus is thus upon ideas, the language by which they are articulated, and their history. But because such a focus paves the way for many different approaches, it is important to make plain what my particular approach is, what its limits are, as well as its proposed usefulness.

With the recognition that the relations between states are influenced by ideas, the historical study of the languages in which they are articulated has gained traction. Many of those who believe the world is of our own making are concerned with explaining or understanding the causal or constitutive impact a certain set of ideas have had upon the range of possibilities available to historical actors in choosing a certain political direction.[64] Rather than studying 'ideas in history', I shall here be more concerned with the 'history of ideas'. That is to say, instead of studying the impact of ideas upon political action, I shall instead focus on the ideas themselves, the means by which they were articulated, and their impact upon the range of possibilities a thinker has had and continues to have in thinking about a certain domain. But that is not to say that the ideas on which I shall here concentrate were beyond the reach of political actors; on the contrary, from its articulation as part of the human rights regime to talk of state rights and state responsibilities, the idea of the person and the language of personhood have transcended the admittedly porous boundaries of what I here refer to as international thought and become a more general *Weltanschauung*. But it is to insist upon the

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[63] Nicholas Greenwood Onuf, *World of Our Making: Rules and Rule in Social Theory of International Relations* (Abingdon: Routledge, 2013).

[64] See Christian Reus-Smit, "Reading History through Constructivist Eyes," *Millennium: Journal of International Studies* 37, no. 2 (2008).

importance of studying ideas and languages in their own right. For a necessary condition to understand whether, how, and why political ideas were translated into political action is to properly make sense of the ideas themselves and the language in which they were articulated.

To this end, the following shall therefore be a study of a number of texts in the history of international thought. In order to study them historically, however, they shall be read as products of the historical context in which they were written. This makes my approach to the reading of historical texts, broadly speaking, contextualist.[65] In stating this, two qualifications need to be made. First, rather than reading a text as a product of its *social* context, I shall here primarily focus, almost exclusively, on the *linguistic* context in which it was written. I shall not, that is, pay much attention to the social factors that led authors to write what they wrote; this is instead primarily a study of the linguistic means authors had at their disposal to write what they wrote, whatever the reasons were that made them do so. But, secondly, I shall focus on this linguistic context not for the reason it is usually studied, namely to recover the meaning of a text by locating what authors intended with writing what they wrote. Rather, taking one step back from interpreting the meaning of a text, the primary aim is to make sense of the linguistic context that structures what could be meaningfully said. As such, it is primarily a study of language: how the its use in forming concepts and constructing ideas also create boundaries for what can coherently and intelligibly be said. The context that I wish to is one of 'logical spaces and their succession in time'.[66] It is a study of 'the languages in which utterances were performed, rather than the utterances which were performed in them'; of 'language as context, not text'.[67]

The reason for these methodological choices is not because I find deficient the recovery of the meaning of texts by way of its social context and contextually

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[65] For an overview of the 'contextualist' approach to intellectual history for the study of international thought, see Duncan S. A. Bell, "Language, Legitimacy, and the Project of Critique," *Alternatives* 27, no. 3 (2002).

[66] Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge: Cambridge University Press, 1995), 7.

[67] J. G. A. Pocock, "The concept of a language and the *métier d'historien*: some considerations on practice," in *The Languages of Political Theory in Early-Modern Europe*, ed. Anthony Pagden (Cambridge: Cambridge University Press, 1987), 21. See also J. G. A. Pocock, "The Reconstruction of Discourse: Towards the Historiography of Political Thought," *MLN* 96, no. 5 (1981); J. G. A. Pocock, *Politics, Language, and Time: Essays on Political Thought and History* (Chicago: The University of Chicago Press, 1960), 3-41.

situated intentions.[68] Rather, these methodological choices follow from the purposes for which this study engages with the history of international thought. While a study of a text's social context and an author's intentions would serve well the historian whose principal aim is to make sense of the past, I shall approach history here primarily for its effects upon the present. This makes this study presentist, to be sure. But I am not concerned with evaluating the past based on present standards. Instead, the primary concern is one of diagnosing the present. As such, it is neither a history of the past in terms of the past, nor a history of the past in terms of the present; it aims to write a history of the present in terms of the past.[69] This, then, is a study of the historical conditions of possibility for modern international thought: a historical study of what it is possible and impossible to think and write about a world in which human beings and states have become the principal subjects of concern.

To put this methodological approach more concretely and with reference to the particular language that is the focus of this study, the concept of the person may be seen, in particular by those who consider states as persons, as only an analogy. But, as I have intimated, such an analogy would not make sense outside a linguistic context in which it was already clear what personhood entails and what it implies: it entails a knowledge of what persons are, and it implies that there are certain reasons why some ought to be considered persons and others not. What makes such an analogy possible and meaningful, in other words, is that it is articulated in a language that has already been institutionalized so that the authors who write in it know of its possibilities and its limits, and so do their intended audiences. While there are good reasons to study why the language of personhood is invoked and that which is implied in invoking it, I shall be principally concerned with what its usage entails; how the language itself structures what can be meaningfully said and written. Such a commitment does not entail, however, that what is said and written have any bearing upon the structure of the language, for I shall certainly be interested in any changes to the language of personhood as a language of international thought. But, as I shall hope to demonstrate about this language, while its particular vocabulary has changed over time, its structure has not. That is to say, while there are, in different historical contexts, divergent ways of speaking of persons—whether, for instance, there is a difference between a

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[68] For a defence against such an approach, see the discussion in Quentin Skinner, "From Hume's Intentions to Deconstruction and Back," *Journal of Political Philosophy* 4, no. 2 (1996).

[69] Bartelson, *Genealogy of Sovereignty*, 58.

natural and a fictional person or whether all persons are organic persons—these different conceptions have nonetheless implied a knowledge of what persons fundamentally are and why we continue to speak of them.

In particular, I shall in these chapters be concerned with how the language of personhood structures what it is possible to *be* in international thought. In some sense, therefore, this is a study of what Foucault termed the 'historical ontology of ourselves'.[70] On the one hand, it is concerned not only with what it is possible to think in international thought, but more specifically with the possibilities of thinking of *being* in history.[71] On the other, it shares Foucault's first-person-plural, for if his focus was on the historical constitution of the modern subject, this, too, is a historical study of how our options have become constrained in articulating the subjecthood of a range of political beings and entities. By focusing on the structure of the language in which such subjecthood can be articulated, I hope to demonstrate that the inherent value in the human being is not merely a normative commitment made by cosmopolitans, but that international thought in general is structured by this figure, even by those whose aim it is to demonstrate that associations of human beings are of equal or superior value. This, then, is the *we* that is the primary concern of the following: not *us* as political subjects in this world but what in *our* world can be considered subjects in the first place. The goal is to explore why it is not senseless to claim that I, you, and nations or states have interests, identities, intentions, and purposes and why it is so difficult to claim, without being subject to ridicule, that humanity as a whole has the same. If Foucault studied the historical ontology of how the constitution of ourselves as moral agents made the domain of ethics, I shall argue that this constitution also had profound effects upon other domains.[72] If, that is, he sought, as Hacking suggests, to write the history of 'how we, as peoples in civilizations with histories, have become moral agents, through constituting ourselves as moral agents in quite specific, local, historical ways', my aim is to explore how the constitution of ourselves as moral agents continues to structure international thought.[73]

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[70] Michel Foucault, "What is Enlightenment?," in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon Books, 1984), 45-46.

[71] Ian Hacking, *Historical Ontology* (Cambridge: Harvard University Press, 2004), 22-23, emphasis added. See also Duncan Bell, "Writing the world: disciplinary history and beyond," *International Affairs* 85, no. 1 (2009): 15-18.

[72] Foucault, "On the Genealogy of Ethics: An Overview of Work in Progress," 351.

[73] Hacking, *Historical Ontology*, 3.

By engaging in such an archaeological exercise, by digging through the many layers of history, I shall not attempt to excavate a 'buried intellectual treasure' whose pristine display will shine a light on us and solve our present problems.[74] History will not serve us an uncontaminated and treasured conception of humanity whose perfection leaves the archaeologist with the mere task of excavation. While this remains the case, I will still suggest that there are a number of ways that the history of the language of personhood will help us make better sense of how to think beyond the human being and the state; a freedom to begin, in a sense, to 'do our own thinking for ourselves'.[75] In this way, the intellectual history with which the majority of the chapters shall be engaged will 'separate out, from the contingency that has made us what we are, the possibility of no longer being, doing or thinking what we are, do, or think'.[76] It will, in other words, give us 'a perspective from which to view our own form of life in a more self-critical way, enlarging our present horizons instead of fortifying local prejudices'.[77] To provide such a perspective is at least the aim of the following historical exercise.

While no histories of this kind have obvious beginnings, there are some that would appear more obvious to an avid reader than others, but that shall nonetheless fall outside the scope of this inquiry. The most apparent or anticipated point of departure would be that of Stoic political thought. The standing of this body of thought is conspicuous within the contemporary tradition of political thought that arguably takes the human and humanity most seriously, namely that of cosmopolitanism.[78] Moreover, as Gierke's magisterial survey of the concept of the person within legal and political thought demonstrates, neither were the Stoics oblivious to the kinds of questions with which the following shall be concerned.[79]

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[74] These archaeological metaphors are taken from Quentin Skinner, *Liberty before Liberalism* (Cambridge: Cambridge University Press, 1998), 101-20.

[75] Quentin Skinner, "Meaning and Understanding in the History of Ideas," *History and Theory* 8, no. 1 (1969): 52.

[76] Foucault, "What is Enlightenment?," 46.

[77] Quentin Skinner, "Interpretation and the Understanding of Speech Acts," in *Visions of Politics, Volume I: Regarding Method*, ed. Quentin Skinner (Cambridge: Cambridge University Press, 2002), 125.

[78] Martha C. Nussbaum, *The Cosmopolitan Tradition: A Noble but Flawed Ideal* (Cambridge, MA: Belknap Press, 2019); John Sellars, "Stoic Cosmopolitanism and Zeno's 'Republic'," *History of Political Thought* 28, no. 1 (2007).

[79] Otto Gierke, *Associations and Law: The Classical and Early Christian Stages* ed. and trans. George Heiman (Toronto: University of Toronto Press, 1977), 73-94.

Yet, as this is a history of the present, the historical texts that shall figure in the historical parts of this study are those which, by way of using the language of personhood, have encountered many of the same problems with which we still seem to struggle today. I have therefore selected texts based on the purpose for which the history of international thought is here consulted. Because I shall focus on how the language of personhood became institutionalized as a language of international thought, as well as the role this language has had in structuring how international thinkers have thought about the state and humanity, I shall necessarily limit the discussion to those texts that use this language to make sense of these two and their relationship. This way of limiting the inquiry does of course not mean that it would be impossible to think great things about both the state and humanity by way of other languages than that of personhood. But since the aim is to explore how the use of this language brought the state and humanity into a close relationship, I shall focus primarily on those texts that explicitly or implicitly make use of it. To this end, I have, on the one hand, focused on those texts that have contributed to the institutionalization of this language as a language of international thought. As I shall hope to demonstrate in the next chapter, Suárez was particularly important in this regard, using the scholastic language of personhood to which many contemporary human-rights advocates still return in order to make sense of the state and the community of humankind. On the other, I have selected a number of texts that exemplify the structuring effects that this language has had upon international thought. In chapters 3, 4, and 5 I shall focus on thinkers from the middle of the eighteenth century up till today to illustrate the difficulty of going beyond the state and the human being so as to give humanity as a whole its own reality.

Because of this approach, it needs to be conceded at the outset that the world with which I am primarily concerned is a particular one. If the world is of our making, the worlds that we make are always in the plural rather than in the singular.[80] What follows is therefore on only one of these worlds: it traces how a particular European understanding of the moral subject influenced a European

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[80] Nelson Goodman, *Ways of Worldmaking* (Indianapolis: Hackett, 1978). On the notion of a pluriverse in international thought, see David L. Blaney and Arlene B. Tickner, "Worlding, Ontological Politics and the Possibility of a Decolonial IR," *Millennium: Journal of International Studies* 45, no. 3 (2017); Cristina Rojas, "Contesting the Colonial Logics of the International: Towards a Relational Politics for the Pluriverse," *International Political Sociology* 10, no. 4 (2016); Kimberly Hutchings, "Decolonizing Global Ethics: Thinking with the Pluriverse," *Ethics and International Affairs* 33, no. 2 (2019).

world that was subsequently globalized. It was a conception of agency that excluded many from the world of politics, law, and morality; women, and non-Europeans, among them.[81] But it is also a world that created the modern international by excluding that which was seen as its threat, namely associations larger than the state. Many would like to defend this world. Others wish to transcend it. As I shall venture to claim, one is more likely to succeed in either of these endeavors if one has a good grasp of how this world came about. It is the principal aim of this book to begin such a historical exercise.

Chapter Outline

The following chapters are organized as follows. In the next chapter, I will explore the emergence of how distinctly human qualities came to be the way in which the standings of beings and phenomena in the world were evaluated. It centers on the centrality of the idea that a person was he who could exercise agency, which made some human beings and some human associations persons in their own right and incapacitated other beings and associations. Two subjects stand centrally in this chapter: the state and the community of humankind. While a thinker like Dante had no problem conceptualizing humanity as a whole in its own right by equating it to the human body, Suárez did. This, as I shall argue in this chapter, was due to the latter's adoption of the language of personhood to evaluate the status of human associations. According to Suárez, no corporate body can become a whole person before it submits itself to a head. Thus, the state was a person but the community of humankind was not. What emerged in Suárez's writings, then, is a particular view of the community of humankind with which we are still stuck today, namely as an abstract moral community that is grounded in the dignity of each and every human being.

In Chapter 3, I will explore the historical crystallization of the idea that the state is both a whole in its own right and a part of no whole. This will be done by

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[81] See Anne Phillips, *The Politics of the Human* (Cambridge: Cambridge University Press, 2015); Joanna Bourke, *What it Means to be Human: Reflections from 1791 to the Present* (London: Virago, 2011); Matthew Weinert, *Making Human: World Order and the Global Governance of Human Dignity* (Ann Arbor: University of Michigan Press, 2015); Siep Stuurman, *The Invention of Humanity: Equality and Cultural Difference in World History* (Cambridge: Harvard University Press, 2017).

examining the attempt by the eighteenth-century philosopher Christian Wolff to give this the community of humankind an independent existence and his contemporary Emer de Vattel's rejection of this attempt. Due to the pervasiveness of the language of personhood, Wolff had, in order to give this community a solid foundation, to make the claim that it was, just as the individual human being and the state, a moral person. He did so by making the case for why it was reasonable to assume that humanity as a whole, just as human beings and states, can be said to have an independent will, even if that will could never be empirically observed or expressed. Adopting the language of personhood, I shall argue, made it easy for Vattel to denounce the independent existence of the community of humankind as a mere fiction: what he disputed was not its independent existence but its personhood.

Chapter 4 shall explore the attempt by nineteenth-century political theorists to defend the claim that humanity was in fact akin to an organic being. They argued, not for a fictional and unobservable will, but an actual and empirically real will. This solidified the assumption that persons were those who displayed certain characteristics congruent with that of an agent. In Chapter 5, I will return to the question posed at the beginning of this chapter, namely why the person of humanity is seen as both illusory and dangerous in contemporary international thought. As I shall argue, this is largely due to the persistent image that persons are agents and that the agency of humanity as a whole is both seen as something that does not exist and a potential threat to the organization of the system or society of states. The sixth and final chapter will draw out the broader implications of this genealogy. On the one hand, I shall explicate on how difficult it is, due to the pervasiveness of the language of personhood, to see the world as anything but an aggregation of individuals and states. But I shall also, on the other, return to the question raised at the beginning this chapter, namely the implications for the idea of the community of humankind and the state that they are so tightly interwoven and, to a great extent, codependent.

2   The Making of a Multitude

In the beginning there was a multitude. A multitude of human beings and, subsequently, a multitude of states. From this condition of plurality, an intellectual division of labor naturally emerges. The political theorist tackles the first question: why, if by nature humanity is composed of a multitude of free and equal beings, would there ever be states? The international theorist can build upon the successful solution to this question and instead ask a second and equally important question: how, since humanity never assembled into one state but many, can this multitude of free and equal states coexist? The premise upon which these questions rest is that the beginning was characterized by multitudinousness; that, in its primordial state, humanity, however so united, was never one but many. Some may of course argue that a certain unity both predates and survives humanity's dispersal into separate states. But few would hold that this unity is in any way identical to the unity that characterizes the unity of a multitude within states: while the latter have become one person, the former remains many. That this premise is often taken for granted would seem, on the whole, to be unproblematic. Intuitively, there just *are* many human beings. But is this a premise that *can* be taken for granted?

I shall in this chapter make the case for why, however intuitive such a premise may be, it is one that ought not to be taken for granted. Just as international theorists have recently been encouraged to examine more thoroughly their 'deepest ontological premise', namely that of a multiplicity of different societies, I believe it is also necessary to confront the deeper premise of a multiplicity of human beings.[1] Doing so is arguably necessary if we want to make sense of the conditions of possibility for international thought; why international thinkers tend to think about the world the way they do and why it seems so difficult to think differently about this world. At least we should be encouraged by international theorists who did not take this premise for granted, for while it may it seem to us now as a

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[1] Rosenberg, "Prison of Political Science," 135.

premise empty of theoretical speculation, there is always the chance that the reason it appears thus is because of a prior solution to a theoretical problem.

One thinker who certainly did not take it for granted was the Spanish seventeenth-century theologian Francisco Suárez. And he had good reasons for not doing so, reasons which are timeless enough for us to be compelled by his theoretical solutions. The problem he confronted was this. If we agree that the sovereignty of the state emanates from the people, and if we agree that this sovereignty needs to come from the people as one and from not each and every individual, then there must be not one but two conditions of humanity in its natural state. On the one hand, it may certainly be a mere multitude of individuals. But, on the other, if this multitude holds sovereignty as one, it needs also, prior to the institution of the state, to be something more than a mere multitude of individuals. Since Suárez did not conceive the sovereignty of a state to have emanated from humanity as a whole but rather only a portion of it, he needed to spell out why humanity as a whole is naturally and perpetually a multitude and how, while still being in their natural state, a particular assembly of individuals could cease to be a multitude and instead become one.

The solution Suárez provided to this problem, I shall argue, was epoch making. For he introduced to international thought a language that, though it was not one he invented, had not been previously used in such a succinct fashion to spell out the differences between the community of humankind and the particular political communities that gave rise to sovereign states. This was the language of personhood. Building upon Thomist ideas of what constituted a human being, he could make the argument that a multitude does not become one until it begins to resemble one person; when, that is, it is not merely a hapless body, but one to which also a head has been attached. Just as human beings were separated from nature because of their rational faculties, so could associations of human beings if only they acquired the same faculties. By virtue of having one head—and by implication one intellect and one will—a body of individuals would become one person. The community of humankind would therefore, until it became united under one head, remain but a multitude of different and separate persons.

The reasons for revisiting the political and international thought of Suárez are many. He is considered by many to be one of the first distinctly modern philosophers.[2] Moreover, he is believed to be a foundational theorist for many different

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[2] Alasdair MacIntyre, *Three Rival Versions of Moral Enquiry* (Notre Dame: University of Notre Dame Press, 1990), 73; Jose Ferrater Mora, "Suárez and modern philosophy," *Journal of the History*

domains of political and international thought. He laid the foundation of the social contract theories which were much more prominently formulated by more famous figure heads, such as Hobbes and Locke.[3] He is also often taken to be one of the founders of the law of nations.[4] Or, perhaps closer to home, one might consider his status as one of the most important thinkers of a society of states.[5] What makes him foundational to all these domains, I shall argue in this chapter, is his separation of the world into persons and non-persons.

This argument shall be fleshed out in five parts. First, I shall discuss Suárez's conception of a natural community of humankind. In the second section, I shall discuss his separation between natural and artificial communities and compare his conception to that of, on the one hand, Grotius and Gentili and, on the other, Dante and Ockham. The third section will discuss how this separation seemingly leads him into problems with grounding political authority in the people as a whole, and in the fourth section I shall seek to explicate how he solves this problem by way of the language of personhood. In the fifth and final section, I shall elaborate upon the consequences of his reduction of the community of humankind to a multitude of human persons.

The Primordial Unity of Humankind

What is the *natural* status of humanity? Or, stated differently, what kind of being is humanity by nature, when it is considered without any concrete human interventions to its organization or structure? Is it by nature a unity or by nature a plurality? A very modern answer to this question would seemingly find some

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of Ideas 14, no. 4 (1953). See discussion in Robert C Miner, "Suárez as founder of modernity: reflections on a topos in recent historiography," *History of Philosophy Quarterly* 18, no. 1 (2001).

[3] Quentin Skinner, *The Foundations of Modern Political Thought*, vol. II (Cambridge: Cambridge University Press, 1978), 164-65; Johann P. Sommerville, "From Suarez to Filmer: A Reappraisal," *The Historical Journal* 25, no. 3 (1982); Mónica Brito Vieira, "Francisco Suárez and the *Principatus Politicus*," *History of Political Thought* 29, no. 2 (2008).

[4] James Brown Scott, *The Catholic Conception of International Law* (Washington DC: Georgetown University Press, 1934). See discussion in David Kennedy, "Primitive legal scholarship," *Harvard International Law Journal* 27, no. 1 (1986).

[5] Bull, *The Anarchical Society*, 27-30; Martin Wight, *International Theory: The Three Traditions*, ed. Gabriele Wight and Brian Porter (New York: Holmes & Meier, 1992), 37-40; David Armstrong, *Revolution and World Order: The Revolutionary State in International Society* (Oxford: Oxford University Press, 1993).

middle path between these two extremes: humanity, the modern international theorist would argue, can be considered a unity in some sense, but not the same type of unity that defines the body of the individual human being or even the body politic. In the latter two, the parts are so integrated into a whole that, though the parts are partial wholes in their own right, they cannot exist without the greater whole that encompasses them. Humanity, they would argue, cannot be said to be so united. Humanity is not one but many.

If this indeed is the modern answer to the question of the natural status of humanity, then Suárez was certainly one of its architects. Notwithstanding the number and diversity of states into which humanity may be divided, he argued, humanity still 'preserves a certain unity, not only as a species, but also a moral and political unity (*unitas quasi politica et moralis*)'.[6] This is one of the arguments for which he is most famous today, in particular among contemporary international theorists, for it is to this passage they can point in order to demonstrate that a long lineage of thinkers have held the same beliefs they want to espouse, namely that both human beings and states are embedded in some larger community that encompasses the whole of humanity.[7] And such is not without textual evidence. As Suárez sought to make clear, this unity came about for the same reasons as did a state, namely by virtue of the need for social bonds. Both individuals and states would need this for their own sustenance and perpetuity. This is why individuals come together to institute political governments. But it is also why states, however 'perfect' they are in their own right, cannot be regarded as perfectly self-sufficient; it cannot be said that 'they do not require some mutual assistance, association, and intercourse, at times for their own greater welfare and advantage, but at other times because also of some moral necessity or need'. Thus, the state must be seen as a member of a 'universal society' whose system of law, the law of nations, would ensure that their 'intercourse and association' would be 'directed and properly ordered'.[8]

The same is evidently true for Suárez's other contemporary theorists, with whom he is often subsumed in order to present an image of a tradition of thought that hold the same views on the relationship between humanity and the state. Grotius is the most prominent among them. He argued that, even as humans had

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[6] Francisco Suárez, "A Treatise on Laws and God the Lawgiver," in *Selections from Three Works*, ed. Thomas Pink (Indianapolis: Liberty Fund, 2014), Book I, Ch. 19, §9, 403.

[7] Wight, *International Theory*, 38.

[8] Suárez, "A Treatise on Laws and God the Lawgiver," Book II, Ch. 19, §9, 403.

assembled into sovereign states, there still remained some original unity of the human race whose basis could be found in human sociability—or rather, their appetite for social relations (*appetitus societatis*)—and who made them united into a community.[9] As such, there was no fundamental difference between the state of nature in which states purportedly now operated and an original social condition. Although, strictly speaking, the social contract originated the social condition, this did not mean 'that the pre-contractual condition, the state of nature, is non-social'.[10] The concept of sociability (*sociabilitas*) had solved this conceptual problem. Gentili is another. He had similarly argued that humanity is united into one body because human beings are social animals who rely on each other's aid (*caritas*) and benevolence or goodwill (*benevolentia*): 'since we are one body, just as the other members would aid the one that was injured, if one member should desire to harm another, since it is for the interest of the whole body, even of the offending member, that each of the members be preserved: exactly so men will aid one another, since society cannot be maintained except by the love and protection of those who compose it'.[11] Thus, this appetite for society made humanity united, and not only so in the broadest sense of belonging to the same species, but also, as Suárez termed it, in a more specific and deep sense of maintaining some form of moral and political unity.

At this point, one might stop and be content with what has been discovered. Suárez and his immediate contemporaries, one might conclude, kept appealing to the ancient idea of the primordial unity of humankind. And, one might further note, they, unlike their ancient predecessors, had a more complex understanding of how not only human beings but also states were embedded into such a universal community. But, as I hope to make evident, this is a rather poor place at which to stop. Not because the conclusions I have recounted above are misleading; that they actually meant something entirely different than what would seem to be true and what is taken for the true interpretation of their claims. Rather, this point serves better as one of departure into asking more difficult questions about the organization of this system of international thought; a system for which contemporary international theorist arguably ought to be able to account since it is one

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[9] Benjamin Straumann, *Roman Law in the State of Nature: The Classical Foundations of Hugo Grotius' Natural Law* (Cambridge: Cambridge University Press, 2015), 92.

[10] Wight, *International Theory*, 38.

[11] Alberico Gentili, *De Iure Belli Libri Tres*, trans. John C. Rolfe, vol. II (Oxford: Clarendon Press, 1933), Book I, Ch. 15, 68-69.

to which they so often appeal; a system whose organization should spell out the appropriate relationship between three central items of international thought: the human being, the state, and the community that encompasses them both.

In so doing, it is necessary to begin with a rather straightforward question: why is humanity united both *by* and *in* nature? Suárez's answer—that humanity is united by virtue of being separate *from* nature—is equally unambiguous, perhaps even unoriginal. But it is a good opening question, for by looking for Suárez's answer, a layer has been peeled back only to reveal yet more complex questions and answers. After peeling off layer by layer, as I shall attempt to do in the rest of this chapter, the hope is that, even if the first layer does not appear to be so dramatically original, one might begin to appreciate that the system it reveals is.

Thus, onto Suárez's conception of the nature of the human being. According to him, all human beings are, while in their natural state, by nature singled out from the rest of nature. And it is in this natural separation that the unity of humankind finds its basis. There is, he argues, 'a certain natural form of community, brought about solely through the conformity [of its members] in rational nature', and '[o]f this sort is the community of humankind, which is found among all men'.[12] The centrality of the human being for an early-modern theological thinker should, perhaps, be of little surprise seeing as God had made human beings in his image. Nor should it be that their rational nature is highlighted, considering the Aristotelian influence upon early-modern Scholastic thinkers such as Suárez.

But I think an important, and not totally disconnected, influence was that this corresponded with what it meant to be a *person*. As noted in the previous chapter, the concept itself had dramatical etymological origins, being first used to refer to theatrical masks, a conception which was subsequently to be taken up by Hobbes, as we shall see in the next chapter. But in this context, a person was no longer considered to be a mask but rather, following the Roman philosopher Boethius's authoritative definition, an 'individual substance of a rational nature'. It was obvious that the human being was such a person. As much had Boethius himself made plain. Persons cannot be things bereft of life, such as stones, nor can they be living things lacking sense, such as trees, nor even those without mind and

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[12] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 6, 18, 97.

reason, such as horses or oxen; persons are only those living things of a rational nature, of which human beings, God, and angels are examples.[13]

For Suárez, however, the language of personality was not only one of theology, but also one of an indispensable importance for both morality and law. To be a subject of law and morality was for Suárez, as for so many of his contemporaries, rooted in a being's capacity for action. A being's capacity to act is of course essential to any moral or legal consideration, for it is the action itself that activates the reason for invoking law or morality in the first place. Yet, it was important for Suárez to emphasize that not all actions are to be considered in this way, because not all actions are moral or legal actions and not all beings who are generally capable of acting bear the capacity of acting morally or legally. Rather, in order to be considered as a moral actor, the being doing the acting needed to be acting rationally, for 'law implies a moral relation to the performance of a given action, and since no aspect of nature save the intellectual is capable of such a relation…only those who have the use of intellect and reason are governed by law, or are capable of being so governed'.[14] Thus, the subject of both morality and law can only be 'some rational creature', because 'law is imposed only upon a nature that is free, and has for its subject matter free acts alone'.[15] Both morality and law were thus made for persons, because only rational beings can be their subjects.

Now, the connection between rationality and freedom might no longer be immediately evident. Rational substances, Aquinas added to Boethius definition of a person, are those 'which have control over their actions, and are not only acted upon as other beings are, but act of their own initiative'.[16] This is what made them free, for rational beings do not merely act, they also own their own actions by virtue of using their rational faculties—both the intellect and the will—in *freely* deciding what to do.[17] Many actions are carried out by substances bereft of these faculties. As Suárez argues, while a stone does not act, other 'insensate things', such as winds or tides, do. So do animals, who are not merely guided by 'the force

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[13] Boethius, *The Theological Tractates*, trans. H. F. Stewart and E. K Rand (Cambridge: Harvard University Press, 1973), 83-85. See Joseph W. Koterski, "Boethius and the Theological Origins of the Concept of Person," *American Catholic Philosophical Quarterly* 78, no. 2 (2004).

[14] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 4, §2, 55.

[15] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 3, §2, 37.

[16] Thomas Aquinas, *Summa Theologiae*, trans. Ceslaus Velecky, vol. 6 (Cambridge: Cambridge University Press, 2006), 43.

[17] Brett, *Changes of State*, 37-61.

of nature' but also by 'knowledge and natural instinct'. But by 'having the use neither of reason nor of liberty', animals cannot be considered 'capable of [participating in] law in a strict sense'.[18] Humans, by contrast, were made for law. Not all humans were, however, capable of bearing the bonds or moral obligations that naturally follow from legal relations; while it is true that 'only intellectual creatures are capable of bearing such an obligation' and human beings are by nature intellectual creatures, one cannot expect all humans to be equally capable of exercising their rational faculties. Only those that are truly free to act rationally can strictly speaking be subjects of law, for 'all morality depends upon liberty'.[19]

But for Suárez, the whole of humanity is not merely united by virtue of being similarly constituted, that is, that all of them have a basic capacity for rational thought, for their unity does not arise directly from their shared characteristics, but only indirectly so. What made all of humanity capable of being subjected to law was surely their shared rational nature, but what made all of humanity united was that they were all subjected to the same law, natural law, which at all times 'dwells within the human mind'. And since this law was 'characteristic of nature', the unity of humankind was a natural form of unity.[20] Humanity was therefore united *in* nature, because this law naturally dwells in them; *by* nature, because this law emanates from nature; and separate *from* the rest of nature, because their capacity for rational thought set them apart from beings incapable of being subjected to this law.

The Nature of Communities

Having demonstrated why humanity must be considered united, one might in turn ask why all human beings must be united within a community. Partly, this follows from a particular understanding of the nature of law. Any precepts that are 'imposed upon a single individual' cannot be considered law, for it is in the nature of law, he argues, that it is instituted for some community.[21] This followed partly from how Roman jurists had defined laws as 'common precepts', for

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[18] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 3, §8, 42-43.

[19] Suárez, "A Treatise on Laws and God the Lawgiver," Book II, Ch. 2, §11, 170.

[20] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 3, §9 43-44.

[21] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. VI, §2, 84.

according to this definition alone it is in the nature of law itself that it is 'a precept imposed upon the community, or upon a multitude of men', and not a single individual.[22] But it also followed from another property of law, namely its perpetuity. Since laws are meant to be perpetual, and since no individual is capable of living in perpetuity, laws must be imposed upon that which is capable of such, that is, the community as such.[23] Thus, as I believe Suárez here powerfully demonstrates, it is not merely *that* human beings form one natural law community by virtue of sharing the same characteristics, but also *why* it must be so. That is to say, even if the idea of such a community was not of his origin, it is nonetheless not immediately clear why this unity needs to be phrased in associational terms. Suárez shows us here why, in being subjects of natural law at all times and at all places, the entirety of the human species would in perpetuity constitute one legal community, even as they would come to assemble into particular communities with their own particular laws.

From such a line of argument, however, more complex questions come to the fore. On the one hand, this community exists by virtue of containing beings that are subjected to the same law and because laws are always made for communities, meaning that the laws apply *distributively* to all the members of the community. On the other, since states are also embedded into this community, and since the state is obviously itself a community, it suggests that communities may themselves *collectively* be subjects of law. The nature of the primordial community of humankind is therefore not immediately apparent: is it a community merely because it is composed of all human beings, each of whom are subjects of natural law? Or is the community itself a subject of natural law? From Suárez's use of the terms 'quasi-moral' and 'quasi-political' to describe this community, one might surmise that what he had in mind was the former rather than the latter. Yet, I believe much can be learned from inquiring into *why* the nature of this community must be constituted as such, rather than, as we have seen contemporary international theorists do, take this constitution for granted. For while Suárez clearly believed that the community of humankind was only a community by virtue of containing the subjects of natural law, he nonetheless believed it to be necessary to spell out the differences between two different forms of communities: those that were

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[22] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. VI, §8, 89.

[23] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. VI, §11, 91.

communities by virtue of containing subjects and those that could themselves be subjected to law.

Suárez sought to make it clear that those communities that were only communities in the sense that they were composed of subjects of the same law, never really departed from nature. The community of humankind was, as we have seen, such a community. It was a 'natural form of community' whose law, natural law, 'is established, not for any one individual as such (not because he is Peter, for example), but for each person as a human being'.[24] It was different, therefore, from that which he termed a 'political or mystical community', which was not natural but artificial, that is, 'humanly assembled or devised'. While the former was only of a quasi-political and quasi-moral character, the latter was constituted in such a way that it was not only a political community, but also 'morally a unity'.[25] The latter was a whole in its own right, greater than the sum of its parts; the latter was merely an aggregation of separate and disparate parts.

The distinction between these two ways of conceptualizing communities was, of course, not of Suárez's invention. As Black argues, one of the key contributions medieval thinkers made to contemporary social thought, drawing on an original argument made by Aristotle, was the application to human communities the distinction between 'all' considered separately and 'all' considered together.[26] Making use also of the Roman concepts of *universitas* and *societas,* these same thinkers could separate between human associations that were wholes and those that were but collections of parts.[27] While both forms of associations were not natural but artificial in the sense that they emerged from the voluntary actions of human beings, a *societas,* by contrast with a *universitas*, was similar to what Suárez would refer to as a natural community because the community never took on a life of its own. Indeed, as Gierke once made clear, by basing the *societas* upon 'a purely obligatory and externally unbreakable contractual relationship', the conceptual

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[24] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 6, §18, 97.

[25] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 6, §§18-19, 97-98.

[26] Antony Black, *Council and Commune: The conciliar movement and the fifteenth-century heritage* (London: Burns & Oates, 1979), 148.

[27] Although these are obviously Roman concepts, a categorical distinction between a partnership (*societas*) and corporation (*universitas*) was not made by them. But as the distinction was first drawn when medieval jurists rediscovered these Roman concepts, the thinkers in whom I am most interested here were certainly aware of the distinction between the two. See Harold J. Berman, *Law and Revolution: The Formation of the Western Legal Tradition* (Cambridge: Harvard University Press, 1983), 149-51.

basis 'failed to view a "society" as a group with its own unity that could be endowed with rights and duties'.[28] The unity of this association would come about only by virtue of the assembling of a multiplicity of parts, which would leave each member as an independent part of the contract and the existence of the *societas* wholly dependent upon its members. The association would therefore not have any independent existence apart from its members; if one or several members disassociated, the association would be no more. As such, a *societas* could not itself have any rights or duties because the contractual basis of the association left them with the individuals of which it was composed. These communities were therefore regarded distributively, not collectively: the rights and duties were distributed among its members rather than to the association as a whole.

Although the community of humankind was not a *societas* because it was natural rather than artificial, the community into which states were embedded was, at least in some sense, more like a *societas*. Certainly, it was not a *universitas*. On this, Suárez was clear:

> For even though the whole of mankind may not have been gathered into a single political body, but may rather have been divided into various communities, nevertheless, in order that these communities might be able to aid one another and to remain in a state of mutual justice and peace (which is essential to the universal welfare), it was fitting that they should observe certain common laws, as if in accordance with a common pact and mutual agreement.[29]

The basis for this unity was not merely natural law, but also the law of nations. Natural law, as we saw, found its basis in being ingrained in all human beings by virtue of their humanity. It was, as Suárez argues, 'written upon the hearts of men by the Author of Nature'. The law of nations, by contrast, was 'introduced by the free will and consent of mankind, whether we refer to the whole human community or the major portion thereof'.[30] While sovereigns were, as members of the human species, surely still subjects of the natural law, states had themselves voluntarily, or at least by custom, established a law to organize and regulate their 'intercourse and association'.[31] Suárez, it would seem, was thus a key theorist of the *societas* of states.

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[28] Gierke, *Associations and Law*, 99.

[29] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §6, 434-35.

[30] Suárez, "A Treatise on Laws and God the Lawgiver," Book II, Ch. 17, §8, 382.

[31] Suárez, "A Treatise on Laws and God the Lawgiver," Book II, Ch. 19, §9, 403.

As was of course his more famous contemporary, Grotius. He made it plain that there were crucial differences between smaller societies and the universal society of humankind: while the former was indeed the typical *societas* based on voluntary and contractual relations, the latter was based on human beings' natural appetite for social relations and hence the 'natural kinship' among them.[32] But only the smaller societies, whose lowest being was the family and whose highest being was the state, could according to him become *universitates.* The universal society of humankind, by contrast, would was an association whose members, though governed by law, remain but a dispersed multitude. Though he notes that states could be '*membra unisus corporis',* this did not entail that the *societas humana* was itself a *universitas.* Such references to a corporate body only appear in some few instances for highly specific purposes.[33] On the one hand, as Gierke notes, Grotius used corporation theory to refer to federative polities such as the Holy Roman Empire and the United Provinces.[34] But the specific reference to states being '*membra unisus corporis'* was, on the other, used by Grotius, drawing on the medieval conception of the *corpus mysticum*, to refer to Christians as being part of a larger whole. Just as all Christians are 'Members of One Body, which are commanded to have a Fellow-feeling of each other's Sufferings, as that Command affects every single Person', he argued, 'so should it every Nation as they are a Nation, and all Kings as they are Kings'. And in the case these 'States of Christendom' should be threatened by an enemy of the 'true' religion, Christian states ought accordingly to assemble, like they had once assembled under the Emperor, to act in concert for the 'common Cause' to dispel all such enemies.[35] But these corporate terms were never meant to embrace humanity as a whole, nor the supposed society of states. As Hommes argues, states according to Grotius are 'related

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[32] On the contractual basis of international society in Grotius, see Evgeny Roshchin, "(Un)Natural and contractual international society: A conceptual inquiry," *European Journal of International Relations* 19, no. 2 (2011).

[33] As he writes, for instance, in the prefatory remarks: "If there is no Community which can be preserved without some Sort of Right, as Aristotle proved by that remarkable Instance of Robbers, certainly the Society of Mankind, or of several Nations, cannot be without it." Hugo Grotius, *Rights of War and Peace*, ed. Richard Tuck, 3 vols., vol. I (Indianapolis: Liberty Fund, 2005), Preliminary Discourse, XXIV, 98.

[34] Gierke, *Natural Law*, 86. Again, see also Ben Holland, "Natural Law and the Theory of International Society: Otto von Gierke and the Three Traditions of International Theory," *Journal of International Political Theory* 8, no. 1-2 (2012): 55.

[35] Hugo Grotius, *Rights of War and Peace*, ed. Richard Tuck, 3 vols., vol. II (Indianapolis: Liberty Fund, 2005), Ch. 15, §12.

to each other in terms of a position of equality and coordination without being bound into a higher communal legal unity'. Although the law of nations is according to him distinct from the law of nature, it cannot have the same standard as that law which exist within states. For while the latter emanate from the will of this society, this cannot be the case for a society of states because, as it does not appear in a corporate form, it cannot have a will of its own. Rather, it has as its source the *contractual* will of each and every nation.[36]

The same must be said of Gentili. 'All this universe which you see in which things divine and human are included', he wrote, 'is one, and we are members of a great body. And in truth the world is one body'.[37] Yet, even if one disregards that he later refers to this body as a *societas humana*, there is little to suggest that he by this meant that the body of humankind constituted a corporation in any legal sense. For although each sovereign ought to interact with one another as if they were citizens of the same political realm, the international realm was for Gentili quite distinct from the political realm of states. There is no legal or political unity in this body; only the kind of unity that one would also find among human beings in the state of nature.[38]

In this, Suárez, Grotius, and Gentili would break with their medieval predecessors. Although there are many important and good reasons to be critical of accounts that draw the line between the medieval and the modern too starkly, and is thus unable to see the many continuities and influences of the medieval in the modern, there are nevertheless key aspects of medieval political thought which seem lost to the modern world.[39] One is, as Bartelson argues, the medieval

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[36] Hedrik van Eikema Hommes, "Grotius on Natural and International Law," *Netherlands International Law Review* 30, no. 1 (1983): 63-65. For a discussion on corporations in the thought of Grotius, see Orazio Condorelli, "Grotius's Doctrine of Alliances with Infidels and the Idea of Respublica Christiana," *Grotiana* 41 (2020).

[37] Gentili, *De Iure Belli*, II, Book I, Ch. 15, 67.

[38] Andreas Wagner, "Francisco de Vitoria and Alberico Gentili on the Legal Character of the Global Commonwealth," *Oxford Journal of Legal Studies* 31, no. 3 (2011): 573-80; Ursula Vollerthun, *The Idea of International Society: Erasmus, Vitoria, Gentili and Grotius*, ed. James L. Richardson (Cambridge: Cambridge University Press, 2017), 106-44; Valentina Vadi, *War and Peace: Alberico Gentili and the Early Modern Law of Nations* (Leiden: Brill Nijhoff, 2020), 158; Diego Panizza, "The 'Freedom of the Sea' and the 'Modern Cosmopolis' in Alberico Gentili's De Iure Belli," *Grotiana* 30 (2009).

[39] Kathleen Davis, *Periodization and Sovereignty: How Ideas of Feudalism and Secularization Govern the Politics of Time* (Philadelphia: University of Pennsylvania Press, 2008).

understanding of a universal, ever-present, and boundless community of humankind.[40] But what makes the conception of this community so different from how we tend to conceive it—and how Suárez, Grotius, and Gentili conceived it—is not only its universality, perpetuity, and boundlessness. Rather, it is that this community was not an aggregation of separate parts, but a whole in its own right. The philosophical basis for the medieval conception of such a community was the *principium unitatis,* or the principle of unity, by which they believed the whole universe to be governed. According to this principle, analysis starts with the whole and not the parts, making both individuals and particular communities both wholes and parts. They are wholes in themselves, but parts in relation to the universe as a whole. They are, as such, 'partial wholes'; they always have their origins in, is mirrored by, and is always subordinated to the community of humankind. The latter, in turn, is also such a partial whole, for it is but a part of the universe as a whole.[41] They all figure in what has come to be known as the 'great chain of being', with God safely placed at the very top of this hierarchy.[42]

This, as should again be stressed, is but one reading of medieval political thought. To others, the principle of unity to which Gierke ascribes much importance did not reign, at least not alone. The medieval world, de Wulf counters, was dominated not by universalism but pluralism. Only individuals or 'Single-Beings' have the character of unity Gierke also attributes to collectives. What a forest of trees and a hive of bees share with a city, a state or the community of mankind, he argues, is that none have the unity that an individual, made up of 'real substance' as it is, can have. Accordingly, scholastic thinkers of the Middle Ages did not accredit any real unity to such groups. A part and a whole could not concurrently exist; either the parts who make up the whole would be but a mere collection of parts, or the parts would relegate themselves to the whole to such an extent that it would be contradictory to speak of them as individual parts. Communities of human beings could never be united as one collective person. When medieval thinkers spoke of the unity of humankind, therefore, they only assigned real unity to each individual human being, as true unity 'belongs to each of the

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[40] Bartelson, *Visions of a World Community*, 46-85.

[41] The most classical interpretation of this aspect of medieval political thought is Gierke, *Political Theories of the Middle Age*, 1-8. On the general cosmological context, see also Kellie Robertson, "Scaling Nature: Microcosm and Macrocosm in Later Medieval Thought," *Journal of Medieval and Early Modern Studies* 49, no. 3 (2019).

[42] Arthur O. Lovejoy, *The Great Chain of Being: A Study of the History of an Idea* (Cambridge, MA: Harvard University Press, 1936).

numerous personalities which are the agents of this civilization, and to them only'.[43] And for this reason, they were consumed by—and, we should add, could only be consumed by—a 'wish to correct the defects arising from the plurality of states, by a unifying theory, the universal community of men'.[44] The combination of their strive for universals and their particularist social ontology, these medieval thinkers could never speak of an a-temporal unity of mankind. Unity, rather, was *telos* of every community, of every size, including the community of mankind.

However, even if the *principium unitatis* might not have been the ontological basis for the entirety of medieval political thought, one can still maintain that it influenced some of the works which have come to be the most influential in the canon of European political theory. It certainly dominated the world of Dante and his fourteenth-century treatise *De Monarchia.* Humanity, Dante argued, is both a whole and a part. It is a whole in relation to what constitutes mankind, such as individuals, peoples and kingdoms. But it is also a part in relation to the whole universe.[45] For,

> just as there is a particular purpose for which nature produces the thumb, and a different one for which she produces the whole hand, and again a purpose different from both of these for which she produces the arm, and a purpose different from all of these for which she produces the whole person; in the same way there is one purpose for which the individual person is designed, another for the household, another for the small community, yet another for the city, and another for the kingdom; and finally the best purpose of all is the one for which God Everlasting with his art, which is nature, brings into being the whole of mankind.[46]

Just as a hand, an arm, and a whole person are both parts and wholes, so are the household, the city, the kingdom, and the community of mankind. All of these exist within two kinds of orders: one that relates parts to each other, and another that relates the parts to the whole. Since the parts only relate to each other for the purpose of relating to the whole, this second kind of order is more important than the order that exists between parts. Speaking of the latter kind, Dante argues that

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[43] Maurice de Wulf, *Philosophy and Civilization in the Middle Ages* (Princeton: Princeton University Press, 1922), 237, emphasis in original.

[44] Wulf, *Philosophy and Civilization*, 116.

[45] Dante, *Monarchy*, trans. Prue Shaw (Cambridge: Cambridge University Press, 1996), Book I, Ch. VII, 12.

[46] Dante, *Monarchy*, Book I, Ch. III, 6.

precisely as parts are related to the whole, so the order within parts is related to the order within the whole. Therefore, since he had proved that parts are always subordinated to the whole, the relationship between the order within parts and the universal order is also hierarchical; for 'the goodness of the order in a part does not exceed the goodness of the order in the whole, but rather the reverse'.[47]

Based on this, he could make the claim for which his conception of the unity of mankind had merely been a necessary part, namely that humanity in its entirety was to be united in a universal monarchy ruled by one person, the emperor. Because he had proved that all the parts which constituted humanity necessarily needed to be ruled by one ruler, and because each of these parts necessarily needed to reflect the whole, he had proved syllogistically that mankind as a whole needed to be ruled by one ruler, a 'Monarch' or 'Emperor' for it is 'apparent that the well-being of the world requires that there be a monarchy or empire'.[48] The universalism which characterized the 'true' medieval world view was therefore used effectively to legitimize universal empire.

There was of course no necessary connection between, on the one hand, medieval universalism, and, on the other, universal empire. Dante had deliberately taken the legal language from the *Digest* of Roman Laws—wherein the emperor had been crowned *Dominus Mundi* or Lord of the World—and wedded it to medieval theories of the unity of humankind, in order to cement the claims of the Holy Roman Emperor to hold universal power over temporal affairs.[49] And these arguments was in turn used to repudiate the same claims of universal temporal powers made by the papacy, according to which the rightful head of the universal community of mankind was not a monarch or an emperor, but the Pope.[50] This repudiation was based on the understanding that humans had two ultimate ends, and thus existed in two different orders. While the Empire would be governed so as to satisfy human beings' temporal happiness, the Church would work towards securing their salvation in their lives after death. All earthly power would thus rightly rest with the Emperor. But this argument presupposed also a further separation of humankind, now into two separate communities. No matter how

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[47] Dante, *Monarchy*, Book I, Ch. VI, 11.

[48] Dante, *Monarchy*, Book I, V, 11.

[49] James Muldoon, *Empire and Order: The Concept of Empire, 800-1800* (Basingstoke: Palgrave Macmillan, 1999), 87.

[50] Quentin Skinner, *The Foundations of Modern Political Thought*, vol. I (Cambridge: Cambridge University Press, 1978), 17.

universal in aspiration the Christian religion proclaimed to be, Dante was nevertheless adamant that the society of Christians did not encompass the entirety of the world. The community of which he was speaking, however, was truly universal. For his conception of *humanitas*, organized as a *humana civilitas*, *humana universitas*, or *universitas humani generis,* incorporated not merely Christians, but also humans of all religions. It was this community that would best be ruled by a monarch, because as this community arose from nature and would therefore be governed by natural laws, the Church, who had to such power over nature, could not rightly govern the community of humankind.[51]

Others would come to speak of the community of humankind in the same terms and for the same purposes, such as William of Ockham who referred to a 'community' or 'totality' of mortals (*universitas mortalium*). All mortals, he argued, 'however much they are distant from one another geographically, can have a community with one another, so that they become, or should become, unless wickedness separates them, one people, one fold, one flock, one body, one city, one college, one nation, one kingdom'. Like Dante, this body would need a head to rule them, for, as he argued, 'a body that has no head or several is a monstrous body', and so would a city, college, nation, or kingdom. The community of all mortals, therefore, need to subject themselves to one secular ruler so that they can best be governed.[52]

What both Ockham and Dante share, however, is not only that their conceptions of the community of humankind is universal in spirit, nor that they both agree that this community is best governed by a temporal head that is not also the spiritual head. Rather, the most important common aspects of their thought, at least for our present purposes, are, firstly, that they share the same understanding of what *kind* of association this community is supposed to be, for both speak of the community of humankind as a *universitas*, a corporation. Secondly, and perhaps most importantly, for all their emphasis on the need of an emperor to rule humanity, they nevertheless thought of the latter as being a *universitas* with or without a head. Both sought to make it plain that some form of a *universitas humana* would be best served by submitting itself to a ruler, but none argued that

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[51] Walter Ullmann, *Principles of Government and Politics in the Middle Ages* (Abingdon: Routledge, 2010), 178.

[52] William of Ockham, "A Dialogue," in *William of Ockham: 'A Letter to the Friars Minor' and Other Writings*, ed. Arthur Stephen McGrade and John Kilcullen (Cambridge: Cambridge University Press, 1995), Part III, Tract 2, Book I, Ch. 1, 241.

humanity could not be considered a corporate whole without it. Humanity was fundamentally and naturally one, with or without human artifice.

These two theoretical conclusions are therefore what separate Dante and Ockham, on the one hand, from Suárez, Grotius, and Gentili, on the other. Arguably, it is also partly what separates medieval from early-modern and modern political thought, for what seems to be evident in these latter thinkers is the argument that there is no such unity in nature. Humanity, these early-modern theorists would argue, was naturally many rather than one, for no associations of human beings could by nature be considered to have taken on a life of their own. Yet, as I shall presently argue, by maintaining such a distinction between nature and artifice, they would run into problems with explaining how the sovereignty of states was to be originally found not in individuals but in the people as a whole. For if the argument is that such wholes cannot exist by nature, this argument would seemingly run into yet more contradictions.

From Humanity to the State

The division of humankind into a multitude of different state is often regarded as a result of the rejection of any form of universal political authority. This meant moving away from the authority of the emperor or the pope in favor of the liberty, independence, and self-governance of particular peoples. While some, like Suárez, would maintain that the natural community of humankind persisted even after this division, 'stricter advocates of the theory of sovereignty rejected *in toto* any idea of a natural community uniting all states together'.[53] The revolution was based upon an 'ideal of liberty' that had started in the Italian renaissance.[54] But only in the seventeenth century, it is argued, was it completed. Indeed, the world after Westphalia was a world for which thinkers such as Machiavelli had longed; one in which princes not the pope held ultimate political authority and in which 'the metaphor of the body by which medieval chroniclers described the political unity of Christendom applied more aptly to the state'.[55] What emerged was an

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[53] Gierke, *Natural Law*, 85. See also Bull, *The Anarchical Society*, 28. For the context of this argument, see Holland, "Natural Law and the Theory of International Society."

[54] Skinner, *Foundations of Modern Political Thought*, I, 3-23.

[55] Daniel Philpott, *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations* (Princeton: Princeton University Press, 2001), 75-76.

'anarchical society of sovereign states' wherein there existed a 'plurality of terri-tory-based political systems each with its own independent and supreme govern-ing authority'. This, Jackson argues, 'is what Westphalia stands for'.[56] Although it has become an orthodoxy, one that some may even claim to be bordering on being almost mythical, that the Westphalian treaties marked a radical change from me-dieval thought and practice, there still remains a sense that something radical hap-pened to international thought and practice in and around the seventeenth cen-tury.[57] Certainly, one could say, what remained was the idea that the unity of humankind needed to be conceptualized in such a way not to threaten the sover-eignty of the state.

As I shall argue in the two next sections, Suárez did reject the sovereignty of the Pope or Emperor in favor of the sovereignty of particular princes, but it is not there we should look for his key contribution to international thought. Rather it is in his argument that the sovereignty of the state did not rest naturally or by divine right with these princes, but instead it emerged from the people, conceived not as a multitude but as a whole. Indeed, as Skinner argues, it was the ingenuity of Suárez to perceive the natural state of humankind not as one of isolated human beings, but rather, since all human beings share the 'same moral characteristics', 'it is equally possible to think of the state of nature not as a community of indi-viduals, but rather as a "single mystical body"', for 'once we think of men in their natural condition in this alternative way, there is no difficulty about conceiving of them as having the power to act with a single unified will to set up the legitimate authority of a commonwealth'. Suárez, he argues, recognized that it was necessary to come up with 'a strongly holistic theory about the capacity of the people to perceive themselves as a *universitas*, and thus to engage univocally in the perfor-mance of corporate legal acts'.[58]

Yet, while this might be his key contribution to political thought, if this was indeed what Suárez argued, it would break fundamentally with the basis for his

[56] Robert Jackson, *Classical and Modern Thought on International Relations: From Anarchy to Cosmopolis* (New York: Palgrave Macmillan, 2005), 83. See also Nardin, *Law, Morality, and the Relations of States*, 27-48.

[57] Carvalho, Leira, and Hobson, "The Big Bangs of IR: The Myths That Your Teachers Still Tell You About 1648 and 1919."; Teschke, *The Myth of 1648: Class, Geopolitics, and the Making of Modern International Relations*; Osiander, "Sovereignty, International Relations, and the Westphalian Myth."

[58] Skinner, *The Foundations of Modern Political Thought*, II, 165-66. See also Sommerville, "From Suarez to Filmer."

international thought. First, it would go against his argument that no such *universitates* could exist in nature. Second, if the 'mystical body' of the people came into being by virtue of the fact that its parts share the same 'moral characteristics', then the natural community of humankind would also be constituted in this way, especially since its basis for unity was also to be found in the same moral characteristics shared by the entire human species. But it is in his response to this apparent problem—this contradiction—that I believe we find Suárez's key contribution to international thought. For in response, he invoked the language of personhood. This language, as we saw, was the basis for designating human beings as distinct from nature. In using it also human associations, he could make the argument that only those beings, entities, or associations that could act sufficiently like a human being could depart from the natural condition in which the community of humankind was seemingly stuck. And by so doing, he was able not only to answer the above-discussed problem of specifying the character of the unity which binds the whole human species together into one community, but also to give a solid foundation for differentiating between the unity that characterized this community from the unity of the state. While I shall in the next section elucidate just how this language was used to separate between these two communities, I shall in this explicate upon the problem the sovereignty of the people seemingly poses for his ability to differentiate between them, beginning with what is central to conventional accounts of the division of humanity into states, namely the rejection of the sovereignty of the Pope or Emperor.

Part and parcel of the classical narratives of the emergence of a society of states is the recognition that no legal or political authority can exist above the state. Such a recognition would, of course, have to dispel the authority of the emperor as the sole lord of all the earth, but also the arguments made by those papalists who promoted the temporal authority of Pope.[59] The rejection of the authority of both should not, however, be seen as an exclusively early-modern concern. The first attempts at providing answers came from a number of medieval Italian writers concerned for the liberty of their republics or city states. While this was in some sense also Dante's goal in arguing vehemently against the authority of the papacy, his proposed imperial counterweight cannot have been seen as very appealing by those whose primary goal was to seek guarantees for the liberty of their individual

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[59] On the authority of both, see Brett Edward Whalen, *The Two Powers: The Papacy, the Empire, and the Struggle for Sovereignty in the Thirteenth Century* (Philadelphia: University of Pennsylvania Press, 2019).

city states or republics. And these were precisely the goals of medieval philosophers such as Bartolus and Marsilius. Bartolus had, on the one hand, provided a 'juristic justification for the legal sovereignty of independent Italian cities as it actually existed' against the authority of the Emperor.[60] And Marsilius had, on the other, sought to demonstrate that 'anyone who aspires to be a defender of the peace in Northern Italy must above all be a sworn enemy of the alleged jurisdictional powers of the Church'.[61]

Suárez would arrive at much of the same conclusions. With regards to the papacy, he made it clear that, even if the Church could be said to both embrace the whole world and do so as one corporation united under the single head of the Pope, this did nonetheless not contradict the authority of the state. First, while it was true that the Church 'was founded not for one or another people but for the whole world', it would also be wrong, he argued, to consider its scope to be universal.[62] For even if its canonic laws were in some ways capable of being applicable to the entirety of the world, it was still pertinent for him to recognize that these laws were 'peculiar to the community of the Church of Christ, and not common to all nations, since they are not all a part of the Church'.[63] Although, then, it was an article of faith that, since all Christians were united, and all human beings should be Christians, the entirety of humanity was associated in some universal society, this society would never challenge the authority of the states outside Christendom.[64]

Second, although it might be true that the Church would come to take on some corporate character, it did not necessarily follow that the papal head of this corporation overruled the authority of the princes of states within the community of Christ. For though it might be 'the single spiritual, or mystic body of Christ, and possess in this *spiritual* sense a unity in faith, in baptism, and in its head', it is 'not unified after the manner of a single political congregation' which was the only way

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[60] Joseph Canning, *The Political Thought of Baldus de Ubaldis* (Cambridge: Cambridge University Press, 2003), 97.

[61] Skinner, *Foundations of Modern Political Thought*, I, 22.

[62] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 6, §18, 97-98.

[63] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Introduction, §2. On the exclusionary character of the Church, see, for instance, James Muldoon, *Popes, Lawyers, and Infidels: The Church and the Non-Christian World, 1250-1550* (Philadelphia: University of Pennsylvania Press, 1979).

[64] Antony Black, *Political Thought in Europe, 1250-1450* (Cambridge: Cambridge University Press, 1992), 87.

an association could, by natural law, be endowed with supreme temporal jurisdiction over itself.[65] Just how such a single political congregation could be organized to receive the status of a political body, I shall discuss more fully below; here it suffices to note that because only a spiritual unity united these communities to one another, a political body with temporal powers was not in place. Although it might go under the name of a *universitas fidelium* or a *corpus mysticum,* and one might recognize, as did Augustine, that the bonds that bound the faithful together were so strong as to make it better than a mere society, their association was of a fraternal character rather than a political body.[66] The Church, therefore, could be termed a 'spiritual commonwealth' and requires as such not temporal sovereignty, only spiritual sovereignty.[67] Thus, even states that were part of the Church would 'possess supreme civil power' within their own domains, for there can be, within the Church, 'no one supreme temporal prince over that whole body, that is to say, over all the kingdoms of the Church'. Instead, he would make plain, 'there are as many princes as there are kingdoms, or sovereign states'.[68]

In making this argument, Suárez was repeating the well-known separation between temporal and spiritual authority. Dante had made much of the same claim. Both the Church and the Empire could be termed corporative in the sense that they were considered to be greater than the sum of its parts and had purposes on their own.[69] But they served two different purposes. The community of Christians had, on the one hand, assembled to promote ecclesiastical and spiritual values. The community of humankind, on the other, had come together for the purpose of cultivating morality and ethics. The result, as Kantorowicz argues, 'was a duality of mutually independent corporate bodes, one "human-imperial" and the other "Christian-papal", both universal, each of which pursued its own ends and

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[65] Suárez, "A Defence of the Catholic and Apostolic Faith," Book III, Ch. 5, §11, 770-71.

[66] Sheldon Wolin, *Politics and Vision: Continuity and Innovation in Western Political Thought* (Princeton: Princeton University Press, 2016), 118.

[67] Suárez, "A Defence of the Catholic and Apostolic Faith," Book III, Ch. 5, §22, 780.

[68] Suárez, "A Defence of the Catholic and Apostolic Faith," Book III, Ch. 5, §6, 766.

[69] It is important to bear in mind, however, that, although the concept of *universitas* would come to bear important juridical implications, it was also used by medieval thinkers who by no means sought to establish the corporeal unity of the Church or the body of the faithful in any legal sense. As Tierney sensibly contends, 'the word *universitas* itself did not necessarily carry any juristic connotations, and some of the earlier canonists showed no disposition to invest if with a strictly legal significance'. Brian Tierney, *Foundations of the Conciliar Theory: The Contributions of the Medieval Canonists from Gratian to the Great Schism* (Leiden: Brill, 1998), 123.

had its own goal of human perfection'.[70] In fact, one may say with Wolin that Christian thought maintained throughout the Middle Ages a 'double identity': that they were, on the one hand, presenting the Church as the political and legal organ of Christendom; and, on the other, maintaining the Church as a 'society of believers who, in their mystical unity, were members of a living body following a common life inspired by the love of Christ'.[71]

These distinctions would not work for the emperor. Yet, although he could be said to be, unlike the pope, head of a temporal commonwealth and wielded, as such, temporal power, Suárez sought to make it plain that it could hardly be said that this power extended over all the world's communities. The jurisdiction of the emperor was therefore, like it was for the pope, restricted spatially. The authority as lord over the whole world had never been assigned to any emperor, nor had any emperor been elected or 'subjected to his sway the whole world'. And though one might rightfully claim that that status as emperor had been passed down the line from when there was truly a *dominus mundi,* this empire had split into so many parts that many temporal kings would remain outside of the emperor's jurisdiction and be independent of his authority.[72] It would simply be impossible to demonstrate, he argued, the existence of such an authority 'to the satisfaction of infidels' or to coerce them to comply with the will of an emperor. Any claims of such a direct temporal authority over the world could thus only be considered to be 'vain inventions'.[73]

Having thus rejected both the authority of the Pope and the Emperor, Suárez could conclude that, in the case of punitive justice in the relations between states, there was no one particular person that could act as a judge. While the sovereign would hold the authority to punish crimes in order to preserve the 'domestic peace', no such authority could exist above the state. Thus, while 'in the world as a whole, there must exist, in order that the various states may dwell in concord, some power for the punishment of injuries inflicted by one state upon another',

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[70] Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton: Princeton University Press, 1957), 463.

[71] Wolin, *Politics and Vision*, 119. See also Henri de Lubac, *Corpus Mysticum: The Eucharist and the Church in the Middle Ages*, trans. Gemma Simmonds, Richard Prince, and Christopher Stephens, ed. Laurence Paul Hemming and Susan Frank Parsons (London: SCM Press, 2006).

[72] Suárez, "A Defence of the Catholic and Apostolic Faith," Book III, Ch. 5, §7, 766-67.

[73] Francisco Suárez, "A Work on the Three Theological Virtues: Faith, Hope, and Charity," in *Francisco Suárez: Selections from Three Works*, ed. Thomas Pink (Indianapolis: Liberty Fund, 2014), 'On Charity', XIII, V, 940-41.

it could not be found in any superior authority, 'for we assume that these states have no commonly acknowledged superior'.[74] The responsibility for punishment would therefore rest with particular the sovereign prince who had sustained an injury.

Now, while the authority of the papacy was rejected on philosophical grounds, the above-cited argument that undergirds Suárez's rejection of the authority of the emperor is of a rather historical character. Such arguments would, of course, not make a good foundation for promoting either the sovereignty of states or the society that would continue to exist above them, for if the grounds were only historical, there would always be the possibility that an ambitious sovereign could rightfully, through just warfare, subjugate the entirety of the world. Any theory of sovereignty or a society of states would need a more solid philosophical foundation from which further conclusions regarding the organization of the world could be drawn.

For Suárez, this philosophical foundation was to be found in the fundamental freedom and equality of all human beings. No one person, he declared, were born subject to another or with more or less power than any other; none of the first men were kings who, by divine donation, had acquired dominion over the rest.[75] By arguing in this way, Suárez opposed a prevailing opinion that God had given the earth to Adam specifically. And this argument, as we shall see below, gave rise to a sustained critique of Suárez by his English contemporary Robert Filmer, according to whom 'the fountain of all government and property' was the dominion vested in Adam by divine donation.[76] Adam was the first monarch, and his realm, which encompassed all of humankind, was subsequently broken down into smaller units as his patrimony was placed in the hands of his children, just as Noah, who became the second lord of all the world after the flood, would subsequently do when he divided the world between his children.[77] For Suárez, such a lord of all the world would be impossible, not only because of the natural freedom and equality of human beings, but because God evidently only gave to humans

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[74] Suárez, "A Work on the Three Theological Virtues: Faith, Hope, and Charity," 'On Charity', XIII, IV, 932.

[75] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 1, §1, 417-18.

[76] Robert Filmer, "Patriarcha," in *Patriarcha and Other Political Works*, ed. Peter Laslett (Oxford: Basil Blackwell, 1949), 71.

[77] 'The three sons of Noah had the whole world divided amongst them by their father'. Filmer, "Patriarcha," 58.

the dominion over the earth and its creatures; not over other human beings.[78] Moreover, while Adam was certainly the head of something, he was not the head of a political community. His power was domestic, not political.[79] Thus, just as with the Pope, the foundation for rejecting the political authority of the emperor was that his authority was of a different character.

The basis for all states thus needed to emanate from the premise that human beings are by nature free and equal. From this argument, it would seemingly follow that the sovereignty of the state can only emanate from them as individuals, for prior to the institution of the state itself, no groups of individuals exist with the moral unity necessary hold sovereignty. Thus, in inquiring into whether sovereignty originally resides in 'individual men' or 'in all men, that is to say, in the whole body of mankind collectively regarded', one should expect Suárez to argue that it has to be the former because no such collective body can be sustained in nature. The particular problem with which Suárez grapples, however, is that also this argument proves untenable. Sovereignty cannot emanate from one person, because no person is greater or more superior than others. Nor can it come from all of them, for although individuals possess authority over themselves and the animals of the earth, they do not possess the type of authority that would serve as the basis for political authority. No individual, for instance, naturally holds the power to punish others, which is of the essence for political authority. Thus, individuals cannot merely congregate to transfer their natural rights as individuals to someone they wish to call sovereign. Sovereign power, Suárez therefore concludes, must originally reside 'in the whole body of mankind'.[80]

Suárez may thus be considered a proponent of the populist argument that the sovereignty of a state is *originally* held by the people. He was certainly not the first to do so; many before him had, in conceiving of the *populus* as a person in its own right, vested in this person the original authority to make laws. For the fourteenth-century Italian jurist Baldus, who was the student of the above-mentioned Bartolus, this authority was 'indigenous in the people'.[81] Having this innate power, the people was in no way dependent upon any superior. Indeed, only by virtue of existing does this power come to life: 'a people for the very reason that it has

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[78] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 1, §1, 418.

[79] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §3, 430-31.

[80] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §3, 430.

[81] Canning, *Political Thought of Baldus*, 105.

existence, consequently has governmental power as part of that existence'.[82] And, with regards to Suárez, the emphasis must here be on 'originally', for this argument did not necessarily entail that the people should themselves exercise this authority. Quite to the contrary, Suárez was himself a monarchist, believing profoundly in the Aristotelian argument that monarchy is the best form of government. Although there was no natural obligation for humanity to institute this or any form of government, he held it to be superior to others because monarchy, in particular by contrast with democracy, would avoid many of the practical problems that were associated with having a larger body of people making laws and exercising government.[83] Nor did it follow from his populist argument that, even if the people did not exercise power, it would remain in their dominium. He was adamant that the people could and would alienate—not merely delegate—their power to the person whom they trusted would govern effectively and justly in their name. The power that would be vested in the prince by the people was therefore of the character of 'an unlimited bestowal of the whole power which [formerly] resided in the community'.[84]

Notwithstanding his role as a key theorist of popular sovereignty, his argument does, as noted, raise two questions for his international thinking. First, by vesting political authority in the body of the people, humanity was perhaps *by* nature a multitude, but it was ostensibly not always a multitude *in* nature. Again, as Skinner argues, with regards to the people 'it is essential that they should be viewed not simply as a "multitude," in Vitoria's somewhat dismissive characterisation, but rather as a body possessing a corporate legal personality and a single voice to express their common purposes'. Since this power is not located in one person, nor in all of them individually, but in the people as a whole, we must conceive of them as a 'single mystical body' possessing a 'single unified will'.[85]

Second, since he, on the one hand, vests this authority in the whole body of humanity considered collectively, yet makes the explicit argument that the whole of humanity is no body at all but merely a multitude of individual persons, on the other, he must explain why only a particular communities can be considered persons in their own right and not humanity as a whole. This is precisely what Suárez's English contemporary, Filmer, would find as the central weakness in the

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[82] Baldus quoted in Canning, *Political Thought of Baldus*, 105.

[83] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 4, §1, 442-43.

[84] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 4, §11, 452.

[85] Skinner, *The Foundations of Modern Political Thought*, II, 166.

former's critique of the patriarchal argument that the authority of princes rests in the patrimony they have inherited as descendants of Adam and his alternative popular theory. For Filmer made it clear that, if thinkers such as Grotius, Suárez, and Bellarmine place the natural power to assemble into states in individuals, there is little to suggest why the legitimacy of particular states does not rest upon the consent of all of humanity rather than a particular portion of them who may call themselves citizens.[86] If God, that is, gave this power to the 'whole multitude' and not to 'any particular assembly of men', then one should at least expect from these theorists an account of how this multitude 'met and divided this power which God gave them in gross, by breaking it into parcels and by apportioning a distinct power to each several commonwealth'. The rest of the passage, in its full polemical splendor, is worth quoting in its entirety:

> Without such a compact, I cannot see, according to their own principles, how there can be any election of a magistrate by any commonwealth, but by a mere usurpation upon the privilege of the whole world. If any man think that particular multitudes, at their own discretion, had power to divide themselves into several commonwealths, those that think so have neither reason nor proof for so thinking, and thereby a gap is opened for every petty factious multitude to raise a new commonwealth, and to make more commonweals than there be families in the world.[87]

This is arguably a necessary question to ask of any populist theory, for if the authority of the state finds its basis in the people, it should also be clear how one legitimately determines where the boundaries of this *populus* ought to be placed. This question does not get any less prescient if one contends that it is the authority of the state that grounds the belief that the best form of associative bonds that can exist among humanity as a whole are those that do not compromise this authority. And it does not become less salient if one argues, as seemingly Suárez does, that the foundation of any political authority must be found not in any particular human beings nor in all of them but in the whole body of humanity. Does it then not follow from this argument that, if one is incapable of providing reasons for why this authority falls only to particular associations of human beings, then it

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[86] For one of the few discussions of Filmer within international thought, see Andrew Linklater, *Men and Citizens in the theory of international relations*, Second ed. (Basingstoke: MacMillan, 1990), 13-15. See also Linklater, *Transformation of Political Community*, 105-06; Andrew Linklater, "The Problem of Community in International Relations," *Alternatives* 15, no. 2 (1990): 142.

[87] Filmer, "Patriarcha," 81.

rests originally in humanity constituted as a person in its own right, capable of acting as one? And if this is the case, as Filmer would polemically contend, is it also not true that, since 'there is but one and the same power in all the people of the world', no authority could be vested in anyone unless 'all the people upon the earth meet and agree to choose a governor?'[88]

The State and Humanity

Was Suárez able to accurately separate the state from the whole of humanity? Although it may appear as if his own account of the populist basis of the state is riddled with inconsistencies and internal contradictions, I shall in this section argue that he was able to make a distinction between the community of a particular people and the community of the whole of humankind. While his account is not without its flaws, the seeming inconsistencies and contradictions recounted in the previous section are rather a result of some flawed reconstructions of how Suárez made use of the language of personhood. Filmer's critique hinges on the idea of a very specific divine donation of authority conceived as a property that either needed to be kept by the whole multitude to which it was donated or split among them so that it could be further donated to many different princes. Yet, as I shall argue in this section, Suárez does not argue that God directly donates any political authority to the whole body of humankind, thus avoiding the most glaring problem that the erection of a government over a particular group of human beings must be seen as a usurpation upon the rights of the rest. But nor is the foundation of all political authority found in the voluntary acts of a by-nature constituted corporate whole, as Skinner interprets Suárez to be arguing. While this would send us right back to the problem discussed above, since if it is universally shared moral characteristics that make human beings incorporated as one person, then the community in which authority is originally vested must be one that encompassed the entirety of humanity, I shall argue in this section that Suárez uses the language of personhood explicitly to avoid such a problem. In his account, humanity is by nature a multitude with a God-given capacity to constitute themselves as one body, but this body would not become a corporate body until they assemble before a head that can unite them. Until, that is, an association of human

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[88] Filmer, "Patriarcha," 81.

beings begin to resemble one human being with an intellect and a will of its own. In so doing, however, he brought humanity and the state closer together while, at the same time, separating between them.

In making this argument, a good place to start is with the distinction made above between natural communities, on the one hand, and mystical or political bodies, on the other. Whereas the former existed by virtue of containing legal subjects, the latter was itself a legal subject. With regard to those communities that exist in and by nature, Suárez provides two examples, both of which have already been discussed above. The first, as noted, is the community of human-kind, which must be conceived as a natural community because it comes into being by having rational beings as its members. This is the community that binds humanity into one quasi-moral or quasi-political whole. The second is the private household which consists of a *paterfamilias*, his wife, their children, and their serv-ants. This is the form of community of which Adam is the first head, and the one on which Suárez and Filmer disagree whether or not can serve as the foundation of all political communities. Suárez's argument, as was noted, is that this commu-nity is not political but rather domestic. For this reason, both of these two natural communities must, following Aquinas, be termed 'imperfect' by contrast with those political and corporative communities that are 'perfect.[89] And because both are, politically, legally, and morally speaking, mere aggregations of individuals, laws cannot apply collectively to them, but must always work distributively among its members. That is to say, because these communities are not unified wholes and cannot as such act as a unified whole, they cannot be considered subjects of law because laws cannot forbid or prescribe acts they are incapable of performing.

But what makes them so united? Neither are united for political ends, which exclude both as political bodies. Nor, therefore, do they have the kind of self-sufficiency that defines a political community, for they have no common political ends for which the whole community strives. But, most importantly, neither have any 'physical or moral union' required to make them more than 'a kind of aggre-gation', for not only do they lack common political ends, they also lack the means by which any common ends can be met.[90] A multitude of human beings will,

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[89] As Aquinas made clear in *Summa Theologica*: 'As human beings are parts of a household, so house-holds are parts of a political community…And so, as the good of a human being is not the ultimate end of that individual but is ordained for the common good, so also the good of a household is ordained for the hood of a political community, which is a perfect community'. Saint Thomas Aquinas, *Treatise on Law*, trans. Richard J. Regan (Indianapolis: Hackett, 2000), 5.

[90] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §4, 432.

without a common head to guide them, be no body at all, but rather a collection of bodies organized 'confusedly' or 'in a disorderly manner'.[91] In the absence of such a head, one can speak of a community neither as a 'unified whole' nor as 'one political body'.[92]

This is how the state could be separated from the community of humankind: whereas one was clearly united in this fashion, the other was not; one was a political body united with a head; the other was an acephalous body, which meant that it was no body at all. The union of the body with a head is, of course, not an argument of which Suárez is the originator. Certainly, one prominent reason for the body to have a head is that, without the latter, the former 'could not be directed towards one [common] end and the general welfare', which after all is the reason for assembling into a commonwealth in the first place.[93] Dante, as we have seen, had made much of the same argument.[94] As much was also claimed by Vitoria. 'The civil community (*ciuitas*)' he argued, 'would be sundered unless there were some overseeing providence to guard public property and look after the common good', for '[j]ust as the human body cannon remain healthy unless some ordering force (*uis ordinatrix*) directs the single limbs to act in concert with the others to the greatest good of the whole, so is it with a city in which each individual strives against the other citizens for his own advantage to the neglect of the common good'.[95] Nor was the state the only such 'perfect community', for so too was the Catholic Church. While it was not a political body since the common ends for which its members are united are spiritual rather than political, it was certainly both a perfect community and a mystical body.[96]

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[91] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §6, 438.

[92] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §4, 432.

[93] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §4, 433.

[94] Medieval political thought was riddled with such organic metaphors. See Takashi Shogimen, "'Head or Heart?' Revisited: Physiology and Political Thought in the Thirteenth and Fourteenth Centuries," *History of Political Thought* 28, no. 2 (2007).

[95] Francisco de Vitoria, "On Civil Power," in *Vitoria: Political Writings*, ed. Anthony Pagden and Jeremy Lawrance (Cambridge: Cambridge University Press, 1991), Q. 1, A. 2, §5, 9-10. For discussion, see Bartelson, *Genealogy of Sovereignty*, 127-34.

[96] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 6, §18, 97-98. The household did also have a head, but was not itself a 'perfect community'. On the on hand, the individuals of which they are composed are not 'united as the principle members for the composition of one political body, but merely exist therein as inferiors destined for the uses of the master, and to the extent that they are, in some sense, under his dominion'. On the other, this also makes the authority that is vested in the head of the household different than that which is held by the head of a perfect community; the authority therein is not 'a true power of jurisdiction', but rather some sort of

But Suárez did not merely argue that the head was needed for the greater good of the body, for there was no body without the head. More so than arguing that the head was necessary to effectively reach the ends for which the group was instituted, the argument was closer to that of Fortescue, who had argued that just as 'what is left over after decapitation is not a body, but what we call a trunk, so in political things, a community without a head is not by any means a body'.[97] Without a single head, this multitude would remain a confused and disordered aggregation of members. It is indeed for Suárez 'impossible to conceive of a unified political body without political government or disposition thereto' and 'it is likewise 'repugnant to natural reason to assume the existence of a group of human beings united in the form of a single political body, without postulating the existence of some common power which the individual members of the community are bound to obey'.[98] It was inconceivable, therefore, to have one without the other. To claim otherwise, desiring only to be constituted as a mystical body but without, at the same time, subjecting themselves to a common head, would be 'self-contradictory' as no unity of this kind could ever arise without the will to submit themselves to a common authority.[99]

What is particularly striking is that the means by which he could make this stark separation between the state and the community of humankind was taken directly from the latter: the necessary requirement that made communities 'perfect', namely the union of the body with a head, was taken from the same Thomist moral anthropology on which he based the argument for the existence of a community of humankind. Recall his argument that human beings were members of this community by virtue of their capacity for rational action since it was this capacity that made them capable of being subjects of natural law; a law, which like all laws, was made for communities and not individuals. This made all rational human beings *persons*, and natural law was distributed among all the

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ownership or dominion, which varies according to the persons over whom one wields this authority. Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 6, §20, 99.

[97] Sir John Fortescue, "In Praise of the Laws of England," in *On the Laws and Governance of England*, ed. Shelley Lockwood (Cambridge: Cambridge University Press, 1997), Ch. XIII, 20.

[98] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §4, 433.

[99] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, 4. It should be noted, however, that this strong view seems to be restricted to his account in *De legibus*, for as Höpfl notes, elsewhere Suárez opens up for the possibility that the head of the body can be many and not just one. Harro Höpfl, *Jesuit Political Thought: The Society of Jesus and the State, c.1540–1630* (Cambridge: Cambridge University Press, 2004), 250.

persons capable of being subjected to it. But, in making the argument that there existed communities that were not merely composed of moral and legal subjects but were themselves a legal subject, and since the subjects of law are always persons, some communities were by themselves persons. Whereas the human being was considered a 'real' person, a community of this kind, upon which laws were imposed 'as a community and as a mystical body', he referred to as a 'fictitious person'.[100]

Just as the former is a person by virtue of possessing the sufficient rationality to hold ownership over its own actions, the union of a body and head does the same for a community. That is to say, not only is the head the means by which the community is 'directed' towards its own ends, this directive capacity is also what makes this community capable of owning the actions that are carried out to reach such ends. This, in other words, is what makes such a community a *free person*. If the human person is a substance of an intellectual or rational nature, then so is the state. It possesses the same two rational faculties that make human persons free: an intellect and a will. As much he seeks to make plain in a crucial passage on the similitude between the real and the fictional persons with regards to their rational faculties:

> Wherefore, even as man—by virtue of the very fact that he is created and has the use of reason—possesses power over himself and over his faculties and members for their use, and is for that reason naturally free (that is to say, he is not the slave but the master of his own actions), just so the political body of mankind, by virtue of the very fact that it is created in its own fashion, possesses power over itself and the faculty of self-government, in consequence whereof it also possesses power and a peculiar dominion over its own members. Moreover, by a similar process of reasoning, just as freedom [of will] has been given to every man by the Author of nature, yet not without the intervention of a proximate cause—that is to say, the parent by whom [each man] is procreated—even so the power of which we are treating, is given to the community of mankind by the Author of nature, but not without the intervention of the will and consent on the part of the human beings who have assembled into this perfect community.[101]

This similitude made it possible to separate between natural and non-corporate and artificial and corporate communities and, by extension, between the

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[100] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 6, §17, 96.

[101] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §6, 439.

community of humankind and the state. While the political authority of the state did, as the passage above clearly states, emanate from the 'community of humankind', who in turn had been given this by the 'Author of nature', that is God, he could by way of the language of personhood avoid the argument that it emanated directly from God, as Filmer would have him argue, or that it did so from a by-nature constituted body of the people, as Skinner argues. Rather, political authority emanated from some mystical combination of the two. Let me consider both sources of authority in turn, beginning with that which emanates from God.

God, according to Suárez, must be seen as the ultimate source of political authority. It is, he argues 'derived immediately from Him, since it has no other prior, or more immediate, source'.[102] One reason for this is that, since this power is some form of natural power, and as God is the author of nature, he is also the author of the said power. But Suárez wants to make it plain that God is not merely an indirect source of authority, as he can be said to be the ultimate source of all things on earth. Rather, 'God is not only the chief Author of this power but its exclusive Author'.[103]

But in making God the ultimate source of political authority, Suárez does not, as would Filmer, understand this source as a function of a divine donation. For Filmer, this theological source can be found in that part of the account of the Genesis in which God gives to humanity the earth. After the creation of the earth and all its creatures, including that of man and women, it is made clear that God gave to *men* the 'dominion over the fish of the sea, and over the fowl of the air, and over the cattle, and over all the earth, and over every creeping thing that creepeth upon the earth'.[104] While the heaven would remain God's as his creation, the 'earth hath he given to the children of men'.[105] According to Filmer, however, the earth was not given to *men* in the plural, but to *man* in the singular. That is to say, even if God had said 'let *them* have dominion' and that the children to whom the earth was given were surely the 'children of *men*', he nonetheless sought to make it clear that the original receiver of this divine donation was not humanity in general but Adam, who could subsequently pass down this private dominion over all things to his children as his patrimony. But Filmer's biblical exegesis did not merely pertain to the issue of property, but also to the foundation of the state.

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[102] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 3, §2, 436.

[103] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 3, §4, 437.

[104] King James Bible, Genesis 1.26.

[105] King James Bible, Psalm 115.

Indeed, it was a necessary part of his argument against the natural power of the people, for such an absurdity could easily be removed once we realize this dominion of Adam was the source of all authority.[106] Adam was thus the first monarch. And his realm, which encompassed all of humankind, was subsequently broken down into smaller units as his patrimony was placed in the hands of his children, just as Noah, who became the second lord of all the world after the flood, would subsequently do when he divided the world between his children.[107]

For Suárez, however, this power is not given by God 'by a special act or grant distinct from creation; for if He did so, that grant would necessarily be made manifest through revelation, and this is clearly not the case, since if it were, such power would not be natural'. While the power does flow immediately from God, it is not handed directly to human beings. Instead, it is given directly to humankind by nature, for through the 'dictate of natural reason' they will understand that God must have provided them with the sufficient means to set up governments in order to ensure their preservation.[108]

Vitoria had made much of the same argument, and Suárez would seem to draw upon his discussion of the matter. While the final cause of civil power is natural necessity, and the material cause is the commonwealth itself, the efficient cause that undergirds them both is God as the author of nature. For as Vitoria seeks to make plain, 'if God was responsible for endowing men with the necessity and inclination which ensure that they cannot live except in partnership (*societas*) and under some ruling power, we must conclude that partnership and power are themselves God-given'.[109] Similarly, for Suárez, one can as little conceive of political authority as emanating from the will of individual persons as the authority over the wife by the husband results from the will of the former. Both flow rather from God, and one must therefore consider Him to be the 'true efficient cause' of political authority.[110]

Yet, for Vitoria, the power (*potestas*) of which God is the efficient cause can be separated from the authority (*auctoritas*) that emanates from the people. These treated separately so that he can, as Pagden argues, treat civil power as originating

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[106] Filmer, "Patriarcha," 71.

[107] 'The three sons of Noah had the whole world divided amongst them by their father'. Filmer, "Patriarcha," 58.

[108] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 3, §5, 438.

[109] Vitoria, "On Civil Power," Q1, A.3, §6, 10.

[110] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 3, §2, 436.

in both.[111] For Suárez, by contrast, it is the one and the same political authority of which God is the author and which the people eventually possesses. As I have already noted, Suárez never argues that political authority is indigenous to the people. Nor does it arise in individuals once they, through natural reason, understand God's will, for he has made clear, although it exists in human beings, it does not exist in any specific individual nor in all individuals considered aggregately. On the contrary, it only becomes manifest once the people goes from being a mere multitude of individuals to becoming one person; once, that is, they go from being an imperfect to a perfect community. Before this, 'it is understood to dwell in them at most as a fundamental potentiality, so to speak'.[112]

Thus, by way of the language of personhood, he avoids both problems. On the one hand, political power is not given to the whole of humankind as one property, but only become manifest once a *particular* group, any group, assembles into one mystical body. This is because 'the agent of the power must exist prior to the existence of the power itself'. And since it cannot exist in individual men, nor in a confused and disorderly multitude, the multitude of individuals need to become one political body before power can be vested in them. On the other, since such groups only become mystical bodies by virtue of submitting themselves to one head and become one person, there are no such fictional persons in the state of nature. For not only does the body itself first become a body when united with a head; political power does not become manifest before this. 'Once this body has been constituted' he argues, 'the power in question exists in it, without delay and by the force of natural reason; and consequently, it is correctly supposed that it exists as a characteristic property resulting from such a mystical body, already constituted with just the mode of being [that it has] and not otherwise.[113]

While the will of the multitude is surely required for them to unite into such a political body, then, they need not voluntarily vest this body with any political authority. This authority arises rather mystically 'from the very nature of things' when they assemble before a head. The analogy between the freedom of the individual human being can again be restated, for just as the being itself would not exist without the will of the parents to procreate, they need not have willed him to be free for him to be so. Similarly, the political authority that becomes vested

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[111] Anthony Pagden, "Introduction," in *Vitoria: Political Writings*, ed. Anthony Pagden (Cambridge: Cambridge University Press, 1991), xix-xx.

[112] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §4, 432.

[113] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 3, §6, 438-39.

in the mystical body of the people need not have been willed by any individual, but being rather a natural consequence of their particular way of assembling. Indeed, one might even say that a special form of will—the will of the mystical body itself—only comes into being once they have a common goal of subjection.

A Multitude of Human Persons

Where does this leave humanity? Clearly, for Suárez, humanity does not constitute one single political body, for they have divided themselves into so many different perfect communities. Humanity, therefore, is by nature but a dispersed multitude. And since individuals have congregated in smaller groups, rather than assembling the whole multitude of humanity into one big unified whole, it is among the former rather than among the latter political bodies vested with political authority would arise. Nevertheless, there remains some unity among humanity, even after they have united with some and divided themselves further from others, for they are all rational creatures which, as such, unite them as one community separate from other non-rational beings. And, because the multitude of perfect communities have themselves become rational beings as the body is united with a head, then a certain form of quasi-political or quasi-moral community have formed also among states. As I have argued in the previous section, he seems to have based his argument on humanity's fundamental disunity on a much more solid foundation than one would think, at least after having read Filmer's scathing critiques. By first limiting moral beings to those of a rational kind, and then considering only the morality of those groups that were structurally, or, as it were, anatomically, similar to individual human beings, Suárez would therefore effectively foreclose possibility for the personality of humanity itself until they should assemble before one head that could unite them into one political body. Humanity consists of so many different rational beings, but until they assemble before one head, their multiple wills would remain many as opposed to one.

This would arguably make him a key theorist of humanity, for seemingly without running into contradictions, he was able to argue that political authority emanates from a body of the people without having to make the whole of humanity one corporate body. As I have sought to detail in this chapter, the premise of this argument—that humanity is not by nature one and would thus need human artifice for this union to be more than of a quasi-moral or quasi-political character—

remains impervious to, at least, some of the critiques that would later be waged at his political theory. He would therefore constitute some form of a foundational theorist for the contemporary political theory of international relations that stipulate the moral good of a multiplicity of states with some social union among them, for he, as we saw in the first section, made it plain why some unity among states is needed.

But how impervious is this premise? *Why* is humanity by nature divided rather than united? The sole evidence he provides for maintaining that political authority did not remain in the person of humanity is that it would seem probable that 'soon after the creation of the world, mankind began to be divided into various states in each one of which this power existed in a distinct form'. As much he could infer from Augustine's reading of the *Genesis,* in which it was explicitly stated that Cain had before the Flood been the first to set up individual kingdoms and commonwealths.[114]

Whether or not the Flood washed away the authority and personhood of humanity is, of course, impossible to prove. But Suárez would likely appeal to the fact that humanity is most evidently united within smaller communities rather than one large community encompassing the entirety of the species. But such an argument, it could be retorted, would rest upon the contingency of history rather than a rational foundation. This could easily be seen as an unfair critique to make of him, had it not been for the fact that Suárez himself degrades theoretical conclusions built upon historical foundations. This is arguably why he places so much emphasis upon proving that political authority has divine and natural origins rather than accidental and historical. His whole political theory, as for so many others of his time, was after all to prove that, although all human beings were naturally free from domination, political authority was not contrary to nature. He could, however, not deny that some political authority had been established contrary to nature. But these were cases of an 'accidental character' rather than parts of nature's order: 'we admit that empires and kingdoms have often been established or usurped through tyranny or force; but we deny that this fact is due to the essential character, or nature, of such principates, tracing it rather to the abuse of man'.[115]

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[114] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §5, 433-34.

[115] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 1, §11, 426.

But if we are to hold Suárez as a prominent defender of the plurality of states as opposed to the unity of humanity, he arguably also needs to make the case for what ought to stop an ambitious emperor from incorporating the whole world into his realm. Obviously, for Suárez, such a subjugation would be, if it did not first rest upon the consent of the whole world, be a gross violation against their freedom. No political authority can by nature be vested in one person, we have seen him argue, because it must always rest in the whole multitude of humanity. But what if this multitude came together voluntarily under one head? Does he have a theoretical basis for contending that this would be contrary to nature whereas a particular people's subjection to a particular head would not?

His most concrete answer to this question, drawn from the conclusionary parts of his arguments on political authority, is not particularly instructive and raises rather more questions than answers: the power to make laws, he argues,

> does not reside in the whole community of mankind, since the whole of mankind does not constitute one single commonwealth or kingdom. Nor does that power reside in any one individual, since such an individual would have to receive it from the hands of men, and this is inconceivable, inasmuch as men have never agreed to confer it [thus], nor to establish one sole head over themselves. Furthermore, not even by title of war, whether justly or unjustly, has there at any time been a prince who made himself temporal sovereign over the whole world. This assertion is clearly borne out by history. And therefore, the ordinary course of human nature points to the conclusion that a human legislative power of universal character and world-wide extent does not exist and has never existed, nor is it *morally possible* that it should have done so. [116]

To make sense of the moral impossibility of such a world empire, however, one would have to search beyond the historical reasons found in these conclusions. Elsewhere, he spoke not of the *moral* but rather the *political* impossibility of such an empire. Referring to the authority of Aristotle, he argued that it would 'hardly be possible' to govern any polity whose populace would be excessively numerous, and that we therefore have an even more convincing ground to reject a world empire of this sort, for the difficulty 'would be greater by far…if the whole world were concerned'.[117] But though this may be a good political reason for staying clear of a world empire, it hardly gives the multitude of humanity good moral

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[116] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 4, §7, 448, emphasis added.

[117] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §5, 433.

reason to restricting their congregation to smaller communities. As Filmer would retort '[t]his answer of *scarce possible nor yet expedient…*begets a new doubt how this distinct power comes to each particular community when God gave it to the whole multitude only, and not to any particular assembly of men'.[118]

The most convincing argument he makes against a voluntarily constructed world empire is that it would hardly be necessary for the ends of humanity. That is to say, a world empire would not be required for the purposes for which political power was introduced in the first place. As we saw above, God, as the author of nature, could be seen as the *efficient* cause of political authority. On this, both Vitoria and Suárez concurred. Both maintained, too, that that the *final* cause of political authority is, in the words of Vitoria, 'natural necessity': while human beings are the most rational and wise beings on earth, they are nonetheless 'frail, weak, helpless, and vulnerable, destitute of all defence and lacking in all things' and need as such the partnership of others to ensure their safety and perseverance.[119] Without political government, Suárez would add, individuals would hardly reach these ends, for they would care more for their individual advantages as opposed to the common good: 'no body can be preserved unless there exists some principle whose function it is to provide for an seek after the common good thereof, such a principle as clearly exists in the natural body, and likewise (so experience teaches) in the political'.[120]

Suárez is clear that no such natural necessity is demonstrably needed for the whole multitude of humanity. Political authority, he argues, 'does not reside in the multitude of mankind by the very nature of things in such wise that it is necessarily one sole power with respect to the entire species, or entire aggregate, of men existing throughout the whole world', for it is not 'necessary to the preservation or welfare of nature, that all men should thus congregate in a single political community'.[121] But while one may find his argument that, for this reason, we would hardly find it necessary that some common government ought to be instituted, this does not necessarily entail that humanity is fundamentally many as opposed to one.

Indeed, as we have seen, he also sought to make it clear that states, just like individuals, are never so perfect or self-sufficient that they do not require the

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[118] Filmer, "Patriarcha," 81.

[119] Vitoria, "On Civil Power," Q. 1, A. 2, §§3-5, 6-10.

[120] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 1, §5, 422.

[121] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §5, 433.

assistance of others, not only for their own welfare, but also of 'some moral necessity or need'.[122] While a political union of humanity might be a moral impossibility, some union is nonetheless of a moral necessity. This necessity is what makes humanity into one quasi-moral and quasi-political community. For this reason, we might find good reasons to doubt what have thus far seemed like an inevitable conclusion from Suárez's conceptual architecture, namely that humanity constitutes one imperfect community whose aggregate nature makes them lack both any order or physical or moral union and the need for a temporal prince. Humanity has thus become a multitude, not necessarily because it is by nature so, but rather because it is not a person.

This, I should think, highlights the force of the idea of the person and the language of personhood. It forms the basis for his argument that all of humanity is united, that the people is as a whole the original bearer of political authority, and that humanity is not one but many. But, while it makes it difficult to break free of this latter conclusion by way of the language of personhood, it does not make it impossible. One might compare humanity to other beings lacking a rational nature but to whom Suárez would obviously assign some value. A child is a good example. Only rational creatures can be the subject of law and thus persons in their own right. This, as noted, is a core Thomist belief, for only rational creatures could be said to have ownership over their own actions, and thus capable of being treated as moral agents. But few of this belief were as categorical that they did not recognize that there were those creatures that were neither fully rational nor completely excluded from the sphere of the moral. Is it reasonable to suppose that a child which is in some sense a quasi-person would have a similar status to those groups that could be termed quasi-political and quasi-moral? Is humanity, fundamentally, a quasi-person?

One reason for answering these questions in the affirmative is to highlight the potentiality they have for being constituted fully as a person, fictional or not. Children are obvious instances of beings with such a potentiality. While they cannot be said to inhabit the same capacity for reasoning as one could locate in an adult, it would be difficult to deny that they inhabit the potential for such a capacity. They are quasi-persons in the sense that they are not yet a person, but on the verge of becoming so constituted. How about the community of humankind? According to Suárez, it is similarly constituted. As we have seen, an agent of power

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[122] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 19, §9, 403.

needs to exist before the power itself. And though humanity may certainly be conceived as a mere multitude without any moral or political union—which, as noted, is in itself an untenable argument—one may still understand political authority to 'dwell in them at most as a fundamental potentiality, so to speak'.[123] Humanity always maintains the potential for both being constituted as a person in its own right, vested with political authority. But more so than that, Suárez also admits that humanity can exist in this form. For, though he notes that 'it seems to me probable that the power of which we speak never existed in this fashion in the whole assemblage of mankind', he nonetheless opens up for the possibility that it might have 'so existed for an exceedingly brief period'.[124] Thus, they may also be given a status distinct from those 'insensate' creatures wholly incapable of being considered morally or legally as subjects. While Suárez never deliberated upon this, and it would to him most likely seem fanciful to do so, later thinkers did think of humanity in this way, among them Christian Wolff, to whom I shall now turn.

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[123] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §4, 432.

[124] Suárez, "A Treatise on Laws and God the Lawgiver," Book III, Ch. 2, §5, 433.

3   The Moral Person of Humanity

Can humanity be considered as an independent entity that is greater than the sum of its parts? Is it a body that, like the human body and the body politic, exists independently from its constituent parts? If we follow Suárez, then we would have to answer these questions in the negative. According to him, as we saw in the previous chapter, a multitude of bodies does not become one body before they are united under one head. Notwithstanding their many philosophical differences, Hobbes would reach the same conclusions. 'A multitude of men, are made *One* Person, when they are by one man, or one Person, Represented', he argued, 'For it is the *unity* of the Represener, not the *Unity* of the Represented, that maketh the Person *One*'.[1] Only then, when a multitude is united in the same person, would 'a reall Unitie' materialize among them.[2] With regards to the whole human species, the matter would therefore seem rather plain. Although one may speak of a united humankind, this unity is not as 'real' as that which characterizes other human associations.

But what if the premise upon which such conclusions rest is challenged? What if it is objected that no discernable head is necessary for a multitude of persons to become one? What if one could conceive of a will that belongs not to any particular human being, but to humanity as a whole? Can one then begin to speak of humanity as if it was itself a person? A century or so after Suárez rejected this possibility, these questions were again to become part of the canon of international thought. Diderot, for one, sought to establish that there existed a 'general will of the [human] species', which was qualitatively different from the 'particular wills' of human beings.[3] His conception of humanity departs in this way from those of his predecessors for, as Bartelson has argued, '[s]ince the general will will also be

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[1] Hobbes, *Leviathan*, 114, emphasis in original.

[2] Hobbes, *Leviathan*, 120.

[3] Denis Diderot, "Natural Right," in *Encyclopedic Liberty: Political Articles in the Dictionary of Diderot and D'Alembert*, ed. and trans. Henry C. Clark (Indianapolis: Liberty Fund, 2016), 100-01.

the benchmark of all legitimate governance, the community of all mankind is necessarily a *political* community by virtue of the fact that it can be said to possess such a will of its own'.[4] Others, however, still remained doubtful. One may certainly, Rousseau wrote, 'conceive of the human race as a *moral person* having—along with a feeling of common existence which gives it individuality and constitutes it as one—a universal motivation which makes each part act for an end that is general and relative to the whole'. But to speak of humanity in this way is merely a reference to it as a 'collective idea', not a demonstration of there being a '*real unity* among the individuals who constitute it'.[5]

In this chapter, I shall consider one of the most elaborate attempts to reconsider the moral constitution of humanity, namely that by the German philosopher Christian Wolff. In his writings on the laws of nature and nations, he postulated that, just as a multitude of natural persons have become united within the state as one moral person, so must the multitude of states be considered: they are to be thought of as one 'enormous' state and thus as one moral person. In the following sections, I shall discuss his reasons for personifying humanity, his sophisticated attempt to attribute to humanity as a whole a will of its own, and lastly the many difficulties he faced in doing so, difficulties which have provided future thinkers with good reasons to reject rather than embrace his conclusions. As I shall hope to demonstrate, while Wolff had good reasons to conceive of humanity as an independent entity that was distinct from its constituent parts, it was the language of personhood he had inherited from his predecessors that made it so difficult to speak of humanity as one.

This argument shall be fleshed out in six sections. In the first three sections, I will detail that the impetus to consider humanity as a moral person came against the backdrop of a by-then well-established argument that, since human beings and states were both persons, there was no need to separate between natural law and the law of nations. While I shall in the first section consider this argument as it was articulated by both Hobbes and Pufendorf, I shall in the two next detail Wolff's twofold response that, since states are moral and not natural persons, an independent law of nations would be needed and that this law needed to be

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[4] Bartelson, *Visions of a World Community*, 136, emphasis in original.

[5] The section from which this is taken is from an early draft of *Du contrat social*, which was subsequently deleted from the published version. Jean-Jacques Rousseau, "Of the Social Contract," in *The Social Contract and other later political writings*, ed. Victor Gourevitch (Cambridge: Cambridge University Press, 1997), 155, emphasis added.

grounded in a moral person of humanity. The two subsequent sections shall elaborate upon his idea of a moral person of humanity and its role in both promulgating and enforcing the law of nations. In the final section, I shall consider the many difficulties Wolff faced in making such an ambitious theory of humanity, the concessions he was forced to make, and the rejections of his conclusions by subsequent thinkers.

Moral Persons in the State of Nature

Analogical reasoning is an essential method of producing knowledge. The analogy of human persons and group persons has become one of the most important for international thought. Following from this analogy, however, is another which must be seen as equally important, namely that the conditions under which these two persons originally or naturally lived were also, in some sense, analogous. That is to say, just as human beings are thought to have once led their lives in a pre-civic and natural state, so we may think of the state person. This analogy was part of the treatises of so many early-modern jurists, and it is what still drives the contemporary conception of the international as an anarchical state of nature. But what separates contemporary appropriations of this analogy from its early-modern architects is that the latter usually did not question whether or not this natural state was one without law. What was rather the source of early-modern disagreement on this natural state was under what kind of law state persons would be. Would they, on the one hand, be subjected to natural law because they were completely analogous to the human person which, as was detailed in the previous chapter, is the main subject of this law? Or would states, because they are not natural but fictional persons, be under a different law?

Suárez had little to say on this question. While he did argue that there were associations of human beings who qualified as fictional persons, he never spelled out that the state was a person subsumed under natural law. Nor did he make it clear that the state was itself a subject of the law of nations, even as he argued that this law was the result of the voluntary actions of states. In subsequent years, however, this would appear more clearly in the writings on the state person and the law of which it was a subject. As I shall seek to outline in this section and the next, whereas both Hobbes and Pufendorf sought to make it clear that states, by virtue of their personality, were only subjects of natural law, Wolff argued that, precisely

because states were both analogous to natural persons *and* a particular form of moral person, there needed to be, in addition to natural law, a separate law that was peculiar to this person. It is based on this premise that Wolff would conclude that, since this peculiar law cannot emanate from the will of individual states but must result from the will of them all collectively regarded, there needs to be one 'supreme state', one moral person that would encompass the entirety of human-kind, whose will would ground the law of nations. Thus, in order to get to this conclusion, it is necessary to begin with its premise, namely that states are not merely natural persons in the state of nature. And in so doing, it is useful to begin with those against whom he writes, namely those who equates human and state persons.

In the state of nature, natural law would still reign. On this both Hobbes and Pufendorf agreed: the conditions in the state of nature is governed by the law of nations, and as both human beings and states could be thought of as persons in their own right, they would both be governed by that same law, even if it was called natural law for the relations between individuals and the law of nations for the relations between states. This natural state was therefore far from lawless; what was lacking were not laws, but *civil* laws.

No thinker has supposedly described the international anarchy as well as Hobbes, even though he had comparatively little to say on the relations between states.[6] He was at least the first, Wight says, 'to make the equation between inter-national relations and the state of nature'.[7] But even as Hobbes certainly presented the relations between states as somewhat gladiatorial, with states having, as he noted, 'their weapons pointing, and their eyes fixed on one another', this did not necessarily make him a theorist of an international state of nature.[8] The two dif-ferent states, as Armitage notes, were for Hobbes simply incomparable.[9] For though continuous jealousies and wars would arise from the lack of a common power to keep all states in awe, state sovereigns would still uphold the 'Industry

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[6] On such 'misappropriations' of Hobbes, see Theodore Christov, *Before Anarchy: Hobbes and His Critics in Modern International Thought* (New York: Cambridge University Press, 2016), 20-24. See also, in general, Brian C. Schmidt, *The Political Discourse of Anarchy: A Disciplinary History of International Relations* (Albany: State University of New York Press, 1998).

[7] Martin Wight, "An Anatomy of International Thought," *Review of International Studies* 13, no. 3 (1987): 222.

[8] Hobbes, *Leviathan*, I, xiii, 90.

[9] David Armitage, *Foundations of Modern International Thought* (New York: Cambridge University Press, 2013), 67.

of their Subjects' making the 'misery' of the natural state of commonwealths very different from that of individuals.[10] But even if Hobbes might not have been the theorist of international anarchy many have believed him to be, he nevertheless made certain advancements which allowed for the juxtaposition of the state of nature of individuals with that of states. The most important was that, just like individuals, states were considered persons, which entailed that the laws that guided both ought to be the same. There was thus no distinct law of nations apart from the law of nature; the latter was a law for both individuals and states in their natural state.

According to Hobbes, many things may become persons by fiction, among them inanimate objects such as bridges, hospitals, and churches. Indeed, because he defined such a person by its capacity to be represented, he could accordingly contend that 'there are few things, that are uncapable of being represented by Fiction'.[11] Not all human and non-human entities are of course made into persons simply by virtue of being represented. Hobbes makes it plain that there are at least two different types of persons. On the one hand, there are those that he calls '*Naturall*' persons. And since natural persons can both act and speak for them-selves—they are both the 'author' of their own words and the 'actor' who performs them—they are in no need for a representative. On the other, there are those who are mere actors for deeds not of their own making or authorship. Such a '*Feigned*' or '*Artificiall*' person is so because his words and actions cannot be 'considered as his owne' but can only be 'considered as representing the words and actions of another'.[12] But this leaves the space for a third person, namely the person who do not himself perform or pronounce his words or actions, but is in need of a repre-sentative to do so in his stead. Hobbes further noted an important distinction between two kinds of such representees: for there is a difference between those who can be considered to be the 'author' of the words or actions performed or pronounced by a representative, and those that cannot. An artificial person may, for instance, represent an individual in a court of law, and thus act and speak in the latter's name. In such a situation, it is as if the representee himself were speak-ing, because he may be considered the true author of the words pronounced and

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[10] Hobbes, *Leviathan*, I, xiii, 90. Bull seems to have missed this nuance when he attacks Hobbes's 'international anarchy' for not allowing for 'industry, trade and other refinements of living'. See Bull, *The Anarchical Society*, 45.

[11] Hobbes, *Leviathan*, 113.

[12] Hobbes, *Leviathan*, 111-12.

the deeds performed. But an artificial person may also represent an inanimate object who cannot possibly be considered the author of anything; a bridge, hospital, or church cannot itself speak or act. But a bridge, hospital, or church may nevertheless bear the ultimate responsibility for the actions performed in their names, because such actions may be attributed to them 'by fiction'.[13] The inanimate objects thus become, in the words of Runciman, 'persons by fiction'. And the state, he argues, may be considered one such fictional person.[14]

Hobbes, as noted, made it clear that a state is formed and made into a person when the people or 'multitude' is represented by one person. But in so arguing, he did not mean that the people only formed the fictional person of the state when they united under *one* individual—a monarch or emperor, for instance. To be sure, one artificial person can be composed of several individuals, and in such cases it is the voice of the majority that counts as the voice of all.[15] The multitude can therefore be considered one person when they are represented by an assembly. What Hobbes thus argued was that the artificial person that now acts as the representative of the state, whether consisting of one or several individuals, does not represent the multitude of which the state is composed, for this would mean that the representative represented them all, individually. Rather, the artificial person acted now as the representative of a whole new entity, the commonwealth or state, which had so been formed when the multitude was made into one fictional person. The state is thus, at least according to Hobbes, an entity distinct from both the multitude of which it is composed and the government which act as the multitude's representatives. In the whole state, we may say, there are three persons. First, the multitude of different natural persons we typically call the people, which through their individual personhood act within the state. The second person is the government, composed of one or several natural persons, but which through their role as representatives of the multitude, has become one artificial person.

[13] Hobbes, *Leviathan*, 111.

[14] David Runciman, "What Kind of Person is Hobbes's State? A Reply to Skinner," *The Journal of Political Philosophy* 8, no. 2 (2000): 271. See also Quentin Skinner, "Hobbes and the Purely Artifcial Person of the State," *The Journal of Political Philosophy* 7, no. 1 (1999); Fleming, "Two Faces of Personhood."; Laurens van Apeldoorn, "On the person and office of the sovereign in Hobbes' *Leviathan*," *British Journal for the History of Philosophy* 28, no. 1 (2020); Johan Olsthoorn, "*Leviathan* Inc.: Hobbes on the nature and person of the state," *History of European Ideas* 47, no. 1 (2021); Philippe Crignon, "Representation and the Person of the State," *Hobbes Studies* 31, no. 1 (2017); Christine Chwaszcza, "The Seat of Sovereignty: Hobbes on the Artificial Person of the Commonwealth or State," *Hobbes Studies* 25, no. 2 (2012).

[15] Hobbes, *Leviathan*, 114.

And third, the state as a whole, which by virtue of being represented, has become one fictional person.

Hobbes's mature writings on law and politics clearly demonstrate the importance of his theory of states as persons. He would, in *The Elements of Law*, attack those, like Vitoria, Suárez, and Grotius, who had defined the law of nations as that law to which all of humankind had consented.[16] But it was only in *De Cive* that a full elaboration on the similitude between the law of nations and the law of nature would come to the fore. In this work, Hobbes divided the legal realm of natural law into two: among 'men' and among 'commonwealths'. Whereas the former usually went under the name of the 'law of nature', the latter was properly called the 'law' or 'right' of nations. But, even as he had carefully distinguished between the different forms of personhood that were assigned to states (and other inanimate objects) in contrast to individuals, he nevertheless concluded that, since commonwealths 'take on the personal qualities of men', there was no reason to distinguish between the two other than in name only. 'The precepts of both are the same', he argued.[17]

In this sense, Pufendorf's assimilation between the law of nature and the law of nations is somewhat more consistent than Hobbes's, seeing as he never makes a categorical distinction between the personality of the human being and that of the state. Indeed, Pufendorf's 'moral person' of the state was certainly closer to the natural person than was Hobbes's Leviathan. This is a quality of Pufendorf's state person that can easily go amiss, especially as Pufendorf's conception of personhood is often thought to be a mere variation upon a Hobbesian theme. The idea that it was continental jurisprudents and not Hobbes's fellow countrymen that would adopt his theory of the state as a fictional person has perhaps been most strongly articulated by Skinner, according to whom there was a clear parallel between Hobbes's fictional person of the state and the conception of the state as a moral person as espoused by Pufendorf, Wolff, and Vattel.[18] As more recent investigations into the nature of the moral person has revealed, however, there are reasons to doubt whether Pufendorf, in particular, thought of the state as a pure

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[16] See Christov, *Before Anarchy*, 115-22.

[17] Thomas Hobbes, *On the Citizen*, ed. Richard Tuck and Michael Silverthorne (Cambridge: Cambridge University Press, 1998), xiv, 4, 156.

[18] See Skinner, "The Sovereign State: A Genealogy."

fiction. Pufendorf's moral person of the state, as Holland has suggested, is not fundamentally distinct from but rather analogous to physical or natural persons.[19]

Part of this comes from Pufendorf's rejection of fictional or 'feigned' persons. There are few things that cannot be regarded as a fictional person, Hobbes had contended. But in this Pufendorf thought him to be mistaken; he did not see the necessity of assigning legal personality to 'inanimate objects', such as churches, hospitals, or bridges, which Hobbes had claimed could be personated by some rector, master or overseer. Any such representative may take on some moral personality in becoming responsible for the preservation of these inanimate things. But the thing itself does not need to become a person in order for such a representation to work properly.[20] Whereas Hobbes, as we have seen, had simply thought of these representatives of bearing the person of another in acting in their name, such an actor on a stage or a lawyer in a court of law, Pufendorf argued that a 'real' moral person needs not only to bear another's persona but also reflect the physical individual or individuals whose personality it is bearing. Since there are no physical changes in the being who becomes a moral person, so that an imprudent man does not become more prudent once he is elected to be a consul, the production of a 'real' moral person ought to 'presuppose such qualities as are appropriate' for his office.[21] Moral persons representing mere fictions would thus be senseless.

Pufendorf argued that the state was a composite moral person. Thus, as such a person comes into being 'when several individuals so subordinate their will to the will of one person, or of a council' this new compound moral person reflects in some sense the nature of the individuals whose personalities it bears; their natural qualities are considered constituent of the moral person of the state to such an extent that not only their will is present in it but also their intellect.[22] This is according to Holland the 'facultative sovereignty' of Pufendorf's conception of the state, which he had developed drawing on Suárez's conception of the free person: although the will of the moral person of the state resides in the sovereign, the will 'requires prior acts of the intellect of the moral person of the state in order to

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[19] Holland, *Moral Person of the State*, 14. On Vattel, see also his "Moral person of the state." On both Pufendorf and Vattel, see also Bartelson, "Sovereignty and the Personality of the State."

[20] Samuel Pufendorf, *De Jure Naturae et Gentium Libri Octo* (Oxford: Clarendon Press, 1934), I, i, §12, 12

[21] Pufendorf, *De Jure Naturae et Gentium*, I, i, §§14-15, 14-15.

[22] Pufendorf, *De Jure Naturae et Gentium*, I, i, §13, 13

function', and the intellect of the state belongs not to the sovereign but to the members of the community whose will the sovereign bears.[23] This would not only provide the people with some constitutional checks on the sovereign, but also to constitute the moral person of the state as truly analogous to a natural person. It was what made the state as naturally free as individuals had been in the state of nature, so that the only law that could guide it was the law of nature itself.

Noting, therefore, Hobbes's conclusions with regards to the similitude between the law of nature and the law of nations, he could make it clear that this is a conclusion to which he 'fully subscribes'. It is not possible, he argues against thinkers such as Suárez and Grotius, that there is an independent law of nations that takes a positive form because it emanates from the voluntary actions of states, proceeding thus 'accidentally' from the will and whim of sovereigns.[24] Such law would instead have to proceed from sources making it possible to consider it a proper law, namely from the will of a 'superior'. Thus, for Pufendorf as for Hobbes, what is already proscribed by the law of nature to human persons 'can be readily applied to whole states and nations which have also coalesced into one moral person'.[25]

Natural and Moral Persons

It would seem, however, that too much can be made of the separation between natural persons, on the one hand, and fictional or moral persons, on the other. Wolff, certainly, conceived of states as both analogous to and fundamentally distinct from natural persons.[26] As such, he could make the argument that states, like

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[23] Holland, "Pufendorf's Theory of Facultative Sovereignty," 443-44.

[24] Pufendorf, *De Jure Naturae et Gentium*, II, iii, §23, 226.

[25] Samuel Pufendorf, *Two Books of the Elements of Universal Jurisprudence*, trans. William Abbott Oldfather and Thomas Behme, ed. Thomas Behme (Indianapolis: Liberty Fund, 2009), Book I, xiii, 24, 225.

[26] Holland seems to find this puzzling, noting the irony that 'Pufendorf's considerably more naturalised conception of the person was used against Hobbes, with his performative conception of personhood, even though Wolff was claiming that moral persons could not be treated as though they were the same as natural human persons'. Holland, *Moral Person of the State*, 117. I would rather suggest that this seeming inconsistency is much less inconsistent once it is opened up for the possibility that Wolff, while adopting the name, does not fully subscribe to Pufendorf's conception of moral personhood.

human beings, were bound by natural law, while still maintaining that states, as moral persons, required a particular law that reflected the fact that they were distinct from natural persons. His successor, Emer de Vattel, would argue much of the same.

Wolff, to be sure, believed there to be a strong analogy between human beings and states, between natural persons and moral persons. Human beings and states, he recognized, needed to be considered as two different beings. But in speaking of a natural person, or of a 'moral man', a *'homo moralis'*, Wolff was not considering all that constitutes a human being, but only those particular qualities that make it capable of bearing obligations and rights, namely its intellect and will.[27] Similarly, the state was considered a moral person not because it was a human being, but rather because it too possessed these qualities. 'Inasmuch as the state is considered as a single person', he argues, 'to it belongs also an intellect peculiar to the nation' and '[j]ust as in any nation we conceive an intellect peculiar to the nation as such, so also in it a will is thought of peculiar to the nation as such'.[28] Moreover, Wolff also argued along similar lines as Pufendorf in that the state should be considered as a 'composite entity' whose different parts should be regarded as organs of the human body. It was, as such, an association of different parts to make one whole.[29] If, indeed, the constitution of the state is properly regarded,

> you will see with perfect clarity that the whole nation may best be thought of in the likeness of a man, whose soul is the direction of the state, but whose body is the subjects as a whole. It will likewise be plain with what mind and will, and with what subordinate powers the soul ought to be provided, and what kind of organs the body ought to have. Now the organs of this body are groups of men living various kinds of lives, as associations of scholars, workmen, artisans, numbers of farmers and workmen, troops of soldiers, and so one. If any one desires correctly to distinguish one from the other and properly enumerate the several kinds of lives which a properly organized state needs, he will give to us an adequate concept of the structure of this body, observing the analogy of the human body. And when

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[27] Christian Wolff, *Jus Naturae Methodo Scientifica Pertractatum*, vol. I (Frankfurt/Leipzig: Rengeriana, 1740), §§70-71.

[28] Christian Wolff, *The Law of Nations Treated According to the Scientific Method*, ed. Knud Haakonssen, trans. Joseph H. Drake, ed. Thomas Ahnert (Indianapolis: Liberty Fund, 2017), §§56-57.

[29] Wolff, *Law of Nations*, §29.

he has considered further what things the superior ought to care for and what are his duties, he will give us a no less adequate concept of the soul also.[30]

Based on this, he could make the argument that states 'can be regarded as nothing else than individual free persons living in a state of nature'. Because each state is composed of a multitude of natural persons who have become one moral person, and since these natural persons are originally and naturally free and equal, states must also be considered to have been naturally in a state of freedom and equality.[31] That all states are equal to one another, morally speaking, just as all human beings are, should arguably temper any strong distinction between natural and moral persons. States are, just as individuals, physically different in their physical constitution: some are small, others are large; some have great power, others have less. But what matters, as we have seen Suárez argue, is not their physical disposition but their inner characteristics, an internal constitution of the person to which a particular value is assigned. For both human beings and states, this pertains to their capacity for rational action; this is what makes them persons in the first place. As such, 'just as the tallest person is no more a human being than the dwarf, so also a nation, however small, is no less a nation than the greatest nation' and since 'the moral equality of humans has no relation to the size of their bodies, the moral equality of nations also has no relation to the number of people of which they are composed'.[32]

For this reason, states are originally subjects of natural law. Since they are persons, and since persons use in their natural state nothing but natural law, 'nations also originally use none other than natural law', and 'therefore the law of nations is originally nothing except the law of nature applied to nations'.[33] This law, even if it was termed the 'necessary law of nations' when applied to nations because of its 'power to bind' the conscience of states, had its ultimate source in the nature of human beings.[34] An opposition between human persons and states, which figures so much in contemporary international thought, would therefore be quite senseless according to Wolff: in some sense they were roaming around in the same natural state; as persons they were subjected to the same law and had accordingly

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[30] Wolff, *Law of Nations*, §30.

[31] Wolff, *Law of Nations*, §2.

[32] Wolff, *Law of Nations*, §16.

[33] Wolff, *Law of Nations*, §3.

[34] Wolff, *Law of Nations*, Preface, 7; §§3-6.

bore the same rights and responsibilities. Vattel would later reaffirm these conclusions. Since human beings are naturally free, independent, and equal, so are states. And because the state must be considered a 'moral person' by virtue of possessing 'an understanding and a will peculiar to herself', it is originally in the same natural state that human beings once found themselves.[35]

At the same time, however, states are not identical to human beings; only by an analogy can they be assimilated. Thus to speak of the state as a free person in the state of nature was by Wolff a deliberate fiction. As we have seen, so is in some sense the human being, at least when considered not as a human being but as a natural person. When Wolff thus spoke of the rights and duties of individuals, he appealed to the right- and duty-bearing individual as a specific form or version of the human: as a *homo moralis.* And this 'moral man' was in some sense fictitious, for when he is so considered, everything in his essence as a human being is shaved off so that what remains is his bare 'moral essence', or the qualities that make it capable of possessing rights and duties.[36] But even if it was said that the state has the same 'moral essence', it only possessed this fictitiously. Even if it was capable of both deliberation and rational action, these were always carried out by natural persons who bore the personality of the state. Similarly, the state as a *persona moralis* was considered to mean little more than the classical juridical idea of the *persona ficta*. This, of course, did not only mean that the person was a person by fiction; it also meant that the corporate ontology of associations was simply a way to distinguish a whole from the sum of its parts, and to assign to the whole a legal basis that was distinct from the basis assigned to each of the parts. As Cheneval details, Wolff had extracted from the concept of the *persona moralis* the conceptual basis of the fictional person so as to make this person solely a legal fiction.[37]

But, to admit that the moral person of the state was little more than a fiction far from derogated from the status of the state. Rather, fictions or heuristic analogies were considered indispensable for the early-modern scientist and

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[35] Vattel, *Law of Nations*, Preliminaries, §§2; 4-9.

[36] Wolff, *Jus Naturae Methodo Scientifica Pertractatum*, I, §§70-71.

[37] Francis Cheneval, *Philosophie in weltbürgerlicher Bedeutung. Über die Entstehung und die philosophischen Grundlagen des supranationalen und kosmopolitischen Denkens der Moderne* (Basel: Schwabe & Co. , 2002), 145-46. See also Wolfgang Röd, *Geometrischer Geist und Naturrecht. Methodengeschichtliche Untersuchungen zur Staatsphilosophie im 17. und 18. Jahrhundert* (München: Verlag der Bayerischen Akademie der Wissenschaften, 1970), 136; Martin Lipp, "'Persona Moralis', 'Juristische Person' und 'Personenrecht' - Eine Studie Zur Dogmengeschichte der 'Juristischen Person' im Naturrecht und Frühen 19. Jahrhundert," *Quaderni Fiorentini* 11/12 (1982/83).

philosopher, as the political philosophy of Hobbes only demonstrates so well. Hobbes was, to be sure, not the first thinker to conjure fictions such as the state of nature, the covenant by which a state came into being, or the fictional person the state thus became, but he is certainly among the most influential thinkers who have put them to use. In his political thought, both the state of nature and the covenant resemble a type of fiction with a specific nature and purpose. Both have a kind of counterfactual or 'as if' character to them. Think first of the relations between human beings *as if* there was no state. Now think of their relations *as if* they had signed a covenant to institute a sovereign in whom all rights and responsibilities were vested.[38] What had the people become? They were finally no longer a dispersed multitude, but united in such a way that their association could be treated *as if* it was a person. This imaginary reconstruction of the emergence of the state gave it a rational foundation. Indeed, this was particularly true for the personhood of the state, for as Runciman argues, it must be regarded as 'a kind of necessary fiction' because it is 'something that we have to assume if the state is not to be reduced to a series of endless and fragmentary personal power relations', something which would be wholly abject to the theory of the state Hobbes sought to put forward.[39] Thus, fictions were an essential heuristic tool in in Hobbes's political thought.[40]

They were no less fundamental to Wolff.[41] True, Wolff the *Aufklärer* was concerned with clarity, certitude, and truth; not fantastical beings, fables, or fictions.[42] And true, he did not consider the analogy between the body of man and the body politic to be a mere 'play of the imagination'. Indeed, as he remarked, anyone with 'sufficient intelligence' and an adequate understanding of both the body and the state, could find no better analogy than between the two.[43] But fictions were

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[38] Hans Vaihinger, *The Philosophy of 'As if': A System of the Theoretical, Practical and Religious Fictions of Mankind*, trans. C. K. Ogden, Second ed. (London: Kegan Paul, Trench, Trubner & Co, 1935).

[39] Runciman, "Moral Responsibility and the The Problem of Representing the State," 46.

[40] See Mónica Brito Vieira, "Making up and Making Real," *Global Intellectual History* 5, no. 3 (2020); Luc Foisneau, "Elements of Fiction in Hobbes's System of Philosophy," in *Fictions and the Frontiers of Knowledge in Europe, 1500-1800*, ed. Alexis Tadie and Richard Scholar (Farnham: Ashgate, 2010).

[41] On the 'as if' character of Wolff's fictions, see Nicholas Greenwood Onuf, "Imagined Republics," *Alternatives* 19, no. 3 (1994).

[42] See Matteo Favaretti Camposampiero, "Dividing Fiction from Reality. On Christian Wolff's Metaphysical Project," in *Existence and Nature: New Perspectives*, ed. Matteo Favaretti Camposampiero and Matteo Plebani (Frankfurt: Ontos Verlag, 2012).

[43] Wolff, *Law of Nations*, §30.

useful in discovering and proving theoretical propositions. The analogy between the body of man and the body politic was made according to what Wolff called 'the principle of reduction', by which an unknown entity was reduced down to its most basic component so as to make it comparable to entities well-known to the philosopher. When, for instance, he compared the 'imperfection' of a nation to a sick body, he noted that this was no mere 'vague similarity', but a scientific application of a heuristic useful to the philosopher in discovering and proving propositions. 'For true similarities are general notions', he argued, 'equally suitable to diverse things or including those attributes which exist at the same time in them, and therefore they furnish the most valuable assistance in the use of the principle of reduction, which is of the greatest importance in the art of reasoning'.[44] The human body was thus regarded by Wolff as sufficiently comparable to the body politic so that the former could be heuristically used to illuminate the latter. This made the philosopher's enterprise similar to that of the poet: both used metaphors and heuristic fictions to enlighten what was unknown.[45]

But, while not detracting from the status of the state as a person, to admit that the state was its own peculiar being nonetheless made it important to consider the proposition that it needed to be governed also by a law that had not as its source and its primary subject the human person. Those who purport to make the laws of nature and nations one and the same, he argued, have not grasped the fact that human beings and states are not identical. As such they do not 'weigh the laws of nations in scales that are perfectly balanced'. For as states are not natural but moral persons, since 'their nature and essence undoubtedly differ very much from the nature and essence of individual humans as physical persons', and since 'the principle of the law of nature are one thing, but the application of them to nations another', there must be 'a certain diversity in the law of nations, which is inferred from the fact that the nature of a nation is not the same as human nature'.[46] As much might be inferred from Wolff's discussion of one of the most basic duties and rights in both the law of nature and the law of nations, namely the duty and right to self-preserve and to self-perfect.

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[44] Wolff, *Law of Nations*, §178.

[45] On the principle of reduction, see Stefanie Buchenau, *The Founding of Aesthetics in the German Enlightenment: The Art of Invention and the Invention of Art* (Cambridge: Cambrige University Press, 2013), 43; Frederick C. Beiser, *Diotima's Children: German Aesthetic Rationalism from Leibniz to Lessing* (New York: Oxford University Press, 2009), 55.

[46] Wolff, *Law of Nations*, Preface, 7; Prolegomena, §3.

To seek preservation was, of course, seen as the quintessential natural right, at least if one follows Hobbesian international thought. Part of the appeal of Hobbes's writings for international thought, I have noted, was the analogy between natural and state persons in the state of nature. Because the conditions are considered analogous, both persons would be equally miserable due to their continual strive to preserve their own being against the threat of others. The obligation to self-preserve was given to human beings by nature, and since there was no ontological difference between human beings and states and thus no difference between the natural law of men and the natural law of states, the act of fighting for its preservation was a right given to both persons and states by the law of nature.

Wolff did not necessarily disagree with Hobbes's conclusions. States, like individual human beings, *did* have an obligation to self-preserve. And in a move beyond Hobbes, Wolff added that states, like individuals, were also bound to perfect their own being. These two obligations are what gives rise to the *civitas maxima*, as I shall attempt to make plain in the next section. But Wolff was adamant that we could not infer from this analogy that the law of nature for natural persons were the same as the law of nature for states. For one, although the principles that guide individuals and states will sometimes seem almost identical, the application of these principles will necessarily highlight the differences between the two beings. For the 'methods' by which a state seeks preservation or defends itself against the attack by another are obviously different from those means a natural person wields to preserve or defend its being. But, more importantly, the two obligations originate in different sources. The obligations to self-preserve and self-perfect are given to human beings by nature; it is drawn from their human essence. The same principles arise for states, however, 'by the agreement through which it is made a definite moral person'.[47] The state, in other words, becomes a person by virtue of the contract hypothetically signed by natural persons. And it is from this contract that states' duty to self-preserve and self-perfect, as well as its right to acquire the means of preservation and perfection, are rooted.

But this argument does not entail that, although the duty arises from the contract natural persons signed to form the state, the state's existence can be reduced to the signatories of the contract. Although he most often used the concept of the '*persona moralis*' when describing such corporate actors, he also referred to the

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[47] Wolff, *Law of Nations*, Prolegomena, 13.

state as a whole as a *universitas* or a 'corporate body'. When, for instance, he discussed punishment in the law of nations, he made sure to distinguish between punishments due to individual citizens and that to the state as a whole. 'Those things which are done in war by an unjust force', he contended, 'are imputed to the nation as a whole, and not to the individuals as individuals', for the latter 'cannot submit to that punishment which the corporate body [*universitas*] deserves'.[48] Individuals who represent their nations in war may thus not be taken captives and turned into slaves simply because their nations' actions are contrary to the law of nature and nations. What is done in the name of the nation should be considered the acts of the nation itself. For the nations is a corporate body with its own moral personality. Thus, the self-preservation of the state is the preservation of this corporate body. The body politic does not continue to live just because its constituent parts do. Nor does it fall apart just because a few of its members wither.[49] The same argument is made even clearer when he discussed why states themselves, and not just the sum total of their citizens, require its own perfection. When speaking of the duties assigned to the corporate actor of the nation, he argued, 'we are not thinking of the individuals singly who belong to a certain nation, but of all who constitute that nation taken as a whole, lest the duties which are due to man be confounded with the duties which are due to a nation as a nation'. This is the case, he continued, because the nation is a moral person, and ought to have a perfection of its own.[50]

A separate law of nations was thus needed to reflect the particularity of the state as a person distinct from a natural person. This move is not altogether unlike that which natural persons undergo when they become citizens of states. Though, according to Wolff, all civil laws of which citizens are subjects when they assemble into a state ought to reflect the law to which they were subject when they were in their natural state, these laws take on a particular form when made into a positive law because no such law can 'satisfy in all details the rigour of the law of nature'.[51] Similarly, states, by virtue of being a particular form of person, are themselves in need of a positive law that reflects but not completely departs from that natural law that governs their natural state. This law he considered, following both Suárez and Grotius, to be a law that proceeds not entirely from nature but rather from

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[48] Wolff, *Law of Nations*, §814.

[49] Wolff, *Law of Nations*, §28.

[50] Wolff, *Law of Nations*, §174.

[51] Wolff, *Law of Nations*, Preface, 7.

the will of states. But since the analogy between natural and moral persons remained, and since such a positive law emanated in the case of the former not from the will and whim of the persons that would be subjected to it, this needed to be the case for the latter too. Thus, this positive law, which Wolff called, following Grotius, the voluntary law of nations, proceeded not from the arbitrary will of the states, as was the case for both Suárez and Grotius, but rather from the unified will of the whole of humanity. Just as a multitude of human beings became one moral person with one intellect and will, so must therefore the whole of humanity be considered: as one moral person.

The Moral Person of Humanity

The condition of states was thus analogous to human beings: they were subjects of natural law at the same time as they were subjected to some positive law; they were both natural and civil persons. As such, both the human person and the moral person of the state were united into two different communities: one natural, the other civil. This is a radical departure from Suárez's insistence that only states displayed a proper civil condition; that the unity that characterized the state made it unique among the many different communities of the world. Neither the community of humankind nor the community of states were in any way on a similar plane as that of the perfect community that was the state; as the former was a natural community, it remained but a loose union of distinct parts, never a whole greater than the sum of these. Wolff, while broadly agreeing with this separation between communities, would depart from Suárez's conclusions. Whereas both human beings and states were certainly united in a natural community, they were also each a member of a community that was itself more than the sum of its parts: human beings were members of states, and states were members of a 'supreme state', a *civitas maxima*. Humanity, therefore, was not merely united in a natural society, for 'a greater state cannot be conceived of than one whose members are all nations in general, inasmuch as they together include the whole human race'.[52]

Having in the previous section outlined Wolff's conception of the moral person of the state and his arguments in favor of an independent law of nations, I shall in the rest of this chapter explicate on his argument that humanity as a whole

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[52] Wolff, *Law of Nations*, §10.

needed to be considered as a moral person. In this section, I shall concentrate on his reasons for making this argument, arguing that it follows from the attempt to provide a sufficient reason for the independent existence of the law of nations apart from natural law. As we shall see, Suárez and Grotius had argued that the law of nations emanates from the will of nations. For Wolff, however, the law of nations needed to flow from one will: from that located in the person of the *civitas maxima*.

One of Wolff's main ambitions with his contributions to international thought, I have argued above, was to counter the claims of Hobbes and Pufendorf on the similitude of the law of nations and the law of nature. To do so, he needed to prove the independent existence of the law of nations. But to prove this and give the law of nations a scientific basis, he needed to give the law of nations a *sufficient reason* for its independent existence apart from the law of nature. This search for the sufficient reasons for a law's existence followed directly from his own system of philosophy. Philosophy was for Wolff the 'science of the possible insofar as they can be'.[53] Since science was the act or 'habit' of demonstrating propositions that were inferred from 'certain and immutable principles', to philosophize was therefore to use such principle to discern what is possible.[54] The philosopher's craft, in other words, was to explain why something did not arise out of nothing. And the failure to do so would mean the violation of the cardinal rationalist principle Wolff had inherited from Leibniz, namely the aptly titled 'principle of sufficient reason'.[55] All philosophy, he sought to make plain, 'must give a reason why the possible can actually occur'.[56] By the same token, all philosophers of law would need to be able to explain why laws exist in the first place; their academic domain is after all the 'science which explains these reasons'.[57] Insofar as Wolff was here acting as a philosopher of law, he was by his own principles bound to find a rational basis for independent existence of the law of nations.

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[53] Christian Wolff, *Preliminary Discourse on Philosophy in General*, trans. Richard J. Blackwell (Indianapolis: Bobbs-Merrill, 1963), §29.

[54] Wolff, *Preliminary Discourse on Philosophy*, §30.

[55] See Charles A. Corr, "Christian Wolff and Leibniz," *Journal of the History of Ideas* 36, no. 2 (1975): 254. Although Leibniz had coined the principle, it was nevertheless, at least according to Leibniz, present in philosophical works dating back to Archimedes. See discussion in Kara Richardson, "Avicenna and the Principle of Sufficient Reason," *The Review of Metaphysics* 67, no. 4 (2014).

[56] Wolff, *Preliminary Discourse on Philosophy*, §31.

[57] Wolff, *Preliminary Discourse on Philosophy*, §39.

In seeking to give the law of nations a scientific basis and in equating science with the ability to provide sufficient reasons, Wolff believed the historical or empirical method of grounding the law of nations to be insufficient. This did not mean that he altogether dispensed with the historical and the empirical, for both are indispensable for moving towards philosophical knowledge.[58] In seeking to understand the law of nations philosophically, Wolff could therefore observe that states often required a different form of law than that which was necessary for natural persons. Yet, because both 'consists in the bare knowledge of the fact' and differed as such from that form of knowledge which aims to exhibit 'the reason of the fact so that it be understood why something of this sort could occur', it was not a sufficient source of knowledge on which to ground the law of nations.[59]

This source of knowledge had, however, been the base of the claims of those, like Suárez and Grotius, who also held the ambition to give the law of nations an independent existence apart from the law of nature. Wolff agreed with both that all human law proceeds from human will, and that, since the law of nations was some form of human law, it too needed to proceed from human will. As argued by Grotius, a distinct law of nations existed which was derived from 'the Will of all, or at least of many, Nations'.[60] All three were thus faced with the same problem: if the law of nations ought to be law of *all* nations and, at the same time proceed from each's volition, how can this be possibly proved? As Suárez articulated this problem: 'it seems impossible that the *ius gentium* should be common to all peoples and should nevertheless have its origin in human will and opinion', for 'it is not customary that all peoples should agree with respect to matters that are dependent upon human opinion and free will, since it is characteristic of mankind that there should be almost as many sentiments and opinions as there are individuals'.[61]

The solution to which both Grotius and Suárez would appeal was to ground the law of nations in the customs of states rather than in their expressed will. No law books or treaties exist for humanity as a whole, so these laws could not be found expressed in writing. 'The precepts of the *ius gentium* differ from those of the civil law in that they are not established in written form', Suárez argued. They are instead 'established through the customs of not one or two states or provinces,

[58] Wolff, *Preliminary Discourse on Philosophy*, §10.

[59] Wolff, *Preliminary Discourse on Philosophy*, §7.

[60] Grotius, *Rights of War and Peace*, I, i, 14, 163.

[61] Suárez, "A Treatise on Laws and God the Lawgiver," Book II, Ch. 19, §5, 398.

but of all or nearly all nations'.[62] From these customs, one could assume that states have tacitly consented to accede to the laws by which they were now bound. Suárez, as we saw in the previous chapter, sought to give this law a 'rational' foundation by appealing to the unity of the human race. But though this unity was in some sense political and moral, it was not the same kind of unity that arose from the mystical process of submitting oneself to the same head. Because humanity is not fundamentally one but consists of a multitude of different peoples, the law of nations does not proceed from one will but multiple. And it is from them, 'the will of the people who regularly practice the behavior and the approval of the prince who accepts this repeated behavior' that the law of nations emanate.[63] Grotius, however, was much more comfortable embracing the 'humanistic' ethic of his time and refraining from grounding the law of nations in 'transcendental-universal foundations'. Rather, Hunter argues, he sought to ground it in the historical context in which states and the state representatives for whom their treatises often were written found themselves.[64] Principles of natural law were thus changed or tempered according to the customs of state practice to make it into positive law.

Wolff saw nothing intrinsically wrong with making such tacit assumptions from state customs. But by making this the voluntary law of nations, he believed Grotius to have conflated two different forms into which the positive law of nations may be classified, namely the voluntary and the customary law of nations. Indeed, what Grotius had thought of as the voluntary law of nations would better be termed customary because it was the latter rather than the former that constituted that law which 'has been brought in by long usage and observed as law' and is based on the tacit consent of particular states to this law. Nor should it be confused with the third form of law of nations, that which Wolff termed 'stipulative' and which arises from the pacts signed between two or more states, and which was only binding upon the pact's signatories. The voluntary law of nations, by contrast, ought to be conceived as that law which was derived directly from the law of nature as applied to states, and which was as such universally bounding

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[62] Suárez, "A Treatise on Laws and God the Lawgiver," Book II, Ch. 19, §6, 398-99.

[63] Paulo Emílio Vauthier Borges de Macedo, *Catholic and Reformed Traditions in International Law: A Comparison Between the Suarezian and the Grotian Concept of Ius Gentium* (Cham: Springer, 2017), 295. See also Brian Tierney, "Vitoria and Suarez on ius gentium, natural law, and custom," in *The Nature of Customary Law: Legal, Historical and Philosophical Perspectives*, ed. Amanda Perreau-Saussine and James B. Murphy (Cambridge: Cambridge University Press, 2007).

[64] Ian Hunter, "The Law of Nature and Nations," in *The Routledge Companion to Eighteenth Century Philosophy*, ed. Aaron Garrett (Abingdon: Routledge, 2014).

upon all states. But since the law of nations could not simply be natural law applied to nations, and since it needs to proceed from human will because this law is a positive law, the voluntary law of nations would need to proceed from the will of nations.

But more so than merely confusing two different laws, Wolff believed that neither had properly given sufficient reasons for its independent existence. Grotius, he argued, had known about the *civitas maxima* and that the law of nations needed to be derived from it. But he had not properly grounded the voluntary law of nations in this *civitas*, as 'he could and ought to have done'.[65] Without such a proper foundation, and by basing laws purely upon the customs of states, there was no way of demonstrating their wrongdoings, for a law based on the acts of a great number of wrongful states would not excuse their wrongdoings. Laws, he argued, could not emanate from the customs of states to which we only add reasons for their soundness *a posteriori.* Essentially, by basing the law of nations upon customs, the basis would seem to 'rely blindly on the deeds and customs and decisions of the more civilized nations, and from this there must be assumed as it were a certain universal consensus of all'.[66]

In order to give the voluntary law of nations a 'fixed and immovable foundation', and to show that it was indeed based on sufficient reason and not the will and whim of individual states, Wolff needed the fiction of the *civitas maxima*. Indeed, that the *civitas maxima* constituted the corporate whole of all states was, at the most elementary level, a necessary consequence of Wolff's argument that the voluntary law of nations needs to proceed from the will of *all* nations. If only states were considered moral persons, there would be no way to single out the will of all as a collective from the sum total of their individual wills. As we saw in the previous chapter, an important element in the medieval discussions of communities was to distinguish between whether they were regarded collectively or distributively. The key distinction was between 'all' considered separately and 'all' considered together. Wolff's critique of Grotius's conception of the voluntary law of nations was based on the fact that he saw Grotius as having understood the 'will of all' as the will of all states separately. From their separate relations and customs, that is, we may infer their tacit consent to the laws based upon these customs. Wolff, by contrast, sought to describe the collectivity of states as having one will.

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[65] Wolff, *Law of Nations*, §10.

[66] Wolff, *Law of Nations*, §22.

This was its 'fixed and immovable' foundation. Thus, he needed the *civitas maxima* to be a person in its own right, just as the state was a moral person, for only such a corporate whole can take on a life of its own, distinct from each of its members, and thus constitute a solid foundation on which the law of nations can rest.

Because no such global commonwealth existed, however, he had to admit that it was wholly fictitious. But so, in some sense, was all of Wolff's moral persons. Indeed, the 'quasi-agreement' that lay at the basis of all forms of societies that Wolff discussed in his legal and political thought were itself a deliberate fiction. In designating its nature, as Cheneval has detailed, Wolff took inspiration from Roman private law and its notion of a *quasi pactum*. Unlike other contracts that were grounded in the expressed or tacit consent of the contractual partners, this quasi-contract was based solely on their *presumed* consent. Precisely because there was no expressed consent at which to point—a signed treaty among all the world's states, for instance—the conditions of the quasi-contract needed to conform to reason. Its reasonableness was, in other words, what made the contract legally valid.[67]

For this reason, when he first introduced the idea of a *civitas maxima*, he was careful to note that he had 'assumed nothing which is at variance with reason', for it was evident that states were 'carried into that association by a certain natural impulse'. Just look at how their behavior, he argued. They sign treaties with one another on all things that can improve their standing and well-being in the life among other states: treaties of commerce, wars, and friendship. There is indeed 'no need to persuade yourself that there is no nation that is not known to unite to form the state, into which nature herself commands all to combine'.[68] But the crucial point was not that such treaties signaled their expressed or tacit consent to the contract on which the *civitas maxima* was based, but that from the signing of the former we may presume their willingness also to enter into the latter. As we shall see below, a society between states arises because states require the intercourse of others in order to survive and flourish. This can be demonstrated *a priori*, because if individuals as moral persons require this, states as moral persons do it too.

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[67] Cheneval provides the most detailed exploration of the contract theory at the basis of Wolff's legal and political thought, and argues that Wolff was the first thinker to express so clearly the methodological status of such fictional contracts. See, in particular, Cheneval, *Philosophie in weltbürgerlicher Bedeutung*, 153-59; 70-75; 82-88.

[68] Wolff, *Law of Nations*, §9.

And since a society of individuals that is formed based on the ideal of promoting the common good is called a *civitas,* so must a society of states be a *civitas*. These are all sufficient reasons for the possible existence of a *civitas maxima,* whose law proceed from the presumed consent of nations. All three forms of the law of nations are therefore different forms positive law, which by definition arises from the will of nations: the voluntary law of nations is based upon the presumed will of nations, the stipulative upon the expressed will, and the customary upon the tacit will.[69]

Wolff needed, then, the fiction of the *civitas maxima* to both single out the voluntary law of nations from other laws that guided or ought to guide the behavior of states *and* to give this law a solid foundation distinct from the mere habits of international practice. But in order for it to perform this dual role in Wolff's system, the *civitas maxima* needed to be more than a mere heuristic device, a nuance often lacking often among those who highlight the fictional essence of the *civitas maxima*.[70] By convincingly demonstrating that it is only a 'logical construction' with no real basis in reality, it is rightly highlighted that Wolff was no advocate for world government. And, if the only role of the *civitas maxima* was to assist the researcher in providing a sufficient reason for the independent existence of the law of nations, a fictional heuristic would suffice. But if he also aimed to give the law of nations a 'fixed and immovable' foundation, he needed to take the step neither Suárez and Grotius had been willing to take. He needed to assign to the community of states actual legal powers, for not only would this community promulgate the law of nations, it would also enforce it. And to this end, this community needed to be considered a moral person in its own right. In the following two sections, I shall elaborate upon the two roles this person has, beginning with the promulgation of the voluntary law of nations.

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[69] See Wolff, *Law of Nations*, §§22-25.

[70] The *civitas maxima*, as Schiffer argues, is a 'scientific fiction' of a 'purely imaginary character' that 'simply expresses the idea that under existing conditions there are rules in the international sphere which constitute a legal order in the full meaning of the term as ordinarily used'. Walter Schiffer, *The Legal Community of Mankind: A Critical Analysis of the Modern Concept of World Organization* (New York: Columbia University Press, 1954), 73-75.

The Democratic Body

The voluntary law of nations would, according to Wolff, have to emanate from the will of humanity united as one person, just as civil laws originate in the will of the people. Having in the previous section outlined why Wolff believed such a person was necessary, I shall in this section and the next explicate on the idea itself; the idea, that is, that all of humanity was united as one person. In so doing, it is necessary to begin not with the body of humanity, but with its head. For if Wolff would have to consider the whole body of humanity as united into one person with one will, does not this body need a head? According to Suárez, it was after all the submission to a head that would turn a multitude of individuals into one fictional person or one mystical body. So was it for Hobbes. In this section, I shall outline Wolff's answer.

Wolff was adamant that only the *civitas maxima* itself could promulgate the voluntary law of nations. 'Since the supreme state is a certain sort of state, and consequently a society, moreover since every society ought to have its own laws and the right exists in it of promulgating laws with respect to those things which concern it, the supreme state also ought to have its own laws and the right exists in it of promulgating laws with respect to those things which concern it'.[71] By equating the condition of this law to the civil laws of the state, however, he also needed to explain *how* such laws would be made, not just *why* they needed to proceed from this *civitas*. Since civil laws are promulgated by the person in whom sovereignty is vested, so it must be for the law of nations. Thus, he argued, the voluntary law of nations need to be 'considered to have been laid down by its fictitious ruler'.[72] That this '*rector*' must be considered fictitious, Wolff had no doubt, for just as there was no discernible state into which humanity had united, nor were there any concrete ruler of this state. But this he again regarded as altogether unproblematic, seeing as 'all moral persons and, too, the supreme state itself in the law of nature and nations have something fictitious in them'. It is this fictitious ruler, then, whose will must count as the will of all; the person, that is, in whom the sovereignty of humanity rests and who bears its personality. It is in this ruler that the voluntary law of nations is grounded, for it is this ruler that adapts the natural law of nations in order to make it fit states as moral persons, just as

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[71] Wolff, *Law of Nations*, §11.

[72] Wolff, *Law of Nations*, §22.

the ruler of a state adapts natural law to make civil law in order to make it fit the citizens.[73] And it is also this ruler who not only makes law, but also enforces it by a right to coerce any individual state who fails to comply with it.

This is perhaps Wolff's most radical idea, one which would seemingly contradict his argument that all states are, as persons, by nature equal. Naturally, this has led many to question who this ruler was supposed to be, fictitious though it undoubtedly was, which in turn has given rise to various different interpretations of Wolffian international thought in general and the ontology of the *civitas maxima* in particular. Some focus on Wolff's argument that the ruler is the person 'who, following the leadership of nature, defines by the right use of reason what nations ought to consider as law among themselves, although it does not conform in all respects to the natural law of nations, nor altogether differ from it'.[74] The 'right use of reason' part of this argument has aroused speculations on whether Wolff in fact envisioned some enlightened monarch to oversee the promotion of the common good of all states. Indeed, he had purportedly been attracted to the Platonic ideal of a philosopher king.[75] 'Who', Onuf asks, 'had better qualifications than Wolff for the role of *rector* in an encompassing republic he saw more clearly than anyone else?' Because *rector,* the argument goes, is best translated into some sort of 'curator' rather than 'ruler', and because the *civitas maxima* and its *rector* were wholly fictional, we would be mistaken to interpret Wolff as designating this role for some natural person to act as sovereign. Only the philosopher like himself, in whose mind the existence the *civitas maxima* had been conjured, could be said to function as its curator.[76]

Others have highlighted the same passage, but come to radically different conclusions. 'It would be a mistake to imagine that Wolff's *civitas maxima* was an utter abstraction', Holland argues.[77] In reality, Wolff's abstractions were used to legitimize a wholly real and existing entity: the composite polity of the Holy Roman Empire, which Pufendorf, too, had assigned the status of moral personhood.

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[73] Wolff, *Law of Nations*, §21.

[74] Wolff, *Law of Nations*, §21.

[75] Much of this argument is based on what Wolff had written in "On the philosopher king and the ruling philosopher," in *Moral enlightenment : Leibniz and Wolff on China*, ed. and trans. Julia Ching and Willard Gurdon Oxtoby (Nettetal: Steyler, 1992). See also Frank Grunert, "Absolutism(s): Necessary Ambivalences in the Political Theory of Christian Wolff," *Legal History Review* 73, no. 1 (2005).

[76] Onuf, "Imagined Republics," 325-26.

[77] Holland, *Moral Person of the State*, 119.

Although he notes the metaphysical differences between Wolff and Pufendorf and the respective traditions to which they belonged, he nevertheless argues that the *civitas maxima* is best understood as Pufendorf's 'composite polity'.[78] Pufendorf had developed this concept in trying to understand the structure of the Holy Roman Empire. It was a 'union of moral bodies' united under one head.[79] By demonstrating how the Empire constituted one compound moral person, Pufendorf had found a way to assign one personality to multiple polities. But even as Wolff had attempted to do much of the same by the *civitas maxima*, Holland argues, he had ultimately failed where Pufendorf had succeeded. Pufendorf's moral person of the state was composed of both the wills and intellects of the individuals that constitute it. Although the will of the state might be subsumed by a sovereign, its intellect would ultimately remain with the people. In practice, as Bartelson notes, this could entail that the sovereign could be checked by 'constitutional arrangements that allowed for the intellect to be embodied in a counsel, which could condition the actions of the sovereign in accordance with natural law'.[80] He had, in other words, successfully demonstrated how the Holy Roman Empire could act as one person without subsuming all powers in the Emperor. Wolff, writing in the Leibnizian tradition of rationalism, had by contrast no such separation between will and intellect. Both were subsumed into the head, which ultimately stipulated the complete submission of states to this higher authority. As he had taken away the one thing that checked sovereign power, Wolff made the moral person of the state all the more absolutist.[81] Indeed, all the world's states, Holland argues, 'must accept the authority of the *rector* because otherwise they are stranded in the state of nature, where their self-perfection can go no further'.[82]

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[78] Although he does not separate between the *persona ficta* and the *persona moralis*, Onuf, too, sees Wolff's model as being a '*respublica composita*' in the Pufendorfian vein. Nicholas Greenwood Onuf, "Civitas Maxima: Wolff, Vattel and the Fate of Republicanism," *The American Journal of International Law* 88, no. 2 (1994): 296.

[79] Holland, *Moral Person of the State*, 99.

[80] Bartelson, "Sovereignty and the Personality of the State," 92.

[81] This is in line with the interpretations of both Bloch and Grunert, although neither connect it to Wolff's conception of the moral person. Wolff's natural law, Bloch argues, is a mere 'apology for the state', 'mercantile prosperity', and the 'police state'. See Ernst Bloch, *Natural Law and Human Dignity* (Cambridge, MA: MIT Press, 1981), 51; Grunert, "Absolutism(s)." See, however, Reidar Maliks, "Two theories of resistance in the German Enlightenment," *History of European Ideas* 44, no. 4 (2018): 451-53.

[82] Holland, *Moral Person of the State*, 120.

But, as I wish to contend, the *rector* of the *civitas maxima* was neither intended to be Wolff himself nor the Holy Roman Emperor. Nor, even, as Cheneval has more plausibly argued, that the ruler is all the people who are able to anticipate the reasonable contract.[83] The *rector,* I argue, is in the abstract the totality of states considered as one corporate body; all the moral persons of states united as one moral person. This makes the *rector* of the *civitas maxima* the same as the *civitas maxima* itself. But such is the case in all democratic states, in which the people is both the ruler and the ruled. And Wolff was adamant that, since all states are moral persons and since all persons are moral equals, the *civitas maxima* must be considered to have adopted a democratic form of government.

To begin making this argument, consider his conception of what a *rector* or ruler is. Onuf, in particular, objects to the translation of '*rector*' into 'ruler', which has become the standard English translation, believing instead that a 'conductor' better reflects Wolff's intentions with designating a *rector* for the *civitas maxima.* But Wolff uses 'rector' for superiors within all political communities, the state and the *civitas maxima* alike. This person was both the holder of sovereignty and the person to whom the right was given to exercise this sovereignty.[84] For Wolff, the people was originally sovereign. This, of course, was what made a democracy different from a monarchy, in which the sovereignty was conferred upon a monarch, or an aristocracy, in which sovereignty was conferred upon a particular group of privileged persons.[85] In a democracy, by contrast, the people retained their sovereignty.

In all forms of government, then, the people as a whole assign onto the ruler the right to operate as their representative. In a monarchy, the will of the people is therefore what the monarch wills, and in an aristocracy, the will of the people is what a group of privileged persons will.[86] But in a democracy, the will remains with the people as a whole. Notwithstanding in whom the right of exercising this will was vested, however, the will was always considered the will of the person whose personality the representative represented. In this sense, the alienation of

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[83] Cheneval, *Philosophie in weltbürgerlicher Bedeutung*, 195.

[84] On the one hand, the 'superior' within a state was that person whose right it was to rule over individuals (see *Jus Naturae Methodo Scientifica Pertractatum*, vol. VIII (Halle: Rengeriana, 1748), §141). On the other, the *rector civitatis* was that person to whom sovereignty had been deferred, and who as such was charged with exercising it (see *Jus Naturae*, VIII, §42).

[85] Wolff, *Jus Naturae*, VIII, §§131-36.

[86] Wolff, *Jus Naturae*, VIII, §160.

sovereignty onto a monarch or an assembly of aristocrats is only a transfer of the right to bear the person of those in whom sovereignty is originally vested. Sovereignty, therefore 'remains the property of the people, even if it shall have been transferred completely to the ruler of the state as regards substance'. This makes any act carried out by the ruler an act that must be considered, not the act belonging to the ruler itself, but rather to the person whose personality the ruler bears. Treaties signed by monarchs, for instance, 'are made by the right of the people, or of the nation, and the king is understood to have made the treaty, not in his own name, but in the name of his nation'.[87] Similarly, if the ruler causes injury to persons outside the state must be considered an injury committed by the people considered as a moral person, '[f]or since the people has originally transferred its sovereignty to the ruler of the state that he may exercise it, whatever he does as ruler of the state he does by the right of the people, or the people is understood to have done through him'.[88] Accordingly, it is the people that resumes responsibility for such actions and can, as such, be punished for the actions carried out by the monarch. But this means not that, say, any particular citizen of the state now carries the responsibility for what the monarch does. Rather, it is the moral person of the state whose personality that the monarch bears that is ultimately responsible for these actions. As noted above, Wolff argued that, if unjust actions are carried out by the ruler of the state, the consequences of which must be borne by the 'corporate body' and not the individuals, since it is this corporate body of which the ruler of the state is the head and not any particular individual.

To consider the 'corporate body' as a distinct person from the individual persons of which it was composed, was of the essence for any democratic state. It is not inconsistent, Wolff argued, 'that the individuals regarded as such and the corporate body should be opposed to each other as distinct persons, a thing which is perfectly clear in a democratic state, where the entire people is sovereign but the individuals are subjects'.[89] Indeed, in a democracy it was the people as a whole who exercised sovereignty and rightfully decided over the actions of all individuals. Although he admitted it might seem a bit odd that the people are both superiors and subjects at the same time, this was not as strange when the whole in the state was adequately distinguished from the individuals. For the people, when assembled, ought to be considered as a '*universitas*', as a '*persona moralis*', which

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[87] Wolff, *Law of Nations*, §432.

[88] Wolff, *Law of Nations*, §600.

[89] Wolff, *Law of Nations*, §814.

would make this collective person distinct from all the 'physical individuals' (*individuis physicis*). The people considered collectively both held and exercised sovereignty; the people considered singularly had conferred their original sovereignty upon this whole, and were as such to be considered subjects.[90] As he would come to summarize this argument: 'The nation, in so far as there belong to it definite rights for the purpose of saving itself and perfecting itself and its condition, is a moral person, and so far as the nation rules itself, a thing which occurs in a democratic state, it is itself the ruler also of the states into which it as united'.[91]

The *civitas maxima* was just like such a democratic state. It must be originally constituted as such, for no state was naturally superior to any other. This follows from the same argument that made democracy the natural form of rule in any political community: since all persons are equals, sovereignty naturally resides in the people as a whole and not in any particular person. Moreover, he noted, since it is apparent that states have never come together to institute a particular state or states as the ruler of them all, since indeed 'it cannot even be conceived under human conditions how this may happen', the sovereignty still resides with the states as a whole.[92] The *rector* of the *civitas maxima* must therefore be, not Wolff himself, nor the Holy Roman Emperor, but the 'corporate body' of all states: 'since the government is democratic, if the sovereignty rests with the whole, which in the present instance is the entire human race divided up into peoples or nations, the supreme state is a kind of democratic form of government'.[93] All the rulers of states, united into one moral person, together bear the personality of humanity as a whole.

In this way, the 'entire human race is likened to a living body whose individual members are individual nations', Wolff argued. An individual state, as we seen, is similarly constituted. The *civitas maxima* must accordingly be seen as one 'enormous state' whose members are not natural persons, but moral persons. Each of these members consist therefore both a body of natural persons and a head that unites them as one moral person. These heads, these 'rulers of nations', in turn 'give life' to the whole body of humanity 'since the members are as it were endowed with the bare capacity to act, and their power to act rightly is derived from the rulers, as long as they are controlled by the wisdom and foresight of the rulers,

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[90] Wolff, *Jus Naturae*, VIII, §142.

[91] Wolff, *Law of Nations*, §39.

[92] Wolff, *Law of Nations*, §19.

[93] Wolff, *Law of Nations*, §19.

so that they are kept healthful, and contribute what they ought to the healthfulness of the body as a whole'. Thus, while 'the rulers of states tower above their nations, just as the soul is superior to the body, and as the law of their nations abide in them, so also do that intellect and will, without which it is not possible to use that law', all the rulers considered as one tower above humanity because it is in this moral person that humanity's intellect and will is vested.[94]

It is this moral person, therefore, that promulgate the voluntary law of nations. While sovereignty originally rests with the person of humanity, they have each united within individual bodies and instituted individual rulers to bear their personality. These rulers—whether it is the corporate body of the people or a monarch—must now be considered to have united into one person also to exercise the sovereignty that originally belongs to the whole of humanity. While the will of humanity is, as we have seen also Diderot argue, is that 'to which they ought to agree, if following the leadership of nature they use right reason', the *rector* is nonetheless the person 'to whom belongs the right over the actions of the individuals, consequently he who exercises the sovereignty', which must be the person who 'following the leadership of nature, defines by the right use of reason what nations ought to consider as law among themselves, although it does not conform in all respects to the natural law of nations, nor altogether differ from it'.[95] Wolff himself can surely be considered to be the person who has reasoned what the voluntary law of nations ought to be; the person who have written, as it were, the script according to which states ought to act. But, as I shall hope to explain in the following section, since the right to that rests with the *civitas maxima* is not merely to promulgate the law but also to enforce it, there must be a person other than Wolff himself that is capable of acting as one to coerce those who seem negligent in following what right reason tells them to do.

The Acting Person

Wolff was careful to distinguish this corporate whole from each and every individual state. Nature, Wolff argued, had established a society among all human persons that binds all to work towards the preservation of this society and for its

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[94] Wolff, *Law of Nations*, Dedicatory Letter, 3.

[95] Wolff, *Law of Nations*, §21.

common good. And because states are also persons in their own right, this society, as well as the obligation to preserve it and to promote the common good, remain in place even as humanity have assembled into states. Since, moreover, any society that work together to promote the common good is called a state, so must that universal society that first consisted only of human beings but subsequently included also states. The *civitas maxima* or the 'supreme state' is therefore inextricably tied to the promotion not only of the good of individual states, but also the good of the society or state into which all are associated; individual states are bound to the whole in order to promote the common good, and the whole to individual states so as to promote their good. Indeed, 'there would be no purpose in the supreme state, into which nature has united nations, unless from it some law should arise for the whole in regards to the individuals'.[96] This democratic whole must for this reason not merely promulgate laws, but also enforce it. This they have to do in order to serve the purpose for which the law of nations exists, namely to ensure the common good of the entire *civitas maxima*.

As we saw above, Wolff had argued that each state ought not only to self-preserve, but also to self-perfect, just as human beings are by nature obliged to work towards their own preservation and perfection. Since the manner in which self-preservation and self-perfection are different for states as moral persons than that of natural persons, a different law was needed. Moreover, because this is a duty we owe to ourselves, it is also a duty we owe to others. As perfection is the common goal of humanity, it does not suffice that each work towards their own individual perfection. While the perfection of oneself and others is the basis for particular political societies, the duty to perfect oneself and others does not stop at the walls of the polis. It is a duty which makes human beings search for ever larger societies. The *societas* they had once formed to ensure better cooperation towards their common goal of perfection and happiness, therefore, expands centrifugally to include the whole human race.

Reminiscent of Suárez's natural community of humankind, Wolff termed this society a '*societas naturalis*' or a '*societas magna*' because it is nature that has made this society and because it is the largest society possible, encompassing the entirety of humankind.[97] It is, Wolff argued, an harmonious society of equal persons, where nature forbids discord or the attempt to arouse it, and whose ultimate goal

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[96] Wolff, *Law of Nations*, §13.

[97] Christian Wolff, *Jus Naturae Methodo Scientifica Pertractatum*, vol. VII (Halle: Rengeriana, 1747), §142.

is to establish a realm wherein human beings can assist one another and, as such, advance the perfection of the human race as a whole.[98] Only this society, being the largest society possible, can best ensure that humankind fulfills its duty to perfect themselves and others of their kind. The moral persons of states also enter into this society, as we have seen Wolff argue, for only in such an arrangement can the perfection of all be best promoted. What had once been a *societas magna* of individuals had become, once these individuals had assembled into particular states, a *societas magna* of states:

> Just as in the human body individual organs do not cease to be organs of the whole human body, because certain ones taken together constitute one organ; so likewise individual men do not cease to be members of that great society which is made up of the whole human race, because several have formed together a certain particular society…After the human race was divided into nations, that society which before was between individuals continues between nations.[99]

Both the state and the *societas magna* are, therefore, complimentary means towards the same goal of perfection set by the law of nature.[100] Or as Vattel would come to rearticulate this same argument: since individuals had submitted themselves for their common welfare to 'the body of the society', the latter would be required to take over the duties that were once bestowed upon them. It now belonged to the state and its rulers 'to fulfil the duties of humanity towards strangers, in every thing that no longer depends on the liberty of individuals; and it is the state more particularly that is to perform those duties towards other states'.[101] Like Gentili, Suárez, and Grotius, then, Wolff and Vattel would come to make the same claim that a community of humankind subsists even as states are formed. But more consistently than the former three, Wolff and Vattel would come to articulate a strong claim for the existence of a society of *states* rather than an ever-present community of humankind.

In this way, the society of states was not much unlike any other society that nature creates. According to Suárez and Grotius, as we have seen, they arise from

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[98] Wolff, *Jus Naturae*, VII, §§144-48.

[99] Wolff, *Law of Nations*, §7.

[100] See Röd, *Geometrischer Geist*, 139; Anne Kühler, "*Societas Humana* bei Christian Wolff," in *Völkerrechtsphilosophie der Frühaufklärung*, ed. Tillmann Altwicker, Francis Cheneval, and Oliver Diggelmann (Tübingen: Mohr Siebeck, 2015).

[101] Vattel, *Law of Nations*, Preliminaries, §11.

the natural sociability of human beings, that is, from their 'inclination' to share life with other human beings.[102] 'Man', Suárez argued, 'is a social animal'.[103] The same Aristotelian basis for society would be found in the political and international thought of both Wolff and his most accomplished successor, Emer de Vattel. But whereas Grotius would largely discard the 'eudaemonist' and 'teleological' elements of such a theory, they would for Wolff and Vattel appear front and center.[104] A society, according to Wolff, comes into being when several peoples unite for the same ends by signing some form of contract. While there are as many different types of societies as there are different ends, societies arise partly for the end of self-preservation, but more so than that, a strive for self-perfection and their need for the assistance of others to this end.[105] That is, in addition to any natural appetite for social bonds or human beings' need for others for the preservation of all, society emerges also from each's self-interested need of others to assist one another in flourishing as human beings.[106] 'Man is so formed by nature', Vattel wrote, 'that he cannot supply all his own wants, but necessarily stands in need of the intercourse and assistance of his fellow-creatures, whether for his immediate preservation, or for the sake of perfecting his nature, and enjoying such a life as is suitable to a rational being'.[107] Individuals, conscious of their own limits in preserving and perfecting themselves, thus formed political societies.

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[102] Grotius, *Rights of War and Peace*, I, Preliminary Discourse, §VI.

[103] Suárez, "A Treatise on Laws and God the Lawgiver," Book I, Ch. 2, §19, 52.

[104] Benjamin Straumann, "Sociability," in *The Cambridge Companion to Hugo Grotius*, ed. Randall Lesaffer and Janne Elisabeth Nijman (Cambridge: Cambridge University Press, 2021). See also Benjamin Straumann, "Oikeiosis and appetitus societatis," *Grotiana* 24-25 (2003); Christopher Brooke, "Grotius, Stoicism and'Oikeiosis'," *Grotiana* 29, no. 1 (2008); Hans W Blom, "Sociability and Hugo Grotius," *History of European Ideas* 41, no. 5 (2015); Benedict Kingsbury and Benjamin Straumann, "The State of Nature and Commercial Sociability in Early Modern International Thought," *Grotiana* 31, no. 1 (2010).

[105] Wolff, *Jus Naturae*, VII, §§1-3.

[106] Vattel, in particular, did not necessarily disagree with Grotius's anthropology. Elsewhere, he critiqued Rousseau for denying Grotius's principle of sociability, questioning 'why would Nature not have made man for living in Society as she had beavers, bees, ants and other animals? If society was not man's natural calling, why is he involved in it all over the known world? Mr. ROUSSEAU will not seriously say that God himself called man to it supernaturally, as he claims that society is a depraved state, a corruption of the state of nature'. Emer de Vattel, "Reflections on Mr. Rousseau's Discourse on the origins of inequality among men" in Béla Kapossy and Richard Whatmore, "Emer de Vattel's *Mélanges de littérature, de morale et de politique* (1760)," *History of European Ideas* 34, no. 1 (2008): 97-98.

[107] Vattel, *Law of Nations*, Preliminaries, §10.

This perfectionist basis for societies, Vattel had taken from Wolff and Wolff, in turn, had taken from Leibniz. Indeed, one may say that German natural-law theory in the eighteenth century followed two separate paths. One following Pufendorf; another following Leibniz.[108] For the former, which was continued into the eighteenth century by Christian Thomasius, law and politics were primarily concerned with taming and pacifying human nature in order to establish and maintain some sort of order in all human societies, both within or among nations.[109] The latter Leibnizian path, in contrast, was not so much concerned with restraining human nature as it was in perfecting it. In this view, law and politics should primarily be concerned with the welfare and happiness of the people. It was along this path both Wolff and Vattel would continue when developing their own political theories. Yet, this Leibnizian basis needs to be moderated somewhat. As Hochstrasser argues, Wolff's perfectionism was as much based on Aristotle as it was on Leibniz.[110] In this Aristotelian conception, human perfection follows a teleological path along which human beings move towards some natural end. And this end was for Aristotle, as would become clear in the latter parts of his *Nichomachean Ethics,* happiness and welfare—*eudaimonia*. Much of this eudaemonic basis would be taken up in the political thought of Wolff, according to whom, as Haakonssen notes, perfection was rooted in human beings' strive for 'progress in happiness guided by the divine and transhuman ideal of perfect happiness, beatitude, and signaled to us through pleasure'.[111] Human beings, as such, were perfectible insofar as they were capable of reaching this end.[112]

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[108] See Knud Haakonssen, "German Natural Law," in *The Cambridge History of Eighteenth-Century Political Thought*, ed. Mark Goldie and Robert Wokler (Cambridge: Cambridge University Press, 2006), 260; Ian Hunter, *Rival Enlightenments: Civil and Metaphysical Philosophy in Early Modern Germany* (Cambridge: Cambridge University Press, 2001); Tim J. Hochstrasser, *Natural Law Theories in the Early Enlightenment* (Cambridge: Cambridge University Press, 2000).

[109] On Pufendorf's development of the concept of sociability, see Heikki Haara, *Pufendorf's Theory of Sociability: Passions, Habits and Social Order* (Cham: Springer, 2018); István Hont, "The Language of Sociability and Commerce: Samuel Pufendorf and the Theoretical Foundations of the 'Four-Stages-Theory'," in *The Languages of Political Theory in Early-Modern Europe*, ed. Anthony Pagden (Cambridge: Cambridge University Press, 1987). On Thomasius, see Ian Hunter, *The Secularisation of the Confessional State: The Political Thought of Christian Thomasius* (Cambridge: Cambridge University Press, 2007).

[110] Hochstrasser, *Natural Law Theories*, 161.

[111] Haakonssen, "German Natural Law," 270.

[112] John Passmore, The Perfectibility of Man, 3rd ed. (Indianapolis: Liberty Fund, 2000), 9.

And thus arose political societies. For though human beings were naturally sociable and have a penchant for the political life, and though the city walls round the *polis* were built to protect and preserve its citizens, the *polis* had not been founded 'for the sake of mere life', but more importantly 'for the sake of a good life'.[113] Indeed, the life in a state or city—or in a *polis* or *civitas*—was considered so coterminous with civilized life that the term it self—civilized life—was derived from those who dwelled in the *civitas*. This was the central idea of Aristotle's thinking on the *polis*, for whom true happiness could only be reached in such a place. Anyone who resided outside the city walls were, as such, considered a 'savage being'. For, as he argued: 'Man, when perfected, is the best of animals; but if he be isolated from law and justice he is the worst of all'.[114] Human beings are therefore political animals not only because they are sociable by nature, but also because it is only in the *polis* they are perfectible and can flourish. But, as Wolff would add, perfection is not automatically reached within a *polis*; it is only the political space that best conditions human beings to work towards perfection. Nor does perfection have an ultimate end of, say, perfect happiness, perfect virtue, or perfect knowledge of God or on par with divine intelligence, which had often been the case for Scholastic thinkers who had reinvigorated Aristotelian political thought for their own theological or political theories. Perfection, rather, is for Wolff an infinite historical process without an ultimate *telos,* one in which human beings strive towards ever-greater perfections.[115]

Thus, the whole of humanity would be united within one great state. In this state, all particular states would owe to each other all that it owes to itself, insofar as, on the one hand, other states are not able to preserve and perfect themselves, and, on the other, that it would be in the power to assist others without neglecting the duties one hold for oneself.[116] States come together not for their own self-interested ends, but for the benefit of all. And their happiness is not the only goal; so is the happiness of others. It is by caring for others human beings demonstrate their 'universal love' of humankind. States, too must prove their 'universal love of nations' but taking the happiness of all into consideration. Indeed, just as it would be 'inhuman' for human beings not to love others or worse even to show hatred,

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[113] Aristotle, *Politics*, trans. Ernest Barker, ed. R. F. Stalley (New York: Oxford University Press, 1998), 10.

[114] Aristotle, *Politics*, 11-12.

[115] Cheneval, *Philosophie in weltbürgerlicher Bedeutung*, 163-64.

[116] Wolff, *Law of Nations*, §156.

it would be 'beastly' for states not to love other states. Should, for instance, one state hold an abundance of crops one year, it would be obliged to sell the excess to those who have a scarcity. But states in which there already is a scarcity would not be required to assist others in this manner, because that would mean neglecting one's own duty to self-preserve.[117] This holds likewise true for the duty to assist others in their perfection. In characteristic eighteenth-century fashion, Wolff would base the 'perfections' and 'imperfections' of states based on civilizational standards which would more often than not mean—though he provided few empirical examples—comparing non-Europeans unfavorably to Europeans. Thus, those 'learned' and 'cultivated' nations ought to do everything in its power to assist the 'barbarous' and 'uncultivated' in becoming more cultivated in, say, their manners,[118] or in assisting them in developing civil laws and public administration.[119] These were the obligations that were rooted in the society into which states had assembled which, had they been universally recognized, the history books would not overflow with so much bestiality and unhappiness.[120]

But what made this society different from Suárez's natural community of humankind, and what made this society some sort of state and thus a moral person, was not merely that each of its members was bound to preserve and protect others, but that they each needed to do the same to the whole, and the whole the same to them. In this sense, this *civitas maxima* was just like any composite society: it consisted of societies, each working together to promote the good of the whole and each working together to promote the good of all. Following Aristotle, Wolff separated between two forms of communities: those 'simple' and those 'composite'. The first societies human beings form were simple, and consisted of three types. First, the society that comes about with the marriage between a husband and a wife (*societas conjugali*) which consists of a contract between the two to procreate so as to ensure the continuity of the lineage.[121] Second, that between a

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[117] Wolff, *Law of Nations*, §157.

[118] Wolff, *Law of Nations*, §168.

[119] Wolff, *Law of Nations*, §175. Or in Vattel: 'A nation whose happiness it is to live under wise laws, should, on occasion, make it a point of duty to communicate them. Thus when the wise and virtuous Romans sent ambassadors to Greece to collect good laws, the Greeks were far from rejecting so reasonable and so laudable a request'. Vattel, *Law of Nations*, Book II, §16. On Vattel's perfectionism and its relevance for international thought, see Luke Glanville, "Responsibility to Perfect: Vattel's Conception of Duties Beyond Borders," *International Studies Quarterly* 61, no. 2 (2017).

[120] Wolff, *Law of Nations*, §162.

[121] Wolff, *Jus Naturae*, VII, §270.

mother and father, on the one hand, and a child or children on the other (*societas paterna*), which consists of a hypothetical contract between the parties so as the former binds itself to procure for and educate the latter.[122] Lastly, that between master (*herus*) and slave (*societas herili*), which specifies the rights and obligation relating to both.[123] All of these societies are what Wolff called *societates simplices,* or 'simple societies'. They have this form because it is only individuals that constitute them.

In addition to these simple societies, there were more complex societies that not only consisted of individuals but also of other societies and whose common ends were not only promoted by its constituent parts but also the whole community itself. Wolff therefore added a second form of society to his typology. 'Composite societies', or *societates compositae*, was a form of society in which several societies had come together for their common ends. It was thus composed not only of individuals, but also of already constituted societies. In such a composite society, each individual 'simple society' would alone be responsible in promoting and preserving their own particular ends, but the whole body of the composite society would work together to reach their common ends in concert.[124] The household, or the *domus*, was one such composite society, consisting of all the three simple societies mentioned above.[125] Similarly, the *civitas* or state, in Wolff's framework, is a composite society just like the household is. In fact, precisely because these households are not self-sufficient, able to preserve itself, or provide what is necessary for a happy life, a 'higher' form of association is needed. It was necessary therefore, Wolff argued, that several houses would join forces so as to both procure the goods of life or share among themselves the means of acquiring these goods and work together to defend themselves against those who wished to disturb their peaceful possession of these goods. Their union is a form of society

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[122] Wolff, *Jus Naturae*, VII, §633.

[123] Wolff, *Jus Naturae*, VII, §§1131-33.

[124] Wolff, *Jus Naturae*, VII, §§5-6.

[125] Wolff, *Jus Naturae*, VII, §1147.

he called a *civitas* or a state.[126] It is a *societas* in which multiple households work together for their common welfare, tranquility, and security.[127]

Like any *civitas*, then, the *civitas maxima* was the union of particular societies or, in this case, states, working towards the common good of them all. 'All nations', he argued, 'are understood to have come together into a state, whose separate members are separate nations, or individual states'. This was so because, as he had already established, a society whose existence and unity comes down to promoting the common good is called a state.[128] That this society is a form of state should be an indication that all of humanity have, by way of the states into which they have assembled, been united as one person. So should his argument that there is a whole whose good ought to be promoted: it is to the well-being of this person that Wolff points, not to any other particular moral person.

But more so than that, this whole also works as one person to promote the good of all. The common good, Wolff argued, 'must be promoted by its combined powers'.[129] Should, for instance, one particular state inhabit imperial ambitions that not only threaten the equality of all states, but also their common welfare, 'since nations ought to promote the common good by their combined powers, and consequently also ought in every legal way to provide for the common security; if any nation should manifestly be considering plans for subjecting other nations to itself and should inflict the slightest wrong on any one of them, other nations have the right…to overthrow the growing power by armed force'.[130] This was indeed a right that belonged to the moral person of humanity should any particular moral person depart from the law of nations by which it was bound:

> The nations as a whole have a right to coerce the individual nations, if they should be unwilling to perform their obligation, or should show themselves negligent in it. For in a state the right belongs to the whole of coercing the individuals to perform their obligation, if they should either be unwilling to perform it or should show themselves negligent in it. Therefore since all nations are understood to have

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[126] Wolff, *Jus Naturae*, VIII, §§1-4. We might note here that Onuf does not wish to translate '*civitas*' into 'state', preferring instead 'republic' or 'commonwealth'. See "Civitas Maxima," 288-92. But Wolff himself, in §4, translated a *civitas* it into '*ein Staat*', presumably to assist his German readers. A '*respublica*' or '*Das gemeine Wesen*', he noted later in the text (§16), referred instead to the form of government (*ordinatio*) capable of procuring for the citizens' welfare, tranquility, and security.

[127] Wolff, *Jus Naturae*, VIII, §14.

[128] Wolff, *Law of Nations*, §9.

[129] Wolff, *Law of Nations*, §8.

[130] Wolff, *Law of Nations*, §651.

combined into a state, of which the individual nations are members, and inasmuch as they are understood to have combined in the supreme state, the individual members of this are understood to have bound themselves to the whole, because they wish to promote the common good, since moreover from the passive obligation of one party the right of the other arises; therefore the right belongs to the nations as a whole in the supreme state also of coercing the individual nations, if they are unwilling to perform their obligation or show themselves negligent in it.[131]

Insofar as this was a responsibility conferred upon the community of states, then, this community needed to act a moral person. Indeed, Wolff himself is adamant that, when they so work in concert, they are one person, for when they do it is 'just as if they were all of one mind and one will'.[132] For the *persona moralis* for Wolff is, as we have seen, any single or compound person capable of bearing rights and responsibilities. As a moral person, then, the *civitas maxima* held a *responsibility* to promote the good of each individual state. And it could in turn, by a corresponding *right*, expect each individual state to contribute to the common good of the whole. In exercising this right, the states as a whole could coerce those individual states that were unwilling to fulfill their obligations to do what they could for the promotion of the common good.[133] This, of course, gave not the states as a whole a *carte blanche* to impose whatever they deemed necessary to the promotion of the common good. The right to coerce was restricted to that which was concerned with upholding the purposes for which the *civitas maxima* had been instituted in the first place.[134] Wolff could thus accordingly and consistently claim that some sovereignty indeed belonged to the whole over the individual states. For just like individuals do not renounce their whole sovereign personality when entering into a civil society, they nevertheless submit some of this to the whole of a state. Thus, the sovereignty that belongs to the states as a whole 'has a certain resemblance to civil sovereignty'.[135]

It would be misleading, therefore, to think of the *civitas maxima* as a 'mere' society of states, at least in the manner in which we have come to think of such a society, consisting of a multitude of moral persons. It is no wonder, for instance, that those who have done the most to summarize early-modern international

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[131] Wolff, *Law of Nations*, §13.

[132] Wolff, *Law of Nations*, §7.

[133] Wolff, *Law of Nations*, §13.

[134] Wolff, *Law of Nations*, §14.

[135] Wolff, *Law of Nations*, §15.

thought's conceptualizations of an international society, did not think of Wolff's *civitas maxima* as belonging to that tradition of thinking. 'The more international society is conceived of as a *civitas maxima*', as Wight would note, 'the more international relations will be conceived as the domestic politics of the universal *civitas*'.[136] But, as I would here like to add, the more international society is conceived of as a *civitas maxima,* the more humanity will be conceived as a moral person in its own right.

Acting as One

Wolff sought to establish humanity as its own independent entity. One which could ground the law of nations. And one which could ground the purpose for which this law was introduced, namely to bind all of humanity to work towards the preservation and perfection of humanity as a whole and to mind the whole of humanity to work towards the preservation and perfection of all of humankind. To this end, he made use of the language of personhood which had, by the middle of the eighteenth-century, been well-established as a language used to designate independent beings, entities, and associations to which rights and responsibilities could be assigned. Humanity, according to Wolff, is therefore not merely composed of persons. It is itself a moral person to whom individual persons and state persons must work to preserve and perfect, as well as being a moral person which, like all persons, must work towards the preservation and perfection of others. Like all moral persons but unlike natural persons, it is a composite entity that consists of multiple natural persons and multiple associations of natural persons. What makes it one person is that it has one will and one intellect. Similarly to what Diderot would later argue, then, Wolff sought to attribute to humanity a will of its own.

Thus far, I have considered how Wolff meticulously assembled this theory of humanity. In this final section, I shall discuss how the language of personhood brings with it certain difficulties in designating an association as large and as diverse as humanity as one which itself can be considered a moral being. Primarily, I shall focus on a problem which Suárez had outlined, which Wolff himself acknowledges, and which causes his successors, even the ones as devoted to his

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[136] Wight, *International Theory*, 41.

general project as Vattel, to reject the idea altogether. This is the problem of stipulating one intellect and one will to the whole of humanity.

For Wolff, as it was for Hobbes, a moral person is a person by fiction. It is fictional because the capacity for rational thought and action rests not in the person to whom it is attributed but rather in another person or persons that think, speak, and act in its name. This representative is, in Hobbes's terms, an 'artificial person' because it bears not its own natural personality, but that of another. The sovereign is therefore the artificial person that bears the personality of the state, and through this act of representation, transforms a multitude into one fictional person. The artificial person—the representative—need not be one person; it can be an assembly of representatives that work together to represent the whole body of the people. But what is required of artificial persons is that they are capable of acting rationally as one.

The problem is therefore twofold. First, the problem that any representative of such a fictional entity faces is to accurately bear the intellect and will of another. If the representative represents a representee that is itself capable of expressing its interests and intentions, then the representee is at least capable also of instructing the representative what he, she, or they should do. If the representee is a fictional person, which by definition is incapable of this and is only a person because it has a representative that can use its own intellect and will to act in the name of another, then the representative needs to make sure that it accurately and rightfully judges what the interests and intentions of the representee should have declared, had it been capable of doing so. Just as a parent need to judge what is in a child's own best interests and then act accordingly, the representative of a fictional group person needs to act in what the representative itself judges to be in the interests of the group as a whole. Second, this problem only doubles when the representative itself consists of many persons. Since such a representative actor need to speak with one voice when representing another, two new persons need to be created in such cases: both the representative and the representee each need to become one person with one intellect and one will.

In an association that is democratic, in which the representee is the same person as the representative, these problems are only exacerbated. The multitude of individual persons become one person when they are by one person represented. But since they have not alienated their sovereignty to one natural person—by instituting a monarchy, that is—they need themselves to become one person with one intellect and one will. Otherwise they would remain a multitude of individual

persons. The solution appealed to in these situations is that the will of the majority should count as the will of the whole. If, as Hobbes argues, 'the Representative consist of many men, the voyce of the greater number, must be considered as the voyce of them all'.[137]

Wolff, as we have seen, remained adamant that it was inconceivable that the multitude of states had instituted one or several states as the representative of them all. As states were to be considered moral persons and thus fundamentally equal to one another, there was no other alternative to conferring the sovereignty upon the whole, and thus adopt a democratic organization of this association. In the *civitas maxima*, therefore, the will of the majority of states needed to be considered the will of the moral person of humanity. Yet, as Wolff recognized, the *civitas maxima* was faced with an inextricable problem of space. While a multitude of a small number of individuals may come together to declare their will and thus to transform their multitude of individual wills into one will, the largest association of them all is not afforded with such a luxury. As Wolff admitted, while 'in a democratic state it is necessary that individuals assemble in a definite place and declare their will as to what ought to be done' the *civitas maxima* will be troubled by the 'self-evident' fact that 'all the nations scattered throughout the whole world cannot assemble together'.[138]

Faced with this problem, it would seem as if Wolff's whole international theory would fall apart. For if his theory of the law of nations is built upon the premise that it is not natural law applied to states, but a positive form of law that necessarily needs to emanate from human will, and since it cannot arbitrarily emanate from the will of all or some nations, but proceed from their unified will, in whom would this law be based? Without an independent will, there would be no moral person of humanity that could promulgate the law of nations. Nor would there be such a moral person that could itself be responsible to enforce this law. What, then, would separate Wolff's theory from that of Suárez and Grotius who had to concede that this law needed to be based upon the custom of nations from which one could tacitly assume their accent to be bound by such a law?

Arguably not a whole lot. Part of Wolff's solution was to appeal, again, to the intellectual basis of the will. Since all the world's states could not come together to declare their will so as to promulgate laws and to act in order to enforce them,

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[137] Hobbes, *Leviathan*, 114. See also discussion in Runciman, *Pluralism and the Personality of the State*, 6-13.

[138] Wolff, *Law of Nations*, §20.

'that must be taken to be the will of all nations which they are bound to agree upon, if following the leadership of nature they use right reason'.[139] But, as he was quick to note, since he believed that not all nations or their rulers could be expected to follow right reason, only the will of those who would be capable of such would count as the will of all. He had, however, refrained from basing this law upon the will and whim of some states. By insisting that only those that followed right reason could bear the person of humanity, he believed he had worked his way out of this problem, for by way of the idea of a *civitas maxima,* it would not be necessary 'to rely blindly on the deeds and customs and decisions of the more civilized nations' from which one could assume 'a certain universal consensus of all, just as Grotius seems to have perceived'.[140] Nonetheless, Wolff would by his own principles be forced to appeal to much of the same base. In concluding the paragraph that discusses '[w]hat must be conceived of in the supreme state as the will of all nations', Wolff conceded that 'it is plain, because it has to be admitted, that what has been approved by the more civilized nations is the law of nations'.[141]

By instituting the 'civilized nations' as representatives of the will of all, Wolff had effectively solved two problems that came with instituting the *civitas maxima* as a corporate whole. First, since all corporations need a representative in order for it to be a corporation, Wolff needed a representative of the *civitas maxima*. This role he assigned to its rector. But since the *civitas maxima* was a democracy, and it was necessary for it to be so, this ruler became the whole body of states acting as one. Second, since this gave rise to a new problem of spatiality, Wolff required the *rector* to be a group of states that could, if they followed 'right reason', represent the will of all. Because this *rector* could not be one state, or a group of particular states, a more encompassing category was needed. The only natural choice for him were the 'civilized nations'.

Unlike Grotius, however, who had also appealed to 'civilized nations', Wolff developed an elaborate explanation for why these were a natural representative of all states and humanity as a whole. Within the *civitas maxima* there are, just as there would be among individuals in the universal society of humankind, some states who have a better capacity to perfect both themselves and others than do other states. A perfect state, Wolff argued, is one who is able to fulfil the purpose

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[139] Wolff, *Law of Nations*, §20.

[140] Wolff, *Law of Nations*, §22.

[141] Wolff, *Law of Nations*, §20, emphasis added.

for which individuals came together to institute it, namely for their protection, security, and perfection. Again, Wolff would use a bodily metaphor to bring home this argument, for the state is, like the body, a sort of 'composite entity', constituted and sustained by one soul and multiple organs. Thus, a 'healthy' or 'perfect' state is one in which the soul of the state—its *rector*—and all its organs—be it associations of farmers or scholars—function harmoniously together to ensure the protection and perfection of all.[142] The *rector*, therefore, acting as a representative of the *civitas* as a whole, is ultimately responsible for its preservation and perfection.[143] Thus, this person ought to have certain capabilities or characteristics that make it likely that this obligation will be fulfilled. For instance, knowledge of the *civitas* as a whole is a necessary requirement, for without this it would be very difficult to know how it could be preserved or perfected.[144] 'Barbarous nations' are unlikely candidates to take on this responsibility, since these are, according to Wolff's definition, states that care 'but little for intellectual virtues' and neglect their cultivation and perfection. For this reason, they do not follow reason in their acts, but rather 'the leadership of their natural inclinations and aversions, and their uncivilized usages depend for the most part on these'.[145] The 'cultured' or 'civilized' states, by contrast, are states that cultivate intellectual virtues and by doing so perfect their intellects. They are, in other words, the barbarous states' direct opposite.[146]

Since he believed civilized states to be best suited to preserve and perfect themselves, which after all is what they are required to do, he sought to make it plain that all states ought to strive to become civilized.[147] They ought, that is, 'to develop the mind by that training which destroys barbarism, and without which civilized customs cannot exist'. By training the intellect, Wolff maintained, a state would contribute to the perfection if its will; indeed 'there is no training at all which

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[142] Wolff, *Law of Nations*, §§31-36. As Vattel would add, a perfect state is one who is able to 'procure for the citizens whatever they stand in need of, for the necessities, the conveniences, the accommodation of life, and, in general, whatever constitutes happiness,—with the peaceful possession of property, a method of obtaining justice with security, and, finally a mutual defence against all external violence'. Vattel, *Law of Nations*, Book I, §15.

[143] Wolff, *Law of Nations*, §§38-39.

[144] Wolff, *Law of Nations*, §§41-42.

[145] Wolff, *Law of Nations*, §52.

[146] Wolff, *Law of Nations*, §53.

[147] Wolff, *Law of Nations*, §54.

cannot contribute something towards correcting the will'.[148] And in perfecting both the intellect and the will of a state, it will be better adept at contributing to the purposes for which the state was instituted in the first place; namely to provide for the common good.[149]

Now, in the *civitas maxima*, as in any other state, both the will and the intellect of the state as a whole reside not in the multiplicity of individuals or states, but in the rector that represents them all. It is vital, therefore, that this moral person perfects its intellect and thus, by extension, its will. As was noted above, many interpreters of Wolff's political thought have noted his partiality towards the Platonic vision of a philosopher king. And, indeed, Wolff put a great deal of emphasis into the ruler's obligation to be wise. But the ruler of the *civitas maxima* was not one natural person, but the whole collectivity of states. For this reason, it would only seem natural for him to assign to those states that had perfected their intelligence and will the role of representatives of all, especially as these were tasked with bearing the will of the entire multiplicity of states in the world. Just like an assembly of elected representatives reflect the will of the people they represent, then, the civilized states would best represent the will of all states in the *civitas maxima*. By making this argument, he did surely not expect that all 'barbarous' states would agree to this governmental arrangement. But they ought to have agreed and would have agreed only if they followed right reason, which he did not believe these to be competent to follow.

One may for this reason better understand how this idea fared when discussed by subsequent thinkers. One may, for instance, better make sense of the belief of nineteenth-century thinkers, like Travers Twiss, who argued that Wolff had constructed the idea of a *civitas maxima* consisting mostly of an 'inner circle' of civilized states, 'regulating their mutual intercourse by rules not applicable to the outer circle of nations in a less cultivated state'.[150] But, as I have sought to make clear in this chapter, this interpretation carries with it some major mischaracterizations of Wolff's whole project. Firstly, by conceiving of the *civitas maxima* as an association that was primarily there to regulate relations between states, Twiss seems to conflate this *civitas* with Wolff's conception of a *societas magna*. Secondly, he also seems to have missed that the rules and the laws of the *civitas*

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[148] Wolff, *Law of Nations*, §55.

[149] Wolff, *Law of Nations*, §§56-57.

[150] Travers Twiss, *Two Introductory Lectures on the Science of International Law* (London: Longman, Brown, Green, and Longmans, 1856), 41.

maxima were in fact applicable to this 'outer circle'; it was just that they were based upon the rules and practices of this 'inner circle' of states, and the latter, as representatives of the *civitas maxima*, could hold any 'barbarous' states negligent in their duties accountable for their actions. This latter point is exceedingly important. Twiss and his generation of international lawyers would come to recognize the personality of only parts of humanity, believing that those in the 'outer circle' were like children who needed to reach adulthood before they could be rightfully considered persons in their own right. Wolff's project, I have argued in this chapter, was by contrast to recognize the personality of humanity as a whole. No part of humanity, however uncivilized Wolff may have perceived them to be, could be found outside the boundaries of the *civitas maxima*. Indeed, the person of humanity may itself be considered to be equal to that of a child. As I argued in the previous chapter, Suárez, although ultimately rejecting the personhood of humanity, nonetheless maintained that there was some sense of potentiality for political authority resting in the multitude of humankind, just as there is some potentiality for full personhood resting in any child. According to Wolff, we have to recognize that this personhood is there, for just as we can presume that a child would consent to the guardianship of its parents or a pupil to that of a tutor because they ought to agree if they were capable of following right reason, 'so in the same way nations which through lack of insight fail to see how great an advantage it is to be a member of that supreme state, are presumed to agree to this association'.[151] It would be contrary to right reason to reject, as we have seen Suárez do, that humanity is a person in its own right.

But we can also now better understand why immediate contemporaries would come to reject the idea of a moral person of humanity. One who did so was Vattel, who otherwise constructed his own international theory in close dialogue with Wolff. Believing too that the law of nations was not merely natural law applied to nations, Vattel would nonetheless come to regard a whole theory of a *civitas maxima* to be unnecessarily complicated to serve as a base for an independent law of nations. 'This idea does not satisfy me', he wrote. Nor did he believe 'the fiction of such a republic either admissible in itself, or capable of affording sufficiently solid grounds on which to build the rules of the universal law of nations which shall necessarily claim the obedient acquiescence of sovereign states'. By seeking to make plain that this law could instead be based upon each state's natural liberty,

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[151] Wolff, *Law of Nations*, §9.

Vattel saw no need for a moral person of humanity. Accordingly, he acknowledged the existence of 'no other natural society between nations than that which nature has established between mankind in general'.[152]

And why would he? Since Wolff had been unable to convincingly demonstrate that a moral person of humanity existed, why not go back to the theory that Suárez had begun to outline, namely that states as moral persons are united within the same natural society as human persons once were, and that the law of this society emanates not from their unified will but rather from their individual wills? Wolff had, after all, been forced to concede much of the same. While Wolff had argued that the moral person not only needs to promulgate laws but also enforce them, he had come up with no other plausible solution to how this 'whole' would come together to work and act as if they were one. If such was actually to occur, it would be more likely that a smaller number of individual states would come together to agree to repress someone that violated the law of nations. And Vattel believed that such a unit had begun to form. He admitted that the states of Europe together formed something more than the mere sum of its parts. Because of their interaction, awareness, and 'perpetual negotiations', they together constituted a 'system', an 'integral body' or 'a kind of republic'.[153] But this was not a universal republic in which the whole human race was united. Nor was the idea of such a republic necessary to make the argument that, sometimes, states need to work together for the common good. '*All* nations' he argued, have 'a right to resort to forcible means for the purpose of repressing any one particular nation who openly violates the law of the society which nature has established between them, or who directly attacks the welfare and safety of that society'.[154] But they need not do that as one moral person.

What Wolff had presented was, in the words of Rousseau, a mere 'collective idea'. While Rousseau's own denouncement of the unity of humankind was with reference to Diderot's attempt to establish humanity as a moral person, his reasons for doing so follow along the same path as Vattel's. For Wolff, like Diderot after him, had failed to sufficiently demonstrate any 'real unity' among humanity as a whole. If such a humanity truly existed 'other than in the systems of Philosophers', it would certainly constitute 'a moral Being with qualities separate and distinct

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[152] Vattel, *Law of Nations*, Preface, 14-16.

[153] Vattel, *Law of Nations*, Book III, §47. On Vattel's idea of a European republic and its relation to Wolff's idea of a *civitas maxima,* see Onuf, "Civitas Maxima."

[154] Vattel, *Law of Nations*, Preliminaries, §22.

from those of the particular Beings constituting it, more or less as chemical compounds have properties have properties which they owe to none of the components that make them up'.[155] Unlike the human body, the human species was not so constituted; far from being like a body, its parts were disconnected and did not constitute an organic whole. Instead, the species, along with any conceived unity that characterizes it, would be little more than a mere figment of the imagination. But it was precisely this idea that would be challenged in the following century. Humanity, it was argued, was or was on the verge of becoming, an organic whole. It is to this argument we must now turn.

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[155] Jean-Jacques Rousseau, *Rousseau's Political Writings*, ed. Alan Ritter and Julia Conaway Bondanella, W. W. Norton & Company, (New York, 1988), 155.

4   A Person by Nature

A person is not necessarily a human being. A personality exists as a part of, but is nonetheless distinct from, that to which it is attached. It is something that describes a particular quality of a being, entity, or association: that it is capable of doing certain things and, by virtue of this capability, worthy of a certain status. But, even if the idea of the person refers to something that is somewhat intangible, so does the idea of the human being. What makes the latter different from other organisms are precisely the same qualities that qualify it as a person. In this way, the person and the human being are two sides of the same coin: by virtue of being human, the latter is a person and by virtue of being a person, the latter is a human. And as long as these qualities are present, any being, entity, and association may qualify as a person and thus as a human being. There are no essential differences between a fictional and a natural person: all persons are persons by fiction, which is the same as saying that no persons are persons by fiction. Instead one might say that all persons are persons by nature: they are natural organisms displaying a certain capacity to do certain things and thus qualify as members of an exclusive association of those to whom a certain status is assigned. The work of the jurist and the biologist is therefore much of the same: to investigate the inner workings of organisms that make them members of a certain species.

This chapter shall be concerned with this idea: that all persons are organisms, whether they are human beings, states, or the human species as a whole. By thinking of persons as organism, thinkers who fronted this idea were puzzled by attempts, such as Wolff's, to reason persons into existence. As all designations of personhood are to a real and concrete being, entity, or association, their existence cannot be conjured but has to reflect reality. And the reality was that no person of humanity existed. Wolff's idea of a *civitas maxima*, whose existence he argued no reasonable person could deny, had faltered when confronted with reality: there was simply no representative that could bear the person of the whole of humanity. While it might, at least for Wolff, be sufficiently reasonable to suppose that 'civilized' states could be such representatives, an equally reasonable retort might be

that when they would claim to act in humanity's name, they really acted for themselves and for their interests only.

Being concerned with what was concrete and real, the 'organicists' of the following century would have to admit that, at present, there was no person of humanity. But this did not entail that they refrained from speaking of such a person. From concrete and real historical events, they could see the signs that a person of humanity was a part of nature's plan for humanity, just as it is nature's plan that a human being develops from infancy, through childhood and adolescence, into an adult. Because their points of departure were different, and because much is made of the organicist critique of the person by fiction, the two projects may seem as if they are fundamentally at odds with one another. As I shall suggest in this chapter, however, their idea of an organic person of humanity should better be seen as an extension of Wolff's project. Indeed, any attempt to personify humanity, whether one conjured this person up by reason or whether its basis was found in organic nature, would, because of the structure of the language of personhood, speak of the same type of being: a being inhabiting a certain set of qualities that make them sufficiently human to qualify as a person. Only a change in this very structure, or a disbandment of the language of personhood altogether, would make for a wholly novel attempt to give humanity as a whole any real significance within international thought.

Thus, even if their attempts significantly diverge from one another, as long as their attempt is to personify humanity, their projects will follow broadly along the same lines. While I shall in this chapter certainly acknowledge their important differences—differences which in many ways bring us closer to the present—the main emphasis will lie on their similarities. Three, in particular, stand out. First, precisely because there was no visible person of humanity like there was a visible person of the state, the former's existence would rely upon the imagination of the observer. Whereas Wolff had sought to demonstrate that a person of humanity already existed, the organicists would postulate that it was reasonable to suppose that such a person would come to exist. Second, while Wolff argued that it was reasonable to suppose that a *civitas maxima* already existed, the organicists maintained that it was in the actual erection of such a world republic that humanity's personality would be realized. Lastly, while Wolff believed that the 'civilized' states of the world already acted as the representative of humanity, the organicists held that it was the responsibility of these states to integrate the whole of humanity into one person.

In so arguing, this chapter shall chart how a particular organicist doctrine entered international thought. That so much of social, political, and international thought has been so connected to what we now call the 'life sciences', is of course not new. The history of international thought, as Walker has argued, 'can be partly written as a review of the way specific images, metaphors, and models from, say, physics or theories of biological evolution have guided analyses of social and political change'.[1] But while it is well-known how organicism came over the course of the nineteenth-century to make way for a particular understanding of the state, this was seemingly the extent to which it influenced international thought.[2] As Morefield argues, no attempt was made until the early years of the twentieth century 'to theorize the perseity of an international society as anything more than the cooperation of individual states working toward internal enlightenment', to emphasize the 'organic workings of world society', or to make the case for an 'international body politic that was more than the sum of its parts'. These were 'heretofore unheard of claims'.[3] In this chapter, I shall hope to show that, by the early twentieth century, a great precedent was set for making precisely such claims.

To this end, I shall in this chapter center upon two thinkers in particular whose ideas will be outlined in four sections. The first is Immanuel Kant. As I would like to argue, while Kant himself never sought to personify humanity, only human beings and states, he nonetheless provided future organicists with the template of how to do so, notably by outlining the method by which one could 'prophesize' about the future of humankind from history. This method will be outlined in the first section of this chapter, along with a brief discussion on how this method was utilized by Kant's contemporary Karl Krause in his attempt to personify

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[1] R. B. J. Walker, "Realism, Change, and International Political Theory," *International Studies Quarterly* 31, no. 1 (1987): 74. See also Duncan Bell, "Beware of False Prophets: Biology, Human Nature and the Future of International Relations Theory," *International Affairs* 82, no. 3 (2006); Neumann, "Beware of organicism: the narrative self of the state."

[2] See, however, Duncan Bell, "Victorian visions of global order: an introduction," in *Victorian Visions of Global Order: Empire and International Relations in the Nineteenth Century Political Thought*, ed. Duncan Bell (New York: Cambridge University Press, 2007); Duncan Bell, *The Idea of Greater Britain: Empire and the Future of World Order, 1860-1900* (Princeton: Princeton University Press, 2007); Duncan Bell and Casper Sylvest, "International Society in Victorian Political Thought: T.H. Green, Herbert Spencer, and Henry Sidgwick," *Modern Intellectual History* 3, no. 2 (2006); Casper Sylvest, *British Liberal Internationalism, 1880-1930: Making Progress?* (Manchester: Manchester University Press, 2010).

[3] Jeanne Morefield, *Covenants without Swords: Idealist Liberalism and the Spirit of Empire* (Princeton: Princeton University Press, 2004), 138; 54-55.

humanity. The rest of the chapter shall be devoted to the second thinker upon which I shall center, namely the Swiss jurist Johann Caspar Bluntschli, who more so than any other sought to integrate his personification of humanity into his organicist social, political, and international thought. In the second section, I shall discuss his use of Kant's method to outline his organic theory of the state person. The third section shall do the same with regards to humanity, arguing that the only way a person of humanity could be realized was through the construction of a state that would encompass the entirety of humankind and how the 'civilized' states of Europe would extend a personality to the rest of humankind. Finally, I shall in the fourth section discuss what conclusions may be drawn from his elaborate plan for the future of humanity.

Humanity as a Whole

Although Kant would succeed Wolff as the major German philosopher of the eighteenth century, the status of former as a key figure within the history of international is substantially greater than the latter. Still, even if Kant would distance himself from the philosophy of Wolff and his immediate followers, the broad contours of their key insights on the condition of the human being, the state, and humanity as a whole are remarkably similar. Both emphasized the inherent distinctiveness in the human person. Both recognized that the state must be seen as a moral person. And both proposed that humanity as a whole must be seen as being united within some sort of state. Even if Kant never explicitly declared humanity to be a person in its own right, just as the human being and the state, he did, by way of his own distinct conception of the nature of the human species and the historical method he devised for writing a 'prophetic' history of its future, make way for another and unique attempt to do so.

One of the greatest contributions Kant made to political and international thought is his conception of the innate dignity of human beings. The character of the human being may, according to Kant, be seen from two perspectives. On the one hand, is the physical character or disposition human beings have as a member of nature. This character, which references a being's physiological and psychological constitution, is particular to every human being and thus varies among all the members of the human species. But human beings have, on the other, a moral character which does not vary much at all: one either has it or one has it not. This

character distinguishes human beings as not merely 'sensible' or 'natural' beings, but also a 'rational being endowed with freedom'.[4] While the former characterizes human beings as members of the animal species, the latter singles out the particularity of the human species itself, namely that it is comprised of *persons*.

As we should by now expect, the combination of rationality with freedom is at the heart of such a conception of the human person. The human being as a natural being may certainly 'be determined by his reason' to carry out a certain action, but this rationality does not mark out the moral character of the human being unless it also has an influence on 'the inner lawgiving will', which would designate the action as free.[5] This marks out the 'moral personality' of the human being, which is different from the psychological personality that merely refers to the 'capacity for being conscious of one's identity in different conditions of one's existence', and is itself 'nothing other than the freedom of a rational being under moral laws'. The human being is therefore a person by virtue of being 'a subject whose actions can be *imputed* to him' by contrast with a 'thing', which lacks freedom and 'to which nothing can be imputed'.[6] It is this conception of the free person which grounds his cosmopolitan argument on 'the innate dignity' of all members of the human species. For it is in the 'inner freedom' of the human person that its inherent dignity rests, a freedom which makes the human being bound to act in accordance with 'the *dignity* of humanity in his person' and not to act towards ends 'depriving himself of the *prerogative* of a moral being', which would only make him 'a plaything of the mere inclinations and hence a thing'.[7]

It is also this that makes every human person bound to respect others and demand respect from others in return. 'Humanity itself is a dignity', he argues, 'for a man cannot be used merely as a means by any man (either by others or even by himself) but must always be used at the same time as an end', since it is 'just in this that his dignity (personality) consists, by which he raises himself above all other beings in the world that are not men and yet can be used, and so over all

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[4] Immanuel Kant, *Anthropology from a Pragmatic Point of View*, ed. and trans. Robert B. Louden (Cambridge: Cambridge University Press, 2006), 213.

[5] Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (Cambridge: Cambridge University Press, 1991), 215, emphasis in original.

[6] Kant, *Metaphysics of Morals*, 50.

[7] Kant, *Metaphysics of Morals*, 216, emphasis in original. See also Oliver Sensen, "Kant's Conception of Human Dignity," *Kant-Studien* 100 (2009).

things'.[8] One may thus distinguish between the mere 'animality' of the human being and the freedom that characterizes its moral character. It might, for instance, be characteristic of humanity to feel sympathy towards others. But there is a difference between the free person who has 'the *capacity* and the *will* to *share in others' feelings*' and the 'unfree' natural being whose feeling of sympathy is located 'in the *susceptibility*, given by nature itself, to feel joy and sadness in common with others'.[9] Only the former can, by way of its moral character, be morally obligated to feel sympathy to others. When this being is considered capable of being placed under moral obligations, it is because of 'his *personality*, that is, as a being endowed with *inner freedom*'.[10]

More so than any thinker discussed thus far, Kant's conception of the person has undoubtedly been the most influential. This idea of the person has not only made its way into contemporary conceptions of human dignity, but also made its mark upon the development of the idea of the rational and autonomous moral agent.[11] But, while the idea that this form of agency can be attributed to other beings, entities, or associations than the human being has not received the same degree of attention as it has in the study of the thinkers that preceded him, this does not mean that it is absent from Kant's international thought. Nor does it entail that this conception of state agency has remained unrecognized.[12] Indeed, as we shall see in the next chapter, the state is in contemporary international thought often regarded as a Kantian moral agent writ large. Here, however, I shall concentrate on its effect upon the interpretation of his proposal for the organization of the human species so as to bring about an eternal peace among states.

Reminiscent of Hobbes, Pufendorf, Wolff, and Vattel, Kant considered the state as a subject of the law of nations. Internally, in the relationship between the state and its citizens, the political authority of the state was distributed among three distinct moral persons: the sovereign authority rested with the person of the

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[8] Kant, *Metaphysics of Morals*, 255.

[9] Kant, *Metaphysics of Morals*, 250.

[10] Kant, *Metaphysics of Morals*, 215, emphasis in original.

[11] See, in particular, Onora O'Neill, *Bounds of Justice* (Cambridge: Cambridge University Press, 200), 29-50.

[12] B. Sharon Byrd, "The State as a 'Moral Person'," *Proceedings of the Eighth International Kant Congress* 1, no. 1 (1995); Katrin Flikschuh, "Kant's Sovereignty Dilemma: A Contemporary Analysis," *The Journal of Political Philosophy* 18, no. 4 (2010); Ben Holland, "The Perpetual Peace Puzzle: Kant on persons and states," *Philosophy and Public Affairs* 43, no. 6 (2017); Vaha, *Moral Standing of the State*.

legislator, the executive authority with the person of the ruler, and the judicial authority with the person of the judge.[13] Together, these three constituted the autonomy of the state 'by which it forms and preserves itself in accordance with laws of freedom'.[14] Thus, externally, in the relationship with other states, 'a state, as a moral person, is considered as living in relation to another state in the condition of natural freedom and therefore in a condition of constant war.'[15]

This conception of the state as a moral person has consequences for the other idea that has cemented Kant's place as a major international thinker, namely his solution to this 'condition of constant war', which takes us from his idea of the human being, through state, to the whole of humanity. In response to what is now considered to be a classical problem of international thought, namely how order is established among sovereign states, Kant's argument in *Zum ewigen Frieden* on the republican propensity for peace has been rehashed to contend that democracies do not go to war against one another.[16] But Kant's argument in favor of a republican peace is not limited to the notion that states organized along republican lines were less likely to go to war; it was part of a broader argument concerning the future organization of the whole of humanity. A stable and peaceful order among sovereign states would simply not emerge when all states adopted a republican constitution; this was only the first out of three 'definitive articles'. Rather, as he quite clearly articulated in *Perpetual Peace*'s second definitive article:

> There is only one rational way in which states coexisting with other states can emerge from the lawless condition of pure warfare. Just like individual men, they must renounce their savage and lawless freedom, adapt themselves to public coercive laws, and thus form an *international state* (*civitas gentium*), which would necessarily continue to grow until it embraced all the peoples of the earth.[17]

Evocative of Wolff's *civitas maxima*, the founding of a *civitas gentium,* or a *Völkerstaat*, as was its German title, was as important as the adoption of republican

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[13] Kant, *Metaphysics of Morals*, 125-27.

[14] Kant, *Metaphysics of Morals*, 129.

[15] Kant, *Metaphysics of Morals*, 150.

[16] For this reading of Kant, see Michael W. Doyle, "Kant, Liberal Legacies, and Foreign Affairs," *Philosophy and Public Affairs* 12, no. 3 (1983). See also Eric S. Easley, *The War over Perpetual Peace: An exploration into the History of a Foundational International Relations Text* (Basingstoke: Palgrave Macmillan, 2004).

[17] Immanuel Kant, "Perpetual Peace: A Philosophical Sketch," in *Kant: Political Writings*, ed. Hans Reiss (Cambridge: Cambridge University Press, 1991), 105.

constitutions as a foundation for an everlasting peace.[18] But while he clearly articulated this as being the only 'rational' way towards this state of peace, what is not equally clear is whether or not Kant advocated for the actual erection of this world republic. Indeed, whether Kant advocated for the establishment of a *civitas gentium* or a mere *foedus pacificum* (pacific federation or a *Völkerbund*) is a question which has stirred up great debates for contemporary interpretations of his political thought, neither of which have obvious faults as the textual evidence for different interpretations are not hard to come by.

On the one hand, we find those who argue, based on the moral personality of states, that the *civitas gentium* must be what Kant regarded as the ultimate perfection of the organization of humankind.[19] Just like individuals need to establish 'a society in which *freedom under external laws* would be combined to the greatest possible extent with irresistible force, in other words of establishing a perfectly *just civil constitution*',[20] states need to abandon their 'lawless state of savagery' and enter a 'federation of peoples in which every state, even the smallest, could expect to derive its security and rights not from its own power or its own legal judgement, but solely from this great federation (*Foedus Amphictyonum*), from a united power and the law-governed decisions of a united will'.[21] Elsewhere, he also contrasted a 'lawful *federation* under a commonly accepted *international right*',[22] with a 'universal federation' (*einem allgemeinen Völkerstaat*) whose 'coercive laws' would be obeyed by all.[23] While the former might for pragmatic reasons be appealing, he

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[18] On the connection between the *civitas maxima* and the *civitas gentium*, see Nicholas Greenwood Onuf, *The Republican Legacy in International Thought* (Cambridge: Cambridge University Press, 1998).

[19] Pauline Kleingeld, "Approaching Perpetual Peace: Kant's Defence of a League of States and his Ideal of a World Federation," *European Journal of Philosophy* 12, no. 3 (2004); B. Sharon Byrd and Joachim Hruschka, "From the State of Nature to the Juridical State of States," *Law and Philosophy* 27, no. 6 (2008); Otfried Höffe, *Kant's Cosmopolitan Theory of Law and Peace* (New York: Cambridge University Press, 2006), 189-203.

[20] Kant, "Idea for a Universal History with a Cosmopolitan Purpose," 45-46.

[21] Kant, "Idea for a Universal History," 47. Although Kant, in this essay, used 'federation' or '*völkerbund*' rather than 'world republic' or '*völkerstaat*,' which he would later analytically separate, his description of its 'united power' and 'united will' clearly resembles his later definition of a *völkerstaat.*

[22] '…*ein rechtlicher Zustand der Föderation nach einem gemeinschaftlich verarbedeten Völkerrecht ist*'. Kant, "On the Common Saying: 'This May Be True in Theory, but It Does Not Apply in Practice'," 90. The original German is taken from Immanuel Kant, "Ueber den gemeinspruch: das mag in der theorie richtig sein taugt aber nicht für die praxis," in *Immanuel Kant's Sämmtliche Werke*, ed. G. Hartenstein (Leipzig: Leopold Voss, 1868).

[23] Kant, "On the Common Saying," 92.

argued, this did not necessarily entail that it should be favored; for, as was the core argument of the essay as a whole, 'whatever reason shows to be valid in theory, is also valid in practice'.[24] Even if there is textual evidence that Kant would come to deny the viability and favorability of such a republic, neither did he ever outrightly rejected it nor did he ever claim that, even when found lacking, humanity should nonetheless maintain it as the ideal towards which it should strive. Any alternative that would appear more appealing to states should therefore not be seen as the end, but rather as a necessary means towards the unification of humankind within a world republic.[25]

On the other hand, there are those who maintain that Kant realized that the idea of such a world republic would contradict his conception of the state as a moral person.[26] Obviously, a universal monarchy established through coercive means would do so. 'Like a tree', Kant argues, the state 'has its own roots, and to graft it on to another state as if it were a shoot is to terminate its existence as a moral personality and make it into a commodity'.[27] But so would arguably also a universal republic. Such an 'international state' would be 'contradictory' according to the 'right of nations' inasmuch as 'they are a group of separate states which are not to be welded together as a unit'.[28] As Flikschuh argues, '[t]o compel states to enter into a coercive federation would amount to a denial of their distinctive moral status as belonging to that type of moral agent whose will is juridically sovereign'.[29] For this reason, a federal league of sovereign states whose aim was not 'to acquire any power like that of a state, but merely to preserve and secure the *freedom* of each state in itself, along with that of the other confederated states' was not only the most viable option, it was the only option.[30] Though this federation

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[24] Kant, "On the Common Saying," 92.

[25] Kleingeld, "Approaching Perpetual Peace," 307.

[26] Rawls, *The Law of Peoples*, 36; Jürgen Habermas, "Kant's idea of perpetual peace, with the benefit of two hundred years' hindsight," in *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, ed. James Bohman and Matthias Lutz-Bachmann (Cambridge, MA: MIT Press, 1997); Jens Bartelson, "The Trial of Judgement: A Note on Kant and the Paradoxes of Internationalism," *International Studies Quarterly* 39, no. 2 (1995): 266; Georg Cavallar, "Kant's Society of Nations: Free Federation or World Republic?," *Journal of the History of Philosophy* 32, no. 3 (1994).

[27] Kant, "Perpetual Peace," 94.

[28] Kant, "Perpetual Peace," 102.

[29] Flikschuh, "Kant's Sovereignty Dilemma," 480. See also Holland, "The Perpetual Peace Puzzle: Kant on persons and states."

[30] Kant, "Perpetual Peace," 105.

would arise for the same reason as the state and 'in accordance with the Idea of an original social contract', it can 'involve no sovereign authority (as in a civil constitution), but only an *association*…that can be renounced at any time and so must be renewed from time to time'.[31]

But, whether or not Kant actually advocated for the establishment of a world republic, or whether he once did but later realized that he had been mistaken, what is nonetheless clear is that both of these proposals to end all wars were parts of a larger argument on the internal purposes of the human species. 'The end of *man* as an entire species', he argued at one point, is 'that of fulfilling his ultimate appointed purpose by freely exercising his own powers', which 'will be brought by providence to a successful issue, even although the ends of *men* as individuals run in a diametrically opposite direction'.[32] Whereas this end could either be a world republic or a federated league of sovereign states, what is particularly significant in this argument is precisely that humanity as a whole was some sort of being with purposes that were different from those of individual human beings.

But this argument is not significant because, in doing so, Kant conceived of the human species in the same way as he did the human being and the state. As we have seen, Kant's international thought is heavily entangled with the language of personhood; it is by use of this language that he is able to single out the human being and the state as beings with a particular dignity. But he never considered the body of humanity as a moral person. Even if he considered the human species to have a moral character as a whole that was distinct from its constituent parts, at no point does he argue that the same dignity that characterizes the parts also defines the whole. As Yovel argued, even if Kant conceived of 'the species as if it were an organic individuum, developing itself and enjoying its own products', there is nonetheless 'no legitimate way for Kant to *personify* the historical human collectivity'.[33] In order to do so, by way of the internal structure of this language, he would have to assign to it the same characteristics as defined the human being and the state. Even if he maintained that '[i]n man (as the only rational creature on earth), those natural capacities which are directed towards the use of his reason are such that they could be fully developed only in the species, but not in the individual', he does not intend to argue that humanity is an organic being with

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[31] Kant, *Metaphysics of Morals*, 151.

[32] Kant, "On the Common Saying," 91.

[33] Yirmiyahu Yovel, *Kant and the Philosophy of History* (Princeton: Princeton University Press, 1980), 145, emphasis in original.

reason.[34] He simply meant that 'as a class of rational beings who are mortal as individuals but immortal as a species, it was…meant to develop its capacities completely'.[35] The significance lies nonetheless in the way in which he would conceive of humankind as a purposive organic whole, even if he never sought to personify it, for it set the precedent for future thinkers on the *method* by which the personality of humanity could be derived: not as a fiction conjured by pure reason, but rather as a gradually evolving organism that would one day come to acquire a personality of its own.

In conceiving of the human species as purposive, Kant was consciously comparing it to that of an organism, which exists by nature with ends of its own. Again, consider the nature of trees. When one tree generates another tree, the first is both the cause and effect of itself *as a species*. All trees, therefore, work towards the same natural end: the production and preservation of itself as a species.[36] The human species is similarly constituted: the human being is driven towards the preservation of the whole species. But this only marks out the human species as a natural species; it merely characterizes humankind as one defined by the mere 'animality' of its constituent parts.[37] The key question for the character of the *human* species was instead to consider its moral character. That is to say, to evaluate the specific moral ends towards which the whole human species was teleologically moving: whether it was regressing, progressing or neither. And because this concerned the moral character of the human species, the purpose implanted into it might be best to conceived of as 'providence'.[38]

In so defining this endeavor, the outline for how such a history needed to be written was established. First, the subject that was to be studied was not 'any *specific* conception of mankind (*singulorum*)' but rather 'the *whole* of humanity (*universorum*), united in earthly society and distributed in national groups'. Second, it would not be a 'natural history of mankind' but rather about its moral history or the '*history of civilization*'. And third, as humanity was teleology developing

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[34] Kant, "Idea for a Universal History," 42.

[35] Kant, "Idea for a Universal History," 44.

[36] Immanuel Kant, *Critique of the Power of Judgment*, trans. Paul Guyer and Eric Matthews, ed. Paul Guyer (Cambridge: Cambridge University Press, 2008), 243.

[37] Kant, *Metaphysics of Morals*, 216.

[38] For the most detailed account of the role of the theological concept of providence in Kant's international thought, see, in particular, Sean Molloy, *Kant's International Relations: The Political Theology of Perpetual Peace* (Ann Arbor: University of Michigan Press, 2017).

towards its own end, it would not be a it would not be a history of the past but of the future. He would, in other words, have to *prophesize* about humanity's future.[39]

The writing of such a 'prophetic' history of the human species posed, however, a number of problems. Since human beings are for Kant not characterized by their 'animality', and whose acts are as such rational and free and not based on mere instinct, it would be impossible to infer from observations of human actions only whether the species as a whole was improving. But nor could such purposes be discovered based on pure reasoning, a method which, as we saw, was characteristic of how Wolff conceived of the unity of humankind. Kant had, of course, devoted many words to tear apart the 'dogmatism' he associated with Wolff's philosophy in particular. The principle on which Wolff built his philosophical systems, the 'principle of sufficient reason', was according to Kant insufficient for the purposes it purportedly serves. For while it might be used to demonstrate the existence of an independent law of nations and that this law emanated from the united will of humanity, it demonstrates only their 'logical possibility' and not their actual existence; only that the concepts of a voluntary law of nations or a *civitas maxima* are not based upon contradictions, not that there are objects that would correspond to these concepts.[40] And since the human species are not yet composed of 'rational cosmopolitans' who collectively and rationally follow an 'integral, prearranged plan', any attempt to deduce from principles of sufficient reason that humankind 'follows any rational *purpose of its own*' in its collective actions', would be futile.[41] For Kant, inferences on humanity and its internal purposes would instead have to proceed, not purely from the *cognition* of concepts, but from the *judgement* of the relationship between concepts and their empirical representation.[42] In setting out to demonstrate these purposes, then, Kant would combine inferences from both history and philosophy, what he himself called a 'philosophical history'.[43]

Based on pure reasoning, Kant could demonstrate that '[t]he history of the human race as a whole can be regarded as the realisation of a hidden plan of nature

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[39] Kant, "The Contest of Faculties," 177.

[40] Immanuel Kant, *Critique of Pure Reason*, ed. and trans. Paul Guyer and Allen W. Wood (Cambridge: Cambridge University Press, 1998), 344.

[41] Kant, "Idea for a Universal History," 42.

[42] Kant, *Critique of Pure Reason*, 665-66.

[43] Kant, "Idea for a Universal History," 53.

to bring about an internally—and for this purpose also externally—perfect political constitution as the only possible state within which all natural capacities of mankind can be developed completely'.[44] Since humanity was considered to be a form of natural being, and since nature directs all natural beings to develop their natural capacities according to their purpose, it follows that nature has instilled in humanity a purpose to develop its natural capacities according to their end. But he considered the 'real test' to be 'whether experience can discover anything to indicate a purposeful natural process of this kind'.[45] The philosopher-historian must, in other words, look for embryonic signs from which one may derive its progress into the unity of humankind, like one can derive from nascent signs in the soil that a fully-grown tree will one day exist even if this tree cannot be directly experienced. These signs could be found in certain historical events. Such a 'cause', he argued, 'would have to be a cause which allowed us to conclude, as an inevitable consequence of its operation, that mankind is improving'. The key for Kant was that, from these events, one might derive their causes, and that, subsequently, one hopefully finds that human beings were the 'cause' and thus the 'author' of its species' own progress. And upon finding such events from which one derive its causes, one may be able to 'prove the existence of a *tendency* within the human race as a *whole*, considered not as a series of individuals… but as a body distributed over the earth in states and national groups'.[46] And this he would find in revolutions and wars, both of which proved the tendency that humanity would not merely remain a body but eventually become a moral or political body.

Kant, therefore, outlined a method by which humanity could be studied teleologically: how one could study its continuing improvement, progress, and perfection, and how one could infer from small and seemingly insignificant events (at least from the perspective of the whole of human history) how human beings 'indirectly prepare the way for a great political body of the future, without precedent in the past'. This method was of great importance to future international thinkers, who would agree with Kant that, even if such a political body only existed 'in the roughest of outlines', its mere existence proved that 'the highest purpose of nature, a universal *cosmopolitan existence*, will at last be realized as the matrix within which all the original capacities of the human race may develop'.[47] They differed,

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[44] Kant, "Idea for a Universal History," 50.

[45] Kant, "Idea for a Universal History," 50.

[46] Kant, "The Contest of Faculties," 181, emphasis in original.

[47] Kant, "Idea for a Universal History," 51.

however, in the way in which this method would be put to use. For whereas Kant refrained from going all the way to recognizing that this body might also acquire a personality of its own, thinkers of the nineteenth century made an attempt to make precisely this argument: that, even if only the bare existence of a unified whole was visible, this was enough to prophesize on the eventual unification of the whole of humankind as one person.

One such thinker was Karl Krause, himself a student of Kant's immediate contemporaries, Fichte and Schelling. Even if he is now a largely forgotten figure in the history of political and international thought, he had a great influence upon his contemporaries. As Sonenscher puts it, '[b]efore Marxism, there was Krausism'.[48] And, while there are many important differences between Kant's project and Krause's, the latter's political and international thought must nonetheless be seen as the 'amplification of Kant's', drawing upon his philosophy to come to the conclusions Kant himself had been reluctant to make.[49]

Krause, like Kant, sought to prophesize on the moral progress of humanity. Such, he argued, is the task of a philosophical history of humanity which, combined with 'the Ideal of human life', would make it possible to 'discern the future generally, and help us to define the plan of our whole practical activity in regard to all that is human'.[50] History proves that humanity, from the first pair of human beings, have spread across the entire world. There they formed associations with other human beings, associations which have gradually developed to become independent wholes. 'The life of humanity', he argued, was 'divided into its individual personalities'. Just as women had, through striving for their own independence, become persons, so would associations come to have an independent life of their own; as would every part of humanity when they had become 'mature enough' for such a state of independence.[51] On this historical basis, along with the natural fact that the earth is an enclosed space and the anthropological fact that the 'human element' is the same in all human beings, 'the hope is well grounded that advancing under the same law, all the peoples of the earth will yet

[48] Robert Flint, *The Philosophy of History in France and Germany*, vol. I (Edinburgh: William Blackwood and Sons, 1874), 472; 75.

[49] Michael Sonenscher, "Krausism and its legacy," *Global Intellectual History* 5, no. 1 (2020): 25.

[50] Karl Christian Frederick Krause, *The Ideal of Humanity and Universal Federation*, ed. and trans. W. Hastie (Edinburgh: T. & T. Clark, 1900), 175.

[51] Krause, *Ideal of Humanity*, 180-81.

constitute one associated life and form one organic Humanity'.[52] In such a state of independence, humanity would constitute an organic whole which would be both 'superior and anterior to the individual man'.[53] Individuals would then have to be regarded as parts of the whole of humanity, 'as organic parts to their organic whole, or as the limbs to the body', and remain therefore responsible to the whole of humankind.[54]

But humanity was not yet so constituted, which was the whole reason for prophesizing about its future moral progress. The progress would have to begin in the parts, for it is not until human beings have themselves become fully 'matured' that the self-consciousness of the entire human species would arise. Even if the 'primordial, essential, and eternal unity of all men continues to exist in all times', the 'social union of all individuals into a totality of life only takes form according to the law of development in time'.[55] Once the entire human species consists of persons, once it consists of beings whose freedom and independence have been fully unfolded, would they all strive for a higher unity, become conscious of themselves as members of a greater whole, and learn to work as a whole to govern all that is individual:

> When humanity has attained this consciousness in the individual man, in families, in friends, in races, and peoples, it then comes to know and for the first time animate all that is individual in the whole; and thenceforward progress in all parts of human destination will be more harmonious, more uniform, more constant, and more rapid. And now at last the time has come when this high consciousness is kindling among men, and when a free sociality is about to be founded, whose members will live in this universal harmonious spirit of the whole of humanity, and will give form to everything human as one organism.[56]

Only then, as the whole of humankind would be 'united, as it were, into one man', could one speak of it as 'one Humanity'.[57] Only then, after families had turned into tribes, tribes into peoples, and peoples had everywhere turned into nations, will the all nations be 'united into humanity as the highest person on

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[52] Krause, *Ideal of Humanity*, 176.

[53] Krause, *Ideal of Humanity*, 30.

[54] Krause, *Ideal of Humanity*, 103.

[55] Krause, *Ideal of Humanity*, 146.

[56] Krause, *Ideal of Humanity*, 183.

[57] Krause, *Ideal of Humanity*, 184.

earth'.[58] But such a higher form of unity would not be realized until humanity had formed one universal state. Individuals may perfect themselves and reach a higher level of self-consciousness, but also they will find it necessary to unite with others to reach the highest level of perfection. But this becomes even more prescient when the whole of humanity is considered, for while it is 'evident that the several elements of man's destination can only succeed in realising their end in society…so much the more essential is it for all the men of any particular world to consecrate their social zeal to the harmonious perfection of humanity as a whole, as well as to that of all its subordinate social unions and of every individual man embraced in the whole'. Such a state is thus necessary to realize humanity's personality, for it is this state that will 'combine all men wholly and purely as men in one higher man' and make them exist as 'one whole, complete, organic being, equable and harmonious in all its parts'. Only then will humanity exist 'as one person' which would be 'prior and superior to the inner organic division into individual persons, members, and powers'.[59] In what follows, I shall consider this idea of a not-yet developed person of humanity as it was formulated by Johann Caspar Bluntschli, a person whose stature is arguably greater than that of Krause, and one who integrated this argument into a larger theoretical argument on the organic constitution of politics.

A Real Personality

The Swiss-born Bluntschli became a towering figure within German legal and political circles over the course of his career. He was a devout organicist, admired by those, like Otto Gierke, whose names we now traditionally associate with the organic theory of the group.[60] But Bluntschli's influence did not end at the borders of Germany. For students of political science and political economy at Oxford at the dawn of the nineteenth century, five books were assigned, among them Aristotle's *Politics*, Hobbes's *Leviathan,* and Bluntschli's *Theory of the State*.[61] He

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[58] Krause, *Ideal of Humanity*, 180.

[59] Krause, *Ideal of Humanity*, 139-40.

[60] In fact, one of Gierke's key texts, his biography and analysis of the German seventeenth-century philosopher Althusius, was dedicated to none other than Bluntschli himself.

[61] *The Student's Handbook to the University and Colleges of Oxford*, (Oxford: Clarendon Press, 1890), 178.

also became an important figure in the development of the study of political science across the Atlantic through his supervisee, Henry B. Adams, who, in turn, would go onto supervising the future American president, Woodrow Wilson.[62] And Bluntschli would also leave his mark on the study of international law by becoming a founding member of the *Institut de droit international* and formulating the language of the institute's *raison d'être*, namely to be the 'legal conscience of the civilized world'.[63]

But I shall here center upon the thought of Bluntschli mainly because of his theory of the organic personality of humanity as a whole. As we shall see, Bluntschli's ideas were closely aligned with nineteenth-century legal thinkers such as Gierke who sought to displace the dominance of the fictional theory of personality with his own, Hegelian-inspired theory of the *Gesammtperson*. This person, as Maitland would aptly summarize it, was certainly far from a fiction and rater 'a living organism and a real person, with body and members and a will of its own'. Through its members, who act as its organs, the fellowship can itself act and will, just as the organs of human beings are necessary for its own acting and willing. 'It is not a fictitious person; it is a *Gesammtperson,* and its will is a *Gesammtwille*'.[64]

In order to understand how Bluntschli arrived at the idea of an organic person of humanity as a whole, however, we must start not with humanity itself but, perhaps strangely, with how humanity is integrated into the idea of the state and the nation. This is indeed an unusual point of departure, especially as any conception of the unity of humankind seems to be negated by the very idea of the nation. A strong sense of nationhood, that is, always seems to parasitically eat its way into the whole, dismantling its inner unity, and break it into smaller units. This, to be sure, is what nationalism does: any universal conception of humankind could be discarded based on the particularity of all the world's nations. Although human beings might share a common biological essence in being members of the same species, they are also members of different communities with their own cultures, tastes, and languages. And these national characteristics may even be more accentuated if the nation is regarded not as a product of human artifice—a

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[62] Robert Adcock, *Liberalism and the Emergence of American Political Science: a Transatlantic Tale* (New York: Oxford University Press, 2014), 135-69; 215.

[63] Martti Koskenniemi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960* (Cambridge: Cambridge University Press, 2001), 40-47.

[64] Frederic William Maitland, "Introduction," in *Political Theories of the Middle Age* (Boston: Beacon Press, 1959), xxvi.

fiction—but rather as an essential part of nature; that the nation itself may be an organic whole distinct from its constituent parts, but it is not itself a part of anything above it.

Yet, however outlandish such a point of departure may seem, it was nevertheless so that any organicist speculating on the organic unity and personality of humankind *had* to begin here. A cornerstone of the organicist program was after all to unify what *ought to be* with what *was* and what *will be*. And for all the prophesies of humanity's eventual organic unification and personification, most organicists were very clear that humanity was not yet at this stage of history. What *did* exist were the nation and the state and their unification into a coherent whole; only the nation-state had progressed to such an extent to have developed its own personality. Thus, the personality of the nation-state needed to be any organicist's starting point. The ensuing problem with which the organicist needed to grapple was therefore to show that, contained deep within the very core of the political structures of their contemporaneity, was the seed that would eventually blossom into nothing less than the person of humanity. What they sought to do, in other words, was to prove that the history of humankind contained within itself a *telos*. We must therefore regard Bluntschli's organic person of humanity as following directly from his historical-philosophical approach to politics, which first requires a discussion of his *historical conception* of the state, before we can move onto a *philosophical idea* of the state which would show us the necessary steps from the state to humanity. It is in this idea of the state, accessible through a historical-philosophical method, that the proper end of humanity will be revealed.

A proper *scientific* way of approaching political phenomena, which should be the method employed by all scholars within political science (*Statswissenschaft*), must, according to Bluntschli, to carefully attend to the two branches of knowledge necessary for the study of politics: philosophy and history. As all law and all politics rest upon an 'ideal' and a 'real' or 'actual' foundation, the methods employed by both the philosopher and the historian are indispensable to the political scientist: whereas history is imperative so as to make sense of the state in its actuality, philosophy is needed in order to grasp its moral and spiritual basis.

Although necessary, both history and philosophy are by themselves equally prone to pervert ideas and twist reality to such an extent that their conclusions rest more upon a chimera than anything like a proper scientific basis. On the one hand, while any political or legal phenomena could not be properly understood without taking into consideration their history, a historical study of, say, the state

may be perverted to such an extent that what is left is the mere record of the state—its laws, its bureaucratic documents, reports of its deeds—throughout history. Such a perverted glorification of 'mere empiricism' would, to be sure, reach somewhat close to the state in its actuality; the state in its 'outward form'. But, for Bluntschli, it could never arrive at what was *truly* real or actual about the state. Rather, it would 'thoughtlessly and servilely honour actual institutions and actual facts'.[65]

The philosophical method, on the other hand, can also be caricatured and perverted into oblivion. The philosopher, unlike the historian, would stereotypically be prone to study the ideal as opposed to the real; the focus would be on the moral and spiritual elements of legal and political phenomena as opposed to their outward and actual form. But an extreme focus on the ideal as opposed to the real could easily turn into what Bluntschli called 'abstract ideology', in which the real or actual foundations of politics would be completely disregarded so that any conclusions on the real or actual world would be drawn purely based on abstract ideals. A case in point for such 'abstract ideology' of what ought to be was, according to Bluntschli, Plato's republic, even though, as he conceded, Plato's general 'spirit' and 'feeling for beauty' made him prone to avoid the 'miserably arid formulas which we find so often in the political philosophy of modern writers'. He might as well have used Wolff and his idea of a *civitas maxima* as a fitting example of one such modern writer whose idea of political form was based purely on abstract ideals. Abstract ideology, he believed, was dangerous when put into practice. Even the 'truest and most fruitful ideas' can threaten a stable and peaceful order 'if they are taken up by ideologists and then transferred to practice by narrow fanatics'.[66]

Instead of being employed in isolation, the two approaches would rather complement one another. The historian would obviously still be concerned with actual phenomena and their outward form. But the historian informed by philosophy would not merely acknowledge their existence, but regard such phenomena 'as living, not as dead'. The responsibility of the historian was, as such, to recognize, explain, and interpret 'the inner connection between Past and Present, the organic development of national life and the *moral idea* as revealed in history', rather than celebrating historical facts and institutions.[67] Similarly, the learned philosopher would still start 'from the knowledge of the human mind'. But the

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[65] Johan Kaspar Bluntschli, *The Theory of the State*, 3rd ed. (Oxford: Clarendon Press, 1895), 6-7.

[66] Bluntschli, *The Theory of the State*, 6.

[67] Bluntschli, *The Theory of the State*, 7, emphasis in original.

knowledge that would proceed from this could not merely be 'abstract speculation', but rather 'the revelation of the spirit of man in history'.[68] As such, the philosopher needed to heed Hegel's call to refrain from mere abstract speculation and instead embrace a 'concrete' mode of thinking which recognized all ideas as integrated into an organic and living universe.[69] What is needed, in other words, is a comprehensive study of politics which systematically allows for the integration of both ideas and facts (*Idee und Realität*).[70]

Based on the true forms of these two methods, the political scientist would be capable of grasping both the conception (*Begriff*) and the idea or ideal (*Idee*) of the state.[71] Whereas the latter would take us all the way to the organic person of humankind, such an idea needed to be based upon concrete thinking and thus the reality of the state. As such, before one can prophesize about how humanity is both contained within the state and will eventually transcend it, a firm grasp over the nature and conception of the state is necessary. The state, for Bluntschli, is 'a living and therefore organized being', being more analogous to a living organism, such as the human body, than to a machine.[72] In so arguing, Bluntschli was part of the great change of the nineteenth century, which denounced the contractualist and mechanical state. Kant had set the precedent, even though neither he could totally escape the supremacy of individual rights and the corresponding contract-theoretical basis for the *Rechtstaat*. Nor could Fichte, for whom the states were certainly an organic whole that was real as opposed to merely imagined, but whose being was nevertheless was based upon the fiction of a series of contracts between individuals.[73] Hegel was another who came close to completing a theory of the organic state. In his *Rechtsphilosophie* the state was considered to be 'the actuality of the ethical Idea'; the objectification of spirit which takes form as an '*organic* totality in '*laws* and *institutions*'.[74] The state was as such itself an organism

[68] Bluntschli, *The Theory of the State*, 7.

[69] See Georg W. F. Hegel, "Who Thinks Abstractly?," in *Hegel: Texts and Commentary*, ed. Walter Kaufmann (Garden City: Anchor Books, 1966); J. Glenn Gray, "Hegel's Logic: The Philosophy of the Concrete," *The Virginia Quarterly Review* 47, no. 2 (1971).

[70] Bluntschli, *The Theory of the State*, 7.

[71] Bluntschli, *The Theory of the State*, 15.

[72] Bluntschli, *The Theory of the State*, 18.

[73] F. W. Coker, *Organismic Theories of the State* (New York: Longmans, Green & Co. , 1910), 20-23.

[74] Georg W. F. Hegel, *Elements of the Philosophy of Right* (Cambridge: Cambridge University Press, 1991), §§256-57, emphasis orginal.

composed of organs, such as the constitution, which 'proceeds perpetually from the state' but is also 'the means by which the state preserves itself'.[75] Yet, even as this was a major advance on previous theories on the state, Bluntschli nonetheless felt that Hegel only reduced the state to the 'collective human will operative' and disregarded 'all the powers of human spirit and feeling together'. It made the state, not a living organism, but rather a 'logical abstraction'; not a person, but a 'logical notion'.[76] But they all served as the foundation for what would become an organic theory of the state and its personality. In Britain, this theory was developed by idealist thinkers such as Green and Bosanquet and pluralist thinkers such as Maitland, Figgis, Barker, Cole, and Laski.[77] In Germany, it became fully developed by thinkers of the 'historical school' of law, of which Savigny had been the founding member.[78] Among the members of this school, however, Bluntschli and his contemporary Gierke was undoubtedly the most influential.

The organic nature of the state was for Bluntschli based on three characteristics. First, just like any other organism, the state is constituted by the union of soul and body, or between 'vital forces' and 'material elements'. In the state, spirit and body, including its will and active organs, are 'bound together in one life', making the national spirit the spirit of the state and the national will the will of the state. Second, any holistic organism consists of organs, and the state is no different: it is made up of individual members that, through their own individual wills, and capacities to actualize their wills, contribute in various ways to the 'spiritual character' of the whole. Third, just like a human being goes through infancy, adolescence, and adulthood, the state naturally grows and develops through various stages, though much more irregularly than natural organism.[79]

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[75] Hegel, *Philosophy of Right*, §269. For a more thorough engagement with Hegel's organic conception of the state, see Michael Wolff, "Hegel's Organicist Theory of the State: On the Concept and Method of Hegel's 'Science of the State'," in *Hegel on Ethics and Politics*, ed. Robert B. Pippin and Otfried Höffe (Cambridge: Cambridge University Press, 2004); Joshua Lambier, "The organismic state against itself: Schelling, Hegel and the life of right," *European Romantic Review* 19, no. 2 (2008).

[76] Bluntschli, *The Theory of the State*, 73.

[77] For the former, see Jeanne Morefield, "Hegelian Organicism, British New Liberalism and the Return of the Family State," *History of Political Thought* 23, no. 1 (2002). For the latter, see Runciman, *Pluralism and the Personality of the State*; Victor M. Muniz-Fraticelli, *The Structure of Pluralism: On the Authority of Associations* (Oxford: Oxford University Press, 2014).

[78] See Frederick C. Beiser, *The German Historicist Tradition* (Oxford: Oxford University Press, 2011), 214-52.

[79] Bluntschli, *The Theory of the State*, 20-22.

But unlike lower-level natural organisms, such as plants and animals, states have a moral and spiritual character, making its organic character more equal to a human being. And it is through this spirit that the 'great body' is able to express the will of the nation, to make them into laws, and realizing them in acts. The state, as it has developed historically has therefore its own independent personality: it has a spirit, a body, and a will of its own. The pre-modern state, by contrast, had no such personality; nor, as we shall see, did 'uncivilized states'. For them, the whole personality was wedded in one natural person. In the modern state, the state itself *was* the person. Indeed, this is why a state has a constitution: so that the 'person of the State' shall be able to 'express and realise its will (*Statswille*), which is different from the individual wills of all individuals, and different from the sum of them'.[80] Only a state consisting of a *free* people can acquire such a true personality.

This was Bluntschli's organic conception (*Begriff*) of the state; a conception which would have to be taken into account when developing a philosophical idea (*Idee*) of the state and its personality. This is what earlier political theorists had missed when developing the ideal of what the state ought to be, turning political theory into abstract ideology. Such was particularly evident in those theorists of the state who, based on their belief in the promise of natural law of each individual's individuality, had given the state's personality a contractual basis. The state, as such, become nothing more than an 'association of individuals' constructed on the basis of the 'arbitrary work of individual freedom.'[81] When built upon such a conception of the state, the 'whole' is forgotten in the 'individuals. And, as Gierke would add, so would the whole for which the states are individuals also be forgotten:

> The State was no longer derived from the divinely ordained harmony of the universal whole; it was no longer explained as a partial whole which was derived from, and preserved by, the existence of the greater: it was simply explained by itself. The starting-point of speculation ceased to be general humanity: it became the individual and self-sufficing sovereign State; and this individual State was regarded as based on a union of individuals, in obedience to the dictates of Natural Law, to form a society armed with supreme power.[82]

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[80] Bluntschli, *The Theory of the State*, 22.

[81] Bluntschli, *The Theory of the State*, 66.

[82] Gierke, *Natural Law*, 40.

Hobbes and Rousseau were obvious culprits, even as they were on opposite sides on the question of in whose hands the sovereignty of the state would lay. Even Pufendorf who, as we have seen, came close to presenting the idea of the state as an organism on par with the human being, did not escape criticism. Although Bluntschli conceded that he had regarded the state as a moral person, he nevertheless thought that Pufendorf had reduced the will of this moral person to the sum total of individual wills. Gierke, although agreeing with Bluntschli's conclusions on Pufendorf, provided a somewhat more charitable reading. Pufendorf, he conceded, *did* think of the 'Group-person' as similar to natural persons, and that neither personhood could be reduced to being considered a *persona ficta*. Yet, the 'individualistic basis' of his thinking could only take him so far; the only way a group acquires real personality is through a representative to act in its name.[83] The group would as such have a somewhat organic basis, yet the will of the group would not emanate from the group itself but in its representative. Thus, whereas previous eras had failed in their insufficient regard for individual rights, the modern idea of the state had 'committed the opposite error of regarding the individual so much as to ignore the significance of the State as a whole'.[84] For all their concern for the individual's inalienable rights, by duly disregarding this whole, the contractual theorists would essentially justify the destruction of the individual. 'People', Bluntschli contended, 'adopted a *fiction* of contract, and deceived themselves and others by speaking of the consent of individuals, where the majority, as organ of the whole, was exercising an authority which was often an intolerable tyranny'.[85] The people, at the moment of birth of the state, were declared to be 'free and equal citizens', yet they were not privy to the contractual settlement that determined their future; other would carry out their wills as if they truly could represent them and speak in their name, even as they had never been authorized to do so.

The problem, in other words, was not only contractual theories of the state, but also the contractual theory of the state's *personality*, namely the model of the *persona ficta*, which had dominated legal and political thought since the Middle Ages. By giving the state a fictional personality, all the life and spirit that the once contained had been sucked out. By conceiving of the personality of the state as a fiction, Gierke argued, they had left the state as little more than a 'bloodless

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[83] Gierke, *Natural Law*, 118-21. Cf. Holland, *Moral Person of the State*, 182-207.

[84] Bluntschli, *The Theory of the State*, 66-67.

[85] Bluntschli, *The Theory of the State*, 296.

apparition' or a 'scarecrow dressed like a man'.[86] Because of its lack of a self (its own 'Ego'), it could only be a 'simulacrum of a living being'. However much one might use organic metaphors to describe this person, it would be no more organic than a 'work of art, counterfeited to look like a natural body; a machine, invented and controlled by individuals'.[87] Bluntschli painted almost the same picture: when the community was merely considered to be a fictional corporate whole, it would merely be a 'lifeless instrument' or a 'dead machine'.[88] To be sure, proponents of the fictional theory maintained that the communities consist of life, but only the lives of each and every individual; it is through their individual veins that the blood of a community runs, not through the body of the community itself. The community, as such, becomes nothing short of a dispersed collection of individuals who, together, have united under a shadowy person to give it artificial life.

By giving human associations artificial life, one would essentially only create a shadow of a personality. To be sure, the fictional person would be a being more 'real' than a figment of the human imagination. Like a natural person, for instance, the fictional person would be capable of holding property. But unlike the natural person, it would be incapable of knowing, intending, willing, or acting without the assistance of others. As Maitland made clear, the relationship between the corporation and the natural persons who represent would be analogous to the relationship between a *pupillus* and *tutor*, that is, between a legal guardian and its pupil.[89] Inanimate objects, we saw Hobbes argue in the previous chapter, would be legally identical to 'Children, Fooles, and Mad-men' who cannot themselves be 'authors' of their own actions, but may nevertheless act through a legal guardian. We saw even than Wolff compared the fictional contract that bound states to the *civitas maxima* as being analogous to that fictional contract that exist between a parent and a child. A united people, or, in the case of Wolff, a unity of all the world's states, could as such only have the same legal status as a child or a mentally incapacitated person: it could only will and transform its will into action by way of a natural person who would act as its legal representative. The community itself could not act, nor could the people of which it was composed; only the natural person—the representative—

[86] Otto Gierke, "The Nature of Human Associations," in *The Genossenschaft Theory of Otto von Gierke*, ed. and trans. John D. Lewis (Madison: University of Wisconsin Press, 1935), 141.

[87] Gierke, *Natural Law*, 52.

[88] Bluntschli, *The Theory of the State*, 18.

[89] Maitland, "Introduction," xx.

was capable of acting, and when he would act, he would act in the name of the community as if it was the community itself that acted.

How much life would there really be left in such a community? The only effect of a *persona ficta* would be to make something that is impersonal a person; to make a multitude a unity. But it would do so only in the name of the law. For the community would not recognized to be a person, and would not be recognized to be a unity. The law does not *recognize* the community's organic existence; it *creates* it and gives it artificial life. The only *real* being with a *real* personality is the natural person. And it is a rather short step from this argument to the disposal of the personality of the group altogether; that only real, material beings can acquire the personality necessary to be considered a willing, acting, and responsible being. To say that the state or humanity as a whole is a person by fiction is therefore to deprive it of its life, blood, and spirit, and give it to one or several natural persons.

Still yet, the act of again breathing life into the state may easily seem as a move to encroach individual rights in favor of the state. Nothing, however, could be farther from the intentions of those who sought to establish the real personality of the state. On the contrary, it was the theory of the *persona ficta*, they would claim, that often led political thought onto the road towards absolutism and the authoritarian state. The very distinction between the state and the individual— between the whole and its parts—which had been the part and parcel of natural-law theories of the state, would separate out different categories of peoples who would be hierarchically ordered. The personality of the association, because it was deemed not an organic but a juristic process, needed according to this theory to emanate from either private wills or the state itself. Gierke himself was very much concerned with pinpointing the faults of the latter view. If the personality of the group was acquired purely as a *concession* from the state, then it encroaches on the individual right to associate freely inside the state. The legal rights of the group will be solely based on the arbitrary will of a sovereign.[90] Because the fictional person, by virtue of being an artificial construction, cannot act or will on its own, someone both *above* and *outside* the group itself needs to do it for the group as a whole. Such ought to have no place in an organic understanding of the group. The group, although a separate entity from the members of which it was composed, would, by acquiring the same legal personhood as a natural person, hold onto the exact same rights and responsibilities as its members. The whole would

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[90] See George Heiman, "Introduction," in *Associations and Law: The Classical and Early Christian Stages*, ed. George Heiman (Toronto: University of Toronto Press, 1977), 30-31.

thus be legally equal to its parts. This was an important point to make insofar as the group was clearly not identical to its members. The group as a legal person was, unlike the natural person, made up of other legal persons. But treated as if it was an organism, whereby the state as a whole could not be distinguished from its parts, the state would acquire the essential feature that made it impossible to prioritize any single member of the state: the whole always needed to reflect its parts, just as the parts needed to reflect the whole.

The group was as such a unity consisting of a plurality of members. According to the organic conception of the group, in turn, unity and plurality could not be considered as opposites, but rather intrinsically linked. Unlike in the theory of the *persona ficta*, according to which the will of the group is the will of its representative, the group according to organic theory was constituted by the plurality of wills of which it was composed. Because of the 'moral' link between individual wills, Gierke argued, the organic conception of the group 'encourages the determination of the collective personality by the collectivity of persons linked within it'. The whole is, as such, both distinct from and organically linked to its parts. In this way, the group's personality emanates from within the group itself. 'The personality of the fellowship' is as such 'placed above but not outside the collectivity of persons which currently forms its body; it is a unity immanent within the body, and would evaporate into thin air as an insubstantial abstraction as soon as one was prepared to forget its relationship to a plurality of independent persons'.[91] There would as such be no one *representing* the state, for no part could distinguish itself from the whole. The whole, as Runciman notes, was as such 'bound up with each of its parts, individual and associated, because every part was an aspect of the whole'.[92] That this body was in some sense perceived to be organic was thus considered more than a metaphor or a heuristic analogy; it was a call to arms for those who again want to give communities the power it deserved. It is in light of this we must view the many attempts, Bluntschli's included, to personify the whole of humankind.

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[91] Otto Gierke, *Community in Historical Perspective*, trans. Mary Fisher, ed. Antony Black (Cambridge: Cambridge Unviersity Press, 1990), 243.

[92] Runciman, *Pluralism and the Personality of the State*, 53.

Realizing Humanity

Although nationalist ideas were certainly flourishing over the course of the nineteenth century, there was no shortage of ambitious thinkers seeking to end constant warfare by proposing reformist or revolutionary changes to the international sphere in order to make it look more like a state and to replicate the latter's domestic harmony.[93] Intellectually, we may hold Kant and his idea of a *Völkerstaat* (*civitas* gentium) or a *Völkerbund* responsible for this development. Practically, we may point to the assembling of European states following the Napoleonic wars as being the catalyst for inciting the idea that states can meet in congress and concertedly regulate and make decisions on international affairs. While the former provided a clear template for how humankind can unite in a world state or world federation to end perpetual warfare among states, the latter proved that, although such a Kantian template was far from being realized, neither was it too unattainable to be deemed a utopia.

In this section, I shall consider the international thought of Bluntschli. And there are indeed many aspects of Bluntschli's international thought that would lead us to the interpretation that he was such an 'internationalist'. He is still best remembered for his critique of the plan made by the Scottish jurist James Lorimer for an international government of Europe, and his own advocacy for a more loosely tied confederacy of European states. Bluntschli, Hinsley argues, was deeply concerned with preserving the independence and freedom of sovereign states, and for this reason proposed a limited 'international legislature' consisting of a number of great powers whose decisions would be reached by majority vote, and whose execution would be conducted by the great powers 'acting as a college of the legislature', preempting the structure of the League of Nations or the United Nations.[94] Suganami, similarly, contends that both Bluntschli and Lorimer sought to 'transpose certain basic constitutional principles of their respective countries to the international sphere', but that Bluntschli was more reluctant to establish a centralized government over Europe than was Lorimer.[95]

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[93] Suganami, *Domestic Analogy*.

[94] F.H. Hinsley, *Power and the Pursuit of Peace: Theory and Practice in the History of Relations Between States* (Cambridge: Cambridge University Press, 1963), 135.

[95] Suganami, *Domestic Analogy*, 59.

But, as I shall venture to argue in this section, Bluntschli was no mere theorist of international government. Rather, Bluntschli was a theorist of the organic personality of humanity. First, by use of the philosophic-historical method outlined above, he saw in the empirical nature of humanity the seed for its future unification. Second, because humanity was considered to be an organic whole in a similar manner to a natural person, humanity like the natural person was not yet conceived with a fully-developed a personality of its own. Its personality, in fact, was continuously in the works of being unfolded, and would only come into full adulthood once the will of this person could be enacted through some common organization. The concerted European effort to govern European affairs following the Napoleonic wars was consequently seen as a clear sign of the fact that humanity was in the process of developing its own, independent personality. Bluntschli would follow up on this idea, speculating that humanity would someday assemble within a *Weltreich*.

What became known as the 'concert of Europe' had a tremendous impact upon the international thought of European thinkers.[96] It is in this sense that the Kantian jurist Karl Salomo Zachariä can talk about Europe as a *Völkerstaat*. It was not a *Völkerstaat* as defined in theory; Europe constituted a republic for Zachariä, just like it had for Vattel, because its nations had integrated to such an extent that it became close to functioning as a republic and shared, as such, family resemblances to actual republics. The European republic was as such an amalgamation of the idea and the historical experience of the *Völkerstaat*. In particular, he regarded the experience of the European congresses following the Napoleonic wars as being emblematic in this regard. As Holbraad notes, Zachariä regarded the European republic's "*grundgesetz*" as being the final act of the Congress of Vienna in 1815, and its "*organisches Gesetz*" as emanating from the final protocol of the Congress of Aix-la-Chapelle in 1818.[97] Aristocratically organized around the pentarchy of great powers—France, Britain, Russia, Prussia, and Austria—the European

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[96] See, in particular, Carsten Holbraad, *The Concert of Europe: A Study in German and British International Theory 1815-1914* (London: Longman, 1970). See also Jennifer Mitzen, *Power in concert: The nineteenth-century origins of global governance* (University of Chicago Press, 2013); G. John Ikenberry, *A World Safe for Democracy: Liberal Internationalism and the Crises of Global Order* (New Haven: Yale University Press, 2020), 66-99.

[97] Holbraad, *The Concert of Europe*, 64.

republic both guaranteed peace and managed European affairs.[98] Europe had as such had its 'American moment' of unification.

It was precisely this view Bluntschli would come to view as somewhat premature. In particular, he objected to the resemblance between Europe's foray into international governance and the American experience of establishing a republic. Karl von Kaltenborn, an enigmatic figure in German debates on international law in the nineteenth century, agreed.[99] Zachariä's idea of a European *völkerstaat*, he lamented, was merely based on 'unphilosophical' references to Wolff and the practice of the European state system (*europäischen Staatensystemes*).[100] Bluntschli's antagonist, however, was not Zachariä but Lorimer. In the latter half of the nineteenth century, the latter began publishing his scheme of international government that would correct some of the mistakes made by previous internationalists such as St. Pierre, Rousseau, Kant, and Bentham.[101] As one reader in the following century would recount, his idea constituted 'a brave attempt' to resolve an unsolved problem of international organization, a problem that the second major war of the twentieth century had only perpetuated.[102] And if not brave, Lorimer's project was certainly ambitious. Not only did he envision that Europeans would adopt French as their 'international language' and establish Constantinople as an 'international locality' from where Europe could be governed by an international parliament with senators from each nation; he also proposed that this international government would be instituted with executive functions.[103] The key to

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[98] Karl Salomo Zachariä, *Vierzig Bücher vom Staate*, vol. v (Heidelberg: Akademische Verlagsbuchhandlung von C.F. Winter, 1841), 217-35.

[99] On Kaltenborn and his role in the historiography of international law in Germany, see Ian Hunter, "About the dialectical historiography of international law," *Global Intellectual History* 1, no. 1 (2016); Koskenniemi, *Gentle Civilizer of Nations*, 24-27.

[100] Carl Baron Kaltenborn von Stachau, *Kritik des Völkerrechts nach dem Jetzigen Standpunkte der Wissenschaft* (Leipzig: Verlag von Gustav Mayer, 1847), 140-41.

[101] For Lorimer's critique of Kant, see Easley, *The War over Perpetual Peace: An exploration into the History of a Foundational International Relations Text*, 27.

[102] C. Wilfred Jenks, "The Significance To-day of Lorimer's 'Ultimate Problem of International Jurisprudence' " *Transactions of the Grotius Society* 26 (1940): 35.

[103] James Lorimer, *The Institutes of the Law of Nations: A Treatise of the Jural Relations of Separate Political Communities*, vol. II (Edinburgh and London: William Blackwood and sons, 1884), 261-78. In fact, Lorimer's scheme for the 'denationalization' of Constantinople might be the most ambitious of them all. In a lecture in the 1870s he presented his plan to make this 'cosmopolitan' city the common possession—the *res omnium gentium* or the *commune forum*—of all European nations. See James Lorimer, *Of the Denationalisation of Constantinople and its Devotion to International Purposes* (Edinburgh: Edmonston and Douglas, 1876).

Lorimer's plan was that the international government would only regulate Europe's *international* affairs. The international executive's mandate was exclusively international, meaning that the object of his plan was 'to keep the international government apart from national governments, in this, as in all other respects' so that 'the international government may act as the guardian of the freedom of all national governments, and of all national governments equally, it must enjoy a separate freedom of its own'.[104] All imperial or colonial affairs were accordingly subsumed under what would account as the national governments' responsibility. 'Colonial and extra-European questions', he made clear, 'shall be excluded from the jurisdiction of the International Assembly, except when the representatives of countries out of Europe have been admitted on the same footing with the representatives of European States'.[105] Lorimer, thus, attempted to do to Europe what Kant had failed to do to the world: create a viable plan for a continental government that would be more than a mere confederation.

Bluntschli objected to the viability of such a plan for a 'European republic' (*eine europäische Gesammtrepublik*).[106] Such had already been attempted by the Habsburgs, the Bourbons, and, most recently and infamously, by Napoleon himself. A new attempt would only fail in the same manner in which such ambitious plans had failed in the past: by the internal resistance within Europe itself. What it presupposed was simply an impossibility: a 'republicanization' Europe in a similar manner to the unification and republicanization of the thirteen American colonies would run contrary to the historical development of the European states themselves.[107] For while there certainly was an American nation (*volk*), no such cultural unity existed in Europe.[108] Although Lorimer, then, could reference the

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[104] Lorimer, *Institutes of the Law of Nations*, II, 273.

[105] Lorimer, *Institutes of the Law of Nations*, II, 283. On the racist foundations of Lorimer's thought, see Martti Koskenniemi, "Race, Hierarchy and International Law: Lorimer's Legal Science," *The European Journal of International Law* 27, no. 2 (2016).

[106] Lorimer, however, never referred to his project as a European republic—this was Bluntschli's name for the former's plan—preferring rather "international government." See Lorimer, *Institutes of the Law of Nations*, II, 279-88. For a more thorough overview of the debate between Bluntschli and Lorimer, see Bruno Arcidiacono, "La Paix par le Droit International dans la Vision de Deux Juristes du XIXE Siècle: Le Débat Lorimer-Bluntschli," *Relations internationales* 149, no. 1 (2012).

[107] Johan Kaspar Bluntschli, "Die Organisation des europäischen Statenvereines," in *Gesammelte Kleine Schriften* (Nördlingen: C.H. Beck'schen Buchhandlung, 1879), 294.

[108] Although *volk* is often translated as "people," for Bluntschli a people (or, in German, *Nation*) refers to a non-political civilization, while *volk* implies a political notion which is best captured in the English usage of "nation." See Bluntschli, *The Theory of the State*, 87.

republican ideas of, amongst others, Hamilton and their triumph in bringing about a republic across the Atlantic, the Scottish jurist was merely applying republican ideas to a 'Union of European States for which it does not fit'.[109] The attempt to renew the plan for a 'universal monarchy' of Europe, however ambitiously it was designed, would therefore be the equivalent of beating a dead horse; he would be the fool that would repeat the previous follies of other 'abstract ideologists'.

Thus Bluntschli did not as much oppose the idea of a European *Gesammtrepublik* itself, as he critiqued Lorimer's way of arriving at his conclusions regarding the viability of such a republic. And this critique was more generally levelled against all thinkers who speculated abstractly about political forms; those who pervert philosophy into abstract ideology. Neither the conception nor the idea of a European republic was as such necessarily wrong in and of itself. But Lorimer's method for arriving at the idea of such a republic was, at least according to Bluntschli, not based on a proper philosophic-historical approach. Lorimer had made the mistake of countless of philosophers before him—Plato and Wolff among them—in grounding it in abstract ideals without regard for the actuality of political life. He would as such be no better than the abstract ideologist Bluntschli had degraded. 'As much as we value Lorimer's spirit and intentions', he argued, 'we can see nothing in this plan as anything but a viable fantasy'.[110] And fantasies and the fanatics who would seek to make them a reality would be nothing if not inherently dangerous. Without a regard for the actuality of Europe, Lorimer had failed to understand that Europe, unlike the thirteen American colonies, was simply not ready to be united. At least not yet.

But, importantly, Bluntschli did not categorically reject that Europe may one day in the future be ready to unite. Nor did he blatantly disregard what he and others recognized to be the early signs of such a unification: the seed had clearly been sown, but it was still up to the philosopher-historian to tread carefully when advocating for schemes that might prematurely seek to unite what is not ready to be united. Yet, as long as the philosopher pays sufficient attention to the organic nature of human communities and their development, he might still speculate or prophesize about the future of such communities.

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[109] Bluntschli, "Die Organisation des europäischen Statenvereines," 293.

[110] Bluntschli, "Die Organisation des europäischen Statenvereines," 298.

This is what Bluntschli and his followers did. Gierke, it is usually held, foreclosed any possibility that the state could be a part in a grander whole; it was *the* 'ultimate whole'.[111] Yet, he did recognize that a 'community of nations' (*Völkergemeinschaft*) existed, and that this community produced legal relations between states. In wherever sphere of life such a '*Verbandperson*' would come about, he contended, 'jurisprudence is faced with the task of comprehending, regulating, and developing the legal principles governing the external and internal life of the society and serving as the expression of the physico-spiritual living unity of the social organism'.[112] And there was no necessary limit to the expansiveness of such associations, 'other than that at some time in the remote future all men unite in a single organised common life and give visible expression to the fact that they are simply elements of one great whole'.[113] The state, as such, 'is only *one* among the associational organisms of mankind, and only one definite side of human social life is represented by it'. Below the level of the state, there is the family and the people united, above it one finds 'the international community of culture-peoples, and finally mankind in general, as narrower and wider human associational institutions with special spheres of life'.[114]

Bluntschli, similarly, held that the end of world history was not the geographical dispersion of national communities united under different state-like structures. Instead, the proper *telos* of world history was the union of all national communities under the same state, or, as he would come to call it, universal empire. Nationalism, although being a powerful force in shattering the unity of humanity, cannot be seen as the only force driving history forward. Indeed, nationalism's one-sidedness required the dialectical negation of the 'international' or, rather, the 'human'. However dispersed and well-integrated into local communities all of humankind had become, it would still not be contradictory to speak of a united humanity. For each and every state share the fact that they contain a 'common nature of mankind' in them, making them connected externally to 'One Humanity'.[115]

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[111] Holland, "Natural Law and the Theory of International Society," 51; Runciman, *Pluralism and the Personality of the State*, 53.

[112] Gierke, "The Nature of Human Associations," 151-52.

[113] Gierke, *Community in Historical Perspective*, 2.

[114] Gierke, "The Basic Concepts of State Law and the Most Recent State-Law Theories," 173-74.

[115] Johan Caspar Bluntschli, *Lehre vom Modernen Stat: Politik als Wissenschaft*, 3 vols., vol. III (Stuttgart: J.H. Cotta'schen Buchhandlung, 1876), 76.

Indeed, by historically and philosophically studying 'the organism of different States', he argued, one finds, on the one hand, national differences, but, on the other, also 'the same essential organs' united in these differences. Even the conception of the nation, he continued, was 'not fixed and determinate in it self'. It pointed, rather 'with inner necessity to the higher unity of mankind of which the nations are only members'. The difficulty for the philosopher who speculated on the integration within states as being the proper end of history, was this: If, on the one hand, states truly were founded based on national particularity, but there was, on the other, also a common nature of mankind, then how could the philosopher ever say something regarding the unity of nation and state 'without regard to [this] higher unity?'.[116] When the unity of humankind is taken into account, the philosopher cannot but admit that the nation-state is only a temporary state for humanity; it has 'only a relative truth and significance' and in it the philosopher cannot find 'the fulfilment of the highest idea of the State'.[117]

The reason why this was the 'highest idea' of the state was that it would realize humanity's potential as united as one person. Humanity was surely 'animated by a common spirit', and it was for this reason 'striving after the embodiment of its own proper essence'.[118] In this way, humanity needed to follow the example of the nation. A group of people may be united by a 'common spirit, feeling and race, bound together, especially by language and customs, in a common civilisation which gives them a sense of unity and distinction from all foreigners'.[119] But in order to turn into a 'collective personality' the people would need to unite within an organization that allowed for the expression of and made it possible to act according to their 'common will'.[120] Humanity, similarly, needed to become so embodied, 'for spirit and body belong to one another, and between them make up the person'. This 'body politic' must therefore also reflect the proper 'body of natural man', which would entail recognizing that the proper nature of human beings is to be united. The 'perfect State', Bluntschli declared, must be 'the visible body of Humanity'. For these reasons, although humanity might temporarily be organized into national states, its history does not stop here. The proper ideal of human progress was for humanity itself to acquire its own personality. And the

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[116] Bluntschli, *The Theory of the State*, 25.

[117] Bluntschli, *The Theory of the State*, 26.

[118] Bluntschli, *The Theory of the State*, 25.

[119] Bluntschli, *The Theory of the State*, 90.

[120] Bluntschli, *The Theory of the State*, 91.

only way to make the personality real was by giving the spirit of humanity a body, a *Weltreich* that would encompass the entirety of humanity.[121]

Bluntschli was, to be sure, clear that by postulating the ideal of a common organization of man in a universal republic he was not discovering some novel human essence. This ideal, he remarked, was known by the Ancient Greeks and Romans, as well as Medieval thinkers such as Dante. Indeed, its logic was to be found in the Christian Church. Just like the universal empire of humanity, the universal empire of Christ 'cherishes the hope of one day including the whole of mankind, and, through this hope has not yet been fulfilled, its fulfilment is not therefore impossible'. In the very core of both humanity and Christianity lies the essence of universality. For this reason, the Church 'cannot give up the belief that it will become universal, and human politics cannot give up the effort to organize the whole of humanity'.[122]

Throughout (European) history, various statesmen had made their attempts to realize this ideal. These attempts had notably failed. But the reasons for their failure were, for Bluntschli, only accidental; the failures revealed nothing about the *telos* of humanity. Alexander the Great's attempt, on the one hand, failed due to the incommensurability of the Oriental and Occidental cultures. The Roman Empire, on the other, failed in their attempt not for being unable to unite different cultures under the same monarch, but for building the whole idea of a universal empire upon the ideal of the Roman. The Romanization of the world failed because '[n]o people is great enough to include mankind, and to stifle other peoples in its embrace'.[123] Barbarians, unwilling to Romanize, brought the universal empire to an end. The same happened to Napoleon's dream of a grand European state ruled from Paris, but this time it was the English, not the Germans, who resisted the attempt to unify the European nations under one monarch. The Holy Roman Empire, by contrast, failed not due to its disregard for the differences between European nationalities, but rather because it, unlike the Macedonian, Roman, and Napoleonic empires, did not wield enough power to rule the vastness of the Empire.[124] Any future *Weltreich* needed thus to avoid these twin dangers: on the one hand, being careful about internal divisions within the realm of the universal empire; and, on the other, making sure enough power was vested in a

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[121] Bluntschli, *The Theory of the State*, 26.

[122] Bluntschli, *The Theory of the State*, 26.

[123] Bluntschli, *The Theory of the State*, 28.

[124] Bluntschli, *The Theory of the State*, 30.

central organization for it to ensure that the universal spirit of humanity could be embodied in a body politic.

Even if previous attempts had failed, this did not necessarily prove that it was not the end of humanity itself to be united as a corporate entity in a *Weltreich*. As his skepticism as to the preparedness for a properly united Europe demonstrates, nor did he believe that it would be a quick transition to a united humanity. Indeed, as he made clear, what hindered the development of a *Weltreich* in Bluntschli's own contemporaneity was neither the lack of power to impose such an order nor the will to do so, but a lack of 'spiritual maturity'. Although Europe had in some sense combined into an entity that was more than the sum of its parts, and which would together hold the power to govern the world, Europe was not yet at a stage where they had come to a 'clear understanding among themselves and about themselves'.[125]

Such should be, according to Bluntschli, the work of philosophers: they can and ought to conceive of humanity as an '*einheitliche Gesammtperson',* even if the personification of humankind might seem as if it is only a distant dream. Indeed, he was realistic enough to realize that this vision was nowhere close to being realized. To be sure, he, like we saw Gierke argue, conceived of a burgeoning international community that produced law. In particular, Bluntschli argued, Europe had formed he called a 'fellowship' of states [*genossenschaftlichen Verbindung der Staten*]. Yet it would be still far-fetched to think of this as being a corporation; it was not yet 'organized as a whole person'.[126] But a belief in a purposeful nature and a teleological history will not necessarily leave the philosopher content with determining what *is*; what remains is to find in the present traces of what will *become*. Although humanity was not yet ready to be incorporated in the manner in which Wolff had thought it would be, it had nevertheless in some 'become aware of its natural community and unity'. Bluntschli saw, that is, the necessary signs that something was on the brink of changing.

By claiming that humanity was a historical being and that its personality was emerging rather than already existing, potential rather than actual, the organicists would be forced to acknowledge that the process of development had to start *somewhere.* Virtually all organicist recognized that, although humanity was by nature a unity, its personality had yet to fully develop; the personality of humanity

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[125] Bluntschli, *The Theory of the State*, 31.

[126] Johan Kaspar Bluntschli, *Das moderne Völkerrecht der civilisirten Staten als Rechtsbuch dargestellt*, 3rd ed. (Nördlingen: C.H. Beck'schen Buchhandlung, 1878), §10.

was still in its infancy. This made for a recognition of the fundamental inequality among the human beings of the world, for as some would become persons in their own right, there would, until the entirety of humanity had been incorporated as one person, be others whose bodies—whether physical or political—that would remain bare, infant-like beings. Although no one could in theory claim to be the guardian of this infant, there nevertheless needed to be some who spearheaded the centrifugal expansion of humanity's personality to include all the world's individuals. As we have seen above, most nineteenth-century organicists would point to Europe to be this vanguard: European states had after all evolved to such an extent that it had begun to acquire its own personality. What remained was the incorporation of the rest.

The teleological need for organicists to find a core from which to expand became much more clearly and directly articulated over the course of nineteenth century. Krause argued, as we have seen Bluntschli argue above, that humanity could not begin to become one person until it had concluded its 'Age of Childhood' and commenced its 'Age of Youths'. Just as natural men are not self-conscious until they reach a mature age, so 'humanity at large likewise rise to it only after thousands of years'.[127] It would only be in the 'fulness of time' that all nations will 'constitute a single brotherhood, and become one true manhood upon earth, harmonious in itself, and conscious of a reciprocal life with God, with Reason and Nature, and with the higher wholes of humanity in the universe'.[128] This process of the awakening of a 'higher self-consciousness' that would signal the beginnings of humanity's transition into maturity, had already started in Europe. Europeans, Krause argued, 'are now striving more than ever after unity and totality, organic development, and harmonious interconnected life'.[129] Indeed, after countless trials of 'onesided directions' which only stimulated conflicts among human beings,

> there is now awakening in the peoples of Europe who are richest in life, the idea that a higher unity must unite all those individual things, and must bring them into harmony with each other, and bring about their equable perfection; and with this insight a new Age in the life of the humanity of earth is beginning.[130]

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[127] Krause, *Ideal of Humanity*, 141.

[128] Krause, *Ideal of Humanity*, 145.

[129] Krause, *Ideal of Humanity*, 141.

[130] Krause, *Ideal of Humanity*, 142.

Such was also the inevitable conclusions of Bluntschli's ideal of a *Weltreich*. It would first take form in the spiritual unity of the European states, who would subsequently seek to govern the globe. This was so because only the 'civilised States assume the unity of mankind and recognise a common human nature even in lower races and tribes'.[131] Indeed, even history itself begin with the white Europeans: 'History could not begin until a higher race showed the capacity of themselves working creatively at the perfection of mankind. It begins therefore with the appearance of the white races, the children of light, who are the bearers of the history of the world'.[132] Although, as he admitted, the appearance of 'inferior human races' might have caused 'the higher forms of humanity' to develop, the non-white races must have had only a minor role. The 'Ethiopian race', or the 'nations of the night', he argued 'bear only the same relation to this proper history that the pigments and brushes do to the work of the artist'.[133] Bluntschli's conception of the unity of man was therefore built upon a deeply racist scheme:

> There are, indeed, many thinkers who, in theory, deny the mental inequality of these races, but scarcely one who does not constantly recognise it in practical life. The whole history of the world bears witness to the different endowment of races, and even to the unequal capacity of the nations which have grown out of them.[134]

On top of this racial hierarchy resided the white race: these 'nations of the daylight' who 'determine the history of the world,' and who, when in contact with non-whites, 'have always ended by conquering them and making them their subjects'. To Bluntschli, they 'give the impulse to all higher political development', and to 'their intellect and to the energy of their will, we owe, under God, all the highest achievements of the human spirit'.[135] The white race, even, was divided into 'two great families': the Semitic and the Aryan. The former was important only for religious development.[136] The latter, in contrast, was the cause behind the most formidable development of the human race. The 'Aryan family of nations'

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[131] Bluntschli, *The Theory of the State*, 81.

[132] Bluntschli, *The Theory of the State*, 56.

[133] Bluntschli, *The Theory of the State*, 57.

[134] Bluntschli, *The Theory of the State*, 82.

[135] Bluntschli, *The Theory of the State*, 84.

[136] In addition to Bluntschli's blatant racism, he also made, throughout his writings, anti-Semitic claims. See Marcel Senn, "Rassistische und antisemitische Elemente im Rechtsdenken von Johann Caspar Bluntschli," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 110, no. 1 (1993).

had found their 'true home' in Europe from where they continued to develop and mature.[137]

Based on this racial hierarchy, Bluntschli saw the trajectory towards, first, the personality of humankind and, subsequently, its culmination in a universal empire. These 'Aryan nations of Europe', he argued, 'by their ideas and institutions' are to become 'the political leaders of the other nations of the earth, and so to perfect the organization of mankind'.[138] And he saw seeds of this in his contemporary Europe: 'The spirit of Europe already turns its regards to the circuit of the globe, and the Aryan race feels itself called to manage world'.[139] Indeed, 'Civilised Europe has already fixed her eye more firmly on this high aim'.[140]

The spread of international law was as such both cementing the hegemony of Europe and demonstrating the future development towards one human personality. A universal law for the human race was gradually taking shape. Bluntschli and Hornung both saw that Kant's cosmopolitan law 'already has, in part, a real truth today'.[141] Yet, while traces of such a law was visible, its fulfillment was, however, 'only possible if the political organization of the world is realized'.[142]

Although, then, the spirit of his times was dominated by nationalism as opposed to internationalism, as he willingly admitted, the 'spirit of Europe' demonstrated the way forward. If nationalism was to dominate political life, it 'would tear apart the community of peoples and the unity of the human race'. National politics thus required the addition and correction of international politics or, as was the ultimate *telos*, 'human politics' (*humanen Politik*).[143] Through international politics, which was still conducted by national states, a transition to the *Weltreich* and human politics would gradually appear; through international engagements, men had become 'conscious of the human community and its strive to fulfill the destiny of mankind'. But not only was the spirit of nationalism a hinderance for the development of a universal republic; man's individualism was, too, a main contributing factor. For '[m]an as an individual [and] mankind as a whole are the original and permanent antithesis of creation'. Thus, any common

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[137] Bluntschli, *The Theory of the State*, 84.

[138] Bluntschli, *The Theory of the State*, 84.

[139] Bluntschli, *The Theory of the State*, 31.

[140] Bluntschli, *The Theory of the State*, 26.

[141] Bluntschli, *Das moderne Völkerrecht*, 27.

[142] Bluntschli, *Das moderne Völkerrecht*, 69.

[143] Bluntschli, *Politik als Wissenschaft*, III, 76.

consciousness of mankind was still, according to Bluntschli, in a state of slumber: 'it has not yet awaked to full clearness, nor advanced to a unity of will', and it had therefore been unable to 'evolve its organic existence'.[144] But, albeit the 'often passionate movement of nationality', Europe had also demonstrated a 'carefully cultivated and fruitful trait of internationality'. Yet, these traits were not only visible in intra-European engagements. Indeed, through international postal and telegraph systems, a desire for a world coin, world shipping, world trade, world railways, world traffic demonstrated the willingness of states to communicate and cooperate on a global level.[145] These interactions would, in the end, bring about the awakening of the 'universal consciousness of the community of mankind', which would in turn be 'the natural preparation for a common organisation of the world'.[146]

The Reality of Humanity

Where does this leave humanity? Arguably not in a better place than Wolff had left it. Even if humanity's personality may be both real and found in nature, it seems also that the organicists that I have traced in this chapter were unable to move beyond the intellectual confines Suárez had imposed, for although they could locate the traces of an emerging person and an emerging will from certain historical events, neither would properly exist before humanity had assembled into an organizational structure that could effectively separate the one will of humanity from the 'average will of the multitude'.[147] Since such an organizational structure was evidently not in place—and is still not in place according to those contemporary 'organicists' who locate the personality of groups in their real moral agency—how different from Wolff's fictional person were this natural person that was real, albeit only emergently so?

Seemingly, the assumptions that undergirded this real person were also what made it so easy to reject. One could of course, as did Robert Lansing, the United States Secretary of State under the Paris Peace Conference, take the reality of this

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[144] Bluntschli, *The Theory of the State*, 26.

[145] Bluntschli, *Politik als Wissenschaft*, III, 77.

[146] Bluntschli, *The Theory of the State*, 31.

[147] Bluntschli, *The Theory of the State*, 19-20.

person quite literally. Building upon Bluntschli's ideas of the *Weltreich,* he argued that 'it is impossible to recognize the Community of Mankind without acknowledging the existence of World Sovereignty'. But his conception of world sovereignty was not merely one of locating the ultimate source of political authority within the larger body of humanity; he explicitly equated sovereignty with the capacity to enforce a body's 'collective will throughout the earth'.[148] Indeed, because humanity may be conceived as 'one body', one may infer 'from the very nature of things that in this unorganized mass of humanity there *must* be a certain body of individuals possessing a physical might sufficient to compel obedience by every member of the human race throughout the world'.[149] That body that collectively possesses the greatest amount of physical might must therefore be considered the world sovereign. For him, this sovereignty *did,* by the nature of things, derogate from the sovereignty of the state, which for him was only of an 'artificial' character, not because it was fictitious, but because no state possessed enough physical might to make them truly independent of the rest. Thus, state sovereignty was 'dependent upon the collective physical force of mankind', or rather upon their 'collective will', which would become manifest in those who 'possess the preponderance of such force, and who are because of such possession actually independent'.[150] The only real sovereignty, therefore, existed in the world sovereign.

While this thesis on the distribution of physical force among humanity might in some sense ring true, it went far beyond the moral character I believe Bluntschli and other organicists sought to vest in the person of humanity. Yet, by making this person empirically real, this was nonetheless one, albeit extreme, take on the reality of the person of humanity. And by reducing the person to its capacity for voluntary actions, there needed to be some body in which this will could be empirically located. Although European states, as we have seen, were assumed to have at least begun to constitute themselves as such a body, it was for Lansing uncertain what the composition of such a body would look like since 'this Word Sovereignty has never been directly exercised by the possessors or by an agent directly authorized by them to carry out their sovereign will'.[151] Thus, he had to argue that the 'principles of natural justice' must be 'assumed to be in accord with the dominant

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[148] Robert Lansing, "Notes on World Sovereignty," *The American Journal of International Law* 15, no. 1 (1921): 15.

[149] Lansing, "Notes on World Sovereignty," 14.

[150] Lansing, "Notes on World Sovereignty," 17.

[151] Lansing, "Notes on World Sovereignty," 17.

sentiment of the human race, that is, with the *presumed will* of the World Sovereign'.[152] And in this way, we have made a full-circle back to Wolff whose person could only be a person by fiction.

Or one could continue to maintain, as did the Swiss jurist Joseph Hornung, that an actual *Völkerstaat* was the natural end of humanity. The 'total ends of humanity', he argued, 'are not yet represented by any organism'. But the nature of these ends was slowly emerging unconsciously in the minds of human beings, and 'the moral pressure [this] exert[s] on [their] minds will eventually produce the organization they need to realize themselves'. These ends were the idealistic cause for why men grouped into states, and 'one day it will make the human race an organized whole, a *Völkerstaat*'.[153] Hornung conceived of nationality as an essential part of human well-being through a dialogue with German idealists—in particular, Fichte, Schelling, and Hegel. They and he understood human associations to have a collective psychology, personality, soul, or spirit (*Gesammtgeist*). Due to their ability to communicate through language, Hornung argued, humans associate not in temporary societies, as do animals, 'but sustainable communities, each of which has its memories, its customs, its organization, its language, its symbols, and thus constitutes a distinct personality'. Through each human being's upbringing, a 'moral atmosphere' is formed, and 'this spiritual environment becomes the nourishment of souls'. The nation consisted thus for Hornung of the 'fertile ground of the community' in which 'individual souls plunge their roots' and from which they 'draw the sap which nourishes them'.[154] But as humanity were slowly acquiring an organic unity, the *Gesammtgeist* of the nation would be replaced by a common personality and a common soul for humankind as a whole.

He, too, saw something stirring in Europe. The most visible sign for a common humanity was the global spread of international law. The turning point was the abolition of the slave trade whose manifestation in the law of nations first declared at the Congress of Vienna in 1815, and whose stature guaranteed that the true collective interests of mankind were protected by the world's 'civilized states'.[155] At the Congress of Vienna, Hornung argued, the 'civilized powers' had agreed to protect 'an inferior race on a domain which belongs to the whole human

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[152] Lansing, "Notes on World Sovereignty," 23.

[153] Joseph Hornung, "Civilisés et barbares," *Revue de droit international et de législation comparée* 17 (1885): 449.

[154] Hornung, "Civilisés et barbares," 451.

[155] Bluntschli, *Das moderne Völkerrecht*, 22.

species'.[156] The congress thus illustrated how humanity's common interests could be protected under the 'hegemony of the most enlightened and intelligent'. And the *Völkerstaat,* he continued, would best fulfill its duties by locating power in this 'disinterested hegemony of the most intelligent'.[157] Treated as if they were children, non-Europeans ought to be handled 'gently and pedagogically' so that Europe's 'guardianship' should not appear as a penalty.[158] Thus, even as 'all independent nations must be recognized and provided with a civil status' it was nevertheless imperative that Europe reserved 'the right to impose certain conditions on them'. But there was no right without a corresponding duty: 'We accept the hegemony and tutelage of the strong, but [it has to be] in the interest of the weak and with a view to their full emancipation in the future'. In particular, they had a duty to 'help the lower races enter the political system of states' and to 'induce them to organize themselves and to be validly represented'.[159] Hornung advocated, in other words, some international civilizing mission. It was to be conducted collectively by the civilized powers acting through the *Völkerstaat*; not by individual empires. Indeed, for this to be an 'impartial and disinterested' enterprise, Hornung was adamant that the hegemony of the civilized powers 'must be exercised by all of the Christian states, and not by just one of them'. In this way, his envisaged *Völkerstaat* fully accepted and recommended the legal priority of European, Christian, and civilized states; they were the ones who were given the burden of exercising a 'guardianship over the rest of humanity'. Similar to the domestic scene within states, in which the stronger usually cared for the weak, so 'across the whole species' ought the 'most intelligent and liberal states' to rule.[160]

Or, if one does not oppose this vision of a European hegemony to rule the rest of the world on moral grounds, one may consider the whole theory of the organic person of humanity as too far-fetched to be of any moral significance. 'The first thing that strikes us', the English organicist Bosanquet would argue, 'is that, in fact, at present there *is* no organism of humanity'. What he saw were many nation-states that were more than capable of realizing and promoting the unity of humanity. As he adamantly put it: 'Our primarily loyalty is to a quality, not to a

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[156] Joseph Hornung, "Civilisés et barbares," *Revue de droit international et de législation comparée* 18 (1886): 193.

[157] Hornung, "Civilisés et barbares," 470.

[158] Hornung, "Civilisés et barbares," 188.

[159] Hornung, "Civilisés et barbares," 189.

[160] Hornung, "Civilisés et barbares," 295.

crowd' and '[i]f you see the two as one, it is by faith only'. As this article of faith would only derogate from the authority of the nation-state, he conceived it as important to advocate against the assumption 'that humanity is a real corporate being, an object of devotion and a guide to moral duty'.[161]

Again, where does this leave humanity? The question with which we still seem to struggle is one that Bosanquet posed over a century ago, namely 'will anyone say that the existing multitude of humanity possesses any connected communal consciousness whatever?'[162] Without such a unity, humanity may be a fiction to which we may continue to appeal, but it is nonetheless nothing more than a chimera. The assumption that underpins such a rejection of humanity is the same as I have maintained underpins all the attempts to prove or reject the reality of humanity as an independent being, namely that the only beings international thinkers should care about are those that display a capacity to operate more or less like a human being. Bluntschli and Krause's attempt to demonstrate the reality of humanity, as well as Bosanquet's effort to denounce it, are just examples of the ways in which the language of personhood continues to structure the possibilities and limitations of international thought.

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[161] Bosanquet, "The Function of the State," 47-48.

[162] Bosanquet, "The Function of the State," 47.

5   The State of Humanity

The previous two chapters have displayed two different attempts to give not only the state but also humanity as a whole an existence that is independent of its constituent parts. These attempts were united in the belief that the best way to arrive at this was by adopting the language of personality. In doing so, they defied the conclusions reached by Suárez that only the state can be considered a person in its own right, for only the state displays the characteristics that would make it into a moral agent. But they differed in their understanding of what constitutes persons and therefore the manner in which the personality of humanity could be demonstrated. On the one hand, since persons are little more than fictions, the personality of humanity could only come into existence by way of representation. On the other, because associations are social organisms just as human beings are biological organisms, associations would become persons if they became sufficiently similar to human beings.

By remaining wedded to the language of personality, however, neither could quite escape Suárez's argument that only by displaying the capacity for moral agency could associations be considered persons in their own right. This, as we have just seen, was most obviously the case for the organic conception of personality which held groups to be as real as the human being. This doctrine recognized that, since groups are social organisms just as human beings are physical organisms, there are no grounds for a crude separation between the two. Just as the human being has its own will, so does the group. And just as the human body is made up of organs, so is the social organism, composed as it is of a number of different human beings, each, like bodily organs, serving different purposes for the body as a whole. Human associations could, in this way, be treated as persons because they were, in fact, like human beings. But the fictional theory of personality is also limited by the assumption of agency. Lauded for its flexibility, this theory is usually thought to be more adept at assigning status to a host of different entities. Its central concepts of authorization and representation, Fleming argues, 'apply to monarchies as well as democracies, corporations as well as states, and

robots as well as human beings'.[1] Yet, precisely because such persons by fiction need to be inextricably linked with a representative agent, the world will nonetheless be composed of agents. Only states, or rather 'civilized states', could bear the personality of humanity and thus bring the latter into existence as a being in its own right.

As this genealogy of the language of personality in international thought draws to a close, the time has come to consider its influence upon contemporary international thinking. As I shall attempt to make clear in this chapter, attempts to move beyond the state is still constrained by the assumptions that only agential beings can have a concrete political, legal, and moral existence. This argument shall be fleshed out in five parts. While I shall, in the first section, consider how the language of personality continues to influence contemporary understandings of the state, the three next sections will discuss how the attempts to move beyond a world of states is constrained by such a language. In the second section, I shall consider how contemporary theorists, even if they recognize that associations become persons only as a social fact, continue to question whether humanity has become sufficiently human for it to be recognized as having a reality like the state. The third section concerns how also recent discussions on representative claims on behalf of humanity as a whole are caught up in the language of agency, and, in the fourth section, I shall discuss how it influences the debates on the subject whom such agents claim to represent. And, in the and final section, I shall consider how the language of personality, rather than being a way to free international thought from the constraints of the state, has rather bolstered the argument of those who advocate the perpetuity of the contemporary states system.

Between Reality and Fiction

The assumption of moral agency still lives on in contemporary social and political thought. Most evidently, it is found in contemporary versions of the organicist doctrine that was outlined in the previous chapter. As we saw, nineteenth-century organicists thought social and biological organisms to be, at least on an elemental level, similar. Contemporary invocations of this doctrine have emphasized the human element even further.

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[1] Fleming, *Leviathan on a Leash*, 186.

According to French, 'to be a moral person, the subject must be at minimum an intentional actor'.[2] Whereas Gierke and others had successfully demonstrated that certain human associations had a de facto personality, he argues, they had in French's view not gone far enough in specifying the qualities that separated a group person from a social whole. 'What is needed', he seeks to make clear, 'is a Reality Theory that identifies a de facto metaphysical person not just a sociological entity'.[3] A group may be the subject of rights and hence considered to be a person because it is a whole greater than the sum of its parts with a will independent of the multiplicity of wills belonging to its members. But wholeness and will cannot be sufficient to characterize a person, for it could very well allow for the assignment of personhood to groups that were themselves incapable of bearing the character of a person. French's group person was a moral person, and to identify such a person, something more was needed, for such a person need not merely be capable of holding rights but also in bearing responsibility.

By submitting a person only as a 'sociological entity', Gierke and others had failed to emphasize the key characteristics that would make a group capable of shouldering responsibility, such as agency and rationality. These were necessary because only rational agents could be said to have intentions, and intentionality was necessary in the attribution of responsibility. Group persons, therefore, needed to be structurally similar to a human being; not only did they need a body, but also a faculty of rationality through which intentions could be articulated. In the case of the group person, this would mean to have an internal decision structure by which the acts of natural persons could be incorporated into a corporate act. Such would be necessary in order to hold 'corporations *per se* to account for what they do, for treating them as metaphysical persons *qua* moral persons'.[4] Otherwise it would be impossible to separate the collective responsibility borne by all the members of the group from that belonging to the group itself.

Oakeshott, similarly, has made a distinction between those associations whose structure made it possible to separate the association's purposes from those of its constituent members and those whose structure made such determinations impossible. Drawing upon the medieval vocabulary that was introduced in Chapter

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[2] Peter A. French, *Collective and Corporate Responsibility* (New York: Columbia University Press, 1984), 38.

[3] Peter A. French, "The Corporation as a Moral Person," *American Philosophical Quarterly* 16, no. 3 (1979): 210.

[4] French, "Corporation as a Moral Person," 215.

2, the latter he termed a *societas*, the former a *universitas*. Unlike in a *societas,* the persons that came together to form a *universitas* did so to promote some common purpose, and which he as such called a 'purposive association'. In such an associ- ation, a multitude of 'intelligent agents become one in the joint pursuit of a com- mon substantive purpose and in the enjoyment of the means necessary for under- taking the managerial decisions entailed'.[5] To be a person is therefore, as List and Pettit argues, 'to have the capacity to *perform* as a person'.[6] While making perfor- mance a constitutive criterion for personhood might make it seem as if many dif- ferent groups could be afforded the status of persons, this is far from the case. The 'status as persons', they have adamantly declared, 'does not come cheap'. For the performance required is one that at least 'requires the ability to make judgements on normative propositions and to act rationally on their basis'. Thus, to attain the status of persons, 'group agents must have all the abilities associated with the fac- ulty of reason' which in turn 'presupposes a rich capacity for self-regulation'.[7]

What unites these accounts is therefore the assumption that all beings—both individuals and groups—require a faculty for acting rationally, intentionally, and purposively. Without this capacity we would find it difficult to consider them as moral beings as they would be incapable of making moral judgements and acting on these judgements. This is particularly evident when the morality of groups is considered, for how could we ever begin to consider morally the actions of a group, if its actions could not be accurately attributed to it. How, that is, could we say that it was the group itself that ought to shoulder the responsibility for a certain action and not the biological persons that actually carried out this action, if it is unclear whether it was the former or the latter that actually acted? Because groups do not by nature have any rational faculties, but is constituted by a number of beings that hold this capacity, a decision-making structure with clear rules on the appropriate corporate conduct is needed for acts to be deemed the intentional act of the corporation itself. The body, as we have seen Suárez argue, need an accompanying head.

These accounts have been influential in determining the personhood and moral agency of states in international thought. States are obvious candidates for moral personhood. We would, on the one hand, find it generally difficult to defend the

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[5] Michael Oakeshott, *On Human Conduct* (Oxford: Clarendon Press, 1975), 205.

[6] Christian List and Philip Pettit, *Group Agency: The Possibility, Design, and Status of Corporate Agents* (Oxford: Oxford University Press, 2011), 173, emphasis added.

[7] List and Pettit, *Group Agency*, 177-78.

argument that the state is never more than the sum of its parts. If any political association is a whole in its own right, it ought to be the state.[8] The personality of states, Wendt contends, can no more be reduced to the individuals who conduct state actions than these same individuals can be reduced to the neurons in their brains.[9] On the other, states are structured in such a way that we ought to be able to distinguish the intentional or purposeful performances of states with those of its representatives, so that we may hold accountable the state itself rather than the specific individual or individuals that act and speak in its name. The state, Erskine makes clear, 'has a capacity for reasoning and decision-making that is akin to that of the human individual'. Having such a capacity does not presuppose that the state acts perfectly rationally all of the time, just as we would hardly hold any human being to such standards even if we do presuppose that it holds the capacity for rational deliberation. Rather, what is presupposed is that the state can act purposively.[10] This makes the state more than a person in the mere metaphorical sense. It is not a convenient fiction used by scholars to more easily grasp what the state is, what it does, and why it does what it does; it really is a person.[11]

As brainless as states may sometime appear, then, they are nevertheless thought to bear some of the same qualities that are typically associated with rational beings. Both collective identities and collective interests are assigned to states, and we assume that it is capable of behaving rationally or irrationally according to these identities and interests.[12] So are rights and responsibilities.[13] In such cases, intentions are taken into account, and since states have a 'deliberative body that determines not only instrumental actions but also overarching political aims' we may say that it holds intentions on its own for which it can be held accountable.[14] In

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[8] For an overview of the tensions between such 'individualism' and 'holism' within political science research, see Christian List and Kai Spiekerman, "Methodological Individualism and Holism in Political Science: A Reconciliation," *American Political Science Review* 107, no. 4 (2014).

[9] See, Wendt, *Social Theory of International Politics*, 215-24; Wendt, "The state as person."

[10] Erskine, "Assigning Responsibilities," 75.

[11] Wendt, "The state as person," 294. For critical replies to Wendt's argument, see Neumann, "Beware of organicism: the narrative self of the state."; Wight, "State agency: social action without human activity?."; Jackson, "Hegel's House, or 'People are states too'."; Schiff, "'Real'? As if! Critical reflections on state personhood."

[12] See Ringmar, "On the Ontological Status of the State."

[13] Neta C. Crawford, "Individual and Collective Moral Responsibility for Systemic Military Atrocity," *Journal of Political Philosophy* 15, no. 2 (2007); Anthony F Lang, "Crime and punishment: Holding states accountable," *Ethics & International Affairs* 21, no. 2 (2007).

[14] Lang, "Crime and punishment: Holding states accountable," 244.

this way, many more biological attributes can be ascribed to them. Indeed, they may be treated as if they are emotive subjects.[15] If states can act intentionally, that is, they may also feel guilt or moral anguish over their intentional actions. And if states tend to act according to their identities rather than their interests, these identities may in turn be constituted by a collective sense of trauma.[16] Or they may emanate from deep feelings of anxiety, which further destabilizes the 'ontological security' of states' senses of the self.[17] This may result in states experiencing 'moral injury' which further removes them from valuable members of the moral community.[18] Perhaps most radically of them all and, at least contrary to all received wisdom about the differences between human beings as natural persons and the groups they form, we may even go as far as attributing to the latter a sense of consciousness, typically reserved only for the former by virtue of their naturalness.[19] The state, we may say, has surpassed its life as a mere person, and entered the world as something more akin to a human being.

One of the central international theorists who sought to challenge this conception of the person and its influence upon international thought was E. H. Carr. Although typically associated with displaying a sense of realism, Carr rejected the organicist argument in favor of conceiving groups as real corporate beings, since he believed these beings had no reality outside the mind. 'The hypothesis of the state personality and state responsibility is neither true nor false', he argued, 'because it does not purport to be a fact, but a category of thought necessary to clear thinking about international relations'.[20] In recognizing this, one common objection to the person of the state would prove irrelevant. For 'utopians' the personification of groups appears sinister in particular because it seems as if it would reduce the parts to the whole, which, in the case of the state, would make the person of the state more important than the natural persons that constitute its

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[15] Mercer, "Feeling like a State: Social Emotion and Identity."; Sasley, "Theorizing states' emotions."; Gammon, "Affective neuroscience, emotional regulation, and international relations."

[16] Hutchison, *Affective Communities*, 29-151.

[17] Kinnvall, "Globalization and Religious Nationalism: Self, Identity, and the Search for Ontological Security."; Mitzen, "Ontological Security in World Politics: State Identity and the Security Dilemma." For an overview, see Catarina Kinnvall and Jennifer Mitzen, "An introduction to the special issue: Ontological securities in world politics," *Cooperation and Conflict* 52, no. 1 (2016).

[18] Jelena Subotic and Brent J. Steele, "Moral Injury in International Relations," *Journal of Global Security Studies* 3, no. 4 (2018).

[19] Lerner, "What's it like to be a state? An argument for state consciousness."

[20] Carr, *The Twenty Years' Crisis*, 138.

citizenry.[21] But, insofar as this is an objection against the personality of the state, he thought it to be only 'trivial', for '[t]he personification of the state is a tool; and to decry it on the grounds of the use to which it is sometimes put is no more intelligent than to abuse a tool for killing a man'.[22] Although the organs in a human body might be subordinated to the mind, the personification of groups did not necessarily entail that the relationship between the whole and the parts in the latter would be identical to the former. By thinking of the state as analogous to a person could simply be an analytical tool by which the highly complex world of international relations can be made to appear more organized.

Thus, because the point of departure is that persons are not real but fictitious, there is no need to prove that the essential parts of something personified conforms to what a person is. To say that a group is a person is merely one useful way of regarding the group, not an argument about what this group truly is. As such, to personify is similar to engage in the construction of a Weberian ideal type, or what he also referred to as a 'mental image', by which certain relationships or events are formed into 'an internally consistent cosmos of *imagined* interrelations', whose actual substance 'has the character of a '*utopia* obtained by the *theoretical* accentuation of certain elements of reality'.[23] The person is a utopia, and the hope that is that it is usefully utopian not that it corresponds with reality.

In this sense, the state has no essence. By claiming, as Weber did, that a political organization would be called a state if 'its administrative staff successfully upholds the claim to the *monopoly* of the *legitimate* use of physical force in the enforcement of its order', he did not claim to have found the essence of the state.[24] Similarly, the claim that the state is a person does not purport to prove that the state is made up of some essential properties that would make it into a person, but rather to highlight that the state cannot be reduced to any one of its constituent parts; the

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[21] For contemporary critiques of state personhood in this vein, see Peter Lomas, "Anthropomorphism, personification and ethics: a reply to Alexander Wendt," *Review of International Studies* 31, no. 2 (2005); Neumann, "Beware of organicism: the narrative self of the state."

[22] Carr, *The Twenty Years' Crisis*, 139.

[23] Max Weber, "The "Objectivity of Knowledge in Social Science and Social Policy," in *Max Weber: Collected Methodological Writings*, ed. Hans Henrik Bruun and Sam Whimster (Abingdon: Routledge, 2012), 124, emphasis in original.

[24] Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, vol. I, ed. Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1978), 54, emphasis in original.

state, *pace* Weber, is not synonymous with the government, but is rather the person in whose name the government acts.

In highlighting the fictitious and utopian character of the personality of groups, this does not necessarily mean that it has no reality whatsoever. The continuous personification of the group gives the latter a social reality. Some contemporary theorists, like Gilpin, seem to forget this when discussing the ontological status of the state. He admits that 'the state does not really exist' because '[o]nly individuals *act,* even though they may act on behalf of…collective social entities, the most important on being the group' and that speaking of the state as truly existing, acting, and having interests is therefore only 'a matter of convenience and economy'.[25] But in arguing in this way, Gilpin neglects that it is not merely realists like himself who, out of convenience, rely on a reified conception of the state; most speak of states as if they were capable of bearing the character of persons. As does Wendt, who criticizes theorists such as Gilpin for thinking of state personhood as merely 'a useful instrument for organizing experience and building theory, but does not refer to anything with ontological standing in its own right'.[26] What they forget is that the fictional person of the state has become real by being continuously being invoked as if it existed.

Key to this understanding of the person is, first, that it depends upon the mechanism of representation: it is only an actor in the sense that actions can be attributed to it by its representatives or the agents that act on its behalf. As Skinner has sought to lay bare, although the state ought to be seen 'not as a real but a fictional or moral person' it is nonetheless a person because it is 'capable of being represented by real agents whose actions count as those of the state'. In this way, 'states are genuine actors, because actions can validly be attributed to them'.[27] But the mechanism of representation could not alone bring the state to life. Although Gierke and others would criticize Hobbes's fictional theory for its reliance upon concessions from the sovereign in attributing personality of groups, this could not be the case with the personality of the state. Without entering a circular argument, it could not be said that the sovereign, acting always in the name of the state, could authorize the personality of the same state in whose name he was acting and

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[25] Robert Gilpin, "The Richness of the Tradition of Political Realism," *International Organization* 38, no. 2 (1984): 301, emphasis in original.

[26] Wendt, "The state as person," 290.

[27] Quentin Skinner, *From Humanism to Hobbes: Studies in Rhetoric and Politics* (Cambridge: Cambridge University Press, 2018), 381.

whose authority provided him with the means by which to authorize the personality of groups. As Runciman has convincingly argued, the fiction of the personality of the state cannot be a legal fiction, but 'must be a fiction which the members already understand'; it is something in which they must believe.[28] And this, at least according to Carr, is something we have come to believe:

> So long as statesmen, and others who influence the conduct of international affairs, agree in thinking that the state has duties, and allow this view to guide their action, the hypothesis remains effective. The acts with which international morality is concerned are performed by individuals not on their own behalf, but on behalf of those fictitious group persons 'Great Britain' and 'Italy', and the morality in question is the morality attributed to those 'persons'. Any useful examination of international morality must start from the recognition of this fact.[29]

This belief cannot be shared only among the members of a group, however; it must also be shared by others. As Bartelson has suggested, 'the notion that states are *real* persons endowed with capacities wholly analogous to those of individual human beings is the consequence of the modern theory and practice of international recognition'.[30] A state only comes into existence once it is recognized by others to be a person in its own right.

For this reason, since the former conception defines persons only according to social convention, it would seem as if it opens up for the possibility of seeing all kinds of entities as persons in their own right. Because recognition does have a social and historical character, there may be other beings and entities which, while not resembling a human being, are nonetheless taken to be a person. Thus, Jackson recommends studying 'personation' or 'the social processes by which someone is empowered to speak on behalf of, or 'in the name of' an entity, thereby making that entity an actor'. Recognizing this social aspect of personhood, he argues, allows us to see that 'states and individual human beings do *not* exhaust the variety of actors being personated in contemporary world politics' because claims are also made to speak in the name of, among others, humanity and the globe, both of which can as such 'be meaningfully studied as social actors'.[31] Seeing personhood as a social construction thus liberates us from comparing social entities to human

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[28] Runciman, *Pluralism and the Personality of the State*, 31.

[29] Carr, *The Twenty Years' Crisis*, 139.

[30] Bartelson, "Sovereignty and the Personality of the State," 95, emphasis in original.

[31] Jackson, "Hegel's House, or 'People are states too'," 287.

beings. States are states and persons are persons, and if we understand both as 'discursive formations, then there is no reason to privilege personhood as the requirement for having an identity, or rationality, or emotions, or anything else that we typically attribute to human beings'.[32]

But, if both persons and states are what we make them to be, why does it seem so difficult to personate humanity or the world community and so comparatively easy to do the same to the state? And, if we have had centuries of thinking of personhood merely as a fiction that we write into existence, why do we still, as I mentioned at the outset, evaluate the status of plants according to criteria that have been traditionally associated with being human? For some this points to there being 'something real' hidden under the surface of those beings that are successfully and continuously referred to as persons.[33] But I do not think that one has to accept this to appreciate how, despite our recognition that persons are social constructions, it still continues to pose problems and make boundaries for international thought. One might as well accept that the human being *qua* moral agent that was the basis for Suárez's understanding of personhood is a reification that still haunts us. Even if personhood is merely a tool, as Carr would have it, it is a tool used to refer to beings which, in order to be considered persons, need to resemble such a moral agent. This is why he could consistently argue that the personality of the state is not a fact, but that the existence of the world community is a question of fact: neither are, in fact, human beings, but the evaluation of their status depends upon their factual resemblance to human beings.

The World as an Organic Whole

This is what I shall argue in this section. Although it would seem as the necessary conceptual tools have been developed so as to break free from the anthropocentric assumptions of the one that equates personhood with moral agency, these assumptions seem to live on within the concept of the person. For this reason, the question that emerges in contemporary international thought is rarely the one posed by Carr, namely do we—statesmen and scholars alike—treat beings or things as if they were persons in their own right. Instead, the question that seems to matter

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[32] Schiff, "'Real'? As if! Critical reflections on state personhood," 373.

[33] Wendt, "The state as person," 290.

is whether or not these have become human enough for us to recognize that they have begun to resemble persons. Most evidently, this is the case in the international thought of Carr himself.

Throughout his discussion of international morality, Carr makes it plain that it is necessary to tread carefully when considering those that are the subjects of moral consideration. The state, clearly, can be considered a person in its own right. But although that makes it analogous to a human being, it does not make the two identical. A world community or humanity as a whole exists. But that does not necessarily make it into a person. In pursuing the foundations of these arguments, an apparent contradiction emerges. As we have seen, in countering those who would deny the personhood of the state on the basis of its obvious differences with the individual human being, Carr seeks to make it clear that the 'personality of the state is not a fact whose truth or falsehood is a matter for argument'.[34] Personhood is merely a tool for the international theorist to organize a complex reality, making the personality of the state a fiction. Yet, at the same time, in resisting the argument that the status of the world community depends on the theoretical possibility of its real existence, he makes the reverse argument: it is 'a question of fact which must be settled by observation and not by theory'.[35] But, as we just saw, Carr's argument is not as much contradictory as it displays the common conception of personhood that had emerged throughout the centuries of international thought I have recounted thus far. What he seeks to make plain here—albeit somewhat clumsily—is a fairly straightforward argument: that not all persons are *de facto* human beings and that non-humans can become persons because we take them to be persons, i.e. as a social fact.

Communities therefore exist by virtue of the belief in their existence. So it is with the world community just as it is with the state. Similarly, persons exist as long as we continue to treat them as such, whether those are bridges, churches, states, or humanity as a whole. Carr was under no illusion about the existence of a world community. 'There is a world community for the reason (and for no other)', he made clear, 'that people talk, and within certain limits behave, as if there were a world community'. But the very fact that it exists does not make it a person; that needs to be evaluated independently. Bosanquet, as we have seen, had emphatically rejected that humanity is a person who serves a guide to moral duty

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[34] Carr, *The Twenty Years' Crisis*, 137.

[35] Carr, *The Twenty Years' Crisis*, 147.

and is itself an object of devotion. Though Carr remarked that 'whether a given corporate being is an object of devotion and a guide to moral duty is a question of fact which must be settled by observation and not by theory, and which may be answered differently at different times and places', he agreed with Bosanquet's basic point: the kind of unity that would be required to make the world community challenge the primacy of the state had not yet come into existence.[36] To believe that it had was the 'dangerous illusion' in which no serious observer of world politics could believe. Unlike the state, which possesses a 'common national consciousness' that makes citizens accept that the good of the whole is sometimes more important than the good of the part, no such consciousness exists on a global scale.[37]

But this argument was made in 1939. What would ensue only a couple of months after he penned it would seemingly falsify any notion that the world was not already deeply interconnected. As Carr himself would admit in the preface to the second edition of his book, written in the wake of the Second World War, 'the main body of the book too readily and to complacently accepts the existing nation-state, large or small, as the unit of international society'.[38] As others would come to recognize, although this war was certainly experienced through the prism of the nation-state, these experiences also became 'world experiences, part of the common memories of worldwide humankind'.[39] By way of both a war that was genuinely global and the sufficient means to communicate its consequences, collective memories were created among humanity as a whole.[40]

Such global events, along with an increasingly globalized world in general, would seemingly make possible the formation of what was for Carr lacking outside the confines of the nation-state, namely a consciousness of the whole of humanity. For the 'moral shocks' these events create ostensibly turn humanity into a moral

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[36] Carr, *The Twenty Years' Crisis*, 147.

[37] Carr, *The Twenty Years' Crisis*, 150-53.

[38] Carr, *The Twenty Years' Crisis*, cxxii.

[39] Martin Shaw, *Theory of the Global State: Globality as an Unfinished Revolution* (Cambridge: Cambridge University Press, 2000), 122.

[40] Daniel Levy and Natan Sznaider, "Memory Unbound: The Holocaust and the Formation of Cosmopolitan Memory," *European Journal of Social Theory* 5, no. 1 (2002); Barbara A. Misztal, "Collective Memory in a Global Age: Learning How and What to Remember," *Current Sociology* 58, no. 1 (2010); Pawas Bisht, "The politics of cosmopolitan memory," *Media, Culture & Society* 35, no. 1 (2013); Lorraine Ryan, "Cosmopolitan memory and national memory conflicts: On the dynamics of their interaction," *Journal of Sociology* 50, no. 4 (2014).

community because the memories they create are 'remembered and ingrained in collective consciousness through iconic images and their ability to offer a very direct and in a sense *un*mediated emotional access to the suffering of others'.[41] They are part of a general process of globalization, which refers not merely to the changes to the spatial understanding of the human condition that make humanity as a whole more interconnected, but also 'the intensification of the consciousness of the world as a whole', which makes the world itself, just as the nation, into an 'imagined community'.[42] To make sense of the emergence of a new condition of globality is therefore to make sense of 'the development of a common consciousness of human society on a world scale'.[43]

Now, some see these developments as indicative of the creation of something greater than a mere moral community. As Geyer and Bright have argued,

> Humanity, which has been the subject of world history for many centuries and civilizations, has now come into the purview of all human beings…This humanity, in short, does not form a single homogeneous civilization. But in an age of globality, the humanity that inhabits the world is no longer a universalizing image or a normative construct of what some civilization or some intellectuals would want the people of this earth to be. Neither is this humanity any longer a mere species or a natural condition. For the first time, we as human beings collectively constitute ourselves and, hence, are responsible for ourselves.[44]

Yet, others remain highly skeptical of the supposed memories or consciousness of humanity. In making global what is distinctly European, thus making universal what is highly particular, such claims have been charged with its parochialism and Eurocentrism. 'There are no "world memories" that can be used to *unite* humanity', Smith argues; 'the most global experiences to date—colonialism and the World Wars—can only serve to remind us of our historical cleavages'.[45]

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[41] Thomas Olesen, "Global injustice memories: The 1994 Rwanda genocide," *International Political Sociology* 6, no. 4 (2012): 379, emphasis in original.

[42] Roland Robertson, *Globalization: Social Theory and Global Culture* (London: Sage, 1992), 8; 183. See also, Roland Robertson, "Global connectivity and global consciousness," *American Behavioral Scientist* 55, no. 10 (2011); Roland Robertson and David Inglis, "The global animus: In the tracks of world consciousness," *Globalizations* 1, no. 1 (2004).

[43] Shaw, *Theory of the Global State*, 11-12. See also Ken Booth, *Theory of World Security* (Cambridge: Cambridge University Press, 2008), 366.

[44] Michael Geyer and Charles Bright, "World History in a Global Age," *The American Historical Review* 100, no. 4 (1995): 1059.

[45] Smith, "Towards a Global Culture?," 180.

What is the most interesting element of these debates, however, is not whether humanity does or does not have memories, or whether it does or does not have consciousness. Instead, it is the assumption that this matters. And it matters, I have argued, because of the assumption that the development of a global consciousness would turn humanity into a moral subject in its own right and not merely a community of moral subjects. This, I should think, is why Geyer and Bright insist that the existence of humanity can no longer be reduced to being only a 'normative construct'. And this, it would seem, is why thinkers who would like to see the continuity of the current states system are so insistent that humanity is not and cannot be a conscious subject. For Walzer, it is pertinent to emphasize that the 'moral standing of states' is derived from the 'collective form' of individual rights.[46] But it is seemingly impossible for him to conceive of the moral standing of humanity in any other terms than in recognizing the moral worth of every human person. As he has sought to make clear, while particular societies may have members whose memories are collective, '[h]umanity, by contrast, has members but no memory, and so it has no history and no culture, no customary practices, no familiar life-ways, no festivals, no shared understanding of social goods'. 'It is human to have such things', he continues, 'but there is no singular human way of having them'.[47] Humanity as a whole cannot be considered to be equal to an individual because it is nothing *like* an individual.

Rather than opening up for the possibility to recognize the existence of other moral beings than individuals and states, the language of personhood makes this even more difficult. In no discourse does this appear more clearly than in that which consider the human impact upon the planet. While it is generally agreed that humanity as a whole plays a key role in this eschatological event, it remains unclear which precise role it plays. In one of the most dominant narratives, it is generally agreed that humanity has come to have some agential capacities, so much so that it has given the name to our current historical and geological epoch: the Anthropocene. As natural and human forces have become intertwined 'so that the fate of one determines the fate of the other', both the Earth and humankind

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[46] Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), 54; Walzer, "Moral Standing of States."

[47] Walzer, *Thick and Thin: Moral Argument at Home and Abroad*, 8.

have entered new phases of their respective histories.[48] No longer is it necessary to operate with a strict separation between humanity and nature.

What make this such a rupture to the human condition, however, is not the recognition that human agents, through their voluntary actions, have had and continues to have an impact upon nature. That, they have had for centuries. Rather the novel condition, which came into existence only in the latter half of the previous century, sees the emergence of a new agent: humanity itself. In this condition, humanity has become not merely 'a unified entity' but also 'the central agent on a new kind of Earth'.[49] As Chakrabarty has argued, '[h]umans, collectively, now have an agency in determining the climate of the planet as a whole, a privilege reserved in the past only for very large-scale geophysical forces'.[50] 'All progressive political thought', he continues, 'will have to register this profound change in the human condition'.[51] The whole species has in this way been made into a first-person-plural: *We,* the collective beings of humanity, have ascended to the throne as worldmakers; the makers of a world in which the *I* is no longer of much importance, because '[i]n the epochal thinking of *anthropos*, only the planetary collective—the species, the group, *the "We"*—can have any real agency'.[52]

Again, the most interesting part of this argument is not whether or not agency can be ascribed to humanity as a whole, but rather that this is presumed to be of importance. It is perhaps not of much surprise that many have opposed the role of humanity as a whole in destroying the planet. But it is symptomatic of the force of the language of personhood that they have done so by way of denying that humanity is an agent. The emphasis on the role the human species plays in shifting the geophysical processes of the planet, critics hold, only flattens 'the vast diversity of persons, cultures, ideologies, agencies, and histories into a single signifier, whether humanity, mankind, *homo sapiens*, or simply "We"'.[53] Such 'species talk' only serves to obscure the 'actual agents of change', which are a smaller sub-

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[48] Jan Zalasiewicz et al., "The new world of the Anthropocene," *Environmental Science and Technology: Viewpoint* 44, no. 7 (2010): 2231.

[49] Hamilton, *Defiant Earth*, 49.

[50] Chakrabarty, "Postcolonial Studies and the Challenge of Climate Change," 9.

[51] Chakrabarty, "Postcolonial Studies and the Challenge of Climate Change," 15.

[52] Hamilton, "new subjectivity of the Anthropocene," 625; Scott Hamilton, "The measure of all things? The Anthropocene as a global biopolitics of carbon," *European Journal of International Relations* 24, no. 1 (2018).

[53] Matthew Lepori, "There Is No Anthropocene: Climate Change, Species-Talk, and Political Economy," *Telos* 172 (2015): 109.

set of human decision-makers in any modern economy or society'.[54] Humanity cannot be blamed for bringing about the destruction of the planet, for 'humanity seems far too slender an abstraction to carry the burden of causality'.[55] Without any capacity to act freely and purposefully, humanity would remain but an abstraction without any concrete reality.

The premise of such conclusions is that only human-like agents can be considered persons in their own right. As such, it is perhaps somewhat more surprising that thinkers who attempt to decenter the human and emancipate social and political thought from such anthropocentric concepts use these very concepts to deny the existence of humanity as a whole. 'To be a subject', Latour argues on the one hand, 'is not to act autonomously in front of an objective background, but *to share agency with other subjects that have also lost their autonomy*'.[56] As such, in order to break free from the traditional language of subjectivity by which only humans were considered of importance, the task is 'to *distribute* agency as far an in as *differentiated* a way as possible'.[57] Thus, it would seem, one may be able to envision, as does Tsing, that '[o]rganisms don't have to show their human equivalence (as conscious agents, intentional communicators, or ethical subjects) to count'.[58]

Yet, on the other hand, such an inclusiveness would seem to extend only to other biological organisms. As Latour argues:

> It would be absurd in fact to think that there is a collective being, human society, that is the new *agent* of geohistory, as the proletariat was thought to be in an earlier epoch. In the face of the old nature—itself reconstituted—there is literally *no one* about whom one can say that he or she is *responsible*. Why? Because there is no way to *unify* the Anthropos as an actor endowed with some sort of moral or

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[54] Timothy W Luke, "Reconstructing social theory and the Anthropocene," *European Journal of Social Theory* 20, no. 1 (2017): 82.

[55] Andreas Malm and Alf Hornborg, "The geology of mankind? A critique of the Anthropocene narrative," *The Anthropocene Review* 1, no. 1 (2014): 65.

[56] Bruno Latour, "Agency at the Time of the Anthropocene," *New Literary History* 45, no. 1 (2014): 5, emphasis in original.

[57] Latour, "Agency at the Time of the Anthropocene," 15, emphasis in original.

[58] Anna Lowenhaupt Tsing, *The Mushroom at the End of the World: On the Possibility of Life in Capitalist Ruins* (Princeton: Princeton University Press, 2015), 158.

political consistency, to the point of charging it with being a character capable of acting on this new global stage.[59]

This is for him the crucial task. Not to emancipate social and political thought from anthropocentric assumptions about agency. Rather, it is 'the human as a unified agent, as a simple virtual political entity, as a universal concept, that has to be decomposed into several distinct *peoples*, endowed with contradictory interests, competing territories, and brought together by the warring agents—not to say warring divinities'.[60] His humanity—the humanity of the Anthropocene—is not united at all. Its 'premature unification' serves only as a 'dangerous fiction of a universalized agent capable of acting like a single humanity'.[61] His humanity, rather, is 'Babel *after* the fall of the huge tower': divided into so many different communities that may cooperate or fight, but never turn into one.[62]

It is also indicative that those who do continue to defend the agency of humanity as a whole have to condition their arguments with comparisons with human agency. Chakrabarty is clear that one cannot deny humanity as a whole some agential capacities in bringing about the current state of the planet. But he is equally clear that it would constitute a category mistake to liken this agency to human agency. There is a great difference, he notes, between the Enlightenment image of the human that portrayed a universal subject with the capacity to bear and exercise rights—that is, the view of the human as a person—and the image of the human in the Anthropocene, 'the era when humans act as a geological force on the planet, changing its climate for millennia to come'.[63] The former is a thinking and acting being, one whose consciousness of oneself makes one capable not only of acting but also acting with intention. This is the human that is not a part of nature, but rather apart from nature. And it is difficult enough, he argues, to demand of such moral persons to take responsibility for nature, for 'to ask, as we do today, how humans might use the resources of their moral capacity to regulate their life as a biosocial species among other species, is to bring within the ambit

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[59] Bruno Latour, *Facing Gaia: Eight Lectures on the New Climatic Regime* (Cambridge: Polity Press, 2017), 121, emphasis in original.

[60] Latour, *Facing Gaia*, 122, emphasis in original.

[61] Latour, *Facing Gaia*, 246.

[62] Latour, *Facing Gaia*, 122, emphasis in original.

[63] Chakrabarty, "Postcolonial Studies and the Challenge of Climate Change," 1-2.

of human moral life something that has always lain outside its scope: the history of natural life on the planet'.[64]

The latter, by contrast, has none of these human qualities. This humanity *is* nature: though it is forceful, having devastating effects upon nature, it is nonetheless only a force. This agency—the geophysical agency that humanity as a whole displays—is not human at all; it displays only a 'nonhuman, nonliving agency'.[65] As such, it is a form of agency that has no subject. Though it is forceful and has the capacity to cause a great deal of changes to the world, it is 'a form of collective existence that has no ontological dimension'.[66] While there may have formed something that may be called a 'global consciousness', this is not humanity coming to understand itself as a greater whole:

> We humans never experience ourselves as a species. We can only intellectually comprehend or infer the existence of the human species but never experience it as such. There could be no phenomenology of us as a species. Even if we were to emotionally identify with a world like mankind, we would not know what being a species is, for, in species history, humans are only an instance of the concept species as indeed would be any other life form. But one never experiences being a concept.[67]

One may, as such, point to humans being conscious of themselves as members of the human species and a growing cosmopolitan sense of identifying with the rest of humankind, but that does not make humanity into anything more than a mere concept.[68] There is no whole of humanity, like there is a wholeness that defines the state or the nation, because there is no institution that could make the multiplicity of human beings speak with one voice and act as one person.[69] Because of the plurality of humanity—that there is not only a multiplicity of humans that inhabits the earth, but also that their lives on earth are so profoundly different which make them incapable of acting as a 'self-aware agent'—'there is no

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[64] Dipesh Chakrabarty, "Humanities in the Anthropocene: The Crisis of an Enduring Kantian Fable," *New Literary History* 47, no. 2 & 3 (2016): 378.

[65] Chakrabarty, "Postcolonial Studies and the Challenge of Climate Change," 11.

[66] Chakrabarty, "Postcolonial Studies and the Challenge of Climate Change," 13.

[67] Dipesh Chakrabarty, "The Climate of History: Four Theses," *Critical Inquiry* 35, no. 2 (2009): 220, emphasis in original.

[68] For such a response, see Ursula K. Heise, *Imagining Extinction: The Cultural Meanings of Endangered Species* (Chicago: The University of Chicago Press, 2016), 224-26.

[69] Chakrabarty, *The Climate of History in a Planetary Age*, 44.

"humanity" that in its oneness can act as a political agent'.[70] Humanity, unlike the human being, lacks the necessary capacities to be considered as a moral agent.

Thus, although such a consciousness of the world as a whole might further bring humanity into a unity, and possibly open up for the possibility of assigning to it other human attributes—such as the experience of trauma—this does not necessarily mean that it makes humanity into a person. While one might plausibly posit that humanity has the ability to bring about its own destruction, this does not necessarily make it into a moral agent, for humanity did not and cannot *voluntarily* do anything. That is to say, even in cases in which it would make sense to attribute to all of humanity their individual role in doing something, this is not the same as saying that humanity itself could do something, because they clearly lack the means by which to act voluntarily. A section of the human species may consciously and voluntarily bring about the destruction of the entire human species through the use of nuclear weapons.[71] But the human species never intends to do anything; for that, it lacks some elemental capacities.

Thus, the conclusions of both Chakrabarty and Latour would come close to those moral philosophers who have considered the moral status of non-agentive groups. In discussing humanity as a non-agentive group, one cannot possibly attribute these actions to humanity as a collective agent, but must rather retort to attributing them to the multitude of individual agents of which it is comprised.[72] For the same reason, nor can one suppose that humanity is a moral being who is responsible for the future of the planet. Humanity is not a group to which such a responsibility could be assigned, for humanity cannot decide to do anything. Individuals decide, and if all the world's individuals decided to halt climate change, that is not the same as saying that humanity decided to halt climate change. Even should one postulate that humanity would be 'able to end some global ills', Collins can thus argue, 'humanity lacks an obligation to end them' because we cannot

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[70] Chakrabarty, "Postcolonial Studies and the Challenge of Climate Change," 14.

[71] Chakrabarty, "The Climate of History: Four Theses," 221.

[72] Anne Schwenkenbecher, "Joint duties and global moral obligations," *Ratio* 26, no. 3 (2013); Laura Valentini, "Social Samaritan justice: When and why needy fellow citizens have a right to assistance," *American Political Science Review* 109, no. 4 (2015): 739-40. See, however, Bill Wringe, "Global obligations, collective capacities, and 'ought implies can'," *Philosophical Studies* 177, no. 6 (2020).

take it to be a moral person in its own right.[73] Without the capacity to act, humanity is a 'superfluous' being whose deceptive status as a moral agent only makes potential solutions to such serious problems more 'impotent'.[74]

Humanity may have become conscious of itself. And humanity may also have developed some agentive capacities. But humanity is not a conscious agent. 'For such a Humanity to be viable', Latour argues, 'there would have to be a worldwide State already in place behind it'.[75] Only by doing so could 'the collective, unconscious agency' that characterizes humanity be turned 'into an intentional force that is directed towards keeping the planet hospitable as well as inhabitable for ourselves and other species'.[76] But, more so than that, only by assembling into a world state could humanity, could humanity be something greater than the sum of its parts; a person in its own right.

The Legitimate Representatives of Humanity

As we have seen in the last section, the language of personhood still seems to influence visions of moving beyond centrality of the individual and the state. It might be retorted, however, that those who continue to evaluate the status of associations on the basis of their agential capacities rely on an unwarranted assumption about what constitutes the personhood of groups. Persons, as we have seen, are not limited to those who are capable of bearing their own personality, for persons can also be those that have their personality borne by others. Persons can as such be, as Fleming has argued, either *agents* or *representees*.[77] While the first conception is built on the assumption that persons are constituted by their capacity for intentional or purposive actions, the second does not presuppose agency at all; groups might be both principals and agents and still retain the status of persons. There is thus something potentially redeeming in seeing persons as

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[73] Stephanie Collins, "Abilities and Obligations: Lessons from Non-agentive Groups," *Erkenntnis* (2022); Stephanie Collins, *Group Duties: Their Existence and their Implications for Individuals* (Oxford: Oxford University Press, 2019).

[74] Holly Lawford-Smith, "What 'We'?," *Journal of Social Ontology* 1, no. 2 (2015): 243.

[75] Latour, *Facing Gaia*, 246.

[76] Manuel Arias-Maldonado, "Politics in the Anthropocene," in *Altered Earth: Getting the Anthropocene Right*, ed. Julia Adeney Thomas (Cambridge: Cambridge University Press, 2022), 161.

[77] Fleming, "Moral Agents and Legal Persons: The Ethics and the Law of State Responsibility."

representees, for doing so would seemingly open up for the possibility of seeking all kinds of beings as persons. Among them humanity as a whole, for humanity is not only spoken of as if it was itself a person; it is also continuously 'personated' as a host of different actors claim to speak in its name, that is, attempt to act as its representative. Does this, as we have seen Jackson suggest, make it possible to recognize that world politics consists of other beings than individuals and states?

As I shall argue in this section, however, while such a conception of personhood does have the potential to open up the world for the existence of all kinds of beings, it also has the potential to do the opposite. Since the legitimacy of such representational claims are likely to be taken into consideration in order for them not to appear morally arbitrary, one will once again be stuck with the same language of agency one is attempting to challenge. If, that is, the legitimacy of these representational agents is defined according to its 'output'—that is, according to the ability of agents to effectively govern—then one will again end up privileging those who can exercise agency. And, if one instead defines legitimacy according to its input—that is, based on these agents' ability to reflect the inclinations and desires of those in whose name they govern—then one will yet again be tasked with locating the intentions and purposes of persons.[78] I shall illustrate these two arguments with references to contemporary discussions of attempts to 'personate' humanity.

First, while defining persons as representees might seem diametrically opposite to that which presumes that persons and agents are the same thing, both rest upon the same anthropocentric foundation. Even if one considers, as did Hobbes, that inanimate objects can be considered persons in their own right, this does not entirely dispense with the anthropocentric assumptions undergirding the concept of personhood. For even if one considers, as did Wolff, that humanity may be considered a person by fiction, this person is still needs to be intimately linked with *someone* capable of intentional action, just as the body will not function properly without a head that guides it. What therefore separates the two conceptions of personhood is not that one makes the assumption of some distinctly human capacities and the other does not, but rather in whom these capacities are located. A person still needs a head, even if it can be attached to the body of another.

As such, one is again left with considering the question of agency: rather than asking if humanity is capable of bearing its own personality, the question now

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[78] These two definitions of legitimacy are taken from Fritz Scharpf, *Governing in Europe: Effective and Democratic?* (Oxford: Oxford University Press, 1999), 6.

concerns whether or not certain agents are capable of bearing the personality of another. And this makes it again obvious that the central actors of world politics are those that are already constituted in such a way to be capable of bearing their own personality, for only those that are capable of bearing their own personality will also be capable of bearing that of another. The central beings of world politics are therefore those that have the necessary qualities to make them moral agents. This is particularly true if one defines the legitimacy of such a representational relationship based on the ability of the represester to effectively represent the interests of the representee.

States, as we have seen, are already considered capable of such. They have governments that are capable of bearing the personality of the state as a whole as they act as the 'fiduciaries' of the people in whose name they govern and exercise sovereignty on their behalf.[79] Similarly, states are often held to assume the role as 'agents', 'trustees', or 'fiduciaries' of humanity, in being bound by certain obligations towards humanity as a whole that transcend the particular obligations they have towards their own people and those to which they have bound themselves voluntarily.[80] This, as we saw, was the basis for Wolff's *civitas maxima*, which would only exist as a fiction unless it was brought to life by states acting on its behalf. But the claim to act in the name of humanity has also a long lineage in humanitarian thinking in the attempt to carve out space for the interest of humanity to combat the hegemony of other, more parochial interests.[81] And this practice continues today. States are said to act in humanity's defense as if humanity was a subject that could be defended.[82] And states claim to 'govern, fight, and

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[79] Evan Fox-Decent, *Sovereignty's Promise: The State as Fiduciary* (New York: Oxford University Press, 2011).

[80] Eyal Benvenisti, "Sovereigns as Trustees of Humanity: On the Accountability of States to Foreign Stakeholders," *The American Journal of International Law* 107, no. 2 (2013); Evan J. Criddle and Evan Fox-Decent, *Fiduciaries of Humanity: How International Law Constitutes Authority* (New York: Oxford University Press, 2016).

[81] Fabian Klose, *In the Cause of Humanity: A History of Humanitarian Intervention in the Long Nineteenth Century* (Cambridge Cambridge University Press, 2021); Michael Barnett, *Empire of Humanity: A History of Humanitarianism* (Ithaca: Cornell University Press, 2011); Didier Fassin, *Humanitarian Reason: A Moral History of the Present*, trans. Rachel Gomme (Berkeley: University of California Press, 2012); Gary J. Bass, *Freedom's Battle: The Origins of Humanitarian Intervention* (New York: Alfred A. Knopf, 2008); William Bain, *Between Anarchy and Society: Trusteeship and the Obligations of Power* (New York: Oxford University Press, 2003).

[82] George Fletcher and Jens Ohlin, *Defending Humanity: When Force is Justified and Why* (New York: Oxford University Press, 2008). See also Peter Hilpold, "Intervening in the Name of Humanity: R2P and the Power of Ideas," *Journal of Conflict and Security Law* 17, no. 1 (2012);

care in the name of humanity', as if humanity was the states' 'political constituency'.[83]

Associations, such as the international community, are by contrast believed to be incapable of assuming such a role. This is despite the many claims that this community ought to bear the responsibility to protect humanity when states fail to do so.[84] Its incapacity is partly due to the fact that it is not clear precisely what the international community is.[85] Sometimes it is a reference to all the world's states; other times it is a reference to only a select group of liberal states who have formed a community within international society so as to impose democracy, human rights, and the rule of law on states who are deemed incapable to or unconcerned with instituting these liberal ideals within their own territories.[86] But it is also down to what made it so difficult to treat humanity as a moral agent: not only does the international community lack 'an identity that is independent of the identities of its constitutive members'; it also lacks the 'decision-making capacity' that would enable it to act. As such any such references to the moral agency of the international community must remain either 'deeply ambiguous' or rather function as a mere rhetorical ploy.[87]

Ilana Feldman and Miriam Ticktin, eds., *In the Name of Humanity: The Government of Threat and Care* (Durham: Duke University Press, 2010); Samuel Jarvis, "Assessing the Responsibility to Protect's motivational capacity: The role of humanity," *Journal of International Political Theory* 14, no. 1 (2018); Andeas Papamichail and Hannah Partis-Jennings, "Why Common Humanity? Framing the Responsibility to Protect as a Common Response," *International Politics* 53, no. 1 (2016).

[83] Ilana Feldman and Miriam Ticktin, "Government and Humanity," in *In the Name of Humanity: The Government of Threat and Care*, ed. Ilana Feldman and Miriam Ticktin (Durham: Duke University Press, 2010), 1.

[84] For discussion on the international community's collective responsibility, see Luke Glanville, "The International Community's Responsibility to Protect," *Global Responsibility to Protect* 2, no. 3 (2010); Hannes Peltonen, "Modelling international collective responsibility: the case of grave humanitarian crises," *Review of International Studies* 36, no. 2 (2010); Karen Kovach, "The International Community as Moral Agent," *Journal of Military Ethics* 2, no. 2 (2003).

[85] See discussion of its use in Berit Bliesemann de Guevara and Florian P. Kühn, "'The International Community Needs to Act': Loose Use and Empty Signalling of a Hackneyed Concept," *International Peacekeeping* 18, no. 2 (2011); David C. Ellis, "On the Possibility of 'International Community'," *International Studies Review* 11, no. 1 (2009).

[86] Russel Buchan, "A Clash of Normativities: International Society and International Community," *International Community Law Review* 10 no. 1 (2008).

[87] Toni Erskine, "Assigning Responsibilities to Institutional Moral Agents: The Case of States and 'Quasi-States'," in *Can Institutions have Responsibilities? Collective Moral Agency and International Relations*, ed. Toni Erskine (Basingstoke: Palgrave MacMillan, 2003), 25.

Now there are, of course, classes of agents other than states that would be capable of bringing the personality of others into existence through representation. One would be international legal bodies, such as the International Criminal Court. Another would be international organizations, such as the United Nations. Unlike the international community, these international bodies seem to have all the qualities that would make it into a moral agent.[88] They are not just 'mere arenas' in which states, as moral persons, pursue their own interests, but are rather constituted as 'purposive actors' in their own right.[89] Thus, one might sensibly claim that it is the organization as a whole and not just its constituent parts that bear responsibilities and can be said to have 'blood on their hands' when major atrocities occur.[90]

Yet, secondly, even if it is determined that there are other agents than states on the world stage, it is not clear for whom they are agents. Although they may claim to act in the name of humanity or some other entity, this does not automatically make the former the representatives of the latter. One may as such hold that there are many representative institutions that can potentially bear the personality of humanity, but one will still be caught up in the problem of locating the latter's intentions and purposes, for it is from the accurate representation of these that such representative institutions can be said to acquire their legitimacy. That is to say, if the legitimacy of these agents is based on their ability to represent the 'will of the people', one has to determine what this will is.[91]

Thus, although assuming the character of a more encompassing and inclusive theory of personhood, it still excludes those that cannot be validly or legitimately represented. 'There are few things, that are uncapable of being represented by Fiction', we have seen Hobbes assert.[92] But not among all of these things could a legitimate representation be established. Anyone can, of course, claim to speak in the name of everything, but that does not a legitimate form of representation make. The problem for Hobbes is fairly obvious. If one wants beings or things

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[88] Stephanie Collins, "Collective Responsibility and International Relations," in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen (New York: Routledge, 2020), 336-40.

[89] Michael N Barnett and Martha Finnemore, "The politics, power, and pathologies of international organizations," *International organization* 53, no. 4 (1999): 726.

[90] Erskine, ""Blood on the UN's Hands"? Assigning Duties and Apportioning Blame to an Intergovernmental Organisation."

[91] Scharpf, *Governing in Europe*, 6.

[92] Hobbes, *Leviathan*, 113.

incapable of rational thought and speech to have their personality validly born by a representative, someone else need to establish whether or not this form of representation is legitimate. A natural person can *authorize* a representative to speak in his or her name in, say, a court of law. But a bridge cannot. For Hobbes, there was only one answer: if bridges, churches, or hospitals are to be validly represented, a sovereign authority that stands over and above both the potential representatives and the potential representees is required to establish the validity of the relationship.

On the world stage, there is no one person or agent that can lend representative relations the legitimacy it needs. In the absence of a global sovereign, there instead needs to exist the belief that representative actors are not merely capable of operating as agents, but also that, when they speak or act, one takes them to speak or act for those they claim to represent. For it is, as we have seen Hobbes argue, 'the *Unity* of the Representer, not the *Unity* of the Represented, that maketh the Person *One*.'[93] The question, therefore, is whether or not there exist a united belief in someone or something capable of representing us all. In the case of associations above the state, this causes many problems, for as Eriksen and Sending have sought to make plain, 'the universality of responsibility and representation that characterizes the state domestically disappears in the space outside the state'.[94]

If one claims that states are agents who act in the name of humanity, as we have seen many do, one also have to face the problem that many will doubt that such representative claims are genuine and that the representative relationship is legitimate. Repeatedly since Schmitt reproduced Proudhon's dictum that 'Whoever invokes humanity wants to cheat', it has been argued that such claims are but empty excuses for imperial interventions into the domestic affairs of others. As Schmitt himself sought to make plain, '[w]hen a state fights its political enemy in the name of humanity, it is not a war for the sake of humanity, but a war wherein a particular state seeks to usurp a universal concept against its military opponent'.[95] And as Jabri has more recently argued, the 'universalising imperative of modern rationality is historically associated with the violent subjugation of the non-West' and 'persists to the present in practices of intervention in the name of

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[93] Hobbes, *Leviathan*, 114.

[94] Stein Sundstøl and Ole Jacob Sending, "There is no global public: the idea of the public and the legitimation of governance," *International Theory* 5, no. 2 (2013): 234.

[95] Schmitt, *Concept of the Political*, 54.

humanity at large'.[96] As humanity does not itself have the means to articulate its intentions and interests, they need to be announced and performed by some who claim to be capable of accurately representing them, but whose accuracy will always be subject of doubt and critique.

A similar sort of lingering doubt exists when moving beyond the state. Although international organizations and international courts may have the institutional structure in place to express intentions and exercise agency, it is still unclear whose intentions are expressed and whose agency is exercised. The UN and its decision-making structure have the potential to act in the name of the international community as a whole—that is, all the world's states—or even humanity as a whole, and thus bring these otherwise nebulous beings into existence. Yet, critics would maintain that they exist primarily to maintain the plurality of sovereign states and the rules and institutions that guide their relations.[97] As Brown argues:

> The point is, the UN was not just created *by* states; its central agencies actually consist *of* states—fifteen in the case of the Security Council, five of which are permanent members. These states do not simply pursue the common good of the society of states. Rather they pursue their own interests even in the case of a clash with the common good—or, perhaps, to get the political psychology right, they define the common good in such a way that it corresponds to their own interest.[98]

This is also a problem that seemingly haunts the legitimacy of international courts. These, it has been claimed, operate as 'representatives of humanity understood as a global public'.[99] In claiming to do justice to humanity by assuming the role as its representative in cases in which humanity is regarded as being a victim of a

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[96] Vivienne Jabri, *War and the Transformation of Global Politics* (Basingstoke: Palgrave Macmillan, 2007), 29. See also Danilo Zolo, *Invoking Humanity: War, Law and Global Order*, trans. Federico Poole and Gordon Poole (London: Continuum, 2002); Maja Zehfuss, "Contemporary Western war and the idea of humanity," *Environment and Planning D: Society and Space* 30, no. 5 (2012); Jenny Edkins, "Humanitarianism, humanity, human," *Journal of Human Rights* 2, no. 2 (2003); Costas Douzinas, "Humanity, military humanism and the new moral order," *Economy and society* 32, no. 2 (2003).

[97] Jackson, *The Global Covenant*, 138. See also Nardin, *Law, Morality, and the Relations of States.*

[98] Brown, "Moral Agency and International Society: Reflections on Norms, the UN, the Gulf War and the Kosovo Capaign," 91.

[99] Luigi DA Corrias and Geoffrey M Gordon, "Judging in the name of humanity: international criminal tribunals and the representation of a global public," *Journal of International Criminal Justice* 13, no. 1 (2015).

crime, it 'projects mankind as a *collective subject* constituted by universal norms that bind all of its members regardless of their consent'.[100] And in so doing, humanity constitutes not merely a 'collection of all individuals', but rather 'humankind as one single body'.[101] Thus, by being constituted as a collective subject capable of being injured, humanity is in this way a subject of international law, in the same way that individuals and states are.[102] The institutionalization of both international organizations and international courts may as such challenge the hegemony of individuals and states in the international system, not only in being considered actors in their own right, but also by allowing for non-agentive groups to assume the role as persons on the world stage. For this reason, it might be claimed that, on the one hand, by acting on what they perceive to be in the interests of humanity as a whole, and by transforming the humanity's multiple voices into one voice, '[u]nity is thus realized and personated in the act of representation, such that the representative is superimposed in place of the represented'.[103] Yet, on the other, precisely because the represented continue to question the legitimacy of the representative agent and its actions, this 'belies the idea that "humanity" speaks with one voice in its condemnation of international crimes'.[104] Because there is not 'one political authority that is responsible for the condition of the world and accountable to the people of the world', we can scarcely say that such a representative body does anything more than facilitate the coexistence of a multiplicity of different states.[105] Because there is no unity of the represented, nor any unity of the represented, there cannot be one person of humanity.

Thus, one may claim that these international bodies are poor representative actors because they struggle with the problem of 'representativeness': they are

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[100] Graf, *Humanity of Universal Crime*, 2, emphasis added.

[101] Macleod, "Philosophical Account of Crimes Against Humanity," 302; Nollez-Goldbach, "Crimes against Humanity: The Concept of Humanity in International Law."

[102] Antônio Augusto Cançado Trindade, *International Law for Humankind: Towards a New Jus Gentium* (Leiden: Martinus Nijhoff Publishers, 2013), 275-88; Ruti Treitel, *Humanity's Law* (New York: Oxford University Press, 2011).

[103] Corrias and Gordon, "Judging in the name of humanity: international criminal tribunals and the representation of a global public," 105.

[104] Frédéric Mégret, "In Whose Name?: The ICC and the Search for Constituency," in *Contested Justice: The Politics of International Criminal Court Interventions*, ed. Christian De Vos, Sara Kendall, and Carsten Stahn (Cambridge: Cambridge University Press, 2015), 29. See also Thomas Christiano, "The arbitrary circumscription of the jurisdiction of the international criminal court," *Critical Review of International Social and Political Philosophy* 23, no. 3 (2020).

[105] Jackson, *The Global Covenant*, 138.

unable to represent those in whose name they claim to act, either because they themselves are incapable of acting as one agent or because their representational acts do not accurately reflect the interests of their supposed representees.[106] More fundamentally, however, I have argued in this section that what appears as one way of escaping the problem that agency poses to privileging some beings or things over others actually ends up reinforcing this problem: once agency appears as the defining characteristic of moral, political, and legal beings, it seems to be a problem that is remarkably difficult to escape.

The People, Humanity, and Democracy

That this is a persistent problem also becomes evident when one considers not only its effect upon the exercise of legitimate political authority 'for the people' and 'by the people', but also how it continues to pose problems for the for the legitimacy of the 'people' itself. This is what shall concern me in this section: I shall here focus upon the legitimacy of the subject in whose name political authority is exercised and in whom it ultimately rests. While one may, as we just saw, question whether any universal legitimacy can exist in the absence of a truly united humanity, one may also revert this problem by instead questioning whether the source of the legitimacy of the state can truly rest with the particular people in whose name it governs. In doing so, there seems to be reasons to suggest that the state's legitimacy emanates—or needs to emanate—from humanity as a whole. Yet, as I shall seek to make plain in this section, we still seem to be caught up in Suárez's argument to the contrary, namely that, in the absence of a head, the body of humanity lacks the necessary capacities to operate as a such a source of legitimacy.

There is an inherent difficulty in grounding the source of political authority in the people, for doing so also commits to determining who the people are. As we saw in Chapter 2, this was the source of Filmer's critique against thinkers such as Grotius, Bellarmine, and Suárez, who had all argued that the authority of the state derives its legitimacy from the consent of the people. Yet, Filmer intervened, if

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[106] See Thomas Christiano, "Democratic Legitimacy and International Institutions," in *The Philosophy of International Law*, ed. Samantha Besson and John Tasioulas (Oxford: Oxford University Press, 2010), 124-25.

this power is originally found in the people, one has to explain why only a particular portion of humanity lends legitimacy to the state and not humanity as a whole. One has to explain, that is, the legitimacy of the boundaries of the people itself.

This is a problem with which we still seem to grapple today, phrased in the contemporary vernacular as a paradox of democracy. The paradoxical part is this. If, as is most often the case in democratic thought, self-constitution is taken as a core principle of democratic sovereignty on the basis that the people ought not only to be the subjects of laws but also the author, it begs the question of how the people can author its own peoplehood. If, that is, a democratic community needs to be constituted democratically, a democratic community needs to preexist its own democratic constitution.[107] The people, as Rousseau articulated it, would thus 'have to be prior to laws what they ought to become by means of them'.[108] The current division of humanity into a multiplicity of bounded communities might therefore be wholly illegitimate, for even if one may point to the natural or historical constitution of the nation as the basis of the boundaries of the *demos*, there is no way to democratically settle the legitimacy of these boundaries without becoming yet again entangled in the paradox.[109]

The uneasiness of grounding the legitimacy of the boundaries of the people in ethnicity or historical contingency has led thinkers to articulate alternative sources of legitimacy, many of which challenge the traditional boundaries of states. What shall principally concern me here is the argument that the only legitimate *demos* is that which incorporates the entirety of humankind. A global democracy has been promoted for many other reasons than as a solution to this paradox. Following, as was noted in the previous section, the increasing movement of political authority and governance from the state to agents of international institutions, calls are made to strengthen the legitimacy of the latter by way of making them more democratic.[110]

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[107] Sofia Näsström, "The legitimacy of the people," *Political Theory* 35, no. 5 (2007); Bonnie Honig, "Between decision and deliberation: political paradox in democratic theory," *American political science review* 101, no. 1 (2007); Arash Abizadeh, "On the demos and its kin: Nationalism, democracy, and the boundary problem," *American Political Science Review* 106, no. 4 (2012); Näsström, "What Globalization Overshadows."

[108] Rousseau, "Of the Social Contract," 71.

[109] Abizadeh, "On the demos and its kin."

[110] See, for instance, David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance* (Sanford: Stanford University Press, 1995); Daniele Archibugi, *The Global*

But there is also a sense that the constitution of a *demos* 'might be less of a problem for *global* democracy' than it is for the state.[111] Rather than attempting to solve this paradox, theorists have sought to dissolve it by way of questioning the necessity of the premises upon which it rests. Two premises seem to make this problem particularly intractable: that political communities need to be bounded and derived from the consent of its constituents for it to be considered democratically legitimate. As Abizadeh has argued, the paradox is not a product of some necessary features of democracy as such, but rather 'from falsely assuming that the demos is bounded in principle'.[112] Bartelson concurs, adding that the legitimacy of a political community can be derived from other sources than the hypothetical or real consent of the community's constituent parts. As both premises are the product of the nationalization of political community, there are grounds to believe that a genuinely global *demos* might be less problematic.

This is Bartelson's argument. Prior to the nationalization of political community, there was the unbounded world community. Unlike the national community, this world community was based, not upon the consent of all, but rather upon the rational capacity act and the linguistic capacity to form social bonds. Since these capacities are, on the one hand, universal to the whole human species *and*, at the same time, the very same that also allow for the drawing of boundaries, boundedness is not conceptually necessary for a community to exist. Nor, on the other, is the expression of consent, for it also exercises these same faculties.[113] The paradox can therefore be dissolved, for what is now needed is not the democratic justification of particular *demoi* but rather the justification of 'the very division of mankind that has made such claims to particularity possible in the first place'.[114] The conclusion drawn is thus not necessarily that the democratic legitimacy of a particular people is illegitimate, but rather that the claims of their legitimacy 'will have to be evaluated against a framework that takes mankind as a whole into

Commonwealth of Citizens: Towards Cosmopolitan Democrac (Princeton: Princeton University Press, 2008).

[111] Jens Bartelson, "Globalizing the Democratic Community," *Ethics & Global Politics* 1, no. 4 (2008): 160. See, however, Marc G Doucet, "The democratic paradox and cosmopolitan democracy," *Millennium* 34, no. 1 (2005); Sarah Song, "The boundary problem in democratic theory: why the demos should be bounded by the state," *International Theory* 4, no. 1 (2012).

[112] Abizadeh, "On the demos and its kin," 879.

[113] Bartelson, "Globalizing the Democratic Community," 169.

[114] Bartelson, "Globalizing the Democratic Community," 170.

consideration, since a global *demos* is the only *demos* that could enjoy *prima facie* democratic legitimacy'.[115]

One problem with such an interpretation is that the boundaries that are drawn are just as arbitrary and political as the appeal to the nation. It is, as Näsström argues, 'but one boundary claim among others in the conflict on the proper boundaries of the people'.[116] Yet, as I think Suárez recognized, there is another, arguably more salient, problem at heart of such a conception of the people—a problem that still seems to produce some sense of uneasiness when humanity is spoken of as one *demos*—namely that it says nothing about the people's ability to be the bearer of political authority. Instead, it presupposes that humanity, conceived here as a pre-political community, is capable of existing as a political entity. Suárez, remember, postulated that the *agent* of political authority needs to preexist political authority itself. But if this authority is ultimately found in the people, and if it is a *political* form of authority, then it cannot emanate from each individual person. While a person is capable of holding authority over herself, it does not follow that she can hold authority over other persons; an authority that is necessary for the exercise of political power. Ultimately, it must be derived from the whole multitude considered as one agent.

As such, if the core principle of democracy is that the people ought to be the authors of the laws of which they are subjects, the problem is not merely that it leads to the presupposition of *who* ought to be considered the authors of the laws that would constitute them as a people, but also *that* a group of persons can be considered an author in the first place. That is to say, since they are presumably considered to be so many individual persons with a multiplicity of different wills before they are constituted as one people, one would have to presuppose the authority that would make them capable of transforming many wills into one. One cannot presume that there exists a pre-political collective will which will legitimize political power, for '[a]ny democratic articulation of a collective will presupposes political procedures, processes, and institutions, and these not only *causally* shape individual wills, but also in part *constitutively* determine (rather than merely track) the will of the people'. There is, therefore, 'no democratic subject with corporate

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[115] Bartelson, "Globalizing the Democratic Community," 171. See also Hans Agné, "Why democracy must be global: self-founding and democratic intervention," *International Theory* 2, no. 3 (2010).

[116] Sofia Näsström, "The Challenge of the All-Affected Principle," *Political Studies* 59, no. 1 (2011): 129.

agency given prior to politics'.[117] If Rousseau articulated the problem of democratically drawing political boundaries, he also expressed this problem: 'Anyone who dares to institute a people must feel capable of, so to speak, changing human nature', Rousseau argued, for he would be 'transforming each individual who by himself is a perfect and solitary whole into part of a larger whole from which that individual would as it were receive his life and his being'.[118]

Although we may point towards the universal human capacities of reason or sociability when demonstrating the fundamental unity of humankind, these are characteristics that only define the parts of which humanity is composed and not humanity as a whole. Yet, this same humanity is presupposed to operate as a whole and not an aggregate sum of its constituent parts, especially when we think of humanity as a democratic subject. The existence of such a global *demos* will therefore likely be called into question, not because it lacks boundaries or a basis in consent, but rather because it is incapable of behaving like a *demos*.

In contemporary thought, this results from the argument that a *demos* cannot be defined according to compositional criteria alone. Regardless of where its boundaries are drawn, it is 'not guaranteed that the resulting "demos" can support "kratos," the second and equally important etymological component of "democracy"'. For this reason, List and Koenig-Archibugi call for a complementary 'performative approach', according to which a *demos* is as much defined by its membership criteria as it is by 'the functional characteristics it must have in order to perform its role in guiding decisions and enabling actions on the given set of issues'.[119] A *demos,* for them, can be defined as 'a collection of individuals, demarcated by the appropriate membership criterion, which is in principle capable of being organized, in a democratic manner, in such a way as to function as a state-like group agent'.[120] Since the *demos* in this case is assumed to be a group capable of making decisions and taking actions—that the group itself is an agent in its

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[117] Abizadeh, "On the demos and its kin," 879.

[118] Rousseau, "Of the Social Contract," 69.

[119] Christian List and Mathias Koenig-Archibugi, "Can there be a global demos? An agency-based approach," *Philosophy & Public Affairs* 38, no. 1 (2010): 84.

[120] List and Koenig-Archibugi, "Can there be a global demos? An agency-based approach," 90. On the agency of the *demos,* see also Maxim van Asseldonk, "'Beyond civil bounds': The demos, political agency, subjectivation and democracy's boundary problem," *Constellations* 29, no. 2 (2021); Matt Whitt, "Democracy's Sovereign Enclosures: Territory and the All-affected Principle," *Constellations* 21, no. 4 (2014); Ben Saunders, "Defining the demos," *Politics, Philosophy & Economics* 11, no. 3 (2011).

own right—it needs some structures in place for it to operate in this manner. It needs, as was noted above, a decision-making structure to make many wills into one so that we may separate what seems like action from the intentional actions of the group. As such, if this *demos* is composed of humanity as a whole, humanity needs therefore to organize itself in such a way to at least function as a state-like agent.[121]

Suárez, however, promoted another reason for considering the capacity for action to be a necessary definitional criterion of the people. His populist argument that the people was the original bearer of political authority was not, as we have seen, part of a larger democratic argument that the same people also ought to exercise this authority; he thought that authority would best be placed in the hands of a monarch. Still, he deemed agency to be a core part of peoplehood. On the one hand, in order for a people to assign to a monarch the political authority of which they were *as a whole* the original bearer, they also needed to be one agent, for only by being capable of acting as one could such an act of alienation take place. This is the same reason why it is so difficult to conceive of political agents in world politics as legitimately representing anything or anyone other than themselves: for them to be constituted with the right to bear political authority, it requires those in whose name they exercise such a power to be, at some point, capable of instituting such agents as their representatives.

On the other hand, beyond such functional reasons for conceiving of the people as an agent, Suárez also provided a more fundamental reason why agency was needed if the people were to be conceived as anything more than a mere collection of individuals. Because political authority could not be vested in one individual, nor in a multitude of them, but only in the whole mystical body of the people, the latter needed to be constituted as such. Without agency, or the rational faculty by which the body possessed power over itself, the people would simply be incapable of bearing political authority as one person, for without agency there would be no person.

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[121] See also Raffaele Marchetti, *Global Democracy: For and Against. Ethical Theory, Institutional Design, and Social Struggles*, New York, (Routledge, 2008), 63-91.

The Perpetuity of the Human Being and the State

In the previous three sections, we have seen that there seems to be a belief in the appeal of making humanity into something more than an abstract ideal; something more than a mere figment of the imagination; something greater than the sum of its parts. However, based on a common—yet oftentimes tacit—understanding of what it would take to make humanity into such a subject, they are left with few grounds for optimism that humanity will ever be granted such a status. First, without the capacity to act as one person, humanity's existence is at best an abstract community and at worst a mere illusion. Second, without the means necessary to separate the intentions and interests of humanity as a whole from the intentions and interests of its parts, there are no one that can legitimately represent humanity on the world stage. A transformation of an almost revolutionary character to its constitution would thus seem necessary for this to become a reality.

Some may embrace such a state of states.[122] Most, I would think, would resist it on the account of its likely consequences; that such a world state will be nothing more than a 'fragile empire torn by frequent civil strife' and which will inevitably lead to 'global despotism'.[123] Or one may, as has Wendt, eschew the normative question this problem poses and instead make the case for the inevitability of the state of states. Through a series of 'struggles for recognition' to realize their own moral agency, he argues, states will increasingly move closer to integrating into a world state. In order to be recognized by others as a person in their own right, states move from a system to a society of states, and further struggles over recognition will lead to not merely the recognition and care for the personhood of states, but also all individuals within a world society whose security will be guaranteed by a collective security arrangement. Finally, the latter's instability will lead to the establishment of a world state, who would itself be constituted as a 'subject', 'corporate person', or 'Self'.[124] Like states, he argues,

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[122] Dufek, "Why strong moral cosmopolitanism requires a world-state." See also the discussions in William E Scheuerman, "Cosmopolitanism and the world state," *Review of international studies* 40, no. 3 (2014); Nili, "Who's afraid of a world state? A global sovereign and the statist-cosmopolitan debate."; Thomas G Weiss, "What happened to the idea of world government," *International studies quarterly* 53, no. 2 (2009).

[123] Rawls, *The Law of Peoples*, 36.

[124] Wendt, "Why a World State is Inevitable," 527.

a completed world state would be an intentional actor. Such an actor could not intend its own creation…but it seems counter-intuitive to think that prior to its emergence there would be no intentionality at all at the system level, until it suddenly appears fully formed in a world state. Instead, it seems more plausible to suggest that the process of world state formation involves a progressive 'amplification' of intentionality from individuals and groups to the global level. Early on the degrees of systemic intentionality is quite low, but as the system matures it acquires more and more, enabling it increasingly to participate as an agent in its own development.[125]

In the preceding chapters, we have seen the continuous repetition of this dialogue throughout four centuries in the history of international thought. Whether one finds the personification of humanity inevitable, appealing, or regrettable, the same underlying assumption is shared: that it will not be realized as long as humanity does not resemble a human being. Since the state is taken to do precisely this, I have argued that, as long as the language of personhood persists as a language of international thought, the human being and the state is likely to remain the central subjects of international thought. In trying to go beyond them and make a good case for the subjecthood of humanity as a whole, only two options seem to be on the table for the international theorist: either to abandon this language altogether or promote the construction of a state of states.

What is perhaps particularly indicative that these are the only options on the table is that this language is specifically employed to warn against the dangers of such a personification of humanity. As I noted in the introductory chapter, Hedley Bull, like Suárez, Vattel, and Bosanquet before him, believed that to change the constitution of the community of humankind was a step in the wrong direction as it would significantly threaten the role of the state as the principal actor upon the world stage. Thus, he went back to thinkers such as Suárez in order to find a tradition of thinkers who had promoted the idea that humanity was in some sense morally united but that nonetheless maintained the primacy of the state. Based on the ideas of these thinkers, he devised the idea of a society of states. He did concede that the '[o]order among mankind as a whole is something wider than order among states; something more fundamental and primordial than it; and also, I should argue, something morally prior to it'.[126] But the primary role of

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[125] Wendt, "Why a World State is Inevitable," 530.

[126] Bull, *The Anarchical Society*, 21.

the society of states was nonetheless to ensure that the state 'will remain the prevailing form of universal political organisation, in fact and in right.'[127]

While Bull never based these conclusions explicitly upon the same 'personalist' basis that Suárez did, it is clear that he follows the latter's conclusions. It is therefore interesting that Bull's successors have, to a great extent, charged him with not making use of the associational vocabulary associated with the language of personhood—that of the distinction between a *universitas* and a *societas*—in order to solidify the idea of the state and the society into which it has entered with other states. While Bull and his 'classical international society tradition' did embrace the pluralistic basis of such an association, it is argued, it 'does not sufficiently emphasize, or analyze, the linked concepts of *societas* and the pluralist ethics of statecraft, even though these are foundational to its approach'.[128] What this tradition lacked, in other words, was the proper theoretical language to articulate that, while the state was a whole in its own right, the society of states was not.

International society, it is therefore now argued, is closer to 'a *societas* rather than a *universitas*' because it is 'an association of independent and legally equal member states of varying substance, rather than a substantive and purposive enterprise in its own right'.[129] That is to say, because the society of states, like a partnership, consists of equal and independent members whose representatives must observe the 'standards of conduct' that constitute this association; it cannot, as such, be a 'substantive and purposive enterprise in its own right'.[130] Or, as Nardin puts it:

> international society as such—that inclusive society of states, or community of communities, within which all international association takes place—is not a purposive association constituted by a joint wish on the part of all states to pursue certain ends in concert. It is, rather, an association of independent and diverse political communities, each devoted to its own ends and its own conception of the good, often related to one another by nothing more than the fragile ties of a common tradition of diplomacy.[131]

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[127] Bull, *The Anarchical Society*, 16.

[128] Jackson, *The Global Covenant*, 169.

[129] Jackson, *The Global Covenant*, 105.

[130] Jackson, *The Global Covenant*, 105.

[131] Nardin, *Law, Morality, and the Relations of States*, 18-19.

Precisely because such a 'partnership association' was characterized not by the members' shared agreement to pursue the same purposes or common interests, but rather by the shared rules and practices that facilitates the coexistence among separate and independent parts, it made for a perfect analogy with their preferred conception of the relations between states. Such an association would therefore be regarded as normatively compelling because it is fundamentally congruent with the value pluralism to which these international theorists subscribe. The unity of this association would come about only by virtue of the assembling of a multiplicity of parts, which would leave each member as an independent part of the contract and the existence of the *societas* wholly dependent upon its members. The association would therefore not have any independent existence apart from its members; if one or several members disassociated, the association would be no more.

As such, a *societas* could not itself have any rights or duties because the contractual basis of the association left them with the individuals of which it was composed. The 'common good' of this association of states resides therefore 'not in the ends that some, or at times even most of its members may wish collectively to pursue but in the values of justice, peace, security and coexistence, which can be enjoyed through participation in a common body of authoritative practices'.[132] Even in the cases in which it would make sense to describe international society as some sort of purposive association because some common good is pursued, this does not make the association itself into a person. As Hjorth argues, 'even when thinking of international society as an enterprise association [*universitas*] one hardly conceives of a fictitious person that coordinates the actions of international society', for that would fundamentally break with the pluralism on which the very idea of a society of states rests.[133]

The rhetorical force of such an argument becomes particularly strong because the opposite—the idea of a global *universitas*—is associated not only with a world state but also with European imperialism. Indeed, it is argued, if toleration of the plurality that exists among human beings and states is not promoted, the alternative could easily be the paternalistic imposition of cultural values and practices that once sustained European civilizing missions and trusteeship relations between

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[132] Nardin, *Law, Morality, and the Relations of States*, 19. See also Oakeshott, *On Human Conduct*, 242.

[133] Ronnie Hjorth, *Equality in International Society: A Reappraisal* (Basingstoke: Palgrave Macmillan, 2014), 159.

Europeans and non-Europeans in the non-European world.[134] While, as we have seen, some may defend the notion that states operate as the trustees of humanity, this is seen as a continuation of imperialism by other means. 'International society under stood as a *societas*', Bain argues, cannot by contrast 'accommodate the practice of trusteeship' as it is 'founded upon the fundamental values of political independence, sovereign equality, territorial integrity, and non-interference'.[135] The international or global association ought thus to be based on the model of such a society so as to safeguard the freedom and independence of all. Should the 'community of all human beings' or a '*civitas maxima*' with its own corporate reality come to replace this partnership organization, it would destroy the pluralism inherent in humankind.[136] This does not make the idea of the person of humanity, by contrast with the person of the state, a particularly appealing idea indeed.

In normative terms, we seem also to be stuck between two seemingly irreconcilable positions, often subsumed under the headings of, on the one hand, 'particularism', 'pluralism', or 'communitarianism' and 'universalism', 'solidarism', or 'cosmopolitanism', on the other. An ethic based on the former would emphasize not only the state's sovereign rights and the corresponding obligation for others to respect these rights primarily by abstaining from interfering in the affairs over which the state has sovereign authority, but also the value of cultural and moral diversity among all the world's peoples and states. International morality is thus, according to pluralists, limited to the norms and rules that sustain the independence and coexistence of the multiplicity of sovereign states.[137] A solidaristic ethic, by contrast, underscores the unity and community of humankind. This community, as solidarists would have it, can usually claim moral superiority over the sovereignty of states, so much so that the 'enforcement of the law' and the

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[134] See Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002); Bain, *Between Anarchy and Society*; Paul Keal, *European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society* (Cambridge: Cambridge University Press, 2003).

[135] William Bain, "Saving failed states: Trusteeship as an arrangement of security," in *The Empire of Security and the Safety of the People*, ed. William Bain (Abingdon: Routledge, 2006), 200-01. See also William Bain, "The Political Theory of Trusteeship and the Twilight of International Equality," *International Relations* 17, no. 1 (2003).

[136] Jackson, *The Global Covenant*, 169-82.

[137] William Bain, "The pluralist–solidarist debate in the English School," in *Guide to the English School in International Studies*, ed. Cornelia Navari and Daniel Green (Chichester: John Wiley & Sons, 2014).

infringement upon the state's sovereign rights on behalf of humanity as a whole ought to be deemed morally permissible.[138]

Yet, as I have sought to make plain, of the many antinomies of which humanity seems to be a part, whether that would be between universalism and particularism, communitarianism and cosmopolitanism, or pluralism and solidarism, what appears the most troubling is that between the humanity and personhood. This is what makes the life within a society of states seem so appealing and this is why we continue to see the person of humanity as but remnants of a medieval idea of universal monarchy.

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[138] Hedley Bull, "The Grotian Conception of International Society," in *Diplomatic Investigations*, ed. Herbert Butterfield and Martin Wight (Cambridge, MA: Harvard University Press, 1968), 52. See also Nicholas J. Wheeler, "Pluralist or Solidarist Conceptions of International Society: Bull and Vincent on Humanitarian Intervention," *Millennium: Journal of International Studies* 21, no. 3 (1992).

6   Free and Equal Persons

The preceding chapters have examined how the human being and the state became the central subjects of international thought and how the manifold attempts to go beyond them have been hampered by the language in which they were articulated. This, I have argued, was the language of personhood, a language which attributes subjecthood only to those who are sufficiently rational to be considered free. In this final chapter, I will partly conclude this argument. But I will also consider, albeit briefly, one final consequence this language has upon international thought. At the outset I claimed that, as long as this language remains a language of international thought, arguments against the state and in favor of humanity would only reinforce the state and, conversely, attempts to bolster the state by way of this language would only buttress the idea of the community of humankind. This, I noted, made the human being and the state dependent upon one another. But, while this alliance between the human being and the state have been highly effective in keeping at bay any potential or actual external competitors—most prominently humanity itself—there are good reasons to inquire into the costs of such an alliance.

Freedom

States, we have seen Vattel argue, are to be considered as a multitude of *free persons* living in the same state of nature in which their citizens lived prior to assembling into states. This has arguably been one of the most influential and persistent images of the fundamental condition of the relations between states that international thought has sought to capture. Just as human beings are at the outset beings to whom a distinct value is assigned, so are states; neither are mere bodies, both are *persons*. Moreover, in their natural state, both are also fundamentally *free*; because they are each a person in their own right, they are naturally free and

independent from one another, each possessing a basic right to enjoy their freedom without interference from any other free persons.

Personhood and freedom are thus two central concepts in international thought. Yet, as I have sought to emphasize, in order to fully grasp the structure of international thought, we would do well to acknowledge that, while the condition of freedom is personhood, the condition of personhood is freedom. That is to say, the human being and the state are able to enjoy their *external* freedom and independence precisely because they possess the *internal* freedom necessary to be considered a person. The importance of this latter form of freedom for international thought is unequivocal. Indeed, it serves as a necessary condition for much of what it is possible for international thinkers to say about the community of humankind and the state. It is because of the possession of this freedom that the human being and the state are assigned any value at all. It is because of this freedom that they are always, in their natural state, a plurality; that there are always, in the beginning, a multitude of persons. And it is because of this freedom that they will most likely remain the two central subjects of international thought for the foreseeable future.

At the beginning I placed Suárez. While he is acknowledged as one of the foundational thinkers of international thought, it is not to him most contemporary thinkers turn in their archaeological excavations of the foundations of international thought. I have made the case for why that they should. They ought to take Suárez seriously, I have argued, not because he was the thinker who first established that the state could be considered a person in its own right. Nor because of the originality of his argument that the unity of humankind survives its dispersal into a multitude of states. Rather, they should return to him because he welded these two strands of thinking together. Based on his Thomist understanding of what separated humanity from nature, he argued that both human beings and states are persons in their own right. Based on his understanding of what constituted persons as persons, he made it possible to separate the unity of humankind from the unity of a particular group of human beings that assembled into states. And based on both of these, he made it exceedingly difficult to challenge the human being and the state as the primary subjects of international thought.

He did so by way of the idea of the free person. What singled out humanity as distinct from the rest of nature was the former's freedom: among the many species, humankind was the only one composed of truly free persons. On account of their rational faculties, human beings, in contrast to other sentient and insentient

beings, were truly free because it was only by virtue of being capable of reasoning that beings could own their actions. This was what made them moral and thus legal and political beings. Not all of humanity were so constituted. Children, the mentally ill, and the 'barbarians', were for Suárez and his contemporaries the paradigmatic cases of human beings incapable of truly owning their actions, and thus incapable of being moral persons. But this capacity was nonetheless believed to be exclusive to the human species.

There was, however, another class of beings which were recognized to hold many of the same qualities that marked the particularity of humanity, namely associations of human beings, among which the state was undoubtedly the most important. A body composed of a multitude of human beings became one person when they all agreed to have one head; that is, when the multiplicity of different reasoning minds became one, with one intellect and one will. Such a 'mystical body' would be capable of its *own* actions. Although an action would be carried out by the person or persons operating as the symbolic head of this body, these were not its owner; the proper owner of an action that was carried out by a person acting as such a symbolic head was the mystical body itself. This made the mystical body free and this made it a moral, legal, and political subject. A version of this argument has been repeated ever since. It was, as we have just seen, what Vattel argued, as Hobbes, Pufendorf, and Wolff had argued before him, and what Kant, Hegel, Gierke, Bluntschli, Bosanquet, and Carr would argue after him.

But the significance of Suárez lies not only in his argument that the state was free in a similar manner to the human being and thus worthy of a certain moral status. More so than that, he would also, based on this understanding of persons and the language of personhood, make an influential claim on the constitution of the community of humankind. While he held, as so many before him and so many after him, that humanity was primordially united, he made it plain why this unity was fundamentally different from the unity that characterized the state. Humanity was united because it was composed of beings of a rational nature. The unity of the state, by contrast, was characterized not only by being composed of rational beings, but also that the state itself was a rational being. While the latter was free, the former was not.

This idea of the constitution of the community of humankind has, like the personification of the state, become an indispensable part of contemporary international thought. But unlike in contemporary discussions on the constitution of the state person, the constitution of the community of humankind is seemingly

taken for granted. The point of departure for international theorists, even when they wish to emphasize this community's unity rather than plurality, is that it is constituted by a numerical plurality; that it is composed of persons but not that it is itself a person. Such was not Dante's point of departure. His argument was that humanity constituted a whole that was *greater than* the sum of its parts. Contemporary theorists, even when invoking such a holistic language, nonetheless base their arguments on the assumption that humanity is constituted by its many-ness not oneness. The contribution of Suárez was to demonstrate, quite elegantly, why it had to be that way. States, like human beings, were free *persons* living in the state of nature. Humanity, by contrast, would have to radically alter its constitution before it could be considered greater than the sum of its parts, before it could become a person in its own right.

I believe that contemporary international theorists would do well to follow Suárez's example in not taking this constitution for granted. We would then make better sense of why it is so difficult to speak of humanity as a whole and why it is so comparatively easy to speak of it as a multitude of human beings. Many have indeed sought to use the language of personhood to assign to humanity as a whole a particular value as an independent subject. Wolff and Bluntschli, separated as they were by a century and steeped as they were in two different traditions of thought, both sought to establish the personhood of humanity. Wolff held humanity to be a person by fiction: it was a person, not because it was itself capable of exercising rational thought, but because it was represented by persons—in this case, state persons—who could bear their personality. Bluntschli, by contrast, believed humanity to be on the verge of becoming an organic person, not reliant upon anyone else but itself in exercising its own will.

Their examples should prove how difficult it is, by way of the language of personhood, to assign some value to humanity as a whole. As we have seen, even if it may seem as if humanity has indeed evolved into some sort of greater whole, a being to whom some human capacities are now attributed, the centrality of the idea of the person and the language of personhood makes the assignment of any value to this being a complex endeavor. It does not even suffice to recognize that humanity as a whole now acts, for in order to be a person it needs to act intentionally, and in order to act intentionally it needs the same rational capacities that single out the human being and the state. Moreover, just as Vattel could declare Wolff's fictive *civitas maxima* to have no basis in reality, contemporary international theorists face difficulties in making the argument that states or other

international actors bear the personality of humanity. For if these actors claim to represent humanity's actual will, how do we know what humanity's actual will is? And if we instead take their will to be the will of humanity, how do we decide on who ought to bear such a great responsibility? If we fail to find good answers to these questions, we might conclude that while human beings and states have left nature behind, humanity is still stuck in its natural state.

The idea of the person and the language of personhood thus cement the state and the human being as the two central subjects of international thought. While their relationship is often taken to be one of conflict, once we go behind their conflictual relationship and examine why it is just *they* and not some other beings or associations that international theorists tend to defend, we might realize that they are just as allied as they are in conflict. And, by taking this alliance seriously, we will make better sense of why they are likely to remain the central subjects of international thought. Doing this will enable us to see how arguments in favor of the community of humankind are just as much a defense of the basis on which the state rests, for to claim that human beings are worthy of a certain dignity by virtue of their rational faculties, is also to open up for the recognition of the inherent dignity of other beings, entities, or associations with a similar disposition. Conversely, arguments in favor of the state reinforces the constitution of the community of humankind, for the recognition of the inherent value of only those associations that display such human capacities reinforces the centrality of the human being over humanity as a whole.

Equality

The consequence of this internal freedom is therefore not merely that each are externally free, but also that they are fundamentally equal to one another. Though it has varied a great deal to whom it is attributed, the criteria according to which personhood is assigned have been remarkably consistent over time. What has varied have not been the criteria themselves, but rather our perception of certain beings, entities, or associations. As long as these are deemed to have displayed a capacity for rational thought or rational deliberation, they should, at least theoretically, qualify as persons. And as persons, they are fundamentally equal to all other persons. This is why, barring a basic rationality, human beings with a disparate set of natural attributes are nonetheless fundamentally equal to one

another. And this is why states of various sizes and strength are also to be considered equals. 'A dwarf is as much a man as a giant', Vattel argued; 'a small republic is no less a sovereign state than the most powerful kingdom'.[1]

This assumption would seem to serve the state well. By way of state personhood, not only are they all equal to one another, but they are also equal to human beings. Advocates of the centrality of the state to political life should therefore embrace the idea that the state is a person, for it is one of the most convincing ways in which the rights of states can be considered equally important to that of individual rights. 'If there is a genuine national crisis', Skinner argues, 'there must be a strong case for saying that the person whose life most urgently needs to be saved is the person of the state'.[2] The idea that the state is a person does precisely this.

However, as I want to emphasize, the basis of such a defense of the state creates some interesting, and potentially damning, dynamics. As we have seen, those who defend the state, at least in international thought, do so on the basis of its promise to safeguard human plurality and difference. When the human being and the state are regarded as being opposed to one another, this is a common response against those who espouse the values attached to the idea of a community of humankind: plurality and difference ought to precede universality and sameness. Yet, it is by way of the latter language, and its concrete manifestation in the idea of the person, that the state receives a reality as an independent entity which is equal to that of other persons. While differences surely matter in politics, law, and morality, sameness seems to be the condition of possibility for why differences ought to be taken seriously. The reason why your particular ways of existing matter as much as mine is that we both recognize one another as persons; the reason why one ought to respect the boundaries of a state is because its basic sameness to all states and all human beings, a sameness of qualities which are universally recognized to be the basis on which we decide whom we ought to respect.

And herein lies the potential fragility at heart of their relationship. By virtue of being so closely connected to one another, the human being and the state are, in some sense, also dependent upon one another. To be sure, they have, by way of the idea of the person and the language of personhood, each become supreme. Their alliance has been highly effective, indeed. But at what costs? Arguably, on

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[1] Vattel, *Law of Nations*, Preliminaries, 75.

[2] Skinner, "The Sovereign State: A Genealogy," 46.

their way to the top, they have also had to relinquish the means by which to defeat the other, for according to the same logic by which arguments in favor the one tend to serve as a defense of the basis on which the supremacy of the other rests, the critique of the other comes with the inherent risk of backfiring.

Let us first look at the state. Its sovereignty, it is often argued, is opposed to that of the sovereignty of the human being. This does not mean that they are fundamentally at odds with one another, for the advocates of the state are not necessarily against the idea that there are such a thing as human rights; indeed, the argument for the legitimacy of state sovereignty is often based on its protection of the basic rights of the human beings in whose name the sovereign governs.[3] The apparent antagonism between the human being and the state arises, however, when sovereigns fail to do just that: when governments not only fail to protect the basic human rights of their citizens, but also actively violate them. In these cases, a tension between the fundamental freedom of the human person and the freedom of the state person would seem to come to the fore. Ought other actors to intervene to protect the rights and freedoms of the human person? Or ought they instead respect the state person's fundamental independence and freedom from external interference?

As expected, defenders of the sovereignty of the state tend to answer in the negative to the former question and in the affirmative to the latter. Interventions into the sovereign jurisdiction of states break with the principle at the heart of the traditional understanding of state sovereignty, namely the freedom from interference in domestic affairs. While debates have continued on how traditional this understanding of sovereignty is, even those who recognize that state sovereignty has not always implied and does not now necessarily imply the abandonment of responsibilities to humanity, still maintain that state sovereignty as it is most commonly understood has a conflicting relationship with that of humanity.[4] As

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[3] See Christian Reus-Smit, *Individual Rights and the Making of the International System* (Cambridge: Cambridge University Press, 2013); Luke Glanville, "The antecedents of 'sovereignty as responsibility'," *European Journal of International Relations* 17, no. 2 (2010); Anne Peters, "Humanity as the A and Ω of Sovereignty," *European Journal of International Law* 20, no. 3 (2009).

[4] See, for instance, Glanville, "The antecedents of 'sovereignty as responsibility'."; Glanville, "The Myth of 'Traditional' Sovereignty."

Jackson has succinctly put the defense for an international society organized around a multitude of different states:

> Non-intervention is a prohibition and thus a negative liberty: freedom from outside interference. It is an international guarantee that makes the pursuit of the 'good life possible within independent countries without worrying about foreign intervention. But it is not any assurance that the good life will actually be forthcoming: it is not an enabling condition or positive liberty. Whether citizens of particular states actually manage to build and enjoy their own 'good life', or not, is up to themselves; it is not a responsibility of international society.[5]

But on what basis can such an argument be made? If it is made on the basis that the state is a person and that it accordingly is as free and independent as the human being in its natural state, then such a justification would seem to run into some troubles. For, as argued above, if the state is a person, it is not merely equal to other states, it is also equal to all human beings, because the basis for equality is personhood and not statehood. In a world in which personhood is the mean by which beings, entities, and associations are assigned some basic value, on what grounds can one distinguish between these two persons? If, that is, we take Skinner's claim at face value, sovereigns are left with a decision to make. Facing internal or external threats, individual persons might have to live with the uncertainty over whose lives the sovereign will decide to protect and that sometimes the person of the state will be prioritized over them. But if this the case, what is the basis for denying sovereigns to go in the opposite direction and instead choose to respect and protect all human persons over all state persons? If this is indeed a world of persons, in which human beings and states are both as free and as equal to the other by virtue of their personhood, it would seem as if a defense of the moral supremacy of the state would face some difficulties.

But, by the same logic, nor does this leave the human person superior. Although the statist claim on state personhood only reinforces the basic idea upon which the community of humankind rests, that persons are superior to non-persons, it does not necessarily privilege the human person. If it is accepted that persons are equal to one another on the basis of their internal freedom, one might need to come to terms with the argument that the person of the state is sometimes privileged over human persons.

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[5] Jackson, *The Global Covenant*, 373.

Defenders of the community of humankind do, however, have one advantage over defenders of the state: while it would be unreasonable for the latter to claim that human beings do not qualify for personhood, the former can more plausibly make the argument that states are not so constituted that they ought to be considered persons in their own right. This is an argument most forcefully made, at least in contemporary international thought, by Charles Beitz. In making a case for the centrality of human beings, he does not thereby reject the argument that the state is an autonomous entity whose autonomy ought in many cases to be protected. Nor does he defend unlimited interventions into the internal affairs of states. He simply denies that the state's autonomy is derived from its personhood. The state, he argues, 'lack the unity of consciousness and the rational will that constitute the identity of persons'.[6] Based on this fundamental disanalogy between states and human persons, he can therefore consistently make the argument that the autonomy of all persons ought to be respected but only the autonomy of some states. Since the state is not a person, only the autonomy of those states whose institutions are just ought to be respected. And since human beings are persons, no such conditions are placed upon their autonomy.

But in so arguing, we have been led full circle back to where we started and Beitz had led himself where he apparently does not want to go. For if persons are only those who exhibit the capacity for rational thought and consciousness, then a possibility opens up that states can indeed be persons and that some human beings cannot. In order to make the claim that states are equally autonomous as human beings, one only has to convincingly demonstrate that states, in fact, are conscious and do have the capacity for rational thought.[7] And, in order to reject the argument that the autonomy of all human beings ought to be respected, one might again question on what basis such an argument can be made since it is not obvious that all human beings display the same capacity for reasoning or are equally conscious.

The idea of the person and the language of personhood are highly efficient in discriminating between those beings, entities, and associations that deserve a particular status and those which do not. By way of this idea and the language used to articulate it, international theorists are capable to weed out, amongst others, the being of humanity itself, thus cementing the human being and the state as its

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[6] Beitz, *Political Theory and International Relations*, 81.

[7] Lerner, "What's it like to be a state? An argument for state consciousness."

primary subjects. But there is a price to pay for this efficacy: it leaves neither the defender of the state nor the defender of the human being with the means to make the argument they ultimately want to make, namely that their person is the superior person. If both are persons, then they are equals, just as they are equal to any other person.

Personhood

A palpable remedy, if the aim is to find a more solid foundation on which to ground a theory of the human being or the state, might be to discontinue references to persons and personhood altogether. Or, better yet, perhaps international theorists should keep the person in their theoretical vocabulary, but cease to base the conditions of personhood upon specific human traits. For while it may be true that all human beings are born with a certain set of traits, should these be universalized to such an extent that a particular dignity is only afforded to those beings, entities, or associations that display them? The theorist of the state who recognizes that the relationship between the state and humanity has become too tight, might think this a viable strategy. So would perhaps even the theorist of human dignity. If the basis for such a dignity is not conducive to single out the human being as the supreme being, it might seem feasible to redefine the person so that this status is assigned based on other criteria? Should, say, this status be given to someone or something, not because they *do* have the capacity to bear the character of persons, but because they are someone or something to whom or to which one *ought to* assign a particular status?

There certainly seems to be more than its rationality that make all human beings considered to be equals. While Beitz resists the argument that 'only the righteous, the virtuous, or the psychologically well integrated should be respected as autonomous beings', this, as we have just seen, is the basis on which he rejects the personhood of states.[8] Though he associates 'the identity of persons' with their rational faculties, he must, in order to make his point about the distinctiveness of the human being, either maintain that there are no beings but human beings that can display these traits or concede that there is something more to human beings,

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[8] Beitz, *Political Theory and International Relations*, 81.

perhaps something intangible and undefinable, that make them particularly worthy of the status of personhood.

A similar nebulousness seems to have defined the early-modern scholastic understanding of the human person. Though Suárez would not run into the same problems with regards to the state on account of his identification of the latter as sufficiently similar to the human person, this does not mean that the scholastic conception of the free person was altogether unambiguous. Suárez's predecessor, Vitoria, is a case in point. He too held, as we saw, the capacity for reason as the defining characteristic of human persons. The ambiguity with this claim arose once he considered those beings whose outward appearance would make them human but who, by his own conception of what constituted rationality, lacked this capacity; among which he famously included children, the 'incurably mad', and the 'barbarians'. Neither displayed the capacity for rational thought, but all were, unlike 'irrational creatures' such as animals, considered fully human. What separated the former from the latter was their ability to be the victims of an injustice. But this simply begs the question of what separates those who may suffer from injustices from those who do not, which leads us back to the question of the separation between persons and non-persons. Vitoria seems to have his reasons for recognizing human beings as persons regardless of their particular attributes, but upon what basis remains unclear.

Now, it should be emphasized that this baselessness is not necessarily a problem. In another context, perhaps not Vitoria's, this lack of a foundation is precisely the point. All human beings, it is claimed, are not equals because they share the same human traits, for that would just place conditions on equality itself, conditions which have historically made it possible to exclude from the realm of equality those we know would very much like to include. 'We should regard equality', Phillips argues, 'not as justified by—and thereby conditional on—our possession of central human characteristics, but as a commitment and a claim: a claim we make on those who have so far failed to acknowledge us as equals; and a commitment we make to ourselves and others to treat all humans as equals'.[9] Though it is not without its own problems, such an understanding of equality would at least disentangle humanity from the state so as to make it possible to regard all human beings as equals without also making them equal to the state.

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[9] Anne Phillips, *Unconditional Equals* (Princeton: Princeton University Press, 2021), 56-57.

By the same token, if theorists of the state feel uneasy about being linked with humanity, this may be an understanding of equality that should also be favored by them. Perhaps they would find it easier to theorize the state if they refrained from using the language to which they are ostensibly opposed—the language of sameness—and instead embrace their own language of difference. Embrace, that is, a language that makes it possible for them to articulate the intrinsic value of the state as an independent being without having to compare it to a human being; that the state is valued not because it is sufficiently similar to a human being, nor necessarily because it is a harbinger of human difference, but that it is valued in its own right, on its own terms, despite—or perhaps precisely because—it is different from a human being.

Doing this would, however, leave open possibilities the language of personhood has hitherto excluded, including those which has served the human being and the state so well. On the one hand, while such a commitment to unconditionality may disentangle humanity from the state, it makes it difficult to single out the human being from the rest of nature. Phillips, in her defense of unconditional equality, does not see this as a problem, though she insists upon drawing a line between human and nonhuman animals. In resisting the temptation of placing any conditions upon what qualifies as the humanity of human beings, she instead appeals to our commonsense judgement of being able to recognize who is a human and who is not. Nonetheless, she continues, philosophers do not quibble as much over the humanity of human beings as they do over their personhood.[10] But while this may very well be true, I hope the preceding chapters have convincingly demonstrated that such a categorical distinction is not so easy to make. One may certainly recognize the value of human beings without the conditions that have usually accompanied the status of persons, but then one also has to be content with the possibility that someone makes a compelling case for why nonhuman animals ought to be recognized as their equals.

On the other hand, while embracing unconditional equality might make it possible to acknowledge the stateness of a state as what makes it an association of value, it also opens up for the possibility that other associations are deemed to be of an equal or greater value. Certainly, it opens up for the possibility of recognizing humanity as no longer only a multitude of human persons, but also as a person in its own right and on its own terms. If children are recognized as persons despite

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[10] Phillips, *Unconditional Equals*, 61-62.

their lack of rationality, and if this lack of rationality is what makes Suárez conclude that humanity cannot be but a multitude, there seems to be grounds for at least considering not whether humanity *can* but whether it *ought to* be considered a person.

Wolff, for whom humanity was just like a child, certainly thought so. Indeed, for him, humanity was like a living body whose bodily parts were the individual nations into which the whole of humankind had assembled. But though each and every nation—as a body in its own right—have, or might be presumed to have, a head that guides it and makes it capable of acting reasonably, no discernible head exists for humanity as a whole. Humanity constitutes one corporate body that differs in quality from that of all of humankind, just like the *demos* constitutes a different being from that of the sum of all individuals within a state. And, though the intellect and will are vital parts of any body, humanity lacks it, just like a child is often deemed to lack it. Those who act in their name would therefore have to presume what their will would be, as if they had reason, to determine what their interests are. On that basis may the parent of a child, the tutor of the pupil, or the representatives of humanity determine the course of action that best serves their interests. While this would raise complex questions as to what such a will is and who ought to take it upon them to bear it, none of this would derogate from humanity's fundamental status as a person in its own right.

There may therefore come a point in time when the community of humankind is recognized, as a community, to be on par with the state. As we have seen, there are certainly indications that contemporary international theorists are moving in this direction. Removing the human conditions upon the status of personhood, would open up for the possibility of thinking no longer of humanity as more like a natural force but rather as a genuine subject worthy of a particular moral status. Humanity may, as such, be considered a 'collective subject of universal injury'.[11] No longer would it be a mere 'composite set of individuals', but instead a 'collective and singular body' that may be said to 'have interests and be capable of damage as one agent'.[12] Such a body may certainly be regarded in associational terms. We may, that is, view such injuries as crimes 'against the constituency of humankind as that is represented in the community of nations' or the 'human

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[11] Graf, *Humanity of Universal Crime*, 2.

[12] Macleod, "Philosophical Account of Crimes Against Humanity," 293; 98.

community'.[13] Or we may see them to be against 'what would be called the world community, or humanity'.[14] But however we want to categorize this collectivity, it has nonetheless emerged as a 'collective subject of world politics'.[15]

Those defending the centrality of the state would surely not want as much. As little, I would venture to guess, as those championing the primacy of the human being would allow nonhuman animals to receive the same status as the former. But, if the aim is to demonstrate the superiority of either, the opening of this possibility may be the price to pay. Still, if this is deemed too costly, an effective and institutionalized strategy remains: to double down on the language of personhood, a language which has been so successful in excluding precisely what has been seen as necessary to exclude. Yet, in so doing, defenders of the state and humanity would also have to accept that they cannot so easily make the case for the primacy of either without also derogating from that which they defend. As I have sought to lay bare in this book, not only did the institutionalization of the language of personhood as a language of international thought bring the human being and the state together, it also made their separation exceedingly difficult.

Nonetheless, I should hope that the preceding discussion demonstrates why there are good reasons to believe that those who defend the human being and the state would want the language of personhood to endure as a central language of international thought. For those, by contrast, who want to challenge their long-lasting centrality, I hope to have explained why they should not accept these linguistic premises, premises which only impedes rather than empowers their arguments.

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[13] Raimond Gaita, "Refocusing Genocide: A Philosohpical Responsibility," in *Genocide and Human Rights: A Philosophical Guide*, ed. John K. Roth (Basingstoke: Palgrave MacMillan, 2005), 164.

[14] Larry May, *Crimes against Humanity: A Normative Account* (Cambridge: Cambridge University Press, 2004), 82-83.

[15] Graf, *Humanity of Universal Crime*, 10.

References

Abizadeh, Arash. "Does Collective Identity Presuppose an Other? On the Alleged Incoherence of Global Solidarity." *American Political Science Review* 99, no. 1 (2005): 45-60.

———. "On the Demos and Its Kin: Nationalism, Democracy, and the Boundary Problem." *American Political Science Review* 106, no. 4 (2012): 867-82.

Adcock, Robert. *Liberalism and the Emergence of American Political Science: A Transatlantic Tale.* New York: Oxford University Press, 2014.

Agné, Hans. "Why Democracy Must Be Global: Self-Founding and Democratic Intervention." *International Theory* 2, no. 3 (2010): 381-409.

Aquinas, Saint Thomas. *Treatise on Law.* Translated by Richard J. Regan. Indianapolis: Hackett, 2000.

Aquinas, Thomas. *Summa Theologiae.* Translated by Ceslaus Velecky. Vol. 6, Cambridge: Cambridge University Press, 2006.

Archibugi, Daniele. *The Global Commonwealth of Citizens: Towards Cosmopolitan Democrac.* Princeton: Princeton University Press, 2008.

Arcidiacono, Bruno. "La Paix Par Le Droit International Dans La Vision De Deux Juristes Du Xixe Siècle: Le Débat Lorimer-Bluntschli." *Relations internationales* 149, no. 1 (2012): 13-26.

Arendt, Hannah. *The Human Condition.* Second ed. Chicago: The University of Chicago Press, 1998.

Arias-Maldonado, Manuel. "Politics in the Anthropocene." In *Altered Earth: Getting the Anthropocene Right*, edited by Julia Adeney Thomas, 160-81. Cambridge: Cambridge University Press, 2022.

Aristotle. *Politics.* Translated by Ernest Barker. Edited by R. F. Stalley. New York: Oxford University Press, 1998.

Armitage, David. *Foundations of Modern International Thought.* New York: Cambridge University Press, 2013.

———. "Globalizing Jeremy Bentham." *History of Political Thought* 32, no. 1 (2011): 63-82.

Armstrong, David. *Revolution and World Order: The Revolutionary State in International Society.* Oxford: Oxford University Press, 1993.

Aron, Raymond. *Peace & War: A Theory of International Relations.* Abingdon: Routledge, 2017.

Ashley, Richard K. . "Living on the Border Lines: Man, Poststructuralism, and War." In *International/Intertextual Relations: Postmodern Readings of World Politics*, edited by James Der Derian and Michael Shapiro. New York: Lexington Books, 1989.

———. "Untying the Sovereign State: A Double Reading of the Anarchy Problematique." *Millennium: Journal of International Studies* 17, no. 2 (1988): 227-62.

Bain, William. *Between Anarchy and Society: Trusteeship and the Obligations of Power.* New York: Oxford University Press, 2003.

———. "One Order, Two Laws: Recovering the 'Normative' in English School Theory." *Review of International Studies* 33, no. 4 (2007): 557-75.

———. "The Pluralist–Solidarist Debate in the English School." In *Guide to the English School in International Studies*, edited by Cornelia Navari and Daniel Green, 159–69. Chichester: John Wiley & Sons, 2014.

———. "The Political Theory of Trusteeship and the Twilight of International Equality." *International Relations* 17, no. 1 (2003): 59-77.

———. "Saving Failed States: Trusteeship as an Arrangement of Security." In *The Empire of Security and the Safety of the People*, edited by William Bain, 188-205. Abingdon: Routledge, 2006.

Barkan, Leonard. *Nature's Work of Art: The Human Body as Image of the World.* New Haven: Yale University Press, 1975.

Barnett, Michael. *Empire of Humanity: A History of Humanitarianism.* Ithaca: Cornell University Press, 2011.

Barnett, Michael N, and Martha Finnemore. "The Politics, Power, and Pathologies of International Organizations." *International organization* 53, no. 4 (1999): 699-732.

Bartelson, Jens. *A Genealogy of Sovereignty.* Cambridge: Cambridge University Press, 1995.

———. "Globalizing the Democratic Community." *Ethics & Global Politics* 1, no. 4 (2008): 159-74.

———. "Sovereignty and the Personality of the State." In *The Concept of the State in International Relations: Philosophy, Sovereignty and Cosmopolitanism*, edited by Robert Schuett and Peter M. R. Stirk. Edinburg: Edinburg University Press, 2015.

———. "The Trial of Judgement: A Note on Kant and the Paradoxes of Internationalism." *International Studies Quarterly* 39, no. 2 (1995): 255-79.

———. *Visions of a World Community.* Cambridge: Cambridge University Press, 2009.

Bass, Gary J. *Freedom's Battle: The Origins of Humanitarian Intervention.* New York: Alfred A. Knopf, 2008.

Beaulac, Stéphane. "The Westphalian Legal Orthodoxy - Myth or Reality." *Journal of the History of International Law* 2, no. 2 (2000): 147-77.

Behr, Hartmut. *A History of International Political Theory: Ontologies of the International.* Basingstoke: Palgrave Macmillan, 2010.

Beiser, Frederick C. *Diotima's Children: German Aesthetic Rationalism from Leibniz to Lessing.* New York: Oxford University Press, 2009.

———. *The German Historicist Tradition.* Oxford: Oxford University Press, 2011.

Beitz, Charles R. *Political Theory and International Relations.* Princeton: Princeton University Press, 1979.

Bell, Duncan. "Beware of False Prophets: Biology, Human Nature and the Future of International Relations Theory." *International Affairs* 82, no. 3 (2006): 493-510.

———. *The Idea of Greater Britain: Empire and the Future of World Order, 1860-1900.* Princeton: Princeton University Press, 2007.

———. "Victorian Visions of Global Order: An Introduction." In *Victorian Visions of Global Order: Empire and International Relations in the Nineteenth Century Political Thought*, edited by Duncan Bell, 1-25. New York: Cambridge University Press, 2007.

———. "Writing the World: Disciplinary History and Beyond." *International Affairs* 85, no. 1 (2009): 3-22.

Bell, Duncan S. A. . "Language, Legitimacy, and the Project of Critique." *Alternatives* 27, no. 3 (2002): 327-50.

Bell, Duncan, and Casper Sylvest. "International Society in Victorian Political Thought: T.H. Green, Herbert Spencer, and Henry Sidgwick." *Modern Intellectual History* 3, no. 2 (2006): 207-38.

Benhabib, Seyla. *The Rights of Others: Aliens, Residents, and Citizens.* Cambridge: Cambridge University Press, 2004.

Benvenisti, Eyal. "Sovereigns as Trustees of Humanity: On the Accountability of States to Foreign Stakeholders." *The American Journal of International Law* 107, no. 2 (2013).

Berman, Harold J. *Law and Revolution: The Formation of the Western Legal Tradition.* Cambridge: Harvard University Press, 1983.

Bisht, Pawas. "The Politics of Cosmopolitan Memory." *Media, Culture & Society* 35, no. 1 (2013): 13-20.

Black, Antony. *Council and Commune: The Conciliar Movement and the Fifteenth-Century Heritage.* London: Burns & Oates, 1979.

———. *Political Thought in Europe, 1250-1450.* Cambridge: Cambridge University Press, 1992.

Blaney, David L. , and Arlene B. Tickner. "Worlding, Ontological Politics and the Possibility of a Decolonial Ir." *Millennium: Journal of International Studies* 45, no. 3 (2017): 293-311.

Bloch, Ernst. *Natural Law and Human Dignity.* Cambridge, MA: MIT Press, 1981.

Blom, Hans W. "Sociability and Hugo Grotius." *History of European Ideas* 41, no. 5 (2015): 589-604.

Bluntschli, Johan Caspar. *Lehre Vom Modernen Stat: Politik Als Wissenschaft.* 3 vols. Vol. III, Stuttgart: J.H. Cotta'schen Buchhandlung, 1876.

Bluntschli, Johan Kaspar. *Das Moderne Völkerrecht Der Civilisirten Staten Als Rechtsbuch Dargestellt.* 3rd ed. Nördlingen: C.H. Beck'schen Buchhandlung, 1878.

———. "Die Organisation Des Europäischen Statenvereines." In *Gesammelte Kleine Schriften*. Nördlingen: C.H. Beck'schen Buchhandlung, 1879.

———. *The Theory of the State.* 3rd ed. Oxford: Clarendon Press, 1895.

Boethius. *The Theological Tractates.* Translated by H. F. Stewart and E. K Rand. Cambridge: Harvard University Press, 1973.

Booth, Ken. *Theory of World Security.* Cambridge: Cambridge University Press, 2008.

Bosanquet, Bernard. "The Function of the State in Promoting the Unity of Mankind." *Proceedings of the Aristotelian Society* 17 (1916-1917): 28-57.

Bottici, Chiara. *Men and States: Rethinking the Domestic Analogy in a Global Age.* Translated by Karen Whittle. Basingstoke: Palgrave Macmillan, 2009.

Bourke, Joanna. *What It Means to Be Human: Reflections from 1791 to the Present.* London: Virago, 2011.

Brett, Annabel S. *Changes of State: Nature and the Limits of the City in Early Modern Natural Law.* Princeton: Princeton University Press, 2011.

Brooke, Christopher. "Grotius, Stoicism And'oikeiosis'." *Grotiana* 29, no. 1 (2008): 25-50.

Brown, Chris. "International Theory and International Society: The Viability of the Middle Way?". *Review of International Studies* 21, no. 2 (1995): 183-96.

———. "Moral Agency and International Society: Reflections on Norms, the Un, the Gulf War and the Kosovo Capaign." In *Can Institutions Have Responsibilities? Collective Moral Agency and International Relations*, edited by Toni Erskine, 51-65. Basingstoke: Palgrave MacMillan, 2003.

Buchan, Russel. "A Clash of Normativities: International Society and International Community." *International Community Law Review* 10 no. 1 (2008): 3–27.

Buchenau, Stefanie. *The Founding of Aesthetics in the German Enlightenment: The Art of Invention and the Invention of Art.* Cambridge: Cambrige University Press, 2013.

Bull, Hedley. *The Anarchical Society: A Study of Order in World Politics.* London: Macmillan, 1977.

———. "The Grotian Conception of International Society." In *Diplomatic Investigations*, edited by Herbert Butterfield and Martin Wight, 51-74. Cambridge, MA: Harvard University Press, 1968.

———. "The Twenty Years' Crisis Thirty Years On." *International Journal* 24, no. 4 (1968): 625-38.

Burke, Anthony. "Interspecies Cosmopolitanism: Non-Human Power and the Grounds of World Order in the Anthropocene." *Review of International Studies* 49, no. 2 (2023): 201-22.

Byrd, B. Sharon. "The State as a 'Moral Person'." *Proceedings of the Eighth International Kant Congress* 1, no. 1 (1995): 171-89.

Byrd, B. Sharon, and Joachim Hruschka. "From the State of Nature to the Juridical State of States." *Law and Philosophy* 27, no. 6 (2008): 599-641.

Cabrera, Luis. *Political Theory of Global Justice: A Cosmopolitan Case for the World State.* Abingdon: Routledge, 2004.

Camposampiero, Matteo Favaretti. "Dividing Fiction from Reality. On Christian Wolff's Metaphysical Project." In *Existence and Nature: New Perspectives*, edited by Matteo Favaretti Camposampiero and Matteo Plebani. Frankfurt: Ontos Verlag, 2012.

Caney, Simon. *Justice Beyond Borders: A Global Political Theory.* New York: Oxford University Press, 2005.

Canning, Joseph. *The Political Thought of Baldus De Ubaldis.* Cambridge: Cambridge University Press, 2003.

Carr, E.H. *The Twenty Years' Crisis, 1919-1939.* London: Palgrave Macmillan, 2016.

Carvalho, Benjamin de, Halvard Leira, and John M. Hobson. "The Big Bangs of Ir: The Myths That Your Teachers Still Tell You About 1648 and 1919." *Millennium: Journal of International Studies* 39, no. 3 (2011): 753-58.

Cavallar, Georg. "Kant's Society of Nations: Free Federation or World Republic?". *Journal of the History of Philosophy* 32, no. 3 (1994): 461-82.

Chakrabarty, Dipesh. *The Climate of History in a Planetary Age.* Chicago: University of Chicago Press, 2021.

———. "The Climate of History: Four Theses." *Critical Inquiry* 35, no. 2 (2009): 197-222.

———. "Humanities in the Anthropocene: The Crisis of an Enduring Kantian Fable." *New Literary History* 47, no. 2 & 3 (2016): 377-97.

———. "Postcolonial Studies and the Challenge of Climate Change." *New Literary History* 43, no. 1 (2012): 1-18.

Cheneval, Francis. *Philosophie in Weltbürgerlicher Bedeutung. Über Die Entstehung Und Die Philosophischen Grundlagen Des Supranationalen Und Kosmopolitischen Denkens Der Moderne.* Basel: Schwabe & Co. , 2002.

Christiano, Thomas. "The Arbitrary Circumscription of the Jurisdiction of the International Criminal Court." *Critical Review of International Social and Political Philosophy* 23, no. 3 (2020): 352-70.

———. "Democratic Legitimacy and International Institutions." In *The Philosophy of International Law*, edited by Samantha Besson and John Tasioulas, 119-38. Oxford: Oxford University Press, 2010.

Christov, Theodore. *Before Anarchy: Hobbes and His Critics in Modern International Thought.* New York: Cambridge University Press, 2016.

Chwaszcza, Christine. "The Seat of Sovereignty: Hobbes on the Artificial Person of the Commonwealth or State." *Hobbes Studies* 25, no. 2 (2012): 123–42.

Coker, F. W. *Organismic Theories of the State.* New York: Longmans, Green & Co. , 1910.

Collins, Stephanie. "Abilities and Obligations: Lessons from Non-Agentive Groups." *Erkenntnis* (2022): 1-22.

———. "Collective Responsibility and International Relations." In *The Routledge Handbook of Collective Responsibility*, edited by Saba Bazargan-Forward and Deborah Tollefsen, 331-46. New York: Routledge, 2020.

———. *Group Duties: Their Existence and Their Implications for Individuals.* Oxford: Oxford University Press, 2019.

Condorelli, Orazio. "Grotius's Doctrine of Alliances with Infidels and the Idea of Respublica Christiana." *Grotiana* 41 (2020): 13-39.

Corr, Charles A. "Christian Wolff and Leibniz." *Journal of the History of Ideas* 36, no. 2 (1975): 241-62.

Corrias, Luigi DA, and Geoffrey M Gordon. "Judging in the Name of Humanity: International Criminal Tribunals and the Representation of a Global Public." *Journal of International Criminal Justice* 13, no. 1 (2015): 97-112.

Crawford, Neta C. . "Individual and Collective Moral Responsibility for Systemic Military Atrocity." *Journal of Political Philosophy* 15, no. 2 (2007): 187-212.

Criddle, Evan J., and Evan Fox-Decent. *Fiduciaries of Humanity: How International Law Constitutes Authority.* New York: Oxford University Press, 2016.

Crignon, Philippe. "Representation and the Person of the State." *Hobbes Studies* 31, no. 1 (2017): 48-74.

Cudworth, Erika, and Stephen Hobden. *Posthuman International Relations: Complexity, Ecologism and Global Politics.* New York: Zed Books, 2011.

Dante. *Monarchy.* Translated by Prue Shaw. Cambridge: Cambridge University Press, 1996.

Davis, Kathleen. *Periodization and Sovereignty: How Ideas of Feudalism and Secularization Govern the Politics of Time.* Philadelphia: University of Pennsylvania Press, 2008.

de Guevara, Berit Bliesemann, and Florian P. Kühn. "'The International Community Needs to Act': Loose Use and Empty Signalling of a Hackneyed Concept." *International Peacekeeping* 18, no. 2 (2011): 135-51.

de Macedo, Paulo Emílio Vauthier Borges. *Catholic and Reformed Traditions in International Law: A Comparison between the Suarezian and the Grotian Concept of Ius Gentium.* Cham: Springer, 2017.

Dickinson, Edwin DeWitt. "The Analogy between Natural Persons and International Persons in the Law of Nations." *The Yale Law Journal* 26, no. 7 (1917): 564-91.

Diderot, Denis. "Natural Right." Edited and Translated by Henry C. Clark. In *Encyclopedic Liberty: Political Articles in the Dictionary of Diderot and D'alembert*, 97-102. Indianapolis: Liberty Fund, 2016.

Donelan, Michael D. . "The Political Theorists and International Theory." In *Reason of States: Study in International Political Theory*, edited by Michael D. Donelan, 75-91. London: George Allen & Unwin, 1978.

Donnelly, Jack. "Normative Versus Taxonomic Humanity: Varieties of Human Dignity in the Western Tradition." *Journal of Human Rights* 14, no. 1 (2015): 1-22.

Doucet, Marc G. "The Democratic Paradox and Cosmopolitan Democracy." *Millennium* 34, no. 1 (2005): 137-55.

Douzinas, Costas. "Humanity, Military Humanism and the New Moral Order." *Economy and society* 32, no. 2 (2003): 159-83.

———. *The Radical Philosophy of Rights.* Abingdon: Routledge, 2019.

Doyle, Michael W. "Kant, Liberal Legacies, and Foreign Affairs." *Philosophy and Public Affairs* 12, no. 3 (1983): 205-35.

Dufek, Pavel. "Why Strong Moral Cosmopolitanism Requires a World-State." *International Theory* 5, no. 2 (2013): 177-212.

Duff, Patrick W. *Personality in Roman Private Law.* Cambridge: Cambridge University Press, 1938.

Easley, Eric S. *The War over Perpetual Peace: An Exploration into the History of a Foundational International Relations Text.* Basingstoke: Palgrave Macmillan, 2004.

Eckert, Amy. "Peoples and Persons: Moral Standing, Power, and the Equality of States." *International Studies Quarterly* 50, no. 4 (2006): 841-59.

Edkins, Jenny. "Humanitarianism, Humanity, Human." *Journal of Human Rights* 2, no. 2 (2003): 253-58.

Ellis, David C. . "On the Possibility of 'International Community'." *International Studies Review* 11, no. 1 (2009): 1-26.

Epstein, Charlotte. *Birth of the State: The Place of the Body in Crafting Modern Politics.* New York: Oxford University Press, 2021.

Erskine, Toni. "Assigning Responsibilities to Institutional Moral Agents: The Case of States and 'Quasi-States'." In *Can Institutions Have Responsibilities? Collective Moral Agency and International Relations*, edited by Toni Erskine, 19-40. Basingstoke: Palgrave MacMillan, 2003.

———. "Assigning Responsibilities to Institutional Moral Agents: The Case of States and Quasi-States." *Ethics & International Affairs* 15, no. 2 (2001): 67-85.

———. ""Blood on the Un's Hands"? Assigning Duties and Apportioning Blame to an Intergovernmental Organisation." *Global Society* 18, no. 1 (2004): 21-42.

Esposito, Roberto. *Persons and Things from the Body's Point of View.* Translated by Zakiya Hanafi. Cambridge: Polity Press, 2015.

———. *Third Person: Politics of Life and Philosophy of the Impersonal.* Cambridge: Polity Press, 2012.

Fassin, Didier. *Humanitarian Reason: A Moral History of the Present.* Translated by Rachel Gomme. Berkeley: University of California Press, 2012.

Feldman, Ilana, and Miriam Ticktin. "Government and Humanity." In *In the Name of Humanity: The Government of Threat and Care*, edited by Ilana Feldman and Miriam Ticktin, 1-26. Durham: Duke University Press, 2010.

———, eds. *In the Name of Humanity: The Government of Threat and Care*. Durham: Duke University Press, 2010.

Filmer, Robert. "Patriarcha." In *Patriarcha and Other Political Works*, edited by Peter Laslett, 49-126. Oxford: Basil Blackwell, 1949.

Finegan, Thomas. "Conceptual Foundations of the Universal Declaration of Human Rights: Human Rights, Human Dignity and Personhood ". *Australian Journal of Legal Philosophy* 37 (2012): 182-218.

Fleming, Sean. "Artificial Persons and Attributed Actions: How to Interpret Action-Sentences About States." *European Journal of International Relations* 23, no. 4 (2017): 930-50.

———. *Leviathan on a Leash: A Theory of State Responsibility.* Princeton: Princeton University Press, 2020.

———. "Leviathan on Trial: Should States Be Held Criminally Responsible?". *International Theory* 13, no. 3 (2021): 427-50.

———. "Moral Agents and Legal Persons: The Ethics and the Law of State Responsibility." *International Theory* 9, no. 3 (2017): 466-89.

———. "The Two Faces of Personhood: Hobbes, Corporate Agency and the Personality of the State." *European Journal of Political Theory* 20, no. 1 (2017): 5-26.

Fletcher, George, and Jens Ohlin. *Defending Humanity: When Force Is Justified and Why.* New York: Oxford University Press, 2008.

Flikschuh, Katrin. "Kant's Sovereignty Dilemma: A Contemporary Analysis." *The Journal of Political Philosophy* 18, no. 4 (2010): 469-93.

Flint, Robert. *The Philosophy of History in France and Germany.* Vol. I, Edinburgh: William Blackwood and Sons, 1874.

Foisneau, Luc. "Elements of Fiction in Hobbes's System of Philosophy." In *Fictions and the Frontiers of Knowledge in Europe, 1500-1800*, edited by Alexis Tadie and Richard Scholar. Farnham: Ashgate, 2010.

Fortescue, Sir John. "In Praise of the Laws of England." In *On the Laws and Governance of England*, edited by Shelley Lockwood. Cambridge: Cambridge University Press, 1997.

Foucault, Michel. "On the Genealogy of Ethics: An Overview of Work in Progress." In *The Foucault Reader*, edited by Paul Rabinow, 340-72. New York: Pantheon Books, 1984.

———. "What Is Enlightenment?". In *The Foucault Reader*, edited by Paul Rabinow, 32-50. New York: Pantheon Books, 1984.

Fox-Decent, Evan. *Sovereignty's Promise: The State as Fiduciary.* New York: Oxford University Press, 2011.

Francione, Gary L. . *Animals as Persons: Essays on the Abolition of Animal Exploitation.* New York: Columbia University Press, 2008.

Franke, Ulrich, and Ulrich Roos. "Actor, Structure, Process: Transcending the State Personhood Debate by Means of a Pragmatist Ontological Model for International Relations Theory." *Review of International Studies* 36, no. 4 (2010): 1057-77.

French, Peter A. *Collective and Corporate Responsibility.* New York: Columbia University Press, 1984.

———. "The Corporation as a Moral Person." *American Philosophical Quarterly* 16, no. 3 (1979): 207-15.

Gaita, Raimond. "Refocusing Genocide: A Philosohpical Responsibility." In *Genocide and Human Rights: A Philosophical Guide*, edited by John K. Roth, 153-66. Basingstoke: Palgrave MacMillan, 2005.

Gaius. *Institutiones or Institutes of Roman Law.* Edited and Translated by Edward Poste4th ed. Oxford: Clarendon Press, 1904.

Gammon, Earl. "Affective Neuroscience, Emotional Regulation, and International Relations." *International Theory* 12, no. 2 (2020): 189-219.

Gentili, Alberico. *De Iure Belli Libri Tres.* Translated by John C. Rolfe. Vol. II, Oxford: Clarendon Press, 1933.

Geyer, Michael , and Charles Bright. "World History in a Global Age." *The American Historical Review* 100, no. 4 (1995): 1034-60.

Gierke, Otto. *Associations and Law: The Classical and Early Christian Stages* Edited and Translated by George HeimanToronto: University of Toronto Press, 1977.

———. "The Basic Concepts of State Law and the Most Recent State-Law Theories." Translated by John D. Lewis. In *The Genossenschaft Theory of Otto Von Gierke*, edited by John D. Lewis, 158-85. Madison: University of Wisconsin Press, 1935.

———. *Community in Historical Perspective.* Translated by Mary Fisher. Edited by Antony Black. Cambridge: Cambridge Unviersity Press, 1990.

———. *Natural Law and the Theory of Society, 1500 to 1800.* Translated by Ernest Barker. Cambridge: Cambridge University Press, 1958.

———. "The Nature of Human Associations." Edited and Translated by John D. Lewis. In *The Genossenschaft Theory of Otto Von Gierke*. Madison: University of Wisconsin Press, 1935.

———. *Political Theories of the Middle Age.* Translated by Frederic William Maitland. Boston: Beacon Press, 1959.

Gilpin, Robert. "The Richness of the Tradition of Political Realism." *International Organization* 38, no. 2 (1984): 287-304.

Glanville, Luke. "The Antecedents of 'Sovereignty as Responsibility'." *European Journal of International Relations* 17, no. 2 (2010): 233-55.

———. "The International Community's Responsibility to Protect." *Global Responsibility to Protect* 2, no. 3 (2010): 287-306.

———. "The Myth of 'Traditional' Sovereignty." *International Studies Quarterly* 57, no. 1 (2013): 79-90.

———. "Responsibility to Perfect: Vattel's Conception of Duties Beyond Borders." *International Studies Quarterly* 61, no. 2 (2017): 385-95.

Goodman, Nelson. *Ways of Worldmaking.* Indianapolis: Hackett, 1978.

Gould, Harry D. "International Criminal Bodies." *Review of International Studies* 35, no. 3 (2009): 701-21.

Graf, Sinja. *The Humanity of Universal Crime: Inclusion, Inequality, and Intervention in International Political Thought.* New York: Oxford University Press, 2021.

Gray, J. Glenn. "Hegel's Logic: The Philosophy of the Concrete." *The Virginia Quarterly Review* 47, no. 2 (1971).

Grotius, Hugo. *Rights of War and Peace.* Edited by Richard Tuck. 3 vols. Vol. I, Indianapolis: Liberty Fund, 2005.

———. *Rights of War and Peace.* Edited by Richard Tuck. 3 vols. Vol. II, Indianapolis: Liberty Fund, 2005.

Grunert, Frank. "Absolutism(S): Necessary Ambivalences in the Political Theory of Christian Wolff." *Legal History Review* 73, no. 1 (2005): 141-52.

Habermas, Jürgen. "The Concept of Human Dignity and the Realistic Utopia of Human Rights." *Metaphilosophy* 41, no. 4 (2010): 464-80.

———. "Kant's Idea of Perpetual Peace, with the Benefit of Two Hundred Years' Hindsight." In *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, edited by James Bohman and Matthias Lutz-Bachmann. Cambridge, MA: MIT Press, 1997.

Hacking, Ian. *Historical Ontology.* Cambridge: Harvard University Press, 2004.

Hall, Matthew. *Plants as Persons: A Philosophical Botany.* Albany: State University of New York Press, 2011.

Hamilton, Clive. *Defiant Earth: The Fate of Humans in the Anthropocene.* Cambridge: Polity Press, 2017.

Hamilton, Scott. "I Am Uncertain, but We Are Not: A New Subjectivity of the Anthropocene." *Review of International Studies* 45, no. 4 (2019): 607-26.

———. "The Measure of All Things? The Anthropocene as a Global Biopolitics of Carbon." *European Journal of International Relations* 24, no. 1 (2018): 33-57.

Hegel, Georg W. F. *Elements of the Philosophy of Right.* Cambridge: Cambridge University Press, 1991.

———. "Who Thinks Abstractly?" Translated by Walter Kaufmann. In *Hegel: Texts and Commentary*, edited by Walter Kaufmann, 113-18. Garden City: Anchor Books, 1966.

Heiman, George. "Introduction." In *Associations and Law: The Classical and Early Christian Stages*, edited by George Heiman. Toronto: University of Toronto Press, 1977.

Heise, Ursula K. . *Imagining Extinction: The Cultural Meanings of Endangered Species.* Chicago: The University of Chicago Press, 2016.

Held, David. *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance.* Sanford: Stanford University Press, 1995.

Hilpold, Peter. "Intervening in the Name of Humanity: R2p and the Power of Ideas." *Journal of Conflict and Security Law* 17, no. 1 (2012): 49-79.

Hinsley, F.H. *Power and the Pursuit of Peace: Theory and Practice in the History of Relations between States.* Cambridge: Cambridge University Press, 1963.

Hjorth, Ronnie. *Equality in International Society: A Reappraisal.* Basingstoke: Palgrave Macmillan, 2014.

Hobbes, Thomas. *Leviathan.* Edited by Richard Tuck. Cambridge: Cambridge University Press, 1996.

———. *On the Citizen.* Edited by Richard Tuck and Michael Silverthorne. Cambridge: Cambridge University Press, 1998.

Hochstrasser, Tim J. *Natural Law Theories in the Early Enlightenment.* Cambridge: Cambridge University Press, 2000.

Holbraad, Carsten. *The Concert of Europe: A Study in German and British International Theory 1815-1914.* London: Longman, 1970.

Holland, Ben. "The Moral Person of the State: Emer De Vattel and the Foundations of International Legal Order." *History of European Ideas* 37, no. 4 (2011): 438-45.

———. *The Moral Person of the State: Pufendorf, Sovereignty and Composite Polities.* Cambridge: Cambridge University Press, 2017.

———. "Natural Law and the Theory of International Society: Otto Von Gierke and the Three Traditions of International Theory." *Journal of International Political Theory* 8, no. 1-2 (2012): 48-73.

———. "The Perpetual Peace Puzzle: Kant on Persons and States." *Philosophy and Public Affairs* 43, no. 6 (2017): 599-620.

———. "Pufendorf's Theory of Facultative Sovereignty: On the Configuration of the Soul of the State." *History of Political Thought* 33, no. 3 (2012): 427-54.

Hommes, Hedrik van Eikema. "Grotius on Natural and International Law." *Netherlands International Law Review* 30, no. 1 (1983): 61-71.

Honig, Bonnie. "Between Decision and Deliberation: Political Paradox in Democratic Theory." *American political science review* 101, no. 1 (2007): 1-17.

Hont, István. "The Language of Sociability and Commerce: Samuel Pufendorf and the Theoretical Foundations of the 'Four-Stages-Theory'." In *The Languages of Political Theory in Early-Modern Europe*, edited by Anthony Pagden, 271-316. Cambridge: Cambridge University Press, 1987.

Hornung, Joseph. "Civilisés Et Barbares." *Revue de droit international et de législation comparée* 18 (1886): 188-206; 81-98.

———. "Civilisés Et Barbares." *Revue de droit international et de législation comparée* 17 (1885): 1-18; 447-70; 539-60.

Hunter, Ian. "About the Dialectical Historiography of International Law." *Global Intellectual History* 1, no. 1 (2016): 1-32.

———. "The Law of Nature and Nations." In *The Routledge Companion to Eighteenth Century Philosophy*, edited by Aaron Garrett, 559-92. Abingdon: Routledge, 2014.

———. *Rival Enlightenments: Civil and Metaphysical Philosophy in Early Modern Germany.* Cambridge: Cambridge University Press, 2001.

———. *The Secularisation of the Confessional State: The Political Thought of Christian Thomasius.* Cambridge: Cambridge University Press, 2007.

Hurrell, Andrew. *On Global Order: Power, Values, and the Constitution on International Society.* Oxford: Oxford University Press, 2008.

Hutchings, Kimberly. "Decolonizing Global Ethics: Thinking with the Pluriverse." *Ethics and International Affairs* 33, no. 2 (2019): 115-25.

Hutchison, Emma. *Affective Communities in World Politics: Collective Emotions after Trauma.* Cambridge: Cambridge University Press, 2016.

Höffe, Otfried. *Kant's Cosmopolitan Theory of Law and Peace.* New York: Cambridge University Press, 2006.

Höpfl, Harro. *Jesuit Political Thought: The Society of Jesus and the State, C.1540–1630.* Cambridge: Cambridge University Press, 2004.

Haakonssen, Knud. "German Natural Law." In *The Cambridge History of Eighteenth-Century Political Thought*, edited by Mark Goldie and Robert Wokler, 249-90. Cambridge: Cambridge University Press, 2006.

Haara, Heikki. *Pufendorf's Theory of Sociability: Passions, Habits and Social Order.* Cham: Springer, 2018.

Ikenberry, G. John. *A World Safe for Democracy: Liberal Internationalism and the Crises of Global Order.* New Haven: Yale University Press, 2020.

Inayatullah, Naeem, and David L. Blaney. *International Relations and the Problem of Difference.* New York: Routledge, 2004.

Jabri, Vivienne. *War and the Transformation of Global Politics.* Basingstoke: Palgrave Macmillan, 2007.

Jackson, Patrick Thaddeus. "Hegel's House, or 'People Are States Too'." *Review of International Studies* 30, no. 2 (2004): 281-87.

Jackson, Robert. *Classical and Modern Thought on International Relations: From Anarchy to Cosmopolis.* New York: Palgrave Macmillan, 2005.

———. *The Global Covenant: Human Conduct in a World of States.* New York: Oxford University Press, 2000.

Jarvis, Samuel. "Assessing the Responsibility to Protect's Motivational Capacity: The Role of Humanity." *Journal of International Political Theory* 14, no. 1 (2018): 107-24.

Jaworska, Agnieszka, and Julie Tannenbaum. "Persons and Moral Status." In *Persons: A History*, edited by Antonia LoLordo, 334-62. Oxford: Oxford University Press, 2019.

Jenks, C. Wilfred. "The Significance to-Day of Lorimer's 'Ultimate Problem of International Jurisprudence' ". *Transactions of the Grotius Society* 26 (1940): 35-63.

Jones, Charles. *Global Justice. Defending Cosmopolitanism.* Oxford: Oxford University Press, 1999.

Kant, Immanuel. *Anthropology from a Pragmatic Point of View.* Edited and Translated by Robert B. LoudenCambridge: Cambridge University Press, 2006.

———. "The Contest of Faculties." Translated by H. B. Nisbet. In *Kant: Political Writings*, edited by Hans Reiss, 176-90. Cambridge: Cambridge University Press, 1991.

———. *Critique of Pure Reason.* Edited and Translated by Paul Guyer and Allen W. WoodCambridge: Cambridge University Press, 1998.

———. *Critique of the Power of Judgment.* Translated by Paul Guyer and Eric Matthews. Edited by Paul Guyer. Cambridge: Cambridge University Press, 2008.

———. "Idea for a Universal History with a Cosmopolitan Purpose." Translated by H.B. Nisbet. In *Kant: Political Writings*, edited by Hans Reiss. Cambridge: Cambridge University Press, 1991.

———. *The Metaphysics of Morals.* Translated by Mary Gregor. Cambridge: Cambridge University Press, 1991.

———. "On the Common Saying: 'This May Be True in Theory, but It Does Not Apply in Practice'." Translated by H.B. Nisbet. In *Kant: Political Writings*, edited by Hans Reiss. Cambridge: Cambridge University Press, 1991.

———. "Perpetual Peace: A Philosophical Sketch." Translated by H. B. Nisbet. In *Kant: Political Writings*, edited by Hans Reiss, 93-130. Cambridge: Cambridge University Press, 1991.

———. "Ueber Den Gemeinspruch: Das Mag in Der Theorie Richtig Sein Taugt Aber Nicht Für Die Praxis." In *Immanuel Kant's Sämmtliche Werke*, edited by G. Hartenstein, 303-46. Leipzig: Leopold Voss, 1868.

Kantorowicz, Ernst H. *The King's Two Bodies: A Study in Medieval Political Theology.* Princeton: Princeton University Press, 1957.

Kapossy, Béla, and Richard Whatmore. "Emer De Vattel's *Mélanges De Littérature, De Morale Et De Politique* (1760)." *History of European Ideas* 34, no. 1 (2008): 77-103.

Kateb, George. *Human Dignity.* Cambridge: Harvard University Press, 2011.

Keal, Paul. *European Conquest and the Rights of Indigenous Peoples: The Moral Backwardness of International Society.* Cambridge: Cambridge University Press, 2003.

Keene, Edward. *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics.* Cambridge: Cambridge University Press, 2002.

Kennedy, David. "Primitive Legal Scholarship." *Harvard International Law Journal* 27, no. 1 (1986): 1-98.

Kind, Amy. *Persons and Personal Identity.* Cambridge: Polity Press, 2015.

Kingsbury, Benedict, and Benjamin Straumann. "The State of Nature and Commercial Sociability in Early Modern International Thought." *Grotiana* 31, no. 1 (2010): 22–43.

Kinnvall, Catarina. "Feeling Ontologically (in) Secure: States, Traumas and the Governing of Gendered Space." *Cooperation and conflict* 52, no. 1 (2017): 90-108.

———. "Globalization and Religious Nationalism: Self, Identity, and the Search for Ontological Security." *Political Psychology* 25, no. 5 (2004): 741-67.

Kinnvall, Catarina, and Jennifer Mitzen. "An Introduction to the Special Issue: Ontological Securities in World Politics." *Cooperation and Conflict* 52, no. 1 (2016): 3–11.

Klabbers, Jan. "The Concept of Legal Personality." *Ius Gentium* 11 (2005): 35-66.

Kleingeld, Pauline. "Approaching Perpetual Peace: Kant's Defence of a League of States and His Ideal of a World Federation." *European Journal of Philosophy* 12, no. 3 (2004): 304-25.

———. "Defending the Plurality of States: Cloots, Kant, and Rawls." *Social Theory and Practice* 32, no. 4 (2006): 559-78.

Klose, Fabian. *In the Cause of Humanity: A History of Humanitarian Intervention in the Long Nineteenth Century.* Cambridge Cambridge University Press, 2021.

Koskenniemi, Martti. *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960.* Cambridge: Cambridge University Press, 2001.

———. "Race, Hierarchy and International Law: Lorimer's Legal Science." *The European Journal of International Law* 27, no. 2 (2016): 415-29.

Koterski, Joseph W. "Boethius and the Theological Origins of the Concept of Person." *American Catholic Philosophical Quarterly* 78, no. 2 (2004): 203-24.

Kovach, Karen. "The International Community as Moral Agent." *Journal of Military Ethics* 2, no. 2 (2003): 99-106.

Krause, Karl Christian Frederick. *The Ideal of Humanity and Universal Federation.* Edited and Translated by W. HastieEdinburgh: T. & T. Clark, 1900.

Krickel-Choi, Nina C. "State Personhood and Ontological Security as a Framework of Existence: Moving Beyond Identity, Discovering Sovereignty." *Cambridge Review of International Affairs* (2022). https://doi.org/https://doi.org/10.1080/09557571.2022.2108761.

Kustermans, Jorg. "The State as Citizen: State Personhood and Ideology." *Journal of International Relations and Development* 14, no. 1 (2011): 1-27.

Kuhler, Anne. "*Societas Humana* Bei Christian Wolff." In *Völkerrechtsphilosophie Der Frühaufklärung*, edited by Tillmann Altwicker, Francis Cheneval and Oliver Diggelmann. Tübingen: Mohr Siebeck, 2015.

Lambier, Joshua. "The Organismic State against Itself: Schelling, Hegel and the Life of Right." *European Romantic Review* 19, no. 2 (2008): 131-37.

Lang, Anthony F. "Crime and Punishment: Holding States Accountable." *Ethics & International Affairs* 21, no. 2 (2007): 239-57.

Lansing, Robert. "Notes on World Sovereignty." *The American Journal of International Law* 15, no. 1 (1921): 13-27.

Latour, Bruno. "Agency at the Time of the Anthropocene." *New Literary History* 45, no. 1 (2014): 1-18.

———. *Facing Gaia: Eight Lectures on the New Climatic Regime.* Cambridge: Polity Press, 2017.

Lawford-Smith, Holly. "What 'We'?". *Journal of Social Ontology* 1, no. 2 (2015): 225-49.

Leep, Matthew. "Stray Dogs, Post-Humanism and Cosmopolitan Belongingness: Interspecies Hospitality in Times of War." *Millennium: Journal of International Studies* 47, no. 1 (2018): 45–66.

Lepori, Matthew. "There Is No Anthropocene: Climate Change, Species-Talk, and Political Economy." *Telos* 172 (2015): 103-24.

Lerner, Adam B. . "What's It Like to Be a State? An Argument for State Consciousness." *International Theory* 13, no. 2 (2021): 260–86.

Levy, Daniel, and Natan Sznaider. "Memory Unbound: The Holocaust and the Formation of Cosmopolitan Memory." *European Journal of Social Theory* 5, no. 1 (2002): 87-106.

Linklater, Andrew. *Men and Citizens in the Theory of International Relations.* Second ed. Basingstoke: MacMillan, 1990.

———. "The Problem of Community in International Relations." *Alternatives* 15, no. 2 (1990): 135-53

———. *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era.* Cambridge: Polity Press, 1998.

Lipp, Martin. "'Persona Moralis', 'Juristische Person' Und 'Personenrecht' - Eine Studie Zur Dogmengeschichte Der 'Juristischen Person' Im Naturrecht Und Frühen 19. Jahrhundert." *Quaderni Fiorentini* 11/12 (1982/83).

List, Christian, and Mathias Koenig-Archibugi. "Can There Be a Global Demos? An Agency-Based Approach." *Philosophy & Public Affairs* 38, no. 1 (2010): 76-110.

List, Christian, and Philip Pettit. *Group Agency: The Possibility, Design, and Status of Corporate Agents.* Oxford: Oxford University Press, 2011.

List, Christian, and Kai Spiekerman. "Methodological Individualism and Holism in Political Science: A Reconciliation." *American Political Science Review* 107, no. 4 (2014): 629-43.

Lomas, Peter. "Anthropomorphism, Personification and Ethics: A Reply to Alexander Wendt." *Review of International Studies* 31, no. 2 (2005): 349-55.

Lorimer, James. *The Institutes of the Law of Nations: A Treatise of the Jural Relations of Separate Political Communities.* Vol. II, Edinburgh and London: William Blackwood and sons, 1884.

———. *Of the Denationalisation of Constantinople and Its Devotion to International Purposes.* Edinburgh: Edmonston and Douglas, 1876.

Lovejoy, Arthur O. *The Great Chain of Being: A Study of the History of an Idea.* Cambridge, MA: Harvard University Press, 1936.

Lubac, Henri de. *Corpus Mysticum: The Eucharist and the Church in the Middle Ages.* Translated by Gemma Simmonds, Richard Prince and Christopher Stephens. Edited by Laurence Paul Hemming and Susan Frank Parsons. London: SCM Press, 2006.

Luke, Timothy W. "Reconstructing Social Theory and the Anthropocene." *European Journal of Social Theory* 20, no. 1 (2017): 80-94.

Luoma-Aho, Mika. "Political Theology, Anthropomorphism, and Person-Hood of the State: The Religion of Ir." *International Political Sociology* 3, no. 3 (2009): 293-309.

MacIntyre, Alasdair. *Three Rival Versions of Moral Enquiry.* Notre Dame: University of Notre Dame Press, 1990.

Macleod, Christopher. "Towards a Philosophical Account of Crimes against Humanity." *The European Journal of International Law* 21, no. 2 (2010): 281–302.

Maitland, Frederic William. "Introduction." In *Political Theories of the Middle Age.* Boston: Beacon Press, 1959.

Maliks, Reidar. "Two Theories of Resistance in the German Enlightenment." *History of European Ideas* 44, no. 4 (2018): 449-60.

Malm, Andreas, and Alf Hornborg. "The Geology of Mankind? A Critique of the Anthropocene Narrative." *The Anthropocene Review* 1, no. 1 (2014): 62-69.

Marchetti, Raffaele. *Global Democracy: For and Against. Ethical Theory, Institutional Design, and Social Struggles.* New York. Routledge, 2008.

———. "Global Governance or World Federalism? A Cosmopolitan Dispute on Institutional Models." *Global Society* 20, no. 3 (2006): 287-305.

Mauss, Marcel. "A Category of the Human Mind: The Notion of Person; the Notion of Self." Translated by W.D. Halls. In *The Category of the Person: Anthropology, Philosophy, History*, edited by Michael Carrithers, Steven Collins and Steven Lukes, 1-25. Cambridge: Cambridge University Press, 1985.

May, Larry. *Crimes against Humanity: A Normative Account.* Cambridge: Cambridge University Press, 2004.

Mayall, James. *Nationalism and International Society.* Cambridge: Cambridge University Press, 1990.

———. *World Politics: Progress and Its Limits.* Cambridge: Polity Press, 2000.

Mégret, Frédéric. "In Whose Name?: The Icc and the Search for Constituency." In *Contested Justice: The Politics of International Criminal Court Interventions*, edited by Christian De Vos, Sara Kendall and Carsten Stahn, 23-45. Cambridge: Cambridge University Press, 2015.

Mercer, Jonathan. "Feeling Like a State: Social Emotion and Identity." *International Theory* 6, no. 3 (2014): 515-35.

Miner, Robert C. "Suárez as Founder of Modernity: Reflections on a Topos in Recent Historiography." *History of Philosophy Quarterly* 18, no. 1 (2001): 17-36.

Misztal, Barbara A. . "Collective Memory in a Global Age: Learning How and What to Remember." *Current Sociology* 58, no. 1 (2010): 24-44.

Mitzen, Jennifer. "Ontological Security in World Politics: State Identity and the Security Dilemma." *European Journal of International Relations* 12, no. 3 (2006): 341–70.

———. *Power in Concert: The Nineteenth-Century Origins of Global Governance.* University of Chicago Press, 2013.

Molloy, Sean. *Kant's International Relations: The Political Theology of Perpetual Peace.* Ann Arbor: University of Michigan Press, 2017.

Mora, Jose Ferrater. "Suárez and Modern Philosophy." *Journal of the History of Ideas* 14, no. 4 (1953): 528-47.

Morefield, Jeanne. *Covenants without Swords: Idealist Liberalism and the Spirit of Empire.* Princeton: Princeton University Press, 2004.

———. "Hegelian Organicism, British New Liberalism and the Return of the Family State." *History of Political Thought* 23, no. 1 (2002): 141-70.

Moyn, Samuel. *Christian Human Rights.* Philadelphia: University of Pennsylvania Press, 2015.

———. "Personalism, Community, and the Origins of Human Rights." In *Human Rights in the Twentieth Century*, edited by Stefan-Ludwig Hoffmann, 85-106. Cambridge: Cambridge University Press, 2011.

Muldoon, James. *Empire and Order: The Concept of Empire, 800-1800.* Basingstoke: Palgrave Macmillan, 1999.

———. *Popes, Lawyers, and Infidels: The Church and the Non-Christian World, 1250-1550.* Philadelphia: University of Pennsylvania Press, 1979.

Muniz-Fraticelli, Victor M. *The Structure of Pluralism: On the Authority of Associations.* Oxford: Oxford University Press, 2014.

Nardin, Terry. *Law, Morality, and the Relations of States.* Princeton: Princeton University Press, 1983.

Naude, Bianca. *Revisiting State Personhood and World Politics: Identity, Personality, and the Ir Subject.* New York: Routledge, 2022.

Neumann, Iver B. "Beware of Organicism: The Narrative Self of the State." *Review of International Studies* 30, no. 2 (2004): 259-67.

Nijman, Janne Elisabeth. *The Concept of International Legal Personality: An Inquiry into the History and Theory of International Law.* The Hague: T.M.C. Asser Press, 2004.

Nili, Shmuel. "Who's Afraid of a World State? A Global Sovereign and the Statist-Cosmopolitan Debate." *Critical Review of International Social and Political Philosophy* 18, no. 3 (2015): 241-63.

Nollez-Goldbach, Raphaëlle. "Crimes against Humanity: The Concept of Humanity in International Law." In *International Criminal Law in Context*, edited by Philipp Kastner, 91-108. New York: Routledge, 2018.

Nussbaum, Martha C. *The Cosmopolitan Tradition: A Noble but Flawed Ideal.* Cambridge, MA: Belknap Press, 2019.

———. "Kant and Stoic Cosmopolitanism." *The Journal of Political Philosophy* 5, no. 1 (1997): 1-25.

———. "Patriotism and Cosmopolitanism." In *For Love of Country. Debating the Limits of Patriotism*, edited by Joshua Cohen, 3-17. Boston: Beacon Press, 2002.

Näsström, Sofia. "The Challenge of the All-Affected Principle." *Political Studies* 59, no. 1 (2011): 116-34.

———. "The Legitimacy of the People." *Political Theory* 35, no. 5 (2007): 624-58.

———. "What Globalization Overshadows." *Political Theory* 31, no. 6 (2003): 808-34.

O'Neill, Onora. *Bounds of Justice.* Cambridge: Cambridge University Press, 200.

Oakeshott, Michael. *On Human Conduct.* Oxford: Clarendon Press, 1975.

Ockham, William of. "A Dialogue." In *William of Ockham: 'A Letter to the Friars Minor' and Other Writings*, edited by Arthur Stephen McGrade and John Kilcullen. Cambridge: Cambridge University Press, 1995.

Olesen, Thomas. "Global Injustice Memories: The 1994 Rwanda Genocide." *International Political Sociology* 6, no. 4 (2012): 373-89.

Olsthoorn, Johan. "*Leviathan* Inc.: Hobbes on the Nature and Person of the State." *History of European Ideas* 47, no. 1 (2021): 17-32.

Onuf, Nicholas Greenwood. "Civitas Maxima: Wolff, Vattel and the Fate of Republicanism." *The American Journal of International Law* 88, no. 2 (1994): 280-303.

———. "Imagined Republics." *Alternatives* 19, no. 3 (1994): 315-37.

———. *The Republican Legacy in International Thought.* Cambridge: Cambridge University Press, 1998.

———. *World of Our Making: Rules and Rule in Social Theory of International Relations.* Abingdon: Routledge, 2013.

Osiander, Andreas. "Sovereignty, International Relations, and the Westphalian Myth." *International Organization* 55, no. 2 (2001): 251-87.

Pagden, Anthony. "Introduction." In *Vitoria: Political Writings*, edited by Anthony Pagden, xiii-xxviii. Cambridge: Cambridge University Press, 1991.

Panizza, Diego. "The 'Freedom of the Sea' and the 'Modern Cosmopolis' in Alberico Gentili's De Iure Belli." *Grotiana* 30 (2009): 88-106.

Papamichail, Andeas, and Hannah Partis-Jennings. "Why Common Humanity? Framing the Responsibility to Protect as a Common Response." *International Politics* 53, no. 1 (2016): 83-100.

Parrish, John M. "Collective Responsibility and the State." *International Theory* 1, no. 9 (2009): 119-54.

Passmore, John. *The Perfectibility of Man.* 3rd ed. Indianapolis: Liberty Fund, 2000.

Peltonen, Hannes. "Modelling International Collective Responsibility: The Case of Grave Humanitarian Crises." *Review of International Studies* 36, no. 2 (2010): 239-55.

Peters, Anne. "Humanity as the α and Ω of Sovereignty." *European Journal of International Law* 20, no. 3 (2009): 513–44.

Phillips, Anne. *The Politics of the Human.* Cambridge: Cambridge University Press, 2015.

———. *Unconditional Equals.* Princeton: Princeton University Press, 2021.

Philpott, Daniel. *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations.* Princeton: Princeton University Press, 2001.

Pietrzykowski, Tomasz. *Personhood Beyond Humanism: Animals, Chimeras, Autonomous Agents.* Translated by Krystyna Warchal. Cham: Springer, 2018.

Pocock, J. G. A. "The Concept of a Language and the *Métier D'historien*: Some Considerations on Practice." In *The Languages of Political Theory in Early-Modern Europe*, edited by Anthony Pagden, 19-40. Cambridge: Cambridge University Press, 1987.

———. *Politics, Language, and Time: Essays on Political Thought and History.* Chicago: The University of Chicago Press, 1960.

———. "The Reconstruction of Discourse: Towards the Historiography of Political Thought." *MLN* 96, no. 5 (1981): 959-80.

Pogge, Thomas W. . "Cosmopolitanism and Sovereignty." *Ethics* 103, no. 1 (1992): 48-75.

Poggi, Gianfranco. "The Constitutional State of the Nineteenth Century: An Elementary Conceptual Portrait." *Sociology* 11, no. 2 (1977): 311-32.

Portman, Roland. *Legal Personality in International Law.* Cambridge: Cambridge University Press, 2010.

Prozorov, Sergei. "Generic Universalism in World Politics: Beyond International Anarchy and the World State." *International Theory* 1, no. 2 (2009): 215-47.

Pufendorf, Samuel. *De Jure Naturae Et Gentium Libri Octo.* Oxford: Clarendon Press, 1934.

———. *Two Books of the Elements of Universal Jurisprudence.* Translated by William Abbott Oldfather and Thomas Behme. Edited by Thomas Behme. Indianapolis: Liberty Fund, 2009.

Rawls, John. *The Law of Peoples.* Cambridge, MA: Harvard University Press, 1999.

Reus-Smit, Christian. *Individual Rights and the Making of the International System.* Cambridge: Cambridge University Press, 2013.

———. *On Cultural Diversity: International Theory in a World of Difference.* Cambridge: Cambridge University Press, 2018.

———. "Reading History through Constructivist Eyes." *Millennium: Journal of International Studies* 37, no. 2 (2008): 395-414.

Richardson, Kara. "Avicenna and the Principle of Sufficient Reason." *The Review of Metaphysics* 67, no. 4 (2014): 743-68.

Ringmar, Erik. "On the Ontological Status of the State." *European Journal of International Relations* 2, no. 4 (1996): 439-66.

Robertson, Kellie. "Scaling Nature: Microcosm and Macrocosm in Later Medieval Thought." *Journal of Medieval and Early Modern Studies* 49, no. 3 (2019): 609-31.

Robertson, Roland. "Global Connectivity and Global Consciousness." *American Behavioral Scientist* 55, no. 10 (2011): 1336-45.

———. *Globalization: Social Theory and Global Culture.* London: Sage, 1992.

Robertson, Roland, and David Inglis. "The Global Animus: In the Tracks of World Consciousness." *Globalizations* 1, no. 1 (2004): 38-49.

Rojas, Cristina. "Contesting the Colonial Logics of the International: Towards a Relational Politics for the Pluriverse." *International Political Sociology* 10, no. 4 (2016): 369-82.

Rosen, Michael. *Dignity: Its History and Meaning.* Cambridge: Harvard University Press, 2012.

Rosenberg, Justin. "International Relations in the Prison of Political Science." *International Relations* 30, no. 2 (2016): 127-53.

Roshchin, Evgeny. "(Un)Natural and Contractual International Society: A Conceptual Inquiry." *European Journal of International Relations* 19, no. 2 (2011): 257-79.

Rousseau, Jean-Jacques. "Of the Social Contract." In *The Social Contract and Other Later Political Writings*, edited by Victor Gourevitch, 39-152. Cambridge: Cambridge University Press, 1997.

———. *Rousseau's Political Writings.* W. W. Norton & Company. Edited by Alan Ritter and Julia Conaway Bondanella. New York, 1988.

Runciman, David. "The Concept of the State: The Sovereignty of a Fiction." In *States and Citizens: History, Theory, Prospects*, edited by Quentin Skinner and Bo Stråth. Cambridge: Cambridge University Press, 2003.

———. "Moral Responsibility and the the Problem of Representing the State." In *Can Institutions Have Responsibilities? Collective Moral Agency and International Relations*, edited by Toni Erskine, 41-50. Basingstoke: Palgrave Macmillan, 2003.

———. *Pluralism and the Personality of the State.* Cambridge: Cambridge University Press, 1997.

———. "What Kind of Person Is Hobbes's State? A Reply to Skinner." *The Journal of Political Philosophy* 8, no. 2 (2000): 268-78.

Ryan, Lorraine. "Cosmopolitan Memory and National Memory Conflicts: On the Dynamics of Their Interaction." *Journal of Sociology* 50, no. 4 (2014): 501–14.

Röd, Wolfgang. *Geometrischer Geist Und Naturrecht. Methodengeschichtliche Untersuchungen Zur Staatsphilosophie Im 17. Und 18. Jahrhundert.* München: Verlag der Bayerischen Akademie der Wissenschaften, 1970.

Sangiovanni, Andrea. *Humanity without Dignity: Moral Equality, Respect, and Human Rights.* Cambridge: Harvard University Press, 2017.

Sasley, Brent E. "Theorizing States' Emotions." *International Studies Review* 13, no. 3 (2011): 452-76.

Saunders, Ben. "Defining the Demos." *Politics, Philosophy & Economics* 11, no. 3 (2011): 280-301.

Scharpf, Fritz. *Governing in Europe: Effective and Democratic?* Oxford: Oxford University Press, 1999.

Scheuerman, William E. "Cosmopolitanism and the World State." *Review of international studies* 40, no. 3 (2014): 419-41.

Schiff, Jacob. "'Real'? As If! Critical Reflections on State Personhood." *Review of International Studies* 34, no. 2 (2008): 363-77.

Schiffer, Walter. *The Legal Community of Mankind: A Critical Analysis of the Modern Concept of World Organization.* New York: Columbia University Press, 1954.

Schmidt, Brian C. *The Political Discourse of Anarchy: A Disciplinary History of International Relations.* Albany: State University of New York Press, 1998.

Schmidt, Sebastian. "To Order the Minds of Scholars: The Discourse of the Peace of Westphalia in International Relations Literature." *International Studies Quarterly* 55, no. 3 (2011): 601-23.

Schmitt, Carl. *The Concept of the Political.* Chicago: The University of Chicago Press, 1996.

———. *Political Theology: Four Chapters on the Concept of Sovereignty.* Translated by George Schwab. Chigago: University of Chicago Press, 2006.

Schwenkenbecher, Anne. "Joint Duties and Global Moral Obligations." *Ratio* 26, no. 3 (2013): 310-28.

Scott, James Brown. *The Catholic Conception of International Law.* Washington DC: Georgetown University Press, 1934.

Sellars, John. "Stoic Cosmopolitanism and Zeno's 'Republic'." *History of Political Thought* 28, no. 1 (2007): 1-29.

Senn, Marcel. "Rassistische Und Antisemitische Elemente Im Rechtsdenken Von Johann Caspar Bluntschli." *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 110, no. 1 (1993).

Sensen, Oliver. "Kant's Conception of Human Dignity." *Kant-Studien* 100 (2009): 309-31.

Shaw, Martin. *Theory of the Global State: Globality as an Unfinished Revolution.* Cambridge: Cambridge University Press, 2000.

Shogimen, Takashi. "'Head or Heart?' Revisited: Physiology and Political Thought in the Thirteenth and Fourteenth Centuries." *History of Political Thought* 28, no. 2 (2007): 208-29.

Skinner, Quentin. *The Foundations of Modern Political Thought.* Vol. II, Cambridge: Cambridge University Press, 1978.

———. *The Foundations of Modern Political Thought.* Vol. I, Cambridge: Cambridge University Press, 1978.

———. *From Humanism to Hobbes: Studies in Rhetoric and Politics.* Cambridge: Cambridge University Press, 2018.

———. "From Hume's Intentions to Deconstruction and Back." *Journal of Political Philosophy* 4, no. 2 (1996): 142-54.

———. "Hobbes and the Purely Artifcial Person of the State." *The Journal of Political Philosophy* 7, no. 1 (1999): 1-29.

———. "Interpretation and the Understanding of Speech Acts." In *Visions of Politics, Volume I: Regarding Method*, edited by Quentin Skinner, 103-27. Cambridge: Cambridge University Press, 2002.

———. *Liberty before Liberalism.* Cambridge: Cambridge University Press, 1998.

———. "Meaning and Understanding in the History of Ideas." *History and Theory* 8, no. 1 (1969): 3-53.

———. "The Sovereign State: A Genealogy." In *Sovereignty in Fragments: The Past, Present and Future of a Contested Concept*, edited by Hent Kalmo and Quentin Skinner, 26-46. Cambridge: Cambridge University Press, 2010.

Smith, Anthony D. "Towards a Global Culture?". *Theory, Culture & Society* 7, no. 2-3 (1990): 171-91.

Sommerville, Johann P. "From Suarez to Filmer: A Reappraisal." *The Historical Journal* 25, no. 3 (1982): 525-40.

Sonenscher, Michael. "Krausism and Its Legacy." *Global Intellectual History* 5, no. 1 (2020): 20-40.

Song, Sarah. "The Boundary Problem in Democratic Theory: Why the Demos Should Be Bounded by the State." *International Theory* 4, no. 1 (2012): 39-68.

Stachau, Carl Baron Kaltenborn von. *Kritik Des Völkerrechts Nach Dem Jetzigen Standpunkte Der Wissenschaft.* Leipzig: Verlag von Gustav Mayer, 1847.

Staker, Alexia. "Should Chimpanzees Have Standing? The Case for Pursuing Legal Personhood for Non-Human Animals." *Transnational Enviromental Law* 6, no. 3 (2017): 485-507.

Stirk, Peter M. R. "The Westphalian Model and Sovereign Equality." *Review of International Studies* 38, no. 3 (2012): 641-60.

Straumann, Benjamin. "Oikeiosis and Appetitus Societatis." *Grotiana* 24-25 (2003).

———. *Roman Law in the State of Nature: The Classical Foundations of Hugo Grotius' Natural Law.* Cambridge: Cambridge University Press, 2015.

———. "Sociability." In *The Cambridge Companion to Hugo Grotius*, edited by Randall Lesaffer and Janne Elisabeth Nijman, 157-77. Cambridge: Cambridge University Press, 2021.

Strobeyko, Adam. "The Person of the State: The Anthropomorphic Subject of the Law of Nations." *Journal of the History of International Law* (2022): 1-34. https://doi.org/https://doi.org/10.1163/15718050-bja10076.

The Student's Handbook to the University and Colleges of Oxford. Oxford: Clarendon Press, 1890.

Stuurman, Siep. *The Invention of Humanity: Equality and Cultural Difference in World History.* Cambridge: Harvard University Press, 2017.

Suárez, Francisco. "A Defence of the Catholic and Apostolic Faith." Translated by Gwladys L. Williams, Ammi Brown, John Waldron and S.J Henry Davis. In *Selections from Three Works*, edited by Thomas Pink. Indianapolis: Liberty Fund, 2014.

———. "A Treatise on Laws and God the Lawgiver." Translated by Gwladys L. Williams, Ammi Brown, John Waldron and S.J Henry Davis. In *Selections from Three Works*, edited by Thomas Pink. Indianapolis: Liberty Fund, 2014.

———. "A Work on the Three Theological Virtues: Faith, Hope, and Charity." Translated by Gwladys L. Williams, Ammi Brown and John Waldron. In *Francisco Suárez: Selections from Three Works*, edited by Thomas Pink, 829-990. Indianapolis: Liberty Fund, 2014.

Subotic, Jelena, and Brent J. Steele. "Moral Injury in International Relations." *Journal of Global Security Studies* 3, no. 4 (2018): 387–401.

Suganami, Hidemi. *The Domestic Analogy and World Order Proposals.* Cambridge: Cambridge University Press, 1989.

———. "A Note on the Origin of the Word 'International'." *Review of International Studies* 4, no. 3 (1978): 226-32.

Sundstøl, Stein, and Ole Jacob Sending. "There Is No Global Public: The Idea of the Public and the Legitimation of Governance." *International Theory* 5, no. 2 (2013): 213-37.

Sylvest, Casper. *British Liberal Internationalism, 1880-1930: Making Progress?* Manchester: Manchester University Press, 2010.

Teschke, Benno. *The Myth of 1648: Class, Geopolitics, and the Making of Modern International Relations.* London: Verso, 2003.

Tickner, J. Ann. "Identity in International Relations Theory: Feminist Perspectives." In *The Return of Culture and Identity in Ir Theory*, edited by Yosef Lapid and Friedrich Kratochwil. Boulder: Lynne Rienner Publishers, 1996.

Tierney, Brian. *Foundations of the Conciliar Theory: The Contributions of the Medieval Canonists from Gratian to the Great Schism.* Leiden: Brill, 1998.

———. "Vitoria and Suarez on Ius Gentium, Natural Law, and Custom." In *The Nature of Customary Law: Legal, Historical and Philosophical Perspectives*, edited by Amanda Perreau-Saussine and James B. Murphy, 101-24. Cambridge: Cambridge University Press, 2007.

Tiunov, Oleg I. . "The International Legal Personality of States: Problems and Solutions." *St. Louis University Law Journal* 37, no. 2 (1993): 323-35.

Treitel, Ruti. *Humanity's Law.* New York: Oxford University Press, 2011.

Trindade, Antônio Augusto Cançado. *International Law for Humankind: Towards a New Jus Gentium.* Leiden: Martinus Nijhoff Publishers, 2013.

Tsing, Anna Lowenhaupt. *The Mushroom at the End of the World: On the Possibility of Life in Capitalist Ruins.* Princeton: Princeton University Press, 2015.

Turner, Henry S. . *The Corporate Commonwealth: Pluralism and Political Fictions in England, 1516-1651.* Chicago: University of Chicago Press, 2016.

Twiss, Travers. *Two Introductory Lectures on the Science of International Law.* London: Longman, Brown, Green, and Longmans, 1856.

Ullmann, Walter. *Principles of Government and Politics in the Middle Ages.* Abingdon: Routledge, 2010.

Vadi, Valentina. *War and Peace: Alberico Gentili and the Early Modern Law of Nations.* Leiden: Brill Nijhoff, 2020.

Vaha, Milla Emilia. *The Moral Standing of the State in International Politics: A Kantian Account.* Cardiff: University of Wales Press, 2021.

Vaihinger, Hans. *The Philosophy of 'as If': A System of the Theoretical, Practical and Religious Fictions of Mankind.* Translated by C. K. Ogden. Second ed. London: Kegan Paul, Trench, Trubner & Co, 1935.

Valentini, Laura. "Social Samaritan Justice: When and Why Needy Fellow Citizens Have a Right to Assistance." *American Political Science Review* 109, no. 4 (2015): 735-49.

van Apeldoorn, Laurens. "On the Person and Office of the Sovereign in Hobbes' *Leviathan*." *British Journal for the History of Philosophy* 28, no. 1 (2020): 49-68.

van Asseldonk, Maxim. "'Beyond Civil Bounds': The Demos, Political Agency, Subjectivation and Democracy's Boundary Problem." *Constellations* 29, no. 2 (2021): 161-75.

Vattel, Emer de. *The Law of Nations, or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury.* Indianapolis: Liberty Fund, 2008.

Vieira, Mónica Brito. *The Elements of Representation in Hobbes: Aesthetics, Theatre, Law, and Theology in the Construction of Hobbes's Theory of the State.* Leiden: Brill, 2009.

———. "Francisco Suárez and the *Principatus Politicus*." *History of Political Thought* 29, no. 2 (2008): 273-94.

———. "Making up and Making Real." *Global Intellectual History* 5, no. 3 (2020): 310-28.

Vitoria, Francisco de. "On Civil Power." In *Vitoria: Political Writings*, edited by Anthony Pagden and Jeremy Lawrance. Cambridge: Cambridge University Press, 1991.

Vollerthun, Ursula. *The Idea of International Society: Erasmus, Vitoria, Gentili and Grotius.* Edited by James L. Richardson. Cambridge: Cambridge University Press, 2017.

Wagner, Andreas. "Francisco De Vitoria and Alberico Gentili on the Legal Character of the Global Commonwealth." *Oxford Journal of Legal Studies* 31, no. 3 (2011): 565-82.

Walker, R. B. J. *After the Globe, before the World.* Abingdon: Routledge, 2010.

———. "Gender and Critique in the Theory of International Relations." In *Gendered States: Feminist (Re)Visions of International Relations Theory*, edited by V. Spike Peterson. Boulder: Lynne Rienner Publishers, 1992.

———. "Realism, Change, and International Political Theory." *International Studies Quarterly* 31, no. 1 (1987): 65-86.

———. "Security, Sovereignty, and the Challenge of World Politics." *Alternatives* 15, no. 1 (1990): 3-27.

Walzer, Michael. *Just and Unjust Wars: A Moral Argument with Historical Illustrations.* New York: Basic Books, 1977.

———. "The Moral Standing of States: A Response to Four Critics." *Philosophy & Public Affairs* 9, no. 3 (1980): 209-29.

———. "On the Role of Symbolism in Political Thought." *Political Science Quarterly* 82, no. 2 (1967): 191-204.

———. *Spheres of Justice: A Defense of Pluralism and Equality.* New York: Basic Books, 1983.

———. *Thick and Thin: Moral Argument at Home and Abroad.* Indiana: University of Notre Dame Press, 1994.

Warren, Mary Anne. *Moral Status: Obligations to Persons and Other Things.* Oxford: Oxford University Press, 1999.

Weber, Max. *Economy and Society: An Outline of Interpretive Sociology.* Edited by Guenther Roth and Claus Wittich. Vol. I, Berkeley: University of California Press, 1978.

———. "The "Objectivity of Knowledge in Social Science and Social Policy." Translated by Hans Henrik Bruun. In *Max Weber: Collected Methodological Writings*, edited by Hans Henrik Bruun and Sam Whimster. Abingdon: Routledge, 2012.

Weinert, Matthew. *Making Human: World Order and the Global Governance of Human Dignity.* Ann Arbor: University of Michigan Press, 2015.

Weiss, Thomas G. "What Happened to the Idea of World Government." *International studies quarterly* 53, no. 2 (2009): 253-71.

Wendt, Alexander. *Social Theory of International Politics.* Cambridge: Cambridge University Press, 1999.

———. "The State as Person in International Theory." *Review of International Studies* 30, no. 2 (2004): 289-316.

———. "Why a World State Is Inevitable." *European Journal of International Relations* 9, no. 4 (2003): 491-542.

Whalen, Brett Edward. *The Two Powers: The Papacy, the Empire, and the Struggle for Sovereignty in the Thirteenth Century.* Philadelphia: University of Pennsylvania Press, 2019.

Wheeler, Nicholas J. "Pluralist or Solidarist Conceptions of International Society: Bull and Vincent on Humanitarian Intervention." *Millennium: Journal of International Studies* 21, no. 3 (1992): 463-87.

Whitt, Matt. "Democracy's Sovereign Enclosures: Territory and the All-Affected Principle." *Constellations* 21, no. 4 (2014): 560-74.

Wight, Colin. "State Agency: Social Action without Human Activity?". *Review of International Studies* 30, no. 2 (2004): 269-80.

Wight, Martin. "An Anatomy of International Thought." *Review of International Studies* 13, no. 3 (1987): 221-27.

———. *International Theory: The Three Traditions.* Edited by Gabriele Wight and Brian Porter. New York: Holmes & Meier, 1992.

Williams, John. *Ethics, Diversity, and World Politics: Saving Pluralism from Itself?* New York: Oxford University Press, 2015.

Williams, Thomas D. . *Who Is My Neighbor? Personalism and the Foundations of Human Rights.* Washington, DC: Catholic University of America Press, 2005.

Wolff, Christian. *Jus Naturae Methodo Scientifica Pertractatum.* Vol. VII, Halle: Rengeriana, 1747.

———. *Jus Naturae Methodo Scientifica Pertractatum.* Vol. I, Frankfurt/Leipzig: Rengeriana, 1740.

———. *Jus Naturae Methodo Scientifica Pertractatum.* Vol. VIII, Halle: Rengeriana, 1748.

———. *The Law of Nations Treated According to the Scientific Method.* Translated by Joseph H. Drake. Edited by Knud Haakonssen. Edited by Thomas Ahnert. Indianapolis: Liberty Fund, 2017.

———. "On the Philosopher King and the Ruling Philosopher." Edited and Translated by Julia Ching and Willard Gurdon Oxtoby. In *Moral Enlightenment : Leibniz and Wolff on China.* Nettetal: Steyler, 1992.

———. *Preliminary Discourse on Philosophy in General.* Translated by Richard J. Blackwell. Indianapolis: Bobbs-Merrill, 1963.

Wolff, Michael. "Hegel's Organicist Theory of the State: On the Concept and Method of Hegel's 'Science of the State'." In *Hegel on Ethics and Politics*, edited by Robert B. Pippin and Otfried Höffe, 291-322. Cambridge: Cambridge University Press, 2004.

Wolin, Sheldon. *Politics and Vision: Continuity and Innovation in Western Political Thought.* Princeton: Princeton University Press, 2016.

Wringe, Bill. "Global Obligations, Collective Capacities, and 'Ought Implies Can'." *Philosophical Studies* 177, no. 6 (2020): 1523-38.

Wulf, Maurice de. *Philosophy and Civilization in the Middle Ages.* Princeton: Princeton University Press, 1922.

Yack, Bernard. "Popular Sovereignty and Nationalism." *Political Theory* 29, no. 4 (2001): 517-36.

Youatt, Rafi. *Interspecies Politics: Nature, Borders, States.* Ann Arbor: University of Michigan Press, 2020.

———. "Personhood and the Rights of Nature: The New Subjects of Contemporary Earth Politics." *International Political Sociology* 11, no. 1 (2017): 39-54.

Young, Iris Marion. *Justice and the Politics of Difference.* Princeton: Princeton University Press, 1990.

Yovel, Yirmiyahu. *Kant and the Philosophy of History.* Princeton: Princeton University Press, 1980.

Zachariä, Karl Salomo. *Vierzig Bücher Vom Staate.* Vol. v, Heidelberg: Akademische Verlagsbuchhandlung von C.F. Winter, 1841.

Zalasiewicz, Jan, Mark Williams, Will Steffen, and Paul Crutzen. "The New World of the Anthropocene." *Environmental Science and Technology: Viewpoint* 44, no. 7 (2010): 2228-31.

Zehfuss, Maja. "Contemporary Western War and the Idea of Humanity." *Environment and Planning D: Society and Space* 30, no. 5 (2012): 861-76.

Zolo, Danilo. *Invoking Humanity: War, Law and Global Order.* Translated by Federico Poole and Gordon Poole. London: Continuum, 2002.

Lund Political Studies

1. Ruin, Olof. Kooperativa förbundet 1899-1929. En organisationsstudie. Stockholm: Rabén & Sjögren, 1960.

2. Vallinder, Torbjörn. I kamp för demokratin. Rösträttsrörelsen i Sverige 1886-1900. Stockholm: Natur & Kultur, 1962.

3. Petersson, Hans F. Power and International Order. An Analytic Study of Four Schools of Thought and Their Approaches to the War, the Peace and the Postwar System 1914-1919. Lund: Gleerups, 1964.

4. Westerhult, Bo. Kronofogde, häradsskrivare, länsman. Den svenska fögderiförvaltningen 1810-1917. Lund: Gleerups, 1966.

5. Wieslander, Hans. I nedrustningens tecken. Intressen och aktiviteter kring försvarsfrågan 1918-1925. Lund: Gleerups, 1966.

6. Söderberg, Olof. Motororganisationerna i Sverige. Bakgrund, grupperingar, aktiviteter. Stockholm: Rabén & Sjögren, 1966.

7. Sjöblom, Gunnar. Party Strategies in a Multiparty System. Lund: Studentlitteratur, 1968.

8. Hydén, Göran. TANU Yajenga Nchi. Political Development in Rural Tanzania. Lund: Uniskol, 1968.

9. Lindeberg, Sven-Ola. Nödhjälp och samhällsneutralitet. Svensk arbetslöshetspolitik 1920-1923. Lund: Uniskol, 1968.

10. Westerhult, Bo. Underdåniga påtryckningar. Fögderitjänstemännens intressebevakning från 1800-talets början till år 1918. Lund: Gleerups, 1969.

11. Bergquist, Mats. Sverige och EEC. En statsvetenskaplig studie av fyra åsiktsriktningars syn på svensk marknadspolitik 1961-62. Stockholm: Norstedts, 1970.

12. Lundquist, Lennart. Means and Goals of Political Decentralization. Lund: Studentlitteratur, 1972.

13. Bjurulf, Bo. An Analysis of Some Aspects of the Voting Process. Lund: Studentlitteratur, 1972.

14. Stenelo, Lars-Göran. Mediation in International Negotiations. Lund: Studentlitteratur, 1972.

15. Lindquist, Stellan. Linkages between Domestic and Foreign Policy: The Record of Ghana. Lund: Studentlitteratur, 1974.

16. Bjurulf, Bo. A Dynamic Analysis of Scandinavian Roll-Call Behavior. A Test of a Prediction Model of Ten Minority Situations in Three Countries. Lund: Studentlitteratur, 1974.

17. Hermerén, Henrik. Regeringsbildningen i flerpartisystem, Lund: Studentlitteratur, 1975.

18. Johannesson, Conny. Studier över Svenska metallindustriarbetarförbundets förhandlingsorganisation vid förbundsförhandlingar – med samordning. Lund: Studentlitteratur, 1975.

19. Peterson, Carl-Gunnar. Ungdom och politik. En studie av Sveriges Socialdemokratiska Ungdomsförbund. Stockholm: Frihets förlag, 1975.

20. Bryder, Tom. Power and Responsibility. Contending Approaches to Industrial Relations and Decision Making in Britain 1963-1971. Lund: Gleerups, 1975.

21. Jönsson, Christer. The Soviet Union and the Test Ban: A Study in Soviet Negotiation Behavior. Lund: Studentlitteratur, 1975.

22. Kronvall, Kai. Politisk masskommunikation i ett flerpartisystem. Sverige – en fallstudie. Lund: Studentlitteratur, 1975.

23. Liljequist, Gunnar. Distribution av kommunal service. Lund: Liber, 1977.

24. Lartey, George W. The Fourth Dimension: the argument against the theory of evolutionary stages of social development. Malmö: Gotab, 1977.

25. Weston, David. Realism, Language and Social Theories. Studies in the Relation of the Epistemology of Science and Politics. Lund, 1978.

26. Hagström, Bo. 1971 års länsförvaltningsreform. En utvärdering. Lund: Studentlitteratur, 1978.

27. Skogmar, Gunnar. Atompolitik. Sambandet mellan militärt och civilt utnyttjande av atomenergi i amerikansk utrikespolitik 1945-1973. Malmö: Stenvalls Förlag, 1979.

28. Sannerstedt, Anders. Fri konkurrens eller politisk styrning? 1963 års trafikpolitiska beslut – debatten om innehåll, tillämpning och effekter. Lund: Studentlitteratur, 1979.

29. Lidén, Anders. Security and Recognition. A Study of Change in Israel's Official Doctrine 1967-1974. Lund: Studentlitteratur, 1979.

30. Magnusson, Håkan. Kommunerna och den regionala planeringen. En analys av läns-planeringen och den fysiska riksplaneringen. Lund: Studentlitteratur, 1980.

31. Stenelo, Lars-Göran. Foreign Policy Predictions. Lund: Studentlitteratur, 1980.

32. Lundell, Bengt. MBL utan avtal. Kommunerna och MBL. Helsingborg, 1981.

33. Norrving, Bengt. Kommunerna och bostadsförsörjningen. En analys av bostadsplane-ringen. Lund: Liber, 1981.

34. Linderoth, Sven. Från konkurrens till monopol. En studie av lokal politisk och eko-nomisk journalistik. Malmö: Dialog, 1981.

35. Forje, John. The One and Indivisible Cameroon: Political Integration and Socio-Eco-nomic Development in a Fragmented Society. Lund, 1981.

36. Adebo, Tarekegn. Ideological Trends in the Political Thinking of the Developing Re-gions: The Case of Sub Saharan Africa. Lund: Studentlitteratur, 1982.

37. Elgström, Ole. Aktiv utrikespolitik. En jämförelse mellan svensk och dansk parlamen-tarisk utrikesdebatt 1962-1978. Lund: Studentlitteratur, 1982.

38. Lindkvist, Kent. Program och parti: principprogram och partiideologi inom den kom-munistiska rörelsen i Sverige 1917-1972. Lund: Arkiv för studier i arbetarrörelsens historia, 1982.

39. Bergström, Tomas och Lundell, Bengt. Från MBL till MBA. Kommunerna och MBL. Lund: Statsvetenskapliga institutionen, 1982.

40. Hörberg, Thomas. Prediktion, osäkerhet och risk i internationella förhandlingar. En studie av svenskt förhandlingsbeteende vid förhandlingarna med Sovjetunionen 1940-41 om ett handelsavtal. Lund: Studentlitteratur, 1983.

41. Geraedts, Henry. The People's Republic of China: Foreign Economic Relations and Technology Acquisition 1972-1981. Lund: Forskningspolitiska institutet, 1983.

42. Jerneck, Magnus. Kritik som utrikespolitiskt medel. En studie av de amerikanska re-aktionerna på den svenska Vietnamkritiken Lund: Dialogos, 1983.

43. Stenelo, Lars-Göran. The International Critic. Lund: Studentlitteratur, 1984.

44. Bergström, Thomas och Lundell, Bengt. Lokalt medbestämmande. Kommunerna och MBL. Lund: Statsvetenskapliga institutionen, 1984.

45. Sjölin, Mats. Kommunalpolitiken i massmediernas spegel. En studie av dagspressen och lokalradions bevakning av fem kommuner. Lund: Dialogos, 1985.

46. Albinsson, Per. Skiftningar i blått. Förändringar inom Moderata Samlingspartiets riks-organisation 1960-1985. Lund: Kommunfakta Förlag, 1986.

47. Jonsson, Rolf. De okända förhandlingarna. Statens förhandlingsråd och regeringens MBL-förhandlingar. Lund: Dialogos, 1986.

48. Polak, Jiri. Dependence Patterns in the Soviet Bloc: The Case of Romania and East Germany. Lund: Studentlitteratur, 1986.

49. Lundell, Bengt. Kommunerna och MBL. Lund: Statsvetenskapliga institutionen, 1986.

50. Rothstein, Bo. Den socialdemokratiska staten. Reformer och förvaltning inom svensk arbetsmarknads- och skolpolitik. Lund: Arkiv, 1986.

51. Pierre, Jon. Partikongresser och regeringspolitik. En studie av den socialdemokratiska partikongressens beslutsfattande och inflytande 1948-1978. Lund: Kommunfakta Förlag, 1986.

52. Schmidt, Stephan. Pionjärer, efterföljare och avvaktare. Innovationer och deras sprid-ning bland svenska primärkommuner. Lund: Kommunfakta Förlag, 1986.

53. Westerlund, Ulf. Superpower Roles. A Comparative Analysis of United States and Soviet Foreign Policy. Lund: Department of Political Science, 1987.

54. Lundquist, Lennart. Implementation Steering. An Actor-Structure Approach. Lund: Studentlitteratur, 1987.

55. Stenelo, Lars-Göran, red. Statsvetenskapens mångfald. Festskrift till Nils Stjernquist. Lund: Lund University Press, 1987.

56. Nilsson, Ann-Sofie. Political Uses of International Law. Lund: Dialogos, 1987.

57. Bergström, Tomas. Konkurrerande eller kompletterande demokrati? Om företagsde-mokrati i de svenska kommunerna. Lund: Statsvetenskapliga institutionen, 1988.

58. Lindell, Ulf. Modern Multinational Negotiation: The Consensus Rule and Its Impli-cations in International Conferences. Lund: Statsvetenskapliga institutionen, 1988.

59. Stenelo, Lars-Göran, red. Makten över den decentraliserade skolan. Lund: Studentlit-teratur, 1988.

60. Lundquist, Lennart. Byråkratisk etik. Lund: Studentlitteratur, 1988

61. Petersson, Harry, red. Vem styr förändringarna inom sjukvården – politikerna eller de medicinska professionerna? En studie av subspecialiseringen inom ortopedin. Lund: Kommunfakta Förlag, 1989.

62. Jonsson, Rolf. Fackligt inflytande och politisk demokrati. En analys av regeringens MBL-förhandlingar. Lund: Kommunfakta Förlag, 1989.

63. Johannesson, Bengt. Kommunal bostadspolitik. Lund: Kommunfakta Förlag, 1989.

64. Aronson, Torbjörn. Konservatism och demokrati. En rekonstruktion av fem svenska högerledares styrelsedoktriner. Stockholm: Norstedts, 1990.

65. Petersson, Bo. The Soviet Union and Peacetime Neutrality in Europe. A Study of Soviet Political Language. Göteborg: MH Publishing, 1990.

66. Lundquist, Lennart. Förvaltning och demokrati. Stockholm: Norstedts, 1991.

67. Höjelid, Stefan. Sovjetbilden i nordisk press. Svenska, norska och finländska reaktioner på sovjetiskt agerande. Lund: Statsvetenskapliga institutionen, 1991.

68. Jansson, Per. Säkerhetspolitikens språk: Myt och metafor i svensk säkerhetspolitisk diskurs 1919-1939. Lund: Statsvetenskapliga institutionen, 1991.

69. Johansson, Jörgen. Offentligt och privat i regionalpolitiken. Lund: Statsvetenskapliga institutionen, 1991.

70. Lundquist, Lennart. Förvaltning, stat och samhälle. Lund: Studentlitteratur, 1992.

71. Håkansson, Anders. Konsten att vinna ett val. En studie av fram- och tillbakagångar för socialdemokraterna i kommunalvalet 1988. Lund: Statsvetenskapliga institutionen, 1992.

72. Ternblad, Klas. Planering i norm och handling. Studier av en epok av landstingsplanering. Lund: Wi, 1992.

73. Persson, Stefan. Dödlägen i internationella förhandlingar. Lund: Statsvetenskapliga institutionen, 1992.

74. Sannerstedt, Anders. Förhandlingar i riksdagen. Lund: Lund University Press, 1992.

75. Lundquist, Lennart. Ämbetsman eller direktör? Förvaltningschefens roll i demokratin. Stockholm: Norstedts, 1993.

76. Gynnerstedt, Kerstin. Etik i hemtjänst. En studie av förvaltnings- och professionsetik. Lund: Studentlitteratur, 1993.

77. Schartau, Mai-Brith. The Public Sector Middle Manager: The Puppet who Pulls the Strings? Lund: Wi, 1993.

78. Sjölin, Mats. Coalition Politics and Parliamentary Power. Lund: Lund University Press, 1993.

79. Stenelo, Lars-Göran och Norrving, Bengt, red. Lokal Makt. Lund: Lund University Press, 1993.

80. Iwanaga, Kazuki. Images, Decisions and Consequences in Japan's Foreign Policy. Lund: Lund University Press, 1993.

81. Tita-Ghebdinga, Legala. African and O.A.U. Diplomacy on Dual Paradigms of Self-Determination 1945-1985. Lund: Statsvetenskapliga institutionen, 1993.

82. Lundquist, Lennart. Statsvetenskaplig förvaltningsanalys. Problem, trender och program. Lund: Studentlitteratur, 1994.

83. Blom, Agneta P. Kommunalt chefskap – en studie om ansvar, ledarskap och demokrati. Lund: Dialogos, 1994.

84. Agevall, Lena. Beslutsfattandets rutinisering. Lund: Statsvetenskapliga institutionen, 1994.

85. Andersson, Jan A. Nordiskt samarbete: aktörer, idéer och organisering 1919-1953. Lund: Statsvetenskapliga institutionen, 1994.

86. Bengtsson, Hans. Förskolereformen. En studie i implementering av svensk välfärdspolitik 1985-1991. Lund: Statsvetenskapliga institutionen, 1995.

87. Uhlin, Anders. Democracy and Diffusion. Transnational Lesson-Drawing among Indonesian Pro-Democracy Actors. Lund: Statsvetenskapliga institutionen, 1995.

88. Kinnvall, Catarina. Cultural Diffusion and Political Learning. The Democratization of China. Lund: Statsvetenskapliga institutionen, 1995.

89. Westlind, Dennis. The Politics of Popular Identity. Lund: Lund University Press, 1996.

90. Stubbergaard, Ylva. Stat, kris och demokrati. Lapporörelsens inflytande i Finland 1929-1932. Lund: Arkiv, 1996.

91. Sendabo, Teferi. Foreign Aid and State Sovereignty: The Ethio-Swedish Aid Co-operation. Lund: Statsvetenskapliga institutionen, 1996.

92. Mattson, Ingvar. Förhandlingsparlamentarism. En jämförande studie av riksdagen och folketinget. Lund: Lund University Press, 1996.

93. Larsson, Per. Regimförhandlingar på miljöområdet. En studie av förhandlingarna om LRTAP-konventionen. Lund: Statsvetenskapliga institutionen, 1996.

94. Stenelo, Lars-Göran och Jerneck, Magnus, red. The Bargaining Democracy. Lund: Lund University Press, 1996.

95. McKnight, Utz Lars. Political Liberalism and the Politics of Race. Beyond Perfectionism and Culture. Lund: Lund University Press, 1996.

96. Steiner, Kristian. Strategies for International Legitimacy. Lund: Lund University Press, 1996.

97. Lundquist, Lennart. Fattigvårdsfolket. Ett nätverk i den sociala frågan 1900-1920. Lund: Lund University Press, 1997.

98. Andersson, Ronny. Medborgarna, politikerna och sjukvården. En studie av attityder och demokrati. Lund: Studentlitteratur, 1997.

99. Kronsell, Annica. Greening the EU: Power practices, resistances and agenda setting. Lund: Lund University Press, 1997.

100. Thunborg, Annika. Public and Non-Profit Interaction: U.S. Assistance to Eastern European Media 1989-1995. Lund: Lund University Press, 1997.

101. Johansson, Karl Magnus. Transnational Party Alliances: Analysing the Hard-Won Alliance Between Conservatives and Christian Democrats in the European Parliament. Lund: Lund University Press, 1997.

102. Badom, Ted Gogote. Foreign Intervention in Internal Wars. Lund: Statsvetenskapliga institutionen, 1997.

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