

# The Global Bioethics of Artificial Intelligence and Human Rights



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By

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We do not know, neither the Sophists [Philosophers], nor the Orators [Politicians], nor the Artists, nor I, what is the true, the good, and the beautiful: But there is this difference between us that, although these people know nothing, they all believe they know something. Whereas I, if I know nothing, at least am not in any doubt about it. So that the whole superiority in wisdom which the Oracle attributes to me reduces to nothing more than that I am fully convinced that I am ignorant of what I do not know.”

—Socrates (399 B.C.), *Apology of Socrates* (21b-22e)

Paraphrased by Jean-Jacques Rousseau, *The Two Discourses*



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## LIST OF ABBREVIATIONS

A.D.	<i>Anno Domini</i>
AI	Artificial intelligence
B.C.	Before Christ
C.f.	<i>conferatur</i> ('refer to')
CV	cardiovascular
EU	European Union
HGP	Human Genome Project
<i>Ibid.</i>	<i>Ibidem</i> ('in the same place')
I.e.	<i>id est</i> ('in other words')
IMF	International Monetary Fund
ISIL	Islamic State of Iraq and the Levant
GNR	Genetic engineering, nanotechnology, robotics
UK	United Kingdom
UN	United Nations
UDHR	<i>Universal Declaration of Human Rights</i>
UDBHR	<i>Universal Declaration on Bioethics and Human Rights</i>
UNESCO	United Nations Education, Science, and Cultural Organization
UDHGHR	<i>Universal Declaration on the Human Genome and Human Rights</i>
USA	The United States of America
WB	World Bank
WTO	World Trade Organization
WWI	World War I
WWII	World War II



# CHAPTER 1

## INTRODUCTION

[Ulysses:] And I and my companions were already  
old and slow, when we approached the narrows  
where Hercules set up his boundary stones  
that men might heed and never reach beyond;  
upon my right, I had gone past Seville,  
and on the left, already passed Ceuta.  
'Brothers,' I said, 'o you, who having crossed  
a hundred thousand dangers, reach the west,  
to this brief waking-time that still is left  
unto your senses, you must not deny  
experience of that which lies beyond  
the sun, and of the world that is unpeopled.  
Consider well the seed that gave you birth:  
you were not made to live your lives as brutes,  
but to be followers of worth and knowledge (26.6-120).<sup>1</sup>

### 1.1 Background

The masterpiece of Dante (1265-1321 A.D.), *The Divine Comedy*, depicts Ulysses as the legendary hero of Homer's *Odyssey* in the eighth ring of hell, drawing on the oldest surviving Western literary hero from the *Odyssey* and *Iliad* (8<sup>th</sup> century B.C.).<sup>2</sup> There the great Trojan War hero recounts his final voyage past the Pillars of Hercules on either end of the Strait of Gibraltar, exhorting his men to "reach beyond" into the unknown, into the mysterious and powerful Atlantic Ocean separated from the Mediterranean by the Pillars. This famed structure was engraved per Renaissance legend with the phrase *Non plus ultra* ("Nothing further beyond"). Laboring for five months out in the uncharted ocean, the great Greek adventurer and his companions

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<sup>1</sup> DANTE, *The inferno*, trans. Robert Hollander (New York, NY: Random House, 2002).

<sup>2</sup> VIDAL-NAQUET, Pierre, *Le monde d'Homère* ('*The world of Homer*') (Perrin, 2002).

glimpsed “a mountain shape, darkened / by distance, that arose to endless heights. / I had never seen another mountain like it” (The Inferno, XXVI.133-5). To cross from the unknowable to the knowable of this ‘Mountain of Purgatory’ was for no human until they traversed from her/his mortal life to the afterlife—and thus a great storm arose, sinking their ship.

Out in those seemingly impenetrable waters, lay the additional shadowy grave of Atlantis according to Plato (~429-347 B.C.), Western civilization’s leading philosophical figure and religious pioneer whose legacy was revived and preserved by St. Augustine of Hippo (354-430 A.D.). In Plato’s *The Republic* standing as one of the world’s landmark works of political philosophy, the Father of the School of Athens pitted his ideal state of Athens victorious against Atlantis, the former utopian conqueror of the known world who reached also for the unknown (*Timaeus* and *Critias* dialogues).<sup>3</sup> This fabled empire—wise, rich, and powerful—according to Plato was located just outside the Pillars and served as a bridge to the rest of the unexplored world. But it inevitably succumbed to greed and war-hungry ambition that led the Atlanteans to their ultimate defeat at the hand of the Athenians shortly before a catastrophic earthquake claimed the now lost island nation. *New Atlantis* from Sir Francis Bacon (1561-1626 A.D.) and *Utopia* from St. Thomas More (1478-1535 A.D.) later attempted to raise the Atlantis allegory from its watery slumber. But it would take another 500 years before another figure would take a shot at the elusively slippery dream of a lasting utopia.

On June 26, 1945, just 48 days after Germany’s unconditional surrender to the Allied Forces in World War II (WWII), 50 member nations of the victorious Allies-driven United Nations (UN) signed its Charter near the San Francisco shores to usher in a modern utopia, resolutely facing the still warring Japan across the Pacific Ocean. Four months and two atomic bombs over that island nation later, the UN Charter took effect with the end of the deadliest war in humanity’s history. An estimated 50-85 million civilian and military casualties and fundamental shift in world power caused the world to pause in that tense but hopeful California convention room on June 26th. The 50 nations desperately sought with Ulyssean conviction to peer beyond the supposedly unattainable unknown, into a future of a united East and West as true “followers of worth and knowledge,” a global community of true peace.

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<sup>3</sup> WELLIVER, Warman, *Character, plot and thought in Plato’s Timaeus-Critias*, vol. 32 (Leiden, Netherlands: Brill Archive, 1977).

## 1.2. Introduction

In the wake of the humanity-altering WWII and the subsequent historic UN united global peace effort, this book explores the next great frontier: the genomic engineering and nanotechnology revolutions accelerated by artificial intelligence (AI). A shocked Allied force bloodily struggled during the war against Axis Germany's totalitarian dictator, Adolf Hitler (1889-1945 A.D.), and his *Endlösung der Judenfrage* (German: 'Final Solution to the Jewish Question') that systematically utilized genocide to attempt total extermination of the Jewish people in German-occupied territories. Yet from the non-ethical, purely technical standpoint of the genetic engineering revolution, the Final Solution from Hitler's perspective would be inefficient and primitive: why staff myriads of work-death camps when he could self-destruct them by inactivating their DNA replication by the flip of a switch? And then genetically engineer in utero his Master Race at the embryonic level of development with manipulations guided through nanotechnology delivery systems for optimal precision? But since they are so valuable, why send them to the front lines? Instead AI-driven mechanized weapons could patrol their borders and order their economic, political, and cultural lives for lifelong adherence to the totalitarian dogma. Such sobering possibilities which seemed like science fiction in 1945, today are becoming scientific realities: Liang et al. of China (one of the five permanent members of the UN Security Council) published their application of CRISPR-Cas9 genetic engineering on 85 patients at the embryonic level (killing or genetically marring all of them). Further, the Pentagon of the United States of America (USA) listed \$12-15 billion in its 2017 budget request for AI-based advancements to outpace Russia and China, drawing from a 2015 Bank of America and Merrill Lynch study concluding that intelligent machines will redefine the next industrial revolution, along with nearly half of manufacturing by 2025 being done by robots.<sup>4</sup> The \$12 billion includes autonomous weapons and robots able to identify and engage enemy targets on the battlefield. The Pentagon budget surge in AI is concurrent with similar deep Chinese investments, and the recent comments from Russian Chief of the General Staff that he envisions in the "near future" a robotic unit "capable of independently conducting military operations."<sup>5</sup> According

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<sup>4</sup> ARLEBRINK, Jan, "The moral roots of prenatal diagnosis. Ethical aspects of the early introduction and presentation of prenatal diagnosis in Sweden," *Journal of Medical Ethics* 23, no. 4 (August 1997): 260.

<sup>5</sup> "Remarks by Defense Deputy Secretary Robert Work" (Inaugural National Security Forum, Center for New American Security, 2015), <http://www.cnas.org/transcripts/work-remarks-national-security-forum#.VoRZn->

to Noel Sharkey (1948-present), University of Sheffield Professor of Artificial Intelligence and Robotics and co-founder of the International Committee for Robot Arms Control, weaponized AI already is in existence with the British Taranis (autonomous fighter jet),<sup>6</sup> the South Korean sentry robot SGR-1 (patrolling the North and South Korean border, armed with machine guns able to detect and kill intruders without human control), and the Russian Uran-9 tank.<sup>7</sup> Against this historical backdrop, Stephen Hawking (1942-2018 A.D.) along with a prominent team of scientists recently warned that creating AI would be the largest—but potentially last—event in human history:

One can imagine such technology outsmarting financial markets, out-inventing human researchers, out-manipulating human leaders, and developing weapons we cannot even understand. Whereas the short-term impact of AI depends on who controls it, the long-term impact depends on whether it can be controlled at all.<sup>8</sup>

### 1.3. Purpose

The purpose of this book is to translate the Ulyssean project of ‘reach[ing] beyond’ into the unknown: further and faster than the technological pioneers in these epoch-shaping revolutions, clearer and crisper revitalizing the philosophical foundation of the UN-established body of international law. The Atomic Age (ushered in on July 16, 1945, with the USA detonation of the first atomic bomb, *Trinity*) signaled the beginning of the age of the continual threat of global destruction. But genomic engineering powered by AI and executed via nanotechnology is emerging as a more fundamental challenge to the human condition by approaching the capacity to

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<sup>6</sup> CARTWRIGHT, Jon, “Rise of the robots and the future of war,” *The Guardian*, November 21, 2010, <http://www.theguardian.com/technology/2010/nov/21/military-robots-autonomous-machines>.

<sup>7</sup> WRIGHT, Bruce, “Russia’s new weapons of war: Robots to take over for soldiers? Moscow eyes defense sales with new autonomous fleet,” *International Business Times*, March 6, 2017, <http://www.ibtimes.com/russias-new-weapons-war-robots-take-over-soldiers-moscow-eyes-defense-sales-new-2502851>.

<sup>8</sup> HAWKING, Stephen, “Stephen Hawking: ‘Transcendence looks at the implications of artificial intelligence - but are we taking AI seriously enough?,’” *The Independent*, May 1, 2014, <http://www.independent.co.uk/news/science/stephen-hawking-transcendence-looks-at-the-implications-of-artificial-intelligence-but-are-we-taking-9313474.html>.

permanently damage or destroy the human genome, halting humanity's hunt to stave the seemingly inevitable Atlantean-like quest for increased power through nuclear and next generation warfare.

This work begins where a poem by John Donne left off. J. Robert Oppenheimer, Director of the Los Alamos Laboratory that produced *Trinity*, quoted Donne upon the mammoth detonation:

As West and East  
In all flatt Maps—and I am one—are one,  
So death doth touch the Resurrection.<sup>9</sup>

As the Trojan War hero, Ulysses, ventured out with his naval technology into the unknown to meet the eternal God in the form of an angel guarding the limits of the knowable, Oppenheimer set out into the New Mexico desert to witness the blazing inferno of *Trinity*'s maiden voyage. Shortly afterwards, he was reported to invoke the words of the Hindu Scriptures, *The Bhagavad Gita* (Sanskrit: भगवद्गीता [*Gita*]):<sup>10</sup> “Now I am become Death, the destroyer of worlds” (Chapter 11, Verse 12).<sup>11</sup> *Gita* within the *Prasthanatrayi* (Sanskrit: प्रस्थानत्रयी) serves in Hindu philosophy as one of its three canonical texts in which the manifestation of God (Vishnu) in His incarnate form, Krishna (Sanskrit: कृष्ण), serves as the charioteer for the warrior Prince Arjuna (Devanagari: अर्जुन), counseling him before a major battle on life lessons and the admonishment to seek universal perfection of life. In that passage, Vishnu calls upon the hesitant Arjuna to do his duty by attacking his enemies, explaining they will be reincarnated and that they “have already been destroyed by Me. You are only an instrument, O Arjuna” (Chapter 11, Verse 33). This book analyzes the real choices in AI-driven genetic engineering, nanotechnology, and robotics (AI-GNR) including its very real cataclysmic potential, making possible an ethical analysis of them and hopefully their defensible and safe application for preventing such global destruction.

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<sup>9</sup> DONNE, John, “Hymn to God, My God, in my sickness,” in *Poems of John Donne*, ed. E. K. Chambers, vol. 1, 1896, 211–12.

<sup>10</sup> JHIJIYA, James A., “The ‘Gita’ of J. Robert Oppenheimer,” *Proceedings of the American Philosophical Society* 144, no. 2 (2000): 123–67.

<sup>11</sup> BRODBECK, Simon, *The Bhagavad Gita* (*Penguin Classics*), trans. Juan Mascaro, Kindle (Penguin, 2003).

## 1.4. Summary of book

The primary material objects of this book are the human actions in the 21st century's converging scientific revolutions of AI-GNR. The formal object is the bioethics paradigm articulated by the United Nations (UN) in its 2005 *Universal Declaration on Bioethics and Human Rights* (UDBHR), derivative from the 1948 *Universal Declaration of Human Rights* (UDHR) with a unique human rights-duties focus, as articulated in its foundation by Thomistic(-Aristotelian) personalism and actualized in the UN's social contract framework of rights-duties.

## 1.5. Significance and innovation

AI is considered by world-leading scientists and its early pioneers as humanity's greatest technical achievement whose unprecedented foreseeable future potential provides it the plausible capacity to extinguish every human life.<sup>12,13,14,15</sup> And its practical applications in the other leading revolutions of genetic engineering and nanotechnology thus make AI-GNR the "most powerful 21st-century technologies"<sup>16</sup> which "are threatening to make humans an endangered species."<sup>17</sup> Unlike the 20th century discovery of the atomic bomb precipitating the Cold War nuclear arms race, AI-GNR is exponentially more difficult to control let alone guide its ethical development. It is by its nature a decentralized technological intersection requiring drastically less resources and collective expertise. Renegade states are concerning yet containable, as the last 60 years of international diplomacy through the UN-led nuclear disarmament and peace-keeping endeavors have demonstrated. But AI-GNR is at the community and

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<sup>12</sup> CELLAN-JONES, Rory, "Stephen Hawking warns artificial intelligence could end mankind," *BBC Technology*, December 2, 2014, <http://www.bbc.com/news/technology-30290540>.

<sup>13</sup> BARRAT, James, *Our final invention: Artificial intelligence and the end of the human era* (London, UK: Macmillan, 2013).

<sup>14</sup> JOY, Bill, "Why the future doesn't need us," *Wired*, April 1, 2000, <https://www.wired.com/2000/04/joy-2/>.

<sup>15</sup> KURZWEIL, Ray, *The singularity is near: When humans transcend biology* (London, UK: Penguin Books, 2006).

<sup>16</sup> JOY, Bill, "Why the future doesn't need us"; Kurzweil, *The singularity is near: When humans transcend biology*; BROWN, John Seely, DUGUID, Paul, "A response to Bill Joy and the doom-and-gloom technofuturists," in *AAAS Science and Technology Policy Yearbook 2001*, ed. Albert H. Teich et al. (Washington, D.C.: American Association for the Advancement of Science, 2001).

<sup>17</sup> JOY, Bill, "Why the future doesn't need us."



individual level and nearly can travel globally and nearly instantaneously via the internet once its electronic trigger is hit, and like the recent years of bloody lone wolf terrorist attacks perpetrated by the Islamic State of Iraq and the Levant (Arabic: داعش, ISIL) demonstrate, it is much more difficult to detect its dangerous application by small groups of individuals, and even more so prevent. This book therefore provides the first known comprehensive bioethical analysis of AI-GNR, by applying the UDBHR paradigm to it with an innovative Thomistic personalism interpretation, defended philosophically and historically dating back to the UN's seminal ethical standard in the 1948 UDHR using the primary source materials.

## 1.6. Summary of content

The UN has created and nourished historical political unity following the seemingly apocalyptic global conflict of WWII and ensuing nuclear arms race, built on its philosophical consensus dating back to the 1948 UDHR articulating an international affirmation of human rights and duties. It was the unified efforts of the world's nations at the UN level which oversaw the prevention of global conflict between the US and Soviet Union during the Cold War, the transition of power during post-WWII decolonization, and the coordination of some of humanity's greatest and most politically and logistically complex successes as the Human Genome Project via its subsidiary, the United Nations Education, Science, and Cultural Organization (UNESCO).<sup>18</sup> For such revolutionary, decentralized, and volatile scientific developments as AI-GNR, the largest politically and philosophically embodied consensus is required, thus making the UN with its defense of human rights-duties in its fullest bioethical formulation in the UDBHR particularly suitable for analyzing AI-GNR and producing substance-based recommendations which can be internationally actionable.

Yet to be philosophically defensible and thus politically effective, this book must introduce an additional innovative element: an interpretative refinement of the UDBHR through Thomistic personalism as championed by Karol Wojtyła (1920-2005 A.D.). This book provides the first known comprehensive philosophical and historical critique of the social contract influences on the UN notably in the UDHR, the basis for international human rights law and all subsequent UN conventions and declarations,

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<sup>18</sup> VIZZINI, Casimiro, "The Human Variome Project: Global coordination in data sharing," *Science & Diplomacy* 4, no. 1 (March 2015), [http://www.sciencediplomacy.org/files/the\\_human\\_variome\\_project\\_science\\_diplomacy.pdf](http://www.sciencediplomacy.org/files/the_human_variome_project_science_diplomacy.pdf).

including the chief bioethical formulation in the UDBHR—concurrent with its natural law roots which made it possible. Through the dominant presence of the victorious WWII modern liberal states, particularly the US and United Kingdom (UK), the social contract tradition profoundly shaped the UN reliance on this Enlightenment tradition down to its current operations which this book tracks through the last 6 decades.

After acknowledging the debt the global current peace and the UN success owes to this tradition, this book then pivots to examine its philosophical weaknesses including logical contradictions (as evidenced by its political applications in the years leading up to WWII and following) which ultimately doom it as a sustainable philosophical foundation for global peace and an adequately rigorous bioethical paradigm. This work therefore features a historical examination of how the Thomistic natural law tradition was built into the foundation of the UN via the UDHR, principally through the drafting committee “[i]ntellectually dominated” by Charles Malik (Arabic: شارل مالك, 1906-1987 A.D.) and Peng-chun Chang (1892-1957 A.D.).<sup>19</sup> Natural law orientated toward the common good was the common ground for the Confucian Chang and Thomistic-Aristotelian Malik which allowed them to unite the pluralistic belief systems represented by the committee drafters and member nation delegates. Confucian scholars from Tung Chung-shu (195-115 B.C.) who introduced Confucianism as China’s state religion and political philosophy down to the WWII Chinese ambassador to the US, Hu Shih (Chinese: 胡適, 1891-1962 A.D.), produced a comprehensive defense of lei or ‘Law of God’ which converges on the Western conception of natural law articulated by Aquinas in continuation of Aristotle.<sup>20</sup> And this convergence was developed further by Malik and Chang to philosophically ground in natural law (derivative from the divine law and guiding the resultant positive law) the politically expedient framework of the social contract articulating what would become international human rights law.

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<sup>19</sup> MORSINK, Johannes, *The Universal Declaration of Human Rights: Origins, drafting, and intent* (Philadelphia, PA: University of Pennsylvania Press, 1999).

<sup>20</sup> BONEVAC, Daniel, PHILLIPS, Stephens, *Introduction to world philosophy* (New York, NY: Oxford University Press, 2009); CHOU, Chih-P’ing, “The natural law in the Chinese tradition,” in *English Writings of Hu Shih*, China Academic Library (Berlin, Germany: Springer Berlin Heidelberg, 2013), 217–34; CONFUCIUS, *The analects*, trans. David Hinton (Berkeley, CA: Counterpoint, 1999 {222 B.C.}).

This brings us to the final phase of this last innovative element tracing the social contract and natural law trends up to the UDBHR to ultimately make it effective in its application for AI-GNR. Yet the UDBHR is predicated upon a central logical contradiction—its Drafting Group claimed one of its key achievements was to “unite these two streams” of bioethics, the one “present since the ancient times” and the “other, conceptualized in more recent times,” with the former drawing “from reflections on medical practice” and the latter from “international human rights law.”<sup>21</sup> These global experts recognized the fundamental distinction in bioethics between the classical natural law and modern social contract (typically treated as mutually exclusive). Further, the social contract has been critiqued as a vacuous ethics system due to its rejection of metaphysics and a universally shared standard such as natural law that can resolve the incommensurable subjective assertions or preferences into which it otherwise collapses under metaphysical scrutiny. The UDBHR therefore by its own admission is necessarily committing itself to logical indefensibility if it seeks to justify its principles by both streams or solely by the social contract tradition. This book details the historical and philosophical evidence of the social contract’s failure as a defensible system based on logical fallacies and inaccurate anthropology (with insights from evolutionary biology and political economics). Therefore, Wojtylan Thomistic personalism is utilized to accomplish what the UDBHR or its preceding UDHR (which omitted clear defense of its principles) cannot do on their own: salvage key insights from the social contract formulation of international human rights and anchor them in a defensible philosophical system. This book argues that such a system can achieve this defensibility through a solid metaphysics foundation and resultant natural law ethics with its most comprehensive justification via Thomism, made intelligible to the social contract stream via Wojtyla’s unique personalism without sacrificing the contract’s emphasis on rights and pluralism.

But is not Wojtyla’s Thomistic personalism simply a paradigm permanently foreign to the interior structure of modernity and the UN? Is it not an unwelcomed imposition of a tradition unintelligible to the UN and thus politically doomed to rejection? This book disagrees. It seeks to innovatively demonstrate the historical and philosophical continuum from Malik to Wojtyla and the historical evidence for Wojtyla’s legacy reflected

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<sup>21</sup> DECLARATION DRAFTING GROUP, “*Universal Declaration on Bioethics and Human Rights: Records of the General Conference*” ({United Nations Educational, Scientific and Cultural Organization}, 2005), <http://unesdoc.unesco.org/images/0014/001428/142825e.pdf#page=80>.

in the UN (particularly its 2005 UDBHR following his 1995 UN address) to justify the conclusions the UN wishes (i.e. rights) by first logically walking back through sound premises to a defensible natural law and ultimate metaphysical foundation (i.e. Thomistic personalism). To achieve the above, this book examines Thomism with its metaphysics, natural law, and associated virtue ethics as interpreted by its modern proponent, Jacques Maritain (1882-1973 A.D.), particularly in his philosophical defense of the UDHR in his July 1948 introduction to the official UNESCO collection of expert philosophers' arguments which paved the way for the December 1948 ratification of the *Declaration*.<sup>22</sup> This book then proceeds to a critical examination of his thought—including his 1948 assertion about the “irreconcilable divisions” between natural law and modernity’s social contract tradition (page 72)—before moving on to the later Thomist Alasdair MacIntyre (1929-present). From MacIntyre’s argument about the Enlightenment failure to his modern approach defending natural law, the book then arrives at an examination of the thought of Wojtyla, who unlike both Maritain and MacIntyre believed a bridge was possible between natural law (particularly Thomism) and the social contract. Specifically this book will provide the first known comprehensive analysis of his 1995 UN address demonstrating how it is a novel substantive defense of natural law but explicitly articulated in the social contract language of modernity and the UN via his unique Thomistic personalism.

This brings us to the final part of this book’s argument by analyzing how the UDBHR ten years after Wojtyla’s address incorporated his distinctive concepts including a common “moral sense,” virtue ethics, solidarity as operative duties of the state and individuals, the transcendent spiritual dimension of the person, and pluralism constrained by the objective good of human rights<sup>23</sup> as innovations to the social contract. This book concludes by demonstrating how the inclusion of these concepts evidences a subtle personalist retrieval of natural law within the UDBHR while also underscoring the critical philosophical importance for using Wojtyla’s Thomistic personalism (to understand the interior logical structure and thus philosophical and political strengths of the UN rights-based social contract)

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<sup>22</sup> UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION, “Human Rights: Comments and Interpretations” (United Nations, July 1948).

<sup>23</sup> WOJTYLA Karol, “Address of His Holiness John Paul II to the Fiftieth General Assembly of the United Nations Organization,” *L’Osservatore Romano* 41 (1995): 8–10; DECLARATION DRAFTING GROUP, “*Universal Declaration on Bioethics and Human Rights: Records of the General Conference*.”

that can then be applied to AI-GNR.

## 1.7. Objectives

This book has the following objectives:

- Demonstrate the philosophical strengths and weaknesses of the liberal social contract and natural law traditions as represented in the UDHR/UDHR.
- Demonstrate the anthropological aspects (particularly evolutionary biological and political economic) relevant for a politically and philosophically defensible global bioethics paradigm in the above.
- Demonstrate the evolution of Thomist natural law from Malik to Maritain and MacIntyre to Wojtyla, the latest who completes it with his distinctive personalism applied to human rights.
- Apply Wojtyla's Thomistic personalist interpretation of UDHR to AI-GNR based on its real-world state-of-the-art examples.

## 1.8. Outline

- Chapter 1: Introduction
- Chapter 2: The social contract & human rights
- Chapter 3: Anthropological, evolutionary biological, & political economic challenges to human rights
- Chapter 4: Thomistic personalism & human rights
- Chapter 5: Artificial intelligence & human rights

## 1.9. Methodology

Bioethics at its heart is a multi-disciplinary and pluralistic endeavor, uniting and applying the intellectual and experiential elements of human life to real-world scenarios. This book respects that process by supplementing the philosophical examination (of the dominant social contract and less known natural law paradigms within the UDBHR) with analyses of the historical, anthropological, evolutionary biological, political economic, and interreligious theology that provide the concrete context for AI-GNR so this work can provide a comprehensive defense of politically effective and philosophically defensible bioethical conclusions on appropriate AI-GNR (in its development and application) that is intelligible to our modern pluralistic world.

Yet since defensible philosophy (with sound metaphysical foundation producing premises logically following to justifiable conclusions) is unintelligible to modern man largely, we will have to take the long way around to investigate what is true and untrue in modern philosophy—beginning with Rawls and going back through the lens of Wojtyła, MacIntyre, and Maritain to see where philosophy may have gone wrong with Nietzsche, Kant, Rousseau, and ultimately Descartes—to thus reclaim a defensible philosophy demonstrating objective truth (but articulated in terms of experiential and existential subjective truths the modern person can understand within the small geo-centric or human-centric cosmic prison she has been confined since the 17<sup>th</sup> century Enlightenment began. The above is not to demonize modern philosophers who err intellectually in earnest, but to honor their work and significant contributions to humanity by correcting their errors and finishing what they began. As the Greek playwright, Sophocles (497-406 B.C.), noted in the tragic *Antigone*: “to err is human” (Latin: *errare humanum est*) but “when an error is made, that man is no longer unwise or unblessed who heals the evil into which he has fallen...Concede the claim of the dead” (lines 1025-1030).<sup>24</sup> G.K. Chesterton (1874-1936 A.D.) in his opening line of *The Everlasting Man* described this long way to the truth, this arduous philosophical and psychological task of conceding such claims that have resulted in so much death: “There are two ways of getting home; and one of them is to stay there. The other is to walk round the whole world till we come back to the same place” (page 1).<sup>25</sup> The Nobel laureate poet, T.S. Eliot (1888-1965 A.D.), in *The Little Gidding* provides the most poignant picture of the adventure on which we are embarking. His work (composed during the Nazi air-raids of WWII Britain as a multicultural work blending Dante, Shakespeare, Christian theology, and Buddhist images, seeking to understand the inseparable unity of humanity’s past, present, and future, along with the unity of the person and her undying desire to find meaning to one’s life through arriving at truth in its fullness) poetically sough the same:

Ash on an old man's sleeve  
Is all the ash the burnt roses leave.

...A people without history  
Is not redeemed from time, for history is a pattern

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<sup>24</sup> SOPHOCLES, *Antigone*, ed. Sir Richard Jebb (Cambridge: Cambridge University Press, 1891).

<sup>25</sup> CHESTERTON, G.K., *The everlasting man* (Peabody, MA: Hendrickson Publishers, Inc., 2011).

Of timeless moments. So, while the light fails  
 On a winter's afternoon, in a secluded chapel  
 History is now and England.

With the drawing of this Love and the voice of this Calling

We shall not cease from exploration  
 And the end of all our exploring  
 Will be to arrive where we started  
 And know the place for the first time.  
 Through the unknown, unremembered gate...

Not known, because not looked for  
 But heard, half-heard, in the stillness  
 Between two waves of the sea.  
 Quick now, here, now, always—  
 A condition of complete simplicity  
 (Costing not less than everything)  
 And all shall be well and  
 All manner of thing shall be well  
 When the tongues of flames are in-folded  
 Into the crowned knot of fire  
 And the fire and the rose are one.<sup>26</sup>

If you are not already, this work likely will not sell you on this unique Thomistic personalist refinement of the United Nations' social contract view of human rights-duties, to shift from overlapping consensus to converging consensus. This work is meant not to be definitively convincing for all (at least for those open to critically examine the philosophical soundness of the argument) but rather subversive. It is meant to inspire enough distrust in our modern philosophical convictions that you (and I) begin to seek convincing conclusions, to approach true wisdom as Socrates (470-399 B.C.) confessed in the face of death that we are "ignorant of what [we] do not know." And maybe, just maybe, this book is meant to propose a compelling way out of this ignorance with a reliable guide to wisdom (if not a decisive road map)—at the very least it is meant to be a sign pointing you and me in the right direction.

Please forgive me in advance, for this argument sometimes may feel like it meanders as a river making its way sometimes even inexplicably to the sea. This is because it is meant to meet the wandering modern person where she

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<sup>26</sup> ELIOT, T.S., *Collected poems, 1909-1962*, 1st edition (Boston, MA: Houghton Mifflin Harcourt, 1963).

is logically and existentially and to pick up as many diverse peoples on the journey as we go (whether the departure points of philosophy or politics or anthropology or theology or literature speak to them). And sometimes I may get temporarily lost in the beauty and love of where we are going, so we may have to pause to hear the water rushing past us. Like the early philosophers ('Philosopher' in Ancient Greek: φιλόσοφος, '*philosophos*' or 'lover of wisdom'), I am a man quite in love with the most beautiful discovery I have ever encountered—here in these pages, I hurriedly dash to you, grabbing someone, anyone to witness what I have seen in the true, the good, and the beautiful as I seek to truly understand the object of my study. So amid my exuberant haste, please force us to slow down when I go too rapidly or pause when the argument guiding us onward does not make sense with the way too obtuse to continue without further examination. But let me at least companion with you by setting sail in the right direction toward this wisdom. And please allow space for shared rational discourse between you and I, free from the current 'cultural wars' in which conflicting camps are expected to yell past each other politically but achieving nothing philosophically or personally. If 'liberal' is used in this work, it is because it is respectfully referring to the Enlightenment project of political liberalism labelled such by its theorists. This work therefore will critically assess ideas and theories (not attack the idealists and theorists who developed them), so we may advance together toward peace within and between us. I through this book invite you on this journey to 'arrive where we started / And know the place for the first time,' to face the unknown together, to finally come back to our humanity and peer into 'the crowned knot of fire' atop our shared ontological mountain home where the truth as a loving unyielding fire within us illuminates as it purifies, uniting us as a global human family in a peace that does not die.



## CHAPTER 2

# THE SOCIAL CONTRACT AND HUMAN RIGHTS

[Socrates]...there will be no end to the troubles of states or indeed, my dear Glaucon, of humanity itself till philosophers become rulers in this world or till those we now call kings and rulers really and truly become philosophers and political power and philosophy thus come into the same hands...there is no other road to real happiness either for society or for the individual (473d).<sup>27</sup>

### 2.1. Background

To better understand philosophy's trajectory to the modern day, let us first analyze briefly political history which has exerted enormous influence on deciding which philosophies live and die (for as the grim proverb goes, philosophy often like history is written by the victors). As unfortunately, history has written prolifically in the blood of untold human lives including the assassinated WWII veteran and civil rights activist, Medgar Evers (1925-1963 A.D.): "You can kill a man, but you can't kill an idea."<sup>28</sup> And thus our violent human history has been marked by the antithesis of Socrates' dream as power and ideas have fought each other in an ongoing hand-to-hand combat like heat and glaciers, carving our human landscape in the wake of this perennial battle to understand what it mean to be human and thus live together as a human family.

#### 2.1.1. *A Brief History of Politics*

For the sake of brevity and focusing on this work's main argument, we will restrict our examination on political history on the empires of most

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<sup>27</sup> PLATO, *The republic of Plato: Second Edition*, ed. and trans. Allan Bloom, 2 edition (New York, NY: Basic Books, 1991).

<sup>28</sup> BERGMARK, Martha, "Remembering Medgar Evers – and carrying on his fight for civil rights," *The Guardian*, June 12, 2013, <http://www.theguardian.com/commentisfree/2013/jun/12/medgar-evers-civil-rights>.

relevance to the modern political philosophy of the UN. Beginning in Africa and the Middle East, human beings organized themselves into increasingly complex societal structures from small tribes to larger chiefdoms and eventually into empires with the predynastic Egyptian and dynastic Sumer empires around 3,000 B.C. (page xiii).<sup>29</sup> The Indus Valley Civilization was formed 500 years later in what is today Afghanistan and Pakistan (page 56).<sup>30</sup> Then in 336 B.C., Alexander the Great (Greek: Ἀλέξανδρος ὁ Μέγας, 356-323 B.C.) expanded his Greek kingdom of Macedon from Greece to India, humanity's largest empire up to that period.

Shortly before that period, the Roman Republic (Latin: *Res publica Romana*, 50-27 B.C.) gradually expanded from the Roman Kingdom (Latin: *Rēgnum Rōmānum*, 753-509 B.C.) based in Rome to eventually conquer the entire Mediterranean region in present-day Italy, Greece, Turkey, Syria, North Africa, Spain, France, and southern Britain until the famed Roman general, Julius Caesar (Classical Latin: *Julius Kaesar*, 100-44 B.C.) took control of the Republic by military force and declared himself perpetual dictator until his assassination in 44 B.C. (page 102).<sup>31,32</sup> His adopted heir, Octavianus (63-14 B.C.), defeated other possible successors until he was declared Augustus (Classical Latin: *Awgostos*) and the first emperor of what would become the Roman Empire (Latin: *Imperium Rōmānum*) (page 50).<sup>33</sup> During the ensuing two centuries of the *Pax Romana* (Latin: 'Roman Peace') begun under Augustus, the historic period of tranquility stretching through the largest empire up to that point with 50-90 million residents<sup>34</sup> or 1 in 5 residents in the world.<sup>35</sup> It would remain the most populated western political regime until the mid-1800s<sup>36</sup> covering nearly all of Europe, the

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<sup>29</sup> DANIEL, Glyn, *The first civilizations: The archaeology of their origins* (New York, NY: Phoenix Press, 2003 (1968)).

<sup>30</sup> HYSLOP, Steve, DANIELS, and Patricia S *Almanac of world history* (Washington D.C.: National Geographic Society, 2006).

<sup>31</sup> Lawrence Keppie, ed., "The approach of civil war," in *The making of the Roman army: From republic to empire* (Norman, OK: University of Oklahoma Press, 1998).

<sup>32</sup> TUCKER, Spencer, *Battles that changed history: An encyclopedia of world conflict* (Santa Barbara, CA: ABC-CLIO, 2010).

<sup>33</sup> ECK, Werner, *The age of Augustus*, trans. Deborah L. Schneider (Oxford, UK: Blackwell Publishing, 2003).

<sup>34</sup> "International Programs," *UNITED STATES CENSUS BUREAU*, May 21, 2012, <https://www.census.gov/population/international/>.

<sup>35</sup> Ian Morris and Walter Scheidel, eds., *The dynamics of Ancient Empires: State power from Assyria to Byzantium*, Reprint edition (Oxford, UK: Oxford University Press, 2010).

<sup>36</sup> GOLDSMITH, Raymond W, "An estimate of the size and structure of the national

Middle East, and North Africa (page 3),<sup>37</sup> driven by the Augustinian ideal of Roman superiority over all non-Roman barbarians, or *barbarous* (Latin: ‘balbus’ or ‘stammering’ as in an unintelligible language) including the Germanic, Persians, and Gauls among others:<sup>38</sup> ‘*Tu regere imperio populos, Romane, memento*’ (Latin: ‘Roman, remember by your strength to rule the Earth’s peoples’ (page 3)).<sup>39</sup>

The Roman Empire later entered a new epoch with the first Roman Emperor to convert to Christianity, Constantine the Great (Latin: *Flavius Valerius Aurelius Constantinus*, 272-337 A.D.),<sup>40</sup> followed by Emperor Theodosius I (Latin: *Flavius Theodosius Augustus*, 347-395 A.D.) who made Christianity the official religion of the empire (‘the Roman Catholic Church’) before splitting the empire permanently on his death into the East and West Roman Empires, ruled initially by his two sons.<sup>41</sup> 476 A.D. marked the fall of the Western Roman Empire, the loss of ancient Rome, and commencement of the Middle Ages when Emperor Romulus Augustus (461-507 A.D.) fell to the first King of Italy, the barbarous Flavius Odoacer (433-493 A.D.) (chapter XXXVI).<sup>42</sup> In its stead, the Holy Roman Empire (Latin: *Sacrum Imperium Romanum*, German: *Heiliges Römisches Reich*, 800-1806 A.D.) stretched geographically from the Kingdoms of Germany to Italy, and politically from Catholic Pope Leo III (750-816 A.D.) crowning Frankish King Charlemagne the Emperor (742-814 A.D., page 1-8)<sup>43</sup> until the military defeat of Emperor Francis II (1768-1835 A.D.) by Napoléon Bonaparte (1769-1821 A.D.) at Austerlitz (page 622).<sup>44</sup> The Orthodox

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product of the early Roman Empire,” *Review of Income and Wealth* 30, no. 3 (September 1, 1984): 263–88.

<sup>37</sup> KELLY, Christopher, *The Roman Empire: A very short introduction* (Oxford, UK: Oxford University Press, 2007).

<sup>38</sup> LEWIS, Charlton T., SHORT, Charles, “Barbarus,” *A Latin Dictionary* (Oxford, UK: Clarendon Press, 1879).

<sup>39</sup> EDER, Walter, “Augustus and the power of tradition,” in *The Cambridge companion to the age of Augustus* (*Cambridge Companions to the Ancient World*), ed. Karl Galinsky (New York, NY: Cambridge University Press, 2005).

<sup>40</sup> BARNES, Timothy D, *Constantine and Eusebius* (Cambridge, MA: Harvard University Press, 1981).

<sup>41</sup> WILLIAMS, Stephen, FRIELL, Gerard, *Theodosius: The empire at bay* (New Haven, CT: Yale University Press, 1995).

<sup>42</sup> GIBBON, Edward, *The decline and fall of the Roman Empire* (New York, NY: Everyman’s Library, 2010).

<sup>43</sup> HEER, Friedrich, *The Holy Roman Empire* (New York, NY: Frederick A. Praeger, 1967).

<sup>44</sup> REICH, Emil, “Abdication of Francis the Second,” in *Select documents*

Christian Eastern Roman or Byzantine Empire (330-1453 A.D.), which had continued to hold much of the original Roman Empire's Mediterranean territories ultimately fell to the Muslim Ottoman Empire (Turkish: دولت عليه عثمانیه, 1299-1922 A.D.) in 1453 before it respectively was dissolved and partitioned by the UK and France following WWI.<sup>45</sup>

Amid these empire transitions in the West, nation-states and later kingdoms developed in present day UK, France, and Russia from the Roman classical antiquity period to the Middle Ages (5<sup>th</sup>-15<sup>th</sup> century A.D.) politically and culturally led by the aristocracy and Catholic and Christian clergy<sup>46</sup> to the modern era (16<sup>th</sup> century-present) led by the middle class and democratic republics.<sup>47</sup> Christianity, united up through the Roman Empire, split in 1054 into the Greek East and Latin West politically and the Eastern Orthodox and Roman Catholic Churches theologically and culturally,<sup>48</sup> with Protestant Christianity further breaking from the Catholic Church beginning with the German-based Protestant Reformation in 1517.<sup>49</sup>

The every-changing political landscape of western Europe leading up to the modern era spilled over into the British colonies in North America, culminating in the colonial rejection of monarchical rule and subsequent formation of the US and its victory over Great Britain in the American Revolution (1775-1783 A.D.).<sup>50</sup> The American founding fathers were deeply influenced by the French-born Enlightenment, experiencing their own American Enlightenment (1714-1818 A.D.) that inspired their fight to free themselves from the medieval divine right of kings and thus have their absolute sovereign no longer be aristocracy and religion but rather a liberal social contract and human reason defining republican protection of human rights (page 128-129).<sup>51</sup> "Thus republicanism entered our Romanic/Germanic

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*illustrating mediæval and modern history* (London, UK: P.S. King & Son, 1905).

<sup>45</sup> SHAW, Stanford, *History of the Ottoman Empire and modern Turkey* (Cambridge, UK: Cambridge University Press, 1976).

<sup>46</sup> NATIONAL GEOGRAPHIC SOCIETY, *National Geographic atlas of the world 7th Edition*, 7th edition (Washington, D.C.: National Geographic Society, 1999).

<sup>47</sup> GOLDIE, Mark, WOKLER, Robert, *The Cambridge history of eighteenth-century political thought* (Cambridge, UK: Cambridge University Press, 2006).

<sup>48</sup> F. L. Cross, ed., "Great Schism," in *The Oxford Dictionary of the Christian Church* (Oxford, UK: Oxford University Press, 2005).

<sup>49</sup> NORMAN, Edward, BARRETT, Jill, *The Roman Catholic Church: An illustrated history*, 1 edition (Berkeley, CA: University of California Press, 2007).

<sup>50</sup> WOOD, Gordon S, *The radicalism of the American Revolution*, Reprint edition (New York, NY: Vintage, 1993).

<sup>51</sup> ADAMS, Willi Paul, MORRIS, Richard B., *The first American constitutions:*

world” and paved the way for all subsequent liberal revolutions including the French Revolution (French: *Révolution Française*, 1789-1799 A.D.).<sup>52</sup> This European revolution fundamentally remade the modern world by triggering the forcible replacement of religiously-backed absolute monarchies and the centrality of faith with liberal social contract-based democracies and their secular humanist values throughout Europe, the Middle East, and the Caribbean (page 117-130).<sup>53</sup> Napoléon capitalized on the ensuing European political chaos to rise through the French army from artillery officer to Emperor, conquering continental Europe before the combined forces of the UK, German states, Russia, Prussia, Spain, and Portugal in the Sixth Coalition ended his reign.<sup>54</sup> But this was not before his legal system, the Napoleonic Code, spread through his empire eventually influencing the legal system of 70 nations globally with its distinctive secular liberal social contract as the greatest codification of laws since the fall of the Roman Empire (page xxxiii).<sup>55</sup>

The rising political and philosophical tensions among the emerging modern states of Europe and Asia amid the 19<sup>th</sup> century’s industry-based economic growth came to a head with the battles lines drawn between the Triple Entente of the UK, France, and Russia (along with the looser US, Japan, and Spain alliances) and the Triple Alliance of Germany, Austria-Hungary, Italy, and the Ottoman Empire in WWI (1914-1918 A.D.) which resulted in the end or injury of 37 million lives and the Triple Alliance’s defeat (pages 151-175).<sup>56,57</sup> Hitler built on Germany’s ensuing nationalistic anger to successfully craft himself as its totalitarian leader set on relentlessly imperializing Europe with his Nietzschean Nazi philosophy, asserting socialist Germany’s overman superiority over Jews, the handicapped, Catholic religious and other dissidents, and similar *Untermensch*s (German: ‘sub-humans’) while railing against the international order he believed was

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*Republican ideology and the making of the state constitutions in the revolutionary era*, trans. Rita And Robert Kimber, Expanded edition (Lanham, MD: Rowman & Littlefield Publishers, 2001).

<sup>52</sup> Ibid.

<sup>53</sup> Ferenc Fehér, ed., *The French Revolution and the birth of modernity*, Reprint edition (Berkeley, CA: University of California Press, 1990).

<sup>54</sup> BELL, David A, *Napoleon: A concise biography*, 1 edition (Oxford, UK: Oxford University Press, 2015).

<sup>55</sup> ROBERTS, Andrew, *Napoleon: A life* (London, UK: Penguin Books, 2014).

<sup>56</sup> SAGAN, Scott D, “1914 revisited: Allies, offense, and instability,” *International Security* 11, no. 2 (1986): 151–75.

<sup>57</sup> VAN EVERA, Stephen, “The cult of the offensive and the origins of the First World War,” *International Security* 9, no. 1 (1984): 58–107.

imposed by the democratic capitalist nations of post-WWI the UK and US along with France.<sup>58</sup> He was soon joined by Italy's fascist Benito Mussolini (1883-1945 A.D.) seeking to similarly make Italy a world power as a "New Roman Empire" (page 30).<sup>59</sup> Amid Hitler's Holocaust exterminating 11 million people<sup>60</sup> and the global reach of the conflict, WWII claimed over 100 million lives from 30 nations, becoming the deadliest human war ever (page 5).<sup>61</sup> The resulting victory of the Allies led by the US, Russia, UK, and France over the Axis powers of Germany, Japan, and Italy set the stage for the UN's global peace. During this historic absence of open war, international power shifted from the old great powers of Western Europe to the Cold War stand-off between the democratic US and communist Soviet Union (with their nuclear arms and space race), decolonization of the former European empires, and rise of the People's Republic of China.<sup>62</sup>

### 2.1.2. *A Brief History of Philosophy*

Humanity's political history brings us to modernity's philosophy. Political liberalism with its primary embodiment as social contract-based constitutional democracies is the dominant political philosophy of the modern era (page 110).<sup>63</sup> Nearly half of all nations and the majority of the earth's most powerful and richest countries are liberal democracies, having doubled in number over the last three decades (page 81).<sup>64</sup> Outside of the world's major religions, the most vocal and influential modern proponent of global peace, human rights, and equality has been the UN as a product of political liberalism (page 145),<sup>65</sup> championed as the greatest realization of

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<sup>58</sup> BENDERSKY, Joseph W., *A concise history of Nazi Germany*, 4 edition (Lanham, MD: Rowman & Littlefield Publishers, 2013).

<sup>59</sup> MURRAY, Williamson, MILLETT, Allan R., *A war to be won: Fighting the Second World War*, Fourth Printing edition (Cambridge, MA: Belknap Press, 2001).

<sup>60</sup> NIEWYK., Donald, NICOSIA, Francis, *The Columbia guide to the Holocaust* (New York, NY: Columbia University Press, 2003).

<sup>61</sup> SOMMERVILLE, Donald, *The complete illustrated history of World War Two: An authoritative account of the deadliest conflict* (London, UK: Lorenz Books, 2009).

<sup>62</sup> GREENVILLE, John Ashley Soames, *A history of the world from the 20th to the 21st century* (Abingdon, UK: Routledge, 2005).

<sup>63</sup> PIERSON, Paul, ed., *The new politics of the welfare state*, 1 edition (Oxford University Press, 2001).

<sup>64</sup> FARR, Thomas F., *World of faith and freedom* (Oxford, UK: Oxford University Press, 2008).

<sup>65</sup> SINCLAIR, Timothy J, ed., *Global governance: Critical concepts in political science*, 1 edition (New York, NY: Routledge, 2004).