

Unity, Charity, and Fraternity as Foundations for International Law in Francisco Suárez

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Fecha de recepción: mayo 2023.

Fecha de aprobación: diciembre 2023.

Abstract:

The Jesuit philosopher and theologian, Francisco Suárez (1548–1617), believed the common rational nature of all human beings provides the foundation for both the natural law and international law. He also believed that the human race has a certain unity supported by the principles of mutual love and mercy. This article shows how the unity of the human race and the theological virtue of charity provide a basis for Suárez's notion of international law. The article situates Suárez within the Catholic tradition of Aquinas and Vitoria, and it distinguishes between the natural law and the law of nations. The final part of the article shows how Suárez's principles of human unity, charity, and fraternity are affirmed by recent popes.

Keywords:

Francisco Suárez, Natural law, Law of nations, International law.

Unidad, caridad y fraternidad como fundamentos del derecho internacional en Francisco Suárez

Sumario:

El filósofo y teólogo jesuita Francisco Suárez (1548–1617) creía que la naturaleza racional común de todos los seres humanos constituye el fundamento tanto del derecho natural como del derecho internacional. También creía que la raza humana tiene una cierta unidad sustentada en los principios del amor mutuo y la misericordia. Este artículo muestra cómo la unidad del género humano y la virtud teológica de la caridad proporcionan una base para la noción de derecho internacional de Suárez. El artículo sitúa a Suárez dentro de la tradición católica de Aquino y Vitoria, y distingue entre el derecho natural y el derecho de gentes. La parte final del artículo muestra cómo los principios de Suárez de unidad humana, caridad y fraternidad son afirmados por papas recientes.

Palabras clave:

Francisco Suárez, Derecho natural, Derecho de las naciones, Derecho internacional.

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1. Introduction

The Jesuit philosopher and theologian, Francisco Suárez (1548–1617), believed the common rational nature of all human beings provides the foundation for both the natural law and international law. This is brought out quite clearly in *De legibus*, lib. 2, cap. 19, n. 9:

Although divided into various peoples and kingdoms, the human race always has a certain unity (*semper habet aliquam unitatem*), which is not only that of a species (*non solum specificam*), but also, as it were, political and moral, which the natural precept of mutual love and mercy proclaims (*quam indicat naturale praeceptum mutui amoris et misericordiae*), a precept that extends to all, even to strangers, and of any condition whatsoever (*quod ad omnes extenditur, etiam extraneos, et cujuscumque rationis*). Hence, although each autonomous city, state or kingdom is in itself a complete community, and made up of its members, nonetheless any one of them is also a member in some way of the world, insofar as it belongs to the human race.¹

Suárez affirms the unity of the human race theologically in his work, *De opera sex dierum* (published posthumously in 1621). In *De legibus* (1612), he shows that the common rational nature of the human race provides the foundation for both the natural law and international law. Suárez discusses the universal extension of charity and fraternity in *De charitate*, which was published posthumously in 1621.² These sources of Suárez reinforce and illuminate each other. They should be viewed in an integrative rather than a separate manner.

2. The unity of the human race as a foundational for international law

The unity of the human race is not something original to Suárez. St. Paul, in Acts 17:26, tells the Athenians: “[God] made from one the entire human race to dwell on the entire surface of the earth”. St. Thomas Aquinas, in the *Summa theologiae* I–II q. 81 a. 1, affirms the human race as being one because it is derived from Adam. He says that all human beings “born of Adam may be considered as one man (*omnes homines qui nascuntur ex Adam, possunt*

¹ Francisco Suárez, *De legibus*, lib. 2, cap. 19, n. 9, in *Opera omnia*, ed. C. Breton, Vol. V (Paris: Ludovicus Vivès, 1856), 169. Translation (with minor adjustments) taken from José Pereira, *Suárez: Between Scholasticism & Modernity*, (Milwaukee, WI: Marquette University Press, 2007), 90.

² Raoul de Scorraillé, *François Suarez, de la Compagnie de Jesus*, Tome Second (Paris: P. Lethiel-leux, 1913), 403. Pereira gives the date of publication as 1622; see *Suárez: Between Scholasticism & Modernity*, 59.

considerari ut unus homo), inasmuch as they have one common nature, which they receive from their first parents (*inquantum conveniunt in natura, quam a primo parente accipiunt*).³ Aquinas says this unity is true “according to civil matters because “all who are members of one community are reputed as one body, and the whole community as one man” (*secundum quod in civilibus omnes qui sunt unius communitatis, reputantur quasi unum corpus, et tota communitas quasi unus homo*).⁴ He finds support for this in the philosopher Porphyry who says (*Praedic., De Specie*) that “by participation in the same species, many human beings are one man (*quod participatione speciei plures homines sunt unus homo*). Thus it follows that “many human beings derived from Adam are as it were many members of one body” (*Sic igitur multi homines ex Adam derivati, sunt tanquam multa membra unius corporis*).⁵

This unity of the human race serves as the precondition for the concept of international law, the law of nations, (*ius gentium*) developed by Francisco de Vitoria, O.P (c. 1483–1546) and later by Francisco Suárez, S.J. (1548–1617). Vitoria spoke of a certain friendship or kinship that exists among all human beings, insofar as all share a common nature and a common end. In his lecture, *De Indis*, Vitoria cites Sirach 13:15; and he says that “amity (*amicitia*) between men is part of natural law”.⁶

Like Vitoria, Suárez sees the unity of the human race as having a political dimension. In his work, *De opera sex dierum* –published posthumously in 1621– Suárez states that the fundamental unity of the human race joins human beings together into one political society. This he believes would have been the case even in the state of innocence:

...human beings in a state of innocence, if they persisted, would have had a political alliance among themselves, such as a perfect state or a kingdom” [*homines in statu innocentiae, si duraret, habituros fuisse inter se politcam societatem, qualis in civitate perfecta, vel regno*].⁷

Suárez continues by noting that the joining together of human beings into a political community is not accidental or the result of sin but something intrinsic to human nature:

³ St. Thomas Aquinas, *Summa theologica*, I–II, q. 81 a. 1, trans. Fathers of the English Dominican Province (Allen, TX: Christian Classics, 1981), Vol. II, 952. The Latin texts are taken from the 1888 Leonine edition of the *Summa theologiae*.

⁴ *Ibid.*

⁵ *Ibid.*

⁶ Francisco de Vitoria, *De Indis*, 3.1; see *Vitoria: Political Writings*, edited by A Pagden and J. Lawrance (Cambridge: Cambridge University Press, 1991), 279. Sirach 13:15 says: “Every being is drawn to its own kind; with his own kind every man associates”.

⁷ Francisco Suárez, *De opera sex dierum*, lib. V, cap. VII, n. 6; *Opera omnia*, Vivès ed. Vol. III, 414; unless otherwise indicated, all translations are my own.

And this [unity] ought to be the foundation, because the joining together of human beings into one commonwealth, is not only by accident because of sin or the corruption of nature, but it belongs per se to man in any state, and pertains to his perfection [*Et fundamentum esse debet quia conjunctio hominum in unam civitatem, non per accidens tantum ratione peccati, aut corruptionis naturae, sed per se convenit homini in quocumque statu, et ad perfectionem ejus pertinent*].⁸

Because of the unity of the human race, there is a bond of kinship between all people and all states. The various human communities will never be entirely self-sufficient. Because of this interdependence, Suárez points to the need for mutual assistance and the natural human love of communication:

This community of life is not only because of the need for mutual support, but it is also suitable for its own sake, for a greater enjoyment of life and honest communication which man naturally loves [*Haec communitas vitae non tantum propter indigentiam mutui auxilii, sed etiam propter se aptibilis est, ad majorem vitae jucunditatem, et honestam communicationem quam homo naturaliter amat*].⁹

Suárez, of course, is aware that original sin has wounded human nature. He is also aware that the human race is divided into multiple nations and States. The diversification of the human race into so many nations and States, however, does not destroy the moral and political unity of humanity. Jean-Paul Coujou writes:

The diversification of the human race into peoples and States cannot obscure the “political and moral unity” required by the natural law of charity and by mutual love” (*De leg.* II, 19, n. 9). Two juridical orders can be drawn from this: one is national, invested with a sovereignty specific to inter-individual relations; the other is international, possessing a sovereignty relative to relations among states. Historically but also ontologically, each State is part of this whole in developing what represents the human race. In this sense, a universal society of States imposes a moral necessity upon constituted States. This implies the necessity of mutual assistance and a universal common good. In conformity with this perspective, it will be legitimate to evoke a society of nations and an international law. Such a society is ruled by the law of nations, a positive law with an essentially customary origin that governs relations among nations in a sovereign manner.¹⁰

⁸ *Ibid.*, 415.

⁹ *Ibid.*

¹⁰ Jean-Paul Coujou, “Political Thought and Legal Theory in Suárez”, in *A Companion to Francisco Suárez*, edited by Victor M. Salas & Robert L. Fastiggi (Leiden and Boston: Brill, 2015), 63.

Even though the various States have their own particular laws, there is still a “political and moral unity” to the human race. This unity results in the recognition of a “universal common good” that demands some form of international law.

For Suárez, international law is realized in the *jus gentium* or law of nations, which is human law based on custom and common consent. Although the *jus gentium* reflects the natural law of right reason, it must be distinguished from it. This is because it involves the concrete historical establishment of human laws. The natural law is the eternal law of God grasped by the *lumen naturale*, which is the natural light of human reason. Suárez believes that “the natural light is sufficient in itself for the promulgation of the natural law” (*ergo ipsum naturale lumen est de se sufficiens promulgation legis naturalis*).¹¹ The *ius gentium*, though, is distinguished from the natural law because it involves “the introduction of human law” (*humano jure introductam*),¹² which is a different matter (*materia*) than the natural law. The natural law is the law of God written into the human heart (cf. Rom 2;15). The *jus gentium*, however, involves human choice and consent. As Suárez writes:

By way of contrast, the precepts of the law of nations are introduced by the choice of men and their consent, whether by the entire human community or by the greater part; therefore, they are not said to be written into the human heart by the author of nature; they are, therefore, human laws and not natural (*Et ab converso, praecepta juris gentium ab omnibus introducta sunt per arbitrium et consensum illorum, sive in tota hominum communitate, sive in majori parte; ergo non possunt dici scripta in cordibus hominum ab auctore naturae; ergo sunt juris humani et non naturalis*).¹³

Because the law of nations (*jus gentium*) involves human law, it is distinct from the natural law, which is the law of God written into the human heart. The law of nations, though, still reflects the unity of human race, and it should strive to serve the common good of all people. In this sense, the law of nations is answerable to the demands of right reason or the natural law. Suárez is aware that not all human laws apply to all people and nations.¹⁴ Nevertheless, he believes that there are certain rites and laws that are generically similar among all nations because of the natural law. For example, he says that the worship of God is absolute by way of the natural law (*cultus Dei absolute est*

¹¹ *De legibus*, lib. 2, cap. VI, n. 24; *Opera omnia*, Vivès ed. Vol. V, 112.

¹² *De legibus*, lib. 2, cap. 17, n. 9; *Opera omnia*, Vivès ed. Vol. V, 163.

¹³ *De legibus*, lib. 2, cap. 17, n. 8, in *Opera omnia*, Vivès ed. Vol. V, 162.

¹⁴ Cf. *De legibus*, lib. 2, cap. 19, n. 9; *Opera omnia*, Vivès, ed., Vol. V, 169.

de jure naturae).¹⁵ He recognizes, though, that the specific manner of worship is “from the divine positive law” (*est de jure positive divino*).¹⁶ The rite of worshipping God by sacrifice is not simply by reason of the natural law (*ritus colendi Deum per sacrificia non est simpliciter de jure naturali*).¹⁷ Nevertheless, it often happens that various forms of worship are agreed upon by nations, and, in this sense, “even religion can be said to be of the law of nations” (*ergo potest etiam religio dici de jure gentium*).¹⁸ The worship God pertains to the natural law, but the various forms this worship assumes corresponds to the *jus gentium* or the law of nations. The law of nations reflects the natural law, but it remains distinct from it.

3. Charity as a motivation for international law

As we have seen, Suárez recognizes the unity of the human race as one that is political and moral, which the precept of mutual love and mercy naturally proclaims (*quam indicat naturale praeceptum mutui amoris et misericordiae*), a precept that extends to all, even to strangers, and those of any condition whatsoever (*quod ad omnes extenditur, etiam extraneos, et cujuscumque rationis*).¹⁹ In his treatise, *De charitate* [published posthumously in 1621] Suárez explains that charity and mercy extend to all:

... through charity we love everyone who is capable of friendship, and in the same way through mercy we are able to have mercy on all who are capable of suffering [... *per charitatem diligimus omnem eum qui est capax amicitiae, ita per misericordiam miserere possumus omnes ejus qui est capax miseriae*].²⁰

In *De charitate, disputatio V, sectio V*, n. 4, Suárez notes that charity extends even to our enemies. The precept to love our enemies is not only from the positive law (Matthew 5:44) but also from the natural law since it pertains to human nature. Suárez, therefore, believes that “man can in some manner observe this precept by the powers of nature in the order of his natural end” [*posse hominem per vires naturae servare hoc praeceptum aliquo modo in ordine ad finem naturalem*].²¹ Nevertheless, “to observe this precept is hardly

¹⁵ *De legibus*, lib. 2, cap. 19, n. 10; *Opera omnia*, Vivès, ed., Vol. V, 169.

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ Cf. *De legibus*, lib. 2, cap. 19, n. 9; *Opera omnia*, Vivès, ed., Vol. V, 169.

²⁰ Francisco Suárez, *De charitate*, Disput. IV, sect. I, n. 2; *Opera omnia*, Vivès, ed., Vol. XII, 659.

²¹ *Ibid.* Disput. V, sect. V, n. 4; *Opera omnia*, Vivès, ed., Vol. XII, 670.

possible without some special help” (*servare hoc paeceptum vix aut numquam sine speciali auxilio fieri possit*).²²

Suárez not only considers the virtue of charity; he also considers the sins against charity. In *De charitate*, after he discusses charity in terms of its object, act, and its relation to mercy, he examines sins contrary to the precepts of charity (disputation VI) and the need for fraternal correction of sinners (disputation VIII). The tension between the charity and sin pertains not only to relations among human beings individually but also collectively. It is one thing to speak about the universal bond of charity among all humans; it is something else to realize this charity in practice.

In the political realm, there is a tension between the universality of the natural law and the historical realization of this universality by means of the law of nations. Jean–Paul Coujou notes the difference between the absolute universality of the natural law and the relative universality of the *jus gentium*, which corresponds to a common unity of the human race and the establishment of reciprocal obligations.²³ Human laws, therefore, should be directed towards the natural perfection and happiness of human nature. Suárez makes this quite clear:

Accordingly all these precepts are issued by a particular necessity of nature and by God inasmuch as he is the creator of nature; and they tend towards an identical end which is certainly the legitimate conservation and natural perfection or happiness of human nature. Consequently, all of them pertain to the natural law [*Denique haec omnia praecepta necessitate quadam prodeunt a natura, et a Deo quatenus auctor est naturae, et tendunt ad eundem finem, nimirum ad debitam conservationem et naturalem perfectionem, seu felicitatem humanae naturae; ergo omnia pertinent ad natural jus*].²⁴

4. The need for some type of international law

Because of the unity of the human race and the principle of charity, human communities require some type of international law:

For just as custom introduces law in a state or a province, so in the whole human race rights could be introduced by the customs of the nations. (*Nam sicut in civitate vel provincia consuetudo introducit*

²² Ibid.

²³ Jean–Paul Coujou, *Droit, anthropologie & politique ches Suárez*, (Perpignan: Éditions Artège, 2012), 472.

²⁴ *De legibus*, lib. II, cap. 7, n. 7; *Opera omnia*, Vivès, ed., Vol. V, 114.

jus, ita in universo humano genere potuerunt jura gentium moribus introduce).²⁵

Suárez is aware that that the unity of the human race does not require the integration of all human beings into a single political community.²⁶ Particular laws will be enacted by different states, but such laws must still reflect the *ius gentium* or the “law of nations”.²⁷ Nevertheless, there needs to be an awareness of the unity of the human race, which he describes as forming “one mystical body” (*unum corpus mysticum*).²⁸ The unity of the human race, therefore, is the basis for international law because all human beings are united into a single mystical body. Human laws are particular for each state, but the international law pertains to the good of the entire human community (*ad bonum totius communitatis*).²⁹

5. The Suárezian Concept of Unity, Charity, and Fraternity in the Catholic Tradition

As we have seen, Suárez is not the first to highlight the unity of the human race and the common bonds of charity and fraternity. He stands in a tradition previously expressed by Aquinas and Vitoria. He articulates this tradition, however, with greater precision with respect to international law.

Recent popes have affirmed the Suárezian themes of the unity of the human race, universal charity, and the need for some type of international law. Pope Pius XII, in his 1939 encyclical, *Summi Pontificatus*, speaks of universal charity as the key to world peace:

Venerable Brethren, forgetfulness of the law of universal charity—of that charity which alone can consolidate peace by extinguishing hatred and softening envies and dissensions—is the source of very grave evils for peaceful relations between nations.³⁰

In his 1963 encyclical, *Pacem in Terris*, Pope John XXIII highlights the universal common good, the law of nations, and international law:

²⁵ *De legibus*, lib. II, cap. 19, n. 9; *Opera omnia*, Vivès, ed., Vol. V, 169.

²⁶ *De legibus*, lib. III, cap. II, n. 5; *Opera omnia*, Vivès, ed., Vol. V, 181.

²⁷ *Ibid.*, n. 6.

²⁸ *De legibus*, lib. III, cap. XI, n. 7; *Opera omnia*, Vivès, ed., Vol. V, 213.

²⁹ *Ibid.*

³⁰ Pius XII, encyclical, *Summi Pontificatus* (October 20, 1939, no. 51; available at: https://www.vatican.va/content/pius-xii/en/encyclicals/documents/hf_p-xii_enc_20101939_summi-pontificatus.html (accessed December 17, 2023)).

No era will ever succeed in destroying the unity of the human family, for it consists of men who are all equal by virtue of their natural dignity. Hence there will always be an imperative need—born of man’s very nature—to promote in sufficient measure the universal common good; the good, that is, of the whole human family.

In the past rulers of States seem to have been able to make sufficient provision for the universal common good through the normal diplomatic channels, or by top-level meetings and discussions, treaties and agreements; by using, that is, the ways and means suggested by the natural law, the law of nations, or international law.³¹

Under Pope Paul VI, Vatican II’s *Pastoral Constitution of the Church in the Modern World, Gaudium et spes*, sees the universal common good as reason for establishing some type of community of nations:

In view of the increasingly close ties of mutual dependence today between all the inhabitants and peoples of the earth, the apt pursuit and efficacious attainment of the universal common good now require of the community of nations that it organize itself in a manner suited to its present responsibilities, especially toward the many parts of the world which are still suffering from unbearable want.³²

In his 1967 encyclical, *Populorum Progressio*, Paul VI, like Pius XII, stresses the importance of universal charity for the future of the world. He also speaks of the duty of wealthier countries to come to the aid of poorer countries:

This duty concerns first and foremost the wealthier nations. Their obligations stem from the human and supernatural brotherhood of man, and present a three-fold obligation: 1) mutual solidarity—the aid that the richer nations must give to developing nations; 2) social justice—the rectification of trade relations between strong and weak nations; 3) universal charity—the effort to build a more humane world community, where all can give and receive, and where the progress of some is not bought at the expense of others. The matter is urgent, for on it depends the future of world civilization.³³

³¹ John XXIII, encyclical, *Pacem in Terris* (April 1, 1963), nos. 132-133; available at: https://www.vatican.va/content/john-xxiii/en/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem.html (accessed December 17, 2023).

³² Vatican II, *Gaudium et spes* (December 7, 1965), no. 84; translation from the Vatican webpage: https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651207_gaudium-et-spes_en.html (accessed May 2, 2023).

³³ Paul VI, encyclical, *Populorum Progressio* (March 26, 1967), no. 44; available at: https://www.vatican.va/content/paul-vi/en/encyclicals/documents/hf_p-vi_enc_26031967_populorum.html (accessed December 18, 2023).

Pope John Paul II, in his 1988 encyclical, *Sollicitudo Rei Socialis*, reinforces the need for charity or love on the international level:

In other words, true development must be based on the love of God and neighbor, and must help to promote the relationships between individuals and society. This is the “civilization of love” of which Paul VI often spoke.³⁴

In his January 12, 1991 address to the diplomatic corps, John Paul II affirms the importance of the law of nations and international law:

The law of nations, the ancestor of international law, took shape over the centuries by distilling and codifying certain universal principles which are prior to and higher than the domestic law of States and which were commonly acknowledged by those taking part in international life. The Holy See is pleased to see in these principles an expression of the order willed by the Creator. We may recall, by way of example, the equal dignity of all peoples, their right to cultural existence, the juridic protection of their national and religious identity; the rejection of war as a normal means of settling conflicts, and the duty to contribute to the common good of humanity. As a result, States came to the conviction that it was necessary, for their mutual security and for the safeguarding of a climate of trust, that the community of nations be endowed with universal rules of coexistence applicable in all circumstances. These rules represent an indispensable point of reference for harmonious international activity, as well as a precious heritage to be preserved and developed. Otherwise, the law of the jungle would prevail, with consequences that can easily be foreseen.³⁵

Unity and charity serve as foundations for the international law in Suárez, but human fraternity does as well. Although Suárez does not speak much about fraternity or *fraternitas*, he does, as we have seen, devote disputation VIII of *De charitate* to the precept of fraternal correction (*de praecepto correctionis fraternae*).³⁶ Fraternity, though, would seem to be an appropriate term for “the precept of mutual love and mercy” that Suárez clearly affirms.

Pope Benedict XVI underscores the importance of universal fraternity in his 2009 encyclical, *Caritas in Veritate*, and he sees the promotion of this fraternity as a major work of the Church:

³⁴ John Paul, encyclical, *Sollicitudo Rei Socialis* (December 30, 1987), no. 33; available at: https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_30121987_sollicitudo-rei-socialis.html (accessed December 18, 2023).

³⁵ John Paul II, Address to the Diplomatic Corps (January 12, 1991), no. 8; available at: https://www.vatican.va/content/john-paul-ii/en/speeches/1991/january/documents/hf_jp-ii_spe_19910112_corpo-diplomatico.html (accessed December 18, 2023).

³⁶ *De charitate, disput. VIII, De praecepto correctionis fraternae, Opera omnia*, Vivès, ed., Vol. XII, 691.

... the whole Church, in all her being and acting —when she proclaims, when she celebrates, when she performs works of charity— is engaged in promoting integral human development. She has a public role over and above her charitable and educational activities: all the energy she brings to the advancement of humanity and of universal fraternity is manifested when she is able to operate in a climate of freedom.³⁷

Human fraternity has been a major theme of Pope Francis. On February 4, 2019, Pope Francis and the Grand Imam of Al-Ahzar, Ahmed Al-Tayyeb, jointly issued a *Document on Human Fraternity*, which emphasizes how fraternity embraces and unites all human beings. Pope Francis and the Grand Imam preface their articulation of various resolutions by invoking the bond of human fraternity:

In the name of *human fraternity* that embraces all human beings, unites them and renders them equal;

In the name of this *fraternity* torn apart by policies of extremism and division, by systems of unrestrained profit or by hateful ideological tendencies that manipulate the actions and the future of men and women...³⁸

In his 2020 encyclical, *Fratelli tutti*, Pope Francis likewise notes that without human community and solidarity, there will be anguish and emptiness:

Unless we recover the shared passion to create a community of belonging and solidarity worthy of our time, our energy and our resources, the global illusion that misled us will collapse and leave many in the grip of anguish and emptiness. Nor should we naively refuse to recognize that “obsession with a consumerist lifestyle, above all when few people are capable of maintaining it, can only lead to violence and mutual destruction”. The notion of “every man for himself” will rapidly degenerate into a free-for-all that would prove worse than any pandemic.³⁹

Human beings will always need mutual help and mutual communication. Recent popes have affirmed this insight, and they have highlighted themes that were special to Suárez: the unity of the human race, the need for universal

³⁷ Benedict XVI, encyclical, *Caritas in Veritate* (June 29, 2009), no. 11; available at: https://www.vatican.va/content/benedict-xvi/en/encyclicals/documents/hf_ben-xvi_enc_20090629_caritas-in-veritate.html (accessed December 18, 2023).

³⁸ Pope Francis and the Grand Imam, Ahmed Al-Tayyeb, Document on “Human Fraternity for World Peace and Living Together” (February 4, 2019), available at: https://www.vatican.va/content/francesco/en/travels/2019/outside/documents/papa-francesco_20190204_documento-fratellanza-umana.html (accessed May 3, 2023).

³⁹ Pope Francis, encyclical, *Fratelli tutti* (October 3, 2020), no. 36; available at: https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20201003_enciclica-fratelli-tutti.html 9 (accessed May 4, 2020).

charity and fraternity, and the law of nations. For Suárez, the unity of the human race means that human beings require some type of international law “by which they can be directed and rightly ordered in this kind of communication and fellowship.”⁴⁰

6. Conclusion

Because of the unity of the human race, there is a bond of kinship between all people and all states, and this bond is expressed by charity and fraternity. The various human communities will never be entirely self-sufficient. Human communities, therefore, require some type of international law. Suárez’s recognition of the need for mutual help between all people resonates with the teachings of recent popes and Vatican II. The foundations for international law are certainly philosophical. They are, however, also theological. The Bible testifies to the unity of the human race as well as Catholic tradition. Francisco Suárez expresses the unity the human race most beautifully when he describes it as forming “one mystical body” (*unum corpus mysticum*).⁴¹

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⁴⁰ *De legibus*, lib. 2, cap. 19, n. 9; *Opera omnia*, Vivès, ed., Vol. V, 169.

⁴¹ *De legibus*, lib. III, cap. XI, n. 7; *Opera omnia*, Vivès, ed., Vol. V, 213.

UNITY, CHARITY, AND FRATERNITY AS FOUNDATIONS FOR INTERNATIONAL LAW IN...

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