

Peace, the mission of law in the face of the storm: words of Francis¹

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“Peace is possible, I will never tire of repeating it. And it constitutes the fundamental condition for respect for the rights of every human being and for the integral development of every people.”

Francisco (Esperanza: la autobiografía)

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- 2 Reviewers’ note (Gilmar Mendes and Paulo Sávio Maia): Throughout four decades of professional practice, Raúl Gustavo Ferreyra has managed to combine, as few constitutionalists have achieved, erudite academic training with a concrete and effective defense of the Democratic Rule of Law. This has been the case since his first case as a lawyer, the celebrated *habeas corpus* filed on behalf of Dr. Ramirez, kidnapped in 1977 by the Argentine dictatorship. With these qualities, Ferreyra was present at several key moments in Argentina’s recent history, and was often called upon to collaborate with his country’s institutions, as evidenced by his brilliant tenure in the Legal Department for Families of the Disappeared and Detained for Political Reasons (1984-1989). A Häberlian constitutionalist, he maintained a constant relationship with Argentine civil society organizations, including the Catholic Church. Incidentally, Professor Ferreyra was an advisor on public law to several ecclesiastical authorities, and it may interest the Brazilian reader to know that this was also the case during the papacy of Francis. The article that the *Plenário* journal now presents to the Brazilian public is a faithful representation of this rich life trajectory, especially the story of a beautiful dialogue that has Pope Francis as its central chapter.

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ABSTRACT: This work examines peace as a mission of law, understood not only as a moral or political ideal, but as an end and a constitutive condition of contemporary citizen constitutionalism. Based on a systematic reading of state constitutional law and the constitutional law of humanity, it argues that peace—both internal and external—constitutes the highest normative directive of any legal order founded on a constitution. Internally, peace is presented as a relative peace, inseparable from social justice, whose stability depends on the sustained reduction of inequality and the effectiveness of fundamental rights. Externally, war is analysed as the radical negation of law, human dignity and civilisation, highlighting the insufficient but irreplaceable role of public international law as a normative framework for world peace. The work incorporates the thinking and teachings of Pope Francis as a contemporary source of legal and ethical reflection on peace, highlighting his criticism of war, structural inequality and mechanisms of economic and ecological domination. Finally, it affirms that, although law alone cannot eradicate war, it remains the only rational instrument available to organise human coexistence, limit the use of force and uphold the promise of a dignified life based on peace, social justice and equality.

KEYWORDS: Constitution; democracy; war; peace; social justice; Pope Francis.

1. Starting point

Pope Francis' words demonstrate that peace, an undeniable social construct, is simultaneously an end and a condition of law. I understand that the mission of law, as a venerable human creation, must consist in averting, nullifying, or reducing, respectively, the storms of social inequality and war. Establishing legal foundations for peace represents, in itself, a true declaration. The normative preaching that must be promoted through the system of a constitution in a State governed by the rule of law corresponds to the pursuit of peace with social justice, which at the same time constitutes a declaration about a "citizen constitutionalism".

Since 1853, the Federal Constitution of the Argentine Republic (CFA) has established, in its Preamble, that one of its eminent objectives is the "consolidation of internal peace." This is a fundamental and original purpose, defined "for us, for our posterity, and for all men of the world who wish to inhabit Argentine soil." Especially in times marked by the threat of different models

of autocracy, it is necessary to highlight this originally unique configuration, particularly due to its antiquity, in the inventory of world constitutionalism.

Article 4 of the 1988 Constitution of the Federative Republic of Brazil (CRFB) states that the “Federative Republic” is governed, in its international relations, by the following principles: national independence, the prevalence of human rights, the self-determination of peoples, non-intervention, equality among States, the defense of peace, the peaceful settlement of disputes, the repudiation of terrorism and racism, cooperation among peoples for the progress of humanity, and the granting of political asylum. This is a comprehensive wording in the context of comparative constitutional law.

“Internal peace,” as evidenced by the Constitution, and “external peace,” ensured by the Federal Constitution, represent two sources of the same course. Without the first, anarchy would prevail, a merciless struggle of all against all. Without the second, there could be no coexistence necessary for the establishment of relations between countries. In this sense, I maintain that all the rules and principles of a constitutional system, in their entirety and regardless of a specific normative determination, must be understood as the regulation of peace, the highest guideline to protect, through positive law, the good among all goods: the fundamental right to life of human beings.

All the constitutive rules of state law must be oriented towards disciplining and protecting the public processes regulated and contained by the Fundamental Law, which is why these processes must also necessarily lead to the inexorable fulfillment of a relative peace. Indeed, peace is unique and relative, always referring to a community or the context in which it develops. However, different spheres can be identified within peace: one relating to aspects of coexistence that arise and consolidate within the community, and another linked to aspects concerning coexistence with other countries.

Further on, in sections II and III, I highlight central characteristics of each of these dimensions of peace. Then, in section IV, by virtue of the honorable invitation to deliver this dissertation, I relate Pope Francis’ ideas about the proposed dimensions, confirmed by some of his own writings. Religious sentiment, vocation, and inspiration often generate new bonds of fraternity. A nascent fraternity that is perhaps even more necessary in troubled times, such as the present, often situated beyond the reasons of law, beset by the storm of irrational political leaders who exercise authority despotism, in the name of the people or in representation of the State.

2. Relative inner peace. With social justice.

For every human being, existence with life is biologically established by those who will be their father and mother. To date, no human being has had the possibility of deciding beforehand about their own conception or birth. With rigorous precision, Article 1 of the Universal Declaration of Human Rights (UN, 1948) establishes that “all human beings are born free and equal,” although none of us can choose when we will be born or where we will live. Thus, the development of life is strictly linked to the natural conditions that govern the planet.

Life is the most extraordinary good. Nothing is superior to it. Life must have a place and a time to be conceived and developed: in coexistence with other human beings and within a determined timeframe. In this sense, the duration of our bodies will depend on the common order of nature and the constitution of things (Spinoza, 2011, p. 79). Therefore, existence with life implies a declaration: rational coexistence with thousands and thousands of human beings. For this to be possible, the “brute force,” the feared imposition of the strongest or most powerful, must be contained, reduced, or eliminated. Thus, human coexistence only becomes viable when the members of a citizenry, of a community, together unite their individual powers, each with an equal contribution, to give rise to an artifice: the Supreme Rule for the ordering of the community entity, the Constitution.

In this context of the union of human beings equalized in freedom, peace constitutes the minimum, inalienable, and irreplaceable end of the legal order, whose existence is determined by a fundamental law. This conception of peace arises as a necessary and foundational condition for the realization of other social ends, such as liberty, equality, and fraternity. Thus, the Constitutional State emerges as the only instrument capable of articulating public reason and human experience – through its public agents and citizenship – for the achievement of this pacification.

This conception of peace, in which it is promoted by a fundamental law, does not imply an absence of force. The constituent law of the State both disciplines the democratic principle and establishes the principle of peace: unregulated force constitutes a negation of the fundamental law (Ferrajoli, 2011, p. 445). In this context, peace reveals itself as the expectation of a consistently regulated use of force. An adequate conception of peace is not confused with the absence of force; on the contrary, it is based on the regulated monopoly

of state force, for the benefit of the community of citizens that comprises it, in order to promote their coexistence.

In other words, the principle of peace is established to distinguish the demarcation between the Constitutional State of Law and the brutal State of non-law. In the former, the central characteristic is the assured expectation regarding the regulated exercise of force. In the latter, the police and belligerent State is defined by the monstrous existence of an unregulated use of force and the absence of limits that frame its use within rational and normative bases.

Even with the Fundamental Law, community conflicts will certainly not disappear. The only dispute that should cease is that related to the establishment of a superior and intangible order through ordinary means. This ideal order must be obeyed, as this constitutes the most responsible expectation. Once such a legal order is established, with the firm hope that it will be realized through the Fundamental Law, it will be necessary to foster new debates about the current and, above all, future problems of the community.

Consistent or lasting peace regulation proves impossible or highly complex in a society with high levels of vulnerability, exclusion, subjugation, and poverty. The relative peace of a community must exhibit a strong egalitarian tendency to sustain its continued path. Once established, its duration will be linked to justice in the distribution of goods. Manifest and growing inequality reveals the existence of two worlds: a political citizenship and a social citizenship. The dispossessed, poor, and vulnerable cannot enjoy full citizenship with social justice when the constitutional state of affairs inhibits, hinders, obstructs, or otherwise impedes or restricts their rights.

While it may never be possible to completely eliminate social inequality, it is feasible to continuously reduce it. Progress coupled with social justice presents itself as a task to be instituted from the State and in collaboration with it. The reduction of dualism in degrees of citizenship must be promoted through multiple and tireless efforts. Perhaps it is necessary to heed David Hume's prophecy and recognize that every form of government is destined to come to an end, death being inevitable for the body politic as it is for the animal body (Hume, 2011, p. 81), especially in South America, where States reveal a gross and unjustified concentration of wealth in a few hands, contrasting with the affliction of the overwhelming majority.

In this scenario, one can imagine that one day savage, vigilant, and plutocratic capitalism will come to an end, being replaced by models founded on equal opportunities for all citizens and based on respect for an equitable

distribution of existing goods and those that may be created, with reasonable state intervention and in accordance with the principle of subsidiarity. This principle can be the starting point for an in-depth debate based on the axiom adopted and proposed by Juan Carlos Cassagne: “as much freedom as possible and as much state as necessary” (Cassagne, 2024, p. 53). For all citizens – not just a minority – to be able to continuously nurture and realize the aspiration for the common good, it is necessary that both those fortunate by luck, cunning, or lineage and those unfortunate by misfortune, ineptitude, or origin be subject to the same measure, with the distinction established by effort in work, merit, and the opportunity of their endeavors.

3. Outer peace

The consolidation of inner peace does not constitute a guarantee against war. Just as peace represents one of humanity’s greatest ideals, war constitutes one of its worst behaviors. A fundamental law can regulate the development of community life, even if it proves almost impossible to reduce or stop a war or a conflict of a similar nature. War – the conflict of man against man and of men against nature, the annihilation or injury of human life, the displacement and crushing of a community – began in time immemorial. Perhaps the constitutional principles and rules employed since the 18th century are grandiose declarations that we use to sustain a utopia about peace. Thus, constitutions would be instruments for times of peace. But, after all, have such times of peace ever existed, do they exist now, or will they ever exist? This yearning is based on the negation of war, which must be exercised at all times. This negation, this absolute rejection, manifests itself in “a man who says no” (Camus, 2013, p. 854); In this case, “no to war.” To refuse war, to repudiate it energetically, means to affirm that where bombs fall and attacks occur, there are no words and discourse ends; the possibility of conducting existence based on reason is cancelled.

War is evil, perversion, destruction, the collapse of civilization. Peace is broken when a sovereign state invades or attacks another sovereign state or community. Any person who prepares, participates in, conceals, instigates, or otherwise plans or sponsors the script of death, promotes the invasion or military occupation of countries, or the killing—through bombings, torture, damage, injury, and murder of others—should be captured and tried as a war criminal. Furthermore, the imprescriptible weight of the universal principle

of prosecution and judgment should fall upon them, according to the foundations of public international law and criminal law, regardless of state borders.

Perhaps it is more accurate to state that the Fundamental Law should act as a code for peace. This is because its purpose is to establish the foundations for peaceful and just coexistence, both nationally and in international relations. However, the reality of contemporary geopolitics often contradicts this ideal. It is observed, therefore, that certain states, despite proclaiming peace and presenting themselves as defenders of the international legal order, resort to war and the invasion of other countries. Such acts of aggression do not occur randomly; generally, they correspond to a calculated strategy to reinforce their own power.

Invasions and attacks are not merely a show of force, but also a means of maximizing the concentration of wealth, whether through the appropriation of natural resources (existing assets), the exploitation of new economic opportunities, or the exercise of “financial controls” and the imposition of working conditions analogous to slavery. The public discourse of these states – founded on the defense of freedom, security, or the promotion of democracy – functions as a veil intended to conceal such motivations. They proclaim themselves holders of absolute reason, seeking to justify their actions and discredit their adversaries. In this context, the ideological and military machinery of these countries becomes a lethal tool. Their “ideology,” which is not peaceful but warlike and murderous, uses propaganda, fear, terror, and weapons to subjugate other peoples. With their ideas, which legitimize aggression, and their war machines, which execute it, they perpetuate a cycle of violence that undermines the foundations of global peace and betrays the spirit of any law that aspires to constitute a code of coexistence.

In this intelligent age, marked by accelerated progress, while humanity expands its existential possibilities – an “augmented humanity,” according to Alessandro Baricco’s beautiful conception (2018, p. 326) – we continue to face a terrifyingly rigid dilemma: war and armed conflict, whether in its external dimension between states or in its internal form of civil wars. A definitive dilemma arises: either the human species manages to transcend and eradicate this form of violence, or war, with its stubborn persistence, will end up nullifying the very continuity of human life on Earth. This is not a mere rhetorical argument, but an urgent warning that acquires special relevance in the face of the proliferation of potentially universal, tragic, and ultimately massive technologies of destruction.

Human beings are not the owners of the planet. The continuity of human life is not merely a matter of survival, but also represents the opportunity for constant improvement of living conditions. In contrast, the choice of armed, belligerent, and terminal conflict, although a recurring phenomenon in history, never fails to provoke justified revulsion due to its devastating results. The effects of war – which include the proliferation of corpses, acts of sexual violence, torture, famine, mass displacement, and the deepening of poverty and social exclusion – constitute the antithesis of any civilizing project. Resistance to such horrors is therefore an ethical and pragmatic necessity, because the self-destruction inherent in war not only threatens the existence of humankind, but also negates all the potential for progress that humanity has demonstrated and achieved in the last 500 years. Just consider some of its remarkable inventions, achievements, and discoveries: Renaissance art, the printing press, the heliocentric model, Enlightenment thought, written Constitutions, the steam engine, atomic properties, medicines and treatments that cure diseases and prolong life, the airplane, the expansion of the Universe, computers, the internet, artificial intelligence...

Human beings possess the generative word, the principal tool for relationships, friendship, and frank dialogue. I have repeatedly declared myself uncompromising, insubordinate, and rebellious against any form of war or armed conflict, whether internal or external, that threatens human life, as violent encounters between people have done and continue to do. Only the word, especially the written word, can save humanity, for through it, one reconciles, agrees, and negotiates with others; as Jorge Luis Borges (2016, p. 195) aptly stated, “it is absurd to suppose that men who never reached the word would reach writing.”

I am convinced that peace, as the negation of war, represents the highest possible state for the full development of the vital existence of human beings. The cursed human being who, in times past, invented war, perhaps sustained by the ideology of the might of the strong and its corresponding irrationalities, must be cursed to the nth degree. In the absence of a universally accepted objective morality, the responsibility for promoting peace falls upon the natural intelligence of humankind. Consequently, “blessed” are those who actively promote the absence of armed conflict or work tirelessly for its end. Their labor not only mitigates the immediate suffering caused by war but also contributes to the construction of a more stable, lasting, and equita-

ble world order. This action, which seeks concord instead of confrontation, stands as a fundamental pillar for the evolution of society.

Peace is not a divine gift nor a mystical force that liberates us from war. On the contrary, war strips human beings of their dignity. Therefore, peace is the only condition that authorizes the fulfillment of the fundamental promise of existence: to live a dignified and conscious life in this world. Although imperfect, the constitutional system is the only instrument created to prevent war. It constitutes a rational guide, the language of reason, even though its “religiosity”—that is, the strict adherence to its norms—is altered and broken by authorities of various states that wage war, declare it, and execute it with all their desolate impetus, contrary to its explicit provisions.

Currently, there is no single, universally agreed-upon number regarding the exact quantity of active wars or armed conflicts in the world. However, there is consensus that this number has reached its highest point since World War II³. United Nations intervention is insufficient and, more often than not, proves ephemeral. According to its “Charter,” the International Court of Justice constitutes the principal judicial organ of the United Nations. Regarding one of these armed conflicts, for example, on January 26, 2024, in the case of South Africa v. Israel, this Court, by an overwhelming majority of its judges, adopted the following “provisional measures”:

1. The State of Israel shall, in accordance with its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, in relation to Palestinians in Gaza, take all measures within its power to prevent the commission of all acts within the scope of Article II of this Convention, in particular: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and (d) imposing measures intended to prevent births within the group;
2. The State of Israel shall ensure with immediate effect that its military does not commit any acts described in point 1 above;

3 In an interview with Jorge Fontevicchia, Pope Francis stated that for years “We have been living through a piecemeal Third World War [...] The fighting hasn’t stopped since the end of the Second World War. It hasn’t stopped until now. We are in a century of wars, from 1914 until today we are in a world war.” [Source: *Perfil*, “O Papa com Fontevicchia: Geopolítica”, March 17, 2023, our translation. Available at: <https://www.perfil.com/noticias/actualidad/el-papa-con-fontevicchia-geopolitica.phtml>. Accessed November 19, 2025.]

3. The State of Israel shall take all measures within its power to prevent and punish the direct and public incitement to commit genocide in relation to members of the Palestinian group in the Gaza Strip;
4. The State of Israel shall take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip;
5. The State of Israel shall take effective measures to prevent the destruction and ensure the preservation of evidence related to allegations of acts within the scope of Article II and Article III of the Convention on the Prevention and Punishment of the Crime of Genocide against members of the Palestinian group in the Gaza Strip;
6. The State of Israel shall submit a report to the Court on all measures taken to give effect to this Order within one month as from the date of this Order.

Our only basis for certainty in combating the scourge of war is the rules of public international law. In this regard, Peter Häberle (2021, p. 12) aptly teaches: “the idea of peace, like almost no other component, unites international law understood as the constitutional law of humanity.

The great task ahead consists of concentrating the energies of all human beings of goodwill, uniting their resolve to consciously prepare ourselves for humanity’s shared future. There is no more unfortunate discovery than war; no more devastating tragedy in history than genocide. All the fruitful, rational, and meaningful processes of humanity must be founded on peace. All law must be structured and implemented in favor of the perpetual promotion of peace.

In short, as the title of this text announces, positive law must have as its mission the establishment and development of peace. Thus, constitutional law, which emanates from the Fundamental Charter of each State, has as its main purpose the establishment and preservation of internal peace. In turn, the constitutional law of humanity – that is, the magnificent code of principles and rules created after the end of the Second World War – constitutes a determination regarding world peace and its guarantees.

4. Words of Francis

I began this text with a quote from Francis, a special inspiration for reflecting on the possibility of peace and the mission of law. I also praised the word, par-

ticularly writing, as a human tool for the pursuit and consolidation of peace. Francis's written work is impactful. It includes publications both before and after his appointment as Pope of the Roman Catholic Church. During his pontificate of more than twelve years, his written output was diverse: letters, speeches, encyclicals, exhortations and apostolic constitutions, homilies, messages, prayers, and daily meditations. It also includes an autobiography, *Hope*, co-authored with Carlo Musso.

I will not write a biography of Jorge Mario Bergoglio here, a work that spanned almost fifty years, as that would be as impossible as it is uncertain. I will limit myself to some of his texts produced during his papacy, from 2013 until his departure in 2025. With this in mind, I share and comment on Pope Francis' reflections on "peace" present in his writings, a fundamental concern in his pastoral mission. I want to state firmly that the brief quotations presented here were carefully selected from dozens of writings, a fact that could suggest a lack of precision, perhaps even absolute. I am convinced that such imprecision – if considered as such – will not compromise the emphasis given, at this moment, to peace as a paradigm of his ministry and a guide to the faithful through his words.

4.1 Inner peace

On this subject, one can consider a fragment included in the Encyclical Letter *Fratelli Tutti*, on friendship and social fraternity, published on October 3, 2020. In it, in paragraph 228, Francis wrote:

The path to peace does not mean making society blandly uniform, but getting people to work together, side-by-side, in pursuing goals that benefit everyone. A wide variety of practical proposals and diverse experiences can help achieve shared objectives and serve the common good. We need to try to identify well the problems that a society is experiencing in order to accept that there are different ways of looking at difficulties and of resolving them. The path to social unity always entails acknowledging the possibility that others have, at least in part, a legitimate point of view, something worthwhile to contribute, even if they were in error or acted badly. "We should never confine others to what they may have said or done, but value them for the promise that they embody", a promise that always brings with it a spark of new hope. (Francis, 2020)

For Francis, the consolidation of internal peace within a community lies in building a path; perhaps, an endless journey, since peace, in concrete terms,

is a daily and perennial activity. In his own words: “There is no end point in building the social peace of a country, but rather an incessant task that demands the commitment of all” (Francis, 2020, paragraph 232).

Similarly, in paragraph 228, the presence of disagreements and differences, which will always exist in a heterogeneous citizenry, is clearly observed, as well as the willingness or disposition to resolve them. This “path to better coexistence” brings as a doctrinal corollary the acceptance of the other and the certainty that no one is alone. Francis’s perspective undoubtedly includes an intelligent optimism, as it recognizes the “promise” present in the individual, which authorizes the assumption of a “remnant of hope.” I quote his own words, written in paragraph 218: “This implies the habit of recognizing in the other the right to be himself and to be different.”

The building of peace should not be reserved for a fortunate minority, as this would be a consensus reached behind closed doors and therefore ephemeral. Thus, Francis proclaims that it is necessary to generate processes of encounter, processes that build a people capable of welcoming differences. He also proposes the existence of an “architecture” of peace, in which the institutions of the community must intervene, each with its own responsibilities, as well as a “craftsmanship of peace that involves us all.” These peace processes highlight the “primacy of reason over revenge,” with a rich emphasis on the need to incorporate “the experience of sectors that, on many occasions, have been made invisible, so that it is precisely the communities that color the processes of collective memory” (Francis, 2020, paragraph 231).

Perhaps the full potential of the ideas presented here by Francis regarding internal community peace was anticipated and elucidated at the very beginning of his pontificate. Thus, on June 29, 2013, in the Encyclical Letter *Lumen Fidei* expressed the following:

The Letter to the Hebrews offers an example of this when it names, among the men of faith, Samuel and David, whose faith enabled them to “administer justice” [...] This refers to their justice in governing, that wisdom which brings peace to the people [...] The hands of faith are raised to heaven, but they do so in the process of building in charity a city based on relationships in which the love of God is laid as a foundation. (Francis, 2013)

Pope Francis’ ideas on coexistence, the craft of creating inner peace at all times, are linked to social justice. This is an essential link in his ideology. For example, in paragraph 157 of the Encyclical Letter *Laudato Si’*, published on May 24, 2015, the Pope stated that the common good requires social peace

(Francis, 2015). Years later, in *Fratelli Tutti* (Francis, 2020, paragraph 164) he stated that private life must be protected by public order, which is why “a welcoming home has no privacy if it is not under the protection of legality, of a state of tranquility founded on law and force and under the condition of a minimum of well-being ensured by the division of labor, by commercial exchanges, by social justice and by political citizenship” (Francisco, 2020, paragraph 218).

With fluency and courage, Francis accepted the challenge of dreaming and thinking about another humanity, in which peace was linked to social justice. Thus, he aspired to a “planet that ensures land, shelter, and work for all.” In parallel, he maintained that this is “the true path to peace,” insofar as “real and lasting peace is only possible from a global ethic of solidarity and cooperation, at the service of a future shaped by interdependence and co-responsibility among the entire human family” (Francis, 2020, paragraph 127).

4.2 World Peace

War – the denial of human existence – was a central theme in Francis’s ministry. In this sense, in *Fratelli Tutti* recalled that war represents a denial of fundamental rights and “a dramatic aggression against the environment.” From this perspective, in paragraph 257, he had the opportunity to postulate with clarity:

If we want true integral human development for all, we must work tirelessly to avoid war between nations and peoples. To this end, there is a need to ensure the uncontested rule of law and tireless recourse to negotiation, mediation and arbitration, as proposed by the Charter of the United Nations, which constitutes truly a fundamental juridical norm. The seventy-five years since the establishment of the United Nations and the experience of the first twenty years of this millennium have shown that the full application of international norms proves truly effective, and that failure to comply with them is detrimental. The Charter of the United Nations, when observed and applied with transparency and sincerity, is an obligatory reference point of justice and a channel of peace. Here there can be no room for disguising false intentions or placing the partisan interests of one country or group above the global common good. If rules are considered simply as means to be used whenever it proves advantageous, and to be ignored when it is not, uncontrollable forces are unleashed that cause grave harm to societies, to the poor and vulnerable, to fraternal relations, to the environment and to cultural treasures, with irretrievable losses for the global community. (Francis, 2020)

Pope Francis's concern, dedication, struggle, and restlessness for world peace were constant. On January 1, 2025, in his Message for the 53rd World Day of Peace, he shared his reflections on the conflicts afflicting humanity. He alluded to "disparities of all kinds, the inhumane treatment of migrants, environmental degradation, the confusion culpably generated by misinformation, the rejection of all forms of dialogue, and the large investments in the military industry." Consequently, he considered all these elements to constitute "factors of a concrete threat to the existence of humanity as a whole," which is why he suggested the need to promote activities contrary to those criticized in his analysis and, in this way, produce "lasting change" (Francis, 2025, paragraph 4).

However, there is more. In that same message, written three months before his departure, Francis reaffirmed, with singular and undeniable originality, that external debt constitutes an instrument of control that allows rich countries to exploit the resources of poorer countries: the rich "have no scruples about indiscriminately exploiting the human and natural resources of poorer countries in order to satisfy the demands of their own markets." To this, Francis added the ecological debt, caused by developed countries, which falls on the same indebted nations that are in a state of poor development, such as Argentina, or of decisive underdevelopment. In this context, Francis invited "the international community to undertake actions to remit external debt, recognizing the existence of an ecological debt between the North and the South of the world. It is a call to solidarity, but above all to justice" (Francis, 2025, paragraph 7).

Many writers, scribes, or people dedicated to writing leave their words recorded for the benefit of current generations and those who will certainly exist in the future. As the hours, days, weeks, and months pass, the images of those who have gone before become increasingly faint and diffuse; however, the gift of the written word remains and, on certain occasions, is strengthened. We, human beings, are predestined to death, and whether or not it is possible to know that which is absolutely identical with God, the written word constitutes a legacy for those who wish to continue the search for new conjectures and new refutations about the pilgrimage on Earth.

For these reasons, it is my intention to revisit Pope Francis' Message of January 1, 2025. On that occasion, he asked, demanded, and suggested that "2025 be a year in which peace grows." This real and lasting peace, the goal he sought, would be achieved.

[...] together with our brothers and sisters gathered together, we will find ourselves already transformed in relation to how we had left. Indeed, peace is not achieved merely with the end of war, but with the beginning of a new world, a world in which we discover ourselves different, more united and more brothers and sisters than we had imagined. (Francis, 2025, paragraphs 13 and 14)

Pope Francis' contribution to peace, both domestic and global, has been immense. His words, his actions, his advice. Although I am most likely making an imprecise summary, I refer to his own statement to conclude this section: peace is “the absence of war” and the recognition of “the equal dignity of all human beings” (Francis, 2020, paragraph 233). I believe in his words and I also believe that the “rule” of positive law is the only way known to humanity to dedicate itself to this mission.

5. Final comments

First. The human being is the only entity, the only natural creature capable of possessing consciousness and sound reasoning regarding the unavoidable experience of their finitude. Their life is mortal, and no one should ignore this materially insurmountable condition. The existence of human life, of all human beings, the outlining, formation, and sustenance of their life plans can only be guaranteed, to date, by the Constitution. A political and legal instrument, emanating from reason, endowed with the capacity to ensure the pursuit of inner peace relative to each citizen.

Once a model of internal peace is established, its stability, depth, and duration will depend, to a large extent, on social justice. For this reason, it is indisputable that a democratic state governed by the rule of law must promote, to the maximum of its possibilities and with the exhaustion of all its powers, tasks aimed at reducing or eliminating obstacles that impede or hinder equal opportunities for citizens, based on effort, merit, interest, the original conditions of distribution, and, above all, solidarity.

Second. *Outer peace* is a constant challenge for humanity. There is no greater collapse for civilization than war or nameless wars. The Constitutions of States, the inaugural forms of their legal systems, are complex and objectively ideal systems for communal peace. The vast majority of States distributed across the planet possesses a written Constitution. Alongside this constitutional law, there exists today a “constitutional law of humanity,” emanating from custom and the sources of public international law, which in

many countries is also integrated with a hierarchy equivalent to or superior to the Fundamental Scripture of state origin that authorizes its validation. It has been demonstrated that the principles and rules of law are not sufficient. Naturally, law, by itself, cannot prevent war or armed conflicts. This is a shared task, which must be undertaken by all human beings of good will and with good reasons; otherwise, peace, as a condition for a dignified life, will not find a conducive environment in this world.

Third. Regarding the work of Francis, E. Raúl Zaffaroni stated that his word extended across the surface of the planet and that “his written word summoned – among other things – the fulfillment of the most elementary of our duties: to care for the only cosmic home we have” (Zaffaroni, 2025). Based on the writings of Pope Francis, I have explored here some of his ideas on inner peace and world peace. For him, inner peace is not uniformity, but the result of a handcrafted, collective work, and the recognition of the differences between all human beings. He emphasizes that peace is a constant and collective task, intrinsically linked to social justice.

Regarding *world peace*, Francis considers war the greatest threat to human rights and the environment. He proposes that peace be achieved through the rule of law and respect for the Charter of the United Nations. In this sense, he criticized countries that violate it for their own benefit. Furthermore, Francis highlighted the relationship between external debt and ecological debt, calling on the international community to remit external debt for reasons of justice. In one of his final messages, he emphasized that peace is not the end of war, but should be the beginning of a new world, more united and fraternal, founded on the inherent and irreplaceable dignity of every human being.

Perhaps a corollary of the legal doctrine presented here, always within the framework of a general theory of the Constitution, holds a reminiscence or a link with a verse from the “apostolic letter” contained in the new gospels: “A fruit of justice is sown peacefully for those who work for peace” (Letter of James, 3.18). It also dialogues with the opportune words of Francis: “May ours be a time remembered for the awakening of a new reverence for life; for the firm resolution to achieve sustainability; for the acceleration in the struggle for justice and peace; and for the joyful celebration of life” (Francis, 2015, paragraph 207). I thus ratify this genuine aspiration for a new world. However, if the current state of affairs persists, it is very likely that human beings will remain rooted in decadent social injustice and the tragic opprobrium of war,

without indulgences, for in it lies the authorship of the damage that makes the general well-being of the community impossible.

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