



THE IMPLICATIONS OF ST. AUGUSTINE'S AND VITORIA'S NEW WORLD ORDER PROPOSALS ON POLITICAL THOUGHT

ST. AUGUSTINE VE VITORIA'NIN YENİ DÜNYA DÜZENİ ÖNERİLERİNİN SİYASAL DÜŞÜNCEYE ETKİLERİ

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Abstract

It is possible to begin the social history with the following question: How do people live better/happier? Particularly, as if the history of political thought consists of efforts to find the desired answer to this ancient question. This question, naturally, brings up many more similar questions like; what is the best form of political organization? How can obedience to political authority be justified? What is justice and how can it be achieved? What is freedom? Who should manage? The search for answers to these questions which has pursued mankind since the beginning of society continued on its way with many suggestions. This ideal (or not) new world order conception which suggests that every human being could live in equality, justice, happiness, etc. generally has been attractive to people throughout history in terms of their promises. So, the subject of this study is to retrace the "ideal", universal new world order conceptions in the thoughts of Augustine and Vitoria in the post-Christian period who have effects on the political philosophy of Europe until the present day. It is thought that the study will open a door to question the operability of such proposals in terms of their intentions, promises, and results.

Keywords: St. Augustine, Francisco de Vitoria, Political Thought, Political Order

Öz

Toplumsal tarihi şu soru ile başlatmak mümkündür: “İnsan nasıl daha iyi/mutlu yaşar?” Özellikle siyasal düşünce tarihi sanki bu kadim soruya verilmek istenen cevabı bulma çabalarından oluşmaktadır. Bu soru beraberinde, haliyle; en iyi siyasal örgütlenme biçimi nedir? Siyasal otoriteye itaat nasıl meşrulaştırılabilir? Adalet nedir, nasıl gerçekleştirilebilir? Özgürlük nedir? Kim yönetmelidir? gibi daha birçok benzeri soruyu getirir. Toplum halinde yaşamın başladığı günden itibaren insanoğlunun peşini bırakmayan bu sorulara verilecek cevap arayışları farklı dönemlerde, belli bir sosyal, ekonomik ve siyasal kurumsal çevre içerisinde farklı düşünürlerce öne sürülen birçok öneri ile yoluna devam etmiştir. Genellikle her insanın eşitlik, adalet, mutluluk vb. içerisinde yaşayabileceğinin iddia edildiği bu ideal (ya da değil) yenedünya düzeni tasavvurları da vadettikleri açısından tarih boyunca insanlara cazip gelmiştir. Bu çalışmanın konusu, Hıristiyanlık sonrası dönemde “ideal”, evrensel yenedünya düzeni tasavvurlarını düşünce tarihi boyunca bu alanda momentler oluşturmuş düşünürlerden ikisi üzerinden takip etmektir. Burada, bütün bu tartışmaları irdeleyen ve Avrupa'nın siyaset felsefesi üzerinde günümüze kadar uzanan etkileri olan St. Augustinus ve Vitoria'nın siyasal düzen ile ilgili düşünceleri incelenecektir. Çalışmanın, bu türden önerilerin niyetleri, vadettikleri ve sonuçları açısından işlerliğinin sorgulanmasına bir kapı aralayacağı düşünülmektedir.

Anahtar Kelimeler: St. Augustine, Francisco de Vitoria, Siyasal Düşünce, Siyasal Düzen

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Introduction

Throughout history, people have been tempted to propose an ideal legal order in which everyone has equal rights and would be content being equal in the eyes of the institutions of the system. The aim of such ideals, whose object is sometimes the individual and sometimes the state, is to create a universal order that will encompass humanity - even though each is in different contexts. This idea of universal order, in which all people will be included as equals and all will be connected, is firstly grounded in morality, and then constructed by law. Governing the established order is the job of politics. The legitimate resources of the state, which is expected to maintain order and provide justice are determined by this moral-legal basis.

This desire for an eternal world order, which takes different forms according to time and space each time, has been re-established and continued on its way by filling it with different motives throughout the history of humanity. The subject of this study is to follow the ideal-universal world order conceptions arising from the potential conflict between the existing laws and political order and attitudes related to righteousness and justice (morality) in the post-Christian period, through two of the thinkers who have created turning points in this field throughout the history of thought. Here, the thoughts of St. Augustine and Vitoria will be examined who study these issues and has effects on the political philosophy of Europe to the present day. It is important to analyze how Aurelius Augustinus and Francisco de Vitoria, - who are spatially distant from each other but intellectually meet in a universalist understanding- handle the tension between Human-Reason-Law-Political Order, what are their differences or similarities and new order proposals in terms of understanding the relevant transformations. This process extended from the reflections of the claim of universality, which started with Christianity's defining itself as a religion belonging to the "world community", on the church-state relationship, to the understanding of universality in the age of independent and free determination of people's destiny under the leadership of Reason reveals how related concepts and teachings have changed.

The strengthening of the church from the fourth century reaches its attaining a hierarchical structure. During this period in which the relationship between worldly and spiritual power was determined, the Roman Church gained authority over all other churches. And thus, the church became an institution that also deals with worldly affairs and the beginning of the debates, lasting for centuries.

Even though Christianity emphasizes the superiority of faith over Reason, from its inception it shares Stoic ideas about egalitarianism and universality. These ideas, which were blended with Christianity and gained more religious functions, had important intellectual and philosophical effects on the rapid spreading of Christianity. One of them is the idea that human is a member of two separate communities at the same time. In one of these communities, man is the subject of the "states", each of which has different laws, and in the other, he is the citizen of the "world state", which includes all rational beings who have the virtue of being human (Ağaoğulları& Köker, 2001:104-105). Thus, the Stoic rule of all men are free and equal according to nature and the order of things became a general rule for medieval Christian theology and law (Cassirer, 2005:304).

Christianity defined itself not as a tribal religion, but as a religion belonging to the "world community" (*oikoumene*). The most important message of Christianity is that it was open to all people regardless of religion, nation, race, etc. The Christian universality here is one above all differences, one that is all-encompassing and shared by all. This unity, which is not bound by time and space, transcending all earthly "boundaries", is a universal empire

based only on the common love of God and faith. However, this universality is also limited to those who have love and faith in God and accept Jesus as their savior.

This spiritual and moral ideal of a universal community, which includes equality and fraternity tries to solve the problem of dual loyalty, belonging, and power, which emerged in the face of the worldly authority of the powerful Roman Empire by emphasizing the Stoic two world theme. According to the early Christians, although true salvation, happiness, and freedom of human existence are possible in the "other world". Since no government is not from God, and since the rulers are also servants of God, the things of Caesar' must be paid to Caesar, and the things of God to God (Kitab-ı Mukaddes, 2006, Romalılara, 13: 1-6; Matta, 22: 21). These statements were originally related to the issue of how to organize the earthly (political) and spiritual (religious) power relations that would occupy Western political history and thought for centuries. Although it is very ambiguous, the first Christians took this matter by consenting to the authority of the Roman Empire in the earthly field; they also tried to resolve the spiritual affairs, which they saw as the real salvation for people, by obeying the will and rules of God. In this sense, this study aims to question the validity of such proposals in terms of their intentions, promises, and results and also to reveal the relationship between the new world order and the actual goals of these proposals for a "better world". Throughout the text, firstly Saint Augustine's and Vitoria's new world order notions are given. Each part has its analyses and the whole interpretations is combined in the conclusion part. In this text which focuses especially on the thoughts of Augustine and Vitoria, related with political order, literature review has been carried out.

I. St. Augustine's "City"

Augustine (354-430 AD) whose father was pagan and his mother was Christian, was brought up in Christian culture in his childhood, but when he was young, he adopted pagan philosophy with the effects of Cicero and the Stoics. After that, he fell under the influence of Manichaeism but the mysticism of the new Platonism that surrounded him in Rome caused him to become alienated from Manichaeism (Şenel, 1996:239). At the age of 30, in Milan, meeting the most important figure of patristic thought, St. Ambrossius leads him to Christianity. Shortly thereafter, he wrote his first controversial work; *The Catholic and Manichaeian Ways of Life*.

Augustine is the most important thinker of the pre-dark age period of Christian thought. His importance lies in his success in systematically grounding Christianity and Christian views on religion, the world, and society with the concepts of ancient philosophy. In addition, the fact that his teachings remained the official teaching of the Catholic Church for centuries increases his importance. The fact that Augustine's views gained such importance because he developed a systematic philosophy that determined the absolute superiority of the Church over worldly power.

According to Augustine, the universe was created by God out of nothing (Augustine, 2017:275). Other beings are not self-sufficient and are part of Him, therefore God is a complete and perfect being. He is the only knowable, but no man could know Him completely. He manifests and indicates Himself through the Bible and nature. In "*The Literal Interpretation of Genesis* Augustine argued God had created everything in the universe simultaneously and not over six days. He argued the six-day structure of creation presented in the Book of Genesis represents a logical framework, rather than the passage of time in a physical way – it would bear a spiritual, rather than physical, meaning, which is no less literal" (Theology, t.y). So, God must also have created the universe in this perfect time; no more or less (Şenel, 1996:240). On the other hand, he believes that the devil dominates God's perfection in this world, therefore there is no stability and order in the universe, and that the universe would be

nothing without God's constant surveillance (Augustine, 2017:294-295). God is the only being who protects people and ensures justice.

The sin that caused Adam and Eve to be cursed and thrown to the earth is hereditary and passed on to their children. They are born in Adam's sin. After this sin, man has lost his free will. But some are saved by the grace of God. Thus, humanity is divided into sinners and redeemed and Augustinus identifies this with the metaphors of the 'heavenly city' and the 'earthly city' (Augustine, 2017: Book 11). Citizens of the earth city are sinners; citizens of the heavenly city are people whom God has saved. According to Augustine, evil is something God allows to happen - so that humans can understand the good (Augustine, 2017: Book 11). And only by the grace of God could man be freed from evil. Only a holy act can exalt a person. A man reaches the ultimate knowledge just through rational thinking and the mind works through faith. This indicates that Christianity is a rational religion. So, these views of Augustine mean that a God-centered worldview has been replaced by an ancient worldview based on humans and reason.

The connection of Augustine's philosophical views with political philosophy could be seen in the relationship between the Roman Empire and Christianity (Augustine, 2017: 21-23). At a time when the universalist and holy ideology of the Church began to fill the void left by the disintegration of the Roman Empire and the inadequacy of its earthly power to provide order and justice, Augustine developed a philosophical system that registered the superiority of the Church over earthly power, based on the understanding of two worlds. These views, figured the work in *De Civitate Dei* (City of God), which includes his social and political philosophy, are for another purpose; the barbarian raids and collapse of Rome were seen by those with pagan beliefs as punishment for Rome's conversion from polytheism to monotheism and Christianity. Here Augustine, on the one hand, would like to ground the superiority of Christianity over pagan religions at the theological level, on the other hand, he tended to reevaluate the relations between Rome and Christianity (state and church). Thus, the State of God arose from this understanding (Ağaoğulları & Köker, 2001:146). In *De Civitate Dei*, Augustine seeks an answer to the question of whether there is a permanent and universal state and the point reached by Augustine is that there is an eternal state and this is the City of God. So, while making a distinction between the City of God (*Civitas Dei*) and the Earthly City (*Civitas Terrana*), on the one hand, he also makes a comparative analysis of the relations between these two states. According to him, these two states are the exact opposite of each other, but since they are engaged, their pure form could not be encountered on earth (Augustine, 2017: 44).

Augustine was influenced by Plato's view that while man is a defective and imperfect creature, God is perfect, that man must be punished for being sinful, and that it is their punishment for humans to have to be ruled. From this point of view, he made a hierarchical determination in the context of the governing of societies by distinguishing the forms of human communities. The first of these is the family in the broad sense (*Domus*); second, the city-state (*Civitas*); third, the Earthly City (*Civitas Terrana*) which encompasses all *Civitas*, the whole world and people and the fourth is the City of God (*Civitas Dei*), which encompasses all of humanity with God, angels, and spirits. The City of God, which is the only "real state" due to the dominance of "real justice"; where the holy and the earthly live together in a common sympathy, that is, "citizenship"; that mainly includes "eternal peace" under the rule of God's law and order (Tunçay, 1969:223-224) and His eternal-holy law involves the natural law. The *civitas* under the City of God has either earthly or positive laws. Whether these laws are just or not depends on their conformity with absolute divine law and those who will decide on this suitability will be those who have God's love and faith in their "soul" and are closest to God's grace and therefore to salvation. So, Augustine placed the

concept of the “City of God” at the heart of the social philosophy of Christianity. According to him, there are two societies, one is the secular society that exists outside the church, and the other is the spiritual society that exists within the church (Augustine, 2017: 43-44). The reason for this thought is naturally the relationship between the Roman Empire and the church in the era he lived in. At that time, while the Empire and the church were separate institutions in the west, they were identified with each other in the east. Augustine’s understanding of the City of God contradicts the understanding that considers the church and state equal. For the states of the earth can be themselves neither demonic nor holy. The reason for this is the coexistence of good and evil, divinity and demonism in all human societies from *Domus* to *Mundus*. At this point, the concept of justice comes into play. According to Augustine, real justice could only be realized in the City of God and if there is no principle of justice, there is no state (Augustine, 2017: 642). And because real justice belongs wholly to the City of God, the “real state” is the City of God. The Earthly City, the *Civitas*, and worldly allegiances to them cannot be a category of truth. For the happiness and salvation of man, eternal membership and devotion to the City of God are the real truth and goal. In this context, all people, regardless of nation, race, language, roots, social position, etc., are common and “equal” members of the City of God because of God’s love in their souls (Tunçay, 1969:215). However, this thought has different from Plato’s; while Plato places truth in the “world of ideas” (Augustine, 2017: 209) Augustine says that truth and justice are the City of God itself (Augustine, 2017: 44) Thus, he establishes a system of relations between God and humans in which man will believe in God’s will and God will reward those who believe. God’s judgment rewards some people for the good angels within them and punishes others for their wickedness (Augustine, 2017:13-14). This reward is making a distinction between humans because of the “sinful” nature of human beings. Thus, Augustine divides the category of humanity, which he tries to universalize, through two opposing tendencies of human nature (good-evil/soul-body) (Korab-Karpowicz, 2010:128): On the one hand, sinners who do not have the Love of God in their soul, and on the other hand, those who are being freed from sin by God’s grace (Şenel, 1996:241).

Man, who was created equal and free, was thrown to the earth by sinning and condemned to death. And the state is necessary for the man whose nature is sinful. Because this is his punishment. However, there are two separate states for the man who has both physical and spiritual sides (Augustine, 2017: 214-219). Those who pursue their bodily passions are citizens of the earthly city and believers are citizens of the City of God. But where and how the two are separated from each other is only dependent on and belongs to God's will. That is, it is not certain which group on earth belongs to the City of God. This is also true for the members of the church because the church is not a group of people who share common religious beliefs, but a human association with its organization, laws, and interests, and sinfulness is valid in it. Being a church member, then, does not mean being a citizen of the City of God. Thus, the states on earth become a mixture of the City of God (Augustine, 2017: 231-235) and the Earthly City. This situation does not give an advantage to the church and its members, and it shows that not every state is an Earthly City. The history of humanity is a process of change that consists of the co-existence of these two opposite states and that will eventually lead to the City of God. However, this process of change does not require disorder and injustice on earth. Earthly society is rooted in its own rules, and each state has its principle of justice, and the citizens of the City of God also benefit from this principle. Therefore, every existing state is also helping the City of God in its holy journey in human history (Ağaoğulları & Köker, 2001:155).

States on earth have a principle of relative justice. They have their own rules and autonomy within these rules and are governed by passion. They mean being sovereign and

dominating. In contrast to the principle of absolute justice, the principle of relative justice is designed to eliminate the infirmity of sin (Augustine, 2017: 183-184, 192). Its purpose is to maintain peace and order. With this feature, every form of government is “good”, but not absolute (Augustine, 2017: 380-382). And the state is a political society dominated by the church. However, the church should respect the privilege of the state and should not interfere directly with the political order. Because the state is an environment where religion can develop and grow freely. For this to happen, the state must provide security and the King must not be a servant of God. Thus, the state is cleared. At this point, earthly law differs from divine law, but to be just, it must be subordinate to the will of God. The way to be elected to the City of God is through faith and obedience to the state, which is a part of God’s order.

According to Augustine, the church is autonomous in affairs concerning Christians. According to him, like the City of God and the church, the earthly city and the state are not the same things (Augustine, 2017: 389). While the church deals with spiritual problems, the state engages in material activities. The church has spiritual supremacy because the rules of God are the rules of the church and they are above all else. This indicates that the church is God and is sustained by his spiritual help (Leff, 1965:121). The Church is a community of real believers that represents the City of God on earth.

Augustine brought a new perspective to the understanding of the “Theocratic State”. As well as he recognized the spiritual supremacy of the church, he perceived it as a ‘congregation of real believers’ of all baptized, priestly, or not (Augustine, 2017: 144). However, in the classical theocratic state, the clergy is superior to everything and everyone. Augustine’s thoughts were not directly on theocracy but were subject to theocratic interpretation in later times. He said the following about this subject at the age of 74: “I hope people will follow and accept my thoughts except where they find faulty... I can clearly state that at this stage of my life I would be arrogant to say that I am completely flawless and my writings are free from errors, which is far from the truth” (Augustine and Lienhards, 2016:14).

St. Augustine was the first important thinker to deal with the relationship between the church and the state. By defining what the real state is, it has introduced basic standards by which to measure the justice, goodness, and therefore legitimacy of human law and its institutions. According to him, for instance, positive laws that are far from higher standards in the City of God are not real laws (Tannenbaum& Schultz, 2008:139). Thus, this kind of appeal to transcendental universality as an "order" that transcends the laws of various societies and can be rationally comprehended has formed the basic moral basis of all kinds of “earthly political interference” and “legitimate” justifications. His doctrine has influenced European politics and the church for centuries. This situation continued until the emergence of new ideas based on the independence of the state and the church, with the domination of Aristotelian philosophy by the 13th century. As a result, with his thoughts on the Church and the state, St. Augustine is one of the philosophers who had a significant impact on European political thought.

II.Francisco de Vitoria and the New World Order

Europe explores the new world in 15th century (Ağaoğulları, 2011:367).This theoretical effort of the Europeans, who started to think about themselves and the rest of the world, which he has rapidly differentiated, with a process of conquest and colonization, will bring along a brand new social and intellectual structuring. As a precursor, Spain, in the period called the Spanish Golden Age (1492-1651), made spectacular breakthroughs in the fields of philosophy, art, literature, theology, etc., and by interpreting the structural changes in his region and the world, he has brought concepts such as the modern state, human rights, and

the law of war to Western thought (Akal, 2010:16; Işık, 1991:38; Ağaoğulları and Köker, 2000:100-101; Wood, 2012:108).

Francisco de Vitoria (A.D. 1483-1546), who started the Spanish Golden Age, developed systematic thoughts on the problems created by new historical conditions such as the emergence of nation-states as a new form of political union in Europe and the discovery of the “new world” in his lectures at the University of Salamanca (Francisco de Vitoria, t.y). It is accepted that Vitoria brought a universalist and humane understanding of modern international law with his thoughts. His work in this field is directly related to his thoughts on political society, which forms the basis of his theory. According to Vitoria, political society is not established by an artificial social contract, its source is natural. People come together for the common good and to meet their social needs. This natural sociability of people creates a political society following natural law. In other words, according to Vitoria, every human community is a political society (*res publica*) by natural law and has an authority that has the right to govern this whole and guarantees the common good. The source of legitimacy of this authority is not religious, but natural-legal. Because the freedom, the security of life, and property of the people are natural rights that go beyond any religious justification (Ağaoğulları and Köker, 2000:104).

Vitoria's authenticity is that he theorizes the political society by placing it in a whole that involves the entire world with its different political societies. The theoretical result of this is the vision of a pluralistic and egalitarian world order consisting of all peoples who form a political society on earth and have the right to determine their destiny independently and freely. This world order, which transcends all societies, is also natural-legal just like particular political societies and stems from the common human nature. Therefore, according to Vitoria, who had always been suspicious of Spain's exploitation and ill-treatment of the indigenous peoples of the “new” continent, as a matter of natural law, the only reason that made the Spanish intervention in these lands possible and legitimate was the conclusive evidence that the natives were incapable of governing themselves under natural law (Akal, 2010:55).

Based on the relatively “tolerant” approach of Vitoria it tries to seek systematic answers to the problems such as the legal status of the discovered lands, the “just war” against the natives, and the political dominance (*dominium*), lies the theory of rights, which he expanded by encompassing all humanity. According to this understanding, all humanity, whether Christian and/or European, has natural rights, and these rights stem from universal human nature, regardless of belief and origin. For him, all human beings have the right to live freely and independently, since they are beings with reason and will. Accordingly, everyone has the right to form their political society. In these contexts, Vitoria extended the principle of man's natural sociability, compulsory interdependence, and communalism to the entire community and humanity; transformed the law of nations into natural law, and gave it a compelling quality. According to him, the law of nations (*ius gentium*) (Akal, 2010:42) derives its supremacy from the existence of supranational law. “A single world, forming a single political community, has the power to make laws that are good, right, and just for all... From this, it follows that those who break the law of nations in war or peace are deemed to have committed a mortal sin... And no kingdom can refuse to abide by the rules of the law of nations, for it is the authority of the whole world that creates that law” (Vitoria, 1991:40).

This expression indicates the existence of a supra-communal law, which is composed of people with equal rights, with an international legal personality, and to which all political societies are bound. This law is originally derived from the common Reason of all humanity and the associated common interest. Obedience to the law derived from this universal Reason, which is above the sovereignty of all societies one by one, exceeds their independence, limits

their power, and of course, tends towards the common good, is also a command of natural law, namely Reason. Because naturally, wherever there is a society there is an inherent common good that includes solidarity and reconciliation, and where there is common good there is a natural-rational law. Thus, this natural and common Reason becomes the binding law, established among all people. With this notion of universal natural law that transcends borders, Vitoria argues that all people on earth constitute a solidary, pluralistic, and egalitarian world union that transcends their political society; that every society has the right to exist independently within this union of which it is a member; that the same universal law determines the unity and differences (Akal, 2010:37).

However, Vitoria's idea of the community of all the peoples of the world resembles neither the Stoic ideal of a world state embracing all humanity, Dante's Universal Monarchy, nor the Augustine's Christian City of God. His project does not push aside the new reality of his age, the nation-state, and sovereignty, but surpasses it rationally. So, man is the owner of universal rights, not with his abstract existence, but with his natural sociability that forces him to live in society. He associated the freedom of societies with another decisive principle that goes beyond this, the principle of the sociality of people. The aim of political philosophy is the problem of establishing an order in which these societies will live together. In this context, the Humanity that Vitoria thinks is not a community that will be formed by all people or citizens of the world, but a whole formed by all "equal" societies, whether Christian or not, determined by universal natural law and whose objective basis is the natural common good (Akal, 2010:72). Therefore, Vitoria -with the idea of the world family as a global whole consisting of the people of the world and the sovereign political communities, each of which has "equal" legal personalities- tries to theorize an intercommunal law (*ius gentium*) based on fundamental/constitutive principles that cannot be rejected unilaterally. Here, the moral-legal subject, who has rights in general terms, is not human (individual), but the communities of which these individuals are members. In other words, Vitoria does not think of individuals as equal world citizens transcending all their belongings, but primarily as members of peoples (nations). However, as stated above, the rights of nations also derive from the universal human nature, which is a social entity with Reason and will and is discovered with Reason. With this theoretical leap from natural human rights to natural rights of nations, Vitoria (Mignolo, 2002:167) reached the idea that all human societies share a common destiny in the world; that has the same social essence, "Reason", and therefore rights; that communities also have a universal notion of law that binds all humanity under the guidance of this common Reason (Brown and Held, 2010:7). However, Vitoria thinks that equality between communities can only be realized between communities governed compatible with the natural law in terms of inherent international sociability in rational moral values, norms, and the ideal of an inclusive and binding universal legal system that transcends borders. Of course, the most important "natural right" here is the right to free movement and trade. Of course, the most important "natural right" here is the right to free movement and trade (*ius communications*). Even a "just war" can be waged legitimately against those who violate this right. In this context, Vitoria can also be considered as the "Philosopher of Conquest" (Schmitt, 2003:101-125) who supports and legitimizes actual political actions such as exploring a "new world", occupation, related wars, sharing, etc. by bringing them into a legal perspective. Because, for example, Vitoria is not against occupation, wars, sharing, etc. According to him, "Natives" also have fundamental rights, of course, but the war between Christians and the war between Natives and Christians are qualitatively different. Also, discovery is made without the consent of the discovered, and the explorer creates the rule and law over this political space by giving these lands a new name to the new master on the mainland. The natives, on the other hand, are considered as parts of the lands whose ownership has passed to the new sovereign, and in this context, they are either embraced

internally or eliminated by exclusion (Vitoria, 1991:282-283). All these indicate that Vitoria is a thinker who defends a new world order in which the people, outside the “civilization boundaries”, are included, adopted, and governed in the new political-legal system with “toleration”. That is this new order, which is based on a rational co-existence (*modus vivendi*), whose rules are determined by the explorer, by the “civilized” and the powerful one.

Conclusion

Of course, all these suggestions have had a good or bad political impact on the course of the world. For instance, Augustine, as the first thinker to problematize the relationship between church and state, paved the way for secularism in real politics. Also, Vitoria's modern international law theory affects the current international law system actually. However, as history has shown us, universals are often used tactically to maintain hegemonic, imperialist power politics, elite class positions, relations of exploitation and domination, etc. To mask the partial interests that exist, universal moral and legal discourses are put forward. Because, as stated by Laclau (Laclau, 2000:27-40) for a power to be hegemonic over others, it must seem to represent and articulate a worldview that claims to be universal. For example, the Roman Empire, with its “righteousness”, benevolence, and generosity, which proved itself by referring to itself, wanted to protect all humanity from the “evil-centered” barbarians; Christianity followed the righteous path of God, showed this path to all humanity, and wanted to destroy the sinners and wicked who came before it; Vitoria's Spanish Empire brought Christianity and civilization to the Native Americans. This viewpoint will be such a fundamental dynamic of international law that, as it was used throughout the colonization period, it will be on the agenda again, especially from the end of the 20th century, and will constitute the theoretical inspiration for today's “humanitarian intervention” practices (Neocleous, 2014; Denk, 2014). Vitoria, basically, is not against to occupation, wars, etc., but for him, the war between Christians is qualitatively different compared to the war between Natives and Christians. Natives are considered as parts of the lands whose property has passed to the new sovereign, and in this context, they are either embraced internally or completely eliminated by exclusion (Vitoria, 1991:282-83). So, it can be concluded that Vitoria is a thinker who defends a new order, whose rules are determined by the power. Therefore, we should also underline that modern international law theory (including the law of war) developing with Vitoria was actually and historically born in colonialism and is the justification and legitimacy basis of all kinds of “real policies” about colonial domination (Anghie, 2005). Such examples could be multiplied in history of humanity. However, perhaps the point that needs to be specifically problematized here is the relationship between the new world order or the ideal of a “better world”, a “better life” and the actual goals of the proposals and the point they reached. The possibility of evolving into “evil” of these suggestions which set out with good intentions and subsequently engendered many other teachings...

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