
Francesco Mancuso. Full professor at the Università di Salerno (Philosophy and Sociology of Law). Local Investigator of PRIN 2017 *The Dark side of the Law. When discrimination, exclusion and oppression are by law* project. Co-director of *Diacronia. Journal of history of the philosophy of law*. Responsible for the framework cooperation agreement between the “Laboratorio filosofico-giuridico e filosofico-politico Hans Kelsen” and “UFR de Philosophie”, Université Paris 1 Panthéon-Sorbonne.

His scientific interests focus on Philosophy of International Law, History of Modern Political Concepts, State and Constitutionalism, Bioethics, Transformations of Democracy, relationship between Law and Violence, European studies.

Among his books: *Gaetano Mosca e la tradizione del costituzionalismo* (Napoli, 1999); *Diritto, Stato, sovranità. Il pensiero politico-giuridico di Emer de Vattel* (Napoli, 2003); *Le ‘verità’ del diritto. Pluralismo dei valori e legittimità* (Torino, 2013); *Il doppio volto del diritto* (Torino, 2019).

Contact: fmancuso@unisa.it

VULNERABLE INSTITUTIONS¹

Francesco Mancuso

Università degli Studi di Salerno

Abstract

The traditional model of the analysis of vulnerability connects this to the anthropological datum and to the necessity, for mankind, to live under the protective umbrella of institutions. The essay tries to identify, from another perspective, *e parte institutionis*, the perverse and anomic effects of the uncontrolled unleashing of fears, hostilities and alterations in the meaning of concepts such as “people” and “sovereignty”, which cannot be reduced to simplistic and one-sided views.

Keywords

Fear, Power, Violence, Institutions, Vulnerability.

Resumen

El modelo tradicional de análisis de la vulnerabilidad la relaciona con el dato antropológico y con la necesidad, para el hombre, de vivir bajo el paraguas protector de las instituciones. El ensayo trata de identificar, desde otra perspectiva, *e parte institutionis*, los efectos perversos y anómicos del desencadenamiento incontrolado de miedos, hostilidades y alteraciones del significado de conceptos como «pueblo» y «soberanía», que no pueden reducirse a visiones simplistas y unilaterales.

Palabras clave

Miedo, Poder, Violencia, Instituciones, Vulnerabilidad.

1. Reception date: 15th December 2020; acceptance date: 9th February 2021. The essay is the issue of a PRIN 2017 Research “The Dark Side of the Law”, carried out within the Dipartimento di Scienze Giuridiche, Università degli Studi di Salerno”.

The “semantics of vulnerability” is the thread, less and less hidden and more and more the object of study, that links subjects, institutions, politics and law (Pastore). With it, we have an interpretative category which is not only appropriate for questioning the individual and his or her associated life; but also for addressing the institutions stability problem:

The permanent vitality of the original model of political modernity, the Hobbesian model, proves that: there is no *Oboedientia* without *Protectio*, and the latter is only possible through the activation of an artificial-rational mechanism whose formation, in the description of the political-legal genealogy theorised by Hobbes, is provoked by “fear”, *i.e.* by the attempt to make this pre-rational “affective state” productive and not paralysing. Its control is precisely the exercise of rationality, limitation, containment and responsibility.

Fear is a constant presence, ineradicable, productive and at the same time subversive of every associated order: the political artifice finds its *raison d'être* in the containment of this manifestation of human nature. However, the matter is to contain fear, not to make it disappear it, not only because vulnerability is an existential and inescapable condition of man; not only because that sort of civilization of fear which is the transformation of *Phobos* (blind and irrational fear) into *Deimos* (fear as caution, as a rational risk awareness) does not entirely exorcise the ancestral permanence of terror and of paralyzed and inert “reverence”, a sort of reflection of the mutation (transfiguration) of power into domination (Ginzburg); and, finally, not only because the mechanisms of fear containment cannot spare the threat of force —*i.e.* fear— as a last resort, worth their ineffectiveness, within a mechanism that does not escape the iterativity of the return, admittedly sublimated and attenuated, of what is nonetheless violence, albeit limited and civilised, made predictable (Popitz).

Throughout political evolution, fear is exorcised, moderated, but it not disappears once that ‘civil condition’ is activated: it becomes an ancipital and power-consubstantial element. In other words, it is like vulnerability and fear decisively affect the structuring of the political pluriverse, which is precariously balanced between order and disorder, between subjection and subjectification, between public and private, between unity and plurality. Plurality itself can be read in its whole complexity precisely because of the game of cross-references triggered by fear and the permanence of a vulnerability that characterizes not only the subjects of power, but also the-institutions within which the structuring of the subjects themselves takes shape (this is why we have a perfect correspondence between the crisis of institutions and the crisis of the subject).

The shadow of the state of nature, of the subversion of every community and communication (the latter being essential to every community, even if one does not share the assumption of politics as discursiveness), of the unlimited deployment of violence, is permanently projected as a political and political vulnerability: of subjects and institutions, together, in a relationship that unfolds in non-linear and non-analogical ways. The centrality of fear, *i.e.* of vulnerability, represents a sort of trigger for a game of cross-references that unfolds in an extremely complex way throughout the history of modernity, but also the opening of a research plan —not only an historical-genealogical one— where the realism of the analysis does not necessarily collide with a critical-normative approach, but, on the contrary, strengthens it and supports it in its counterfactual unfolding against those “devices of inequality” that generate vulnerability, subjugation, domination. After all, vulnerability is nothing more than an awareness of the fragility of the “armour of humanism” and of the fact that (according to de Rivarol quoted by Amin Maalouf in *Les naufrages des civilisations*) civilization is as close to barbarism as iron is to rust. It is therefore necessary to rediscover, but on the basis of an inescapable confrontation with certain (and uncomfortable) “elementary truths”, the normative core of daily political and social action of which Remo Bodei (2019) speaks in his last extraordinary book: “the link between dignity and reason and between human rights and reason indicate a path that is not without a guiding star, although not easily visible” (p. 220). Therefore, the key to understanding the duplicity of fear, the centrality of vulnerability, the order/disorder relationship that unfolds precisely from the groundlessness and vulnerability of institutions, lies in the point of conversion of ‘politics’ into “political”, into the friend/enemy dichotomy, into absolute conflict, into “montée aux extremes” (Girard).

Fear and violence

There seems to be no way out of this circularity of fear, vulnerability (human and institutional) and violence. Violence, writes Wolfgang Sofsky (1998), is “omnipresent: it runs through the history of humankind, from beginning to end. Violence creates chaos and order creates violence. This dilemma is unsolvable. Founded on the fear of violence, order itself generates fear and violence” (p. 5). According to Burckhardt (1950), violence is the *prius*, it is a “constitutive part of the great economy of universal Violence, Burckhardt wrote, is the «the devil on earth», is a «part of the great economy of world history», a history studded with violent foundations and equally violent destruction (p. 213).

The Swiss historian, by placing violence at the center of his considerations on history, had two aims: the first one was to reject every systematic and providentialist vision of historical events, every theodicy, every relativization of evil in order to its transfiguration (*a malo bonum*). On the other hand, he warned us against all statolatry, against the at the time prevailing cult of statehood (the *Weltgeschichtliche Betrachtungen* were published posthumously in 1905 but written at the end of the 19th century): for Burckhardt, the state is neither moral power nor moral reason for the people: according to Cassirer (1958), he is too pessimistic to believe in such a conciliation of ‘reason’ with ‘reality’, and to his realism the apotheosis of power appears a pure illusion (p. 415). But if Burckhardt’s critique of the idea of history as progressive development eschews any exaltation of the present and any theology of contemporary history (which turns into an uncritical political theology of state power), in the knowledge that “evil remains evil” and that “if there is anything to be learned from the study of history, it is a sober insight into our real situation: struggle and suffering, short glories and long miseries, wars and intermittent periods of peace” (Löwith, 1949, p. 25), it likewise, if not more strongly, denied any in-futuration in view of an ultimate and supreme, transformative end to present reality. This is the position of those *terribles simplificateurs* who, in the extreme and totalitarian consequences of their actions make a coherent fictitious world no longer disturbed by factuality. Summing up Burckhardt’s position in the words of Löwith (1949), already mentioned above, “the historical greatness of a nation does not make up for the annihilation of one individual”, and the only reasonable conclusion that can be drawn from the vision of the great cemetery of history, of the rise and fall of peoples, in the rise and fall of powers, “is not a consolation with a higher world plan but a more moderate ‘taxation’ of our earthly existence” (p. 25).

In the course of political evolution, fear is exorcised, moderated, but by no means disappears once that ‘stately [*staatlichen*] condition’ whose ‘goal and terminus is security’ is activated (Schmitt, 1996, p. 31): it becomes an incipient element consubstantial to power (think of the “fear ‘of’ power”, with the genitive at once subjective and objective, of which Guglielmo Ferrero spoke in order to trace in legitimacy —this is the fulcrum of a book as important as *Pouvoir* is today mostly forgotten— an antidote to the destructive redeployment of fear). In other words, it is as if vulnerability and fear decisively condition the structuring of the political pluriverse, precariously balanced between order and disorder, between subjection and subjectification, between public and private, between unity and plurality. The latter can be read in all its complexity precisely because of the game of cross-references triggered by fear and the permanence of a vulnerability that characterizes not only the subjects of power, but also

those institutions within which the structuring of the subjects themselves takes shape (hence also the perfect correspondence between the crisis of institutions and the crisis of the subject).

It is no coincidence that Nietzsche, who was perfectly familiar with Burckhardt's pages, grasped the inextricable link between force (violence) and law from a historian like Thucydides. In Fragment 92 of *Human, all too Human* (1986), the philosopher points out that

[...] justice (fairness) originates between parties of approximately *equal power*, as Thucydides correctly grasped (in the terrible colloquy between the Athenian and Melian ambassadors): where there is no clearly recognizable superiority of forces and a contest would result in mutual injury producing no decisive outcome the idea arises of coming to an understanding and negotiating over one another's demands: the characteristic of *exchange* is the original characteristic of justice. Each satisfies the other, inasmuch as each acquires what he values more than the other does. One given to the other what he wants to have, to be henceforth his own, and in return receives what one oneself desires. Justice is thus requital and exchange under the presupposition of an approximately equal power position: revenge therefore belongs originally within the domain of justice; it is an exchange. (p. 49)

The extraordinarily important theoretical move made by Nietzsche does not go in the sense of a reductive exaltation of violence as the “midwife of History”, but more subtly in the direction of an interpretation of violence as an auroral moment of the emergence of law and justice itself, traditionally understood as what law should aim at. In this sense, which is not a mere identification of violence or force —violence qualified and legitimated by law— with law and justice (a justice, moreover, always represented as blindfolded: which means both the necessary non-conditionality and impartiality of administering justice, but also a gaze that precludes itself from assessing the individual concrete case, and, finally, also a cover for the Gorgon's gaze Kelsen saw concealed behind the guise of Justice itself), law and violence interweave and reveal multiple links: “the operation that amounts to founding, inaugurating, justifying law [*droit*], making law, would consist in *coup de force*, of a performative and therefore interpretative violence that in itself is neither just nor unjust and that no justice or no previous law with its founding anterior moment could guarantee or contradict or invalidate” (Derri-

da, 1992, p. 13). The sovereign and supreme decision that according to Schmitt comes before law and order represents the violent break with non-law, i.e. 'nature': in the state of nature, a condition of permanent violence, of war of all against all, just and unjust, good and evil, simply do not exist: "To this war [present in the state of nature] of every man against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, of justice and injustice, have there no place" (Hobbes, 1998, p. 85).

No way out?

So? No way out? Is history only a "stormy heap of ruin upon ruin" as in Klee's picture read by Benjamin? Not really: the fact that at the origin of every power and every right there is its seizure by the first usurper does not mean that usurpation, force, are law and that law is that of Thrasymachus: but, on the contrary, that law seeks, in order also to preserve that social peace which is the minimal aim of juridicity, to limit, control, make force predictable.

A political system founded on law cannot be only force or coercion: and both normativity, institution and coercivity refer to the overall legitimacy of the system, which is such only if it is not separated from legality, and if it reflects the complexity and polymorphism of society, becoming a factor of inclusive mediation of the parties: *e pluribus unum*; where, however, *unum* is what protects plurality and exists in function of it. A complex and delicate interaction, which is also reflected in the fact that the institution is an organization of bodies which, in the variety of their aims, are generally projected towards stability and certainty, integration, planning, in a single word towards the "future": this is the main reason why the anti-institutional practices, which are increasingly frequent in the age of political and media populism, are serious: first of all, because pressed as they are on topicality, looking for an unreflective consensus rather than a true and proper long-term legitimization, they are configured as elements of corrosion and contraction of the political space of the present, substituting slogans for reflection, and they mortgage the space of tomorrow thanks to their immediacy (to be understood both in a temporal sense and as a lack of mediation). This is especially true since no institutional thought would be definable without this essential function of social "comprehensibility", of support, of producing certainty (also through typifications of social practices), or at least of reducing uncertainty and irrationality, which characterizes the institution, whether it is structured on the basis of binding rules or not.

The ‘Evil giants’

Consider a concept of legal theory that is also fundamental to normativists: the concept of effectiveness. Without effectiveness, law would simply be a *flatus vocis*. Effectiveness orients an overall vision of the political-legal system to the understanding of two decisive questions: the problem of the permanence of law beyond the will that sets it; the even more thorny problem of the criteria of stabilization and observance of law, which are the reasons for effectiveness other than a (precarious) mere obedience produced *vi et armis*. This is the (institutional) horizon of the necessary mediation between artificiality-freedom (of law itself) and naturalness-necessity of some essential conditions of law itself, of some minimum contents —Hart would say— of natural law: elementary truths, “simple truisms” concerning human beings, “minimum natural law” which, according to Hart (1994), cannot fail to conform the legal system in every time and space, given the presence of certain anthropological, economic and social constants, the first of which can be typically dated back to Hobbes (1998): human vulnerability is the primary reason why men accept those limitations of natural freedom (the *ius ad omnia*) that are condensed into social and legal norms (p. 193).

This is the basis for the transformation of fear as a generator of chaos into heuristics of fear, into responsibility, into ‘care’, into “apprehension when the vulnerability of another being is threatened” (see, for example, *The Imperative of Responsibility*). Without fear, understood as responsibility, we would ignore the catastrophic consequences of climate change, overpopulation, scarcity and non-renewability of resources, and ‘absolute’ wars. The ethics of responsibility is basically an ethics of fear, of the fear of perverse consequences of social action: political action without a “consciousness of the tragic” —according to Max Weber— would be tragically irresponsible. The heuristics of fear are therefore necessary for any view of the future, of the destiny of mankind, that wishes to be conscious and realistic, rather than altruistic.

And yet, as recent events have shown, fear can turn into a formidable, nihilistic factor that subtracts meaning and hostileizes, breaking up a society fragmented by so many dividing walls. The European project itself, at a time when the term *populism* had not yet experienced its current fortunes, was “democratically” held back by the fear of the “alien” removal of labour (the infamous, at the time, “Polish plumber”). Fear becomes liquid, pervasive, an instrument of propaganda, a necessary premise of those binary codes of the ‘political’ that structure a political horizon of us/them conflict (and of *Vernichtungung*, of annihilation of the other, as Schmitt disturbingly added in his 1923 paper on parliamen-

tarism). Fear is the trigger for devastating crises of trust and is what prepares the wretched barter between rights and security (or rather, the perception of security):

For human bonds, the crisis of trust is bad news. From well-protected and secluded clearings, places where one had hoped to take off (at last!) the heavy armour and stiff mask having to be worn in the harsh, competitive world out there, in the wilderness, the 'networks' of human bonds turn into-frontier territories where interminable reconnaissance skirmishes need to be engaged in day in, day out. If trust is missing and credits of confidence are offered and expected to be offered only reluctantly, if at all, yesterday's armistice terms do not seem a safe ground on which to rest a secure prognosis for tomorrow's peace. (Bauman, 2006, p. 69)

As Danilo Zolo (2011) has effectively noted:

[...] the term security no longer refers to bonds of collective belonging, solidarity and mutual assistance. Security is no longer conceived as a guarantee that ensures all citizens the possibility of freely organising their lives, of spending them protected from destitution, exploitation, disease and the spectre of a disabling and miserable old age. In short, there is a drastic shift from a conception of security as recognition of people's identity and their right to participate in social life to a conception of 'private security' [...]. Moreover, thanks also to the mass media, it can happen that exasperated fear generates growing social alarm and this favours the despotic use of power. (p. 79)

And yet, the re-emergence of fear is by no means a destiny, and its limitation represent an attempt to make our constitutional democracies less vulnerable, our legal civilization, which has been painstakingly built up over the centuries (and which has been jeopardized on several sides, from the re-legitimization of torture to grotesque invocations of *Ermächtigungsgesetz*), less weak. At a time when the destructive prospect of the state of nature was a concrete reality, the fight William Beveridge hoped for against the 'evil giants' (the explicit reference was to Goya's *El Coloso*) - want, ignorance, disease, idleness and squalor -, the construction of the welfare state structures in Great Britain, the same Europe country that —irony of history— in the 1980s will be the leader in its dismantling, Marshall's reflections on citizenship, were nothing more than an attempt to engage, from the point of view of active policies, against destructive fear.

Guido De Ruggiero (2018), in the wake of Roosevelt’s four freedoms, thematized the need for freedom from fear (of wars, oppression, revolutions, aggression of all kinds) and in a wonderful article entitled “Le due città (The Two Cities)” he urged recognition of the “function of the ideal in history” (p. 254).

Anti-institutionalism

There is a meaning of “vulnerability” that concerns institutions and the concept of “institution” itself. If the “institution” is “what holds opposing interests together, preventing political conflict from degenerating into violence”, then the harmfulness of the anti-institutional potential of theories that reduce the “political” to a degree of intensity of conflict or the “legal” to an undifferentiated “field” where domination takes place, beyond the profound differences between historically appeared institutions, must be strongly underlined. In the words of Luigi Alfieri (2021), the chronological contraposition/succession between *status naturae* and *status civitatis* is actually a co-presence: of the dark undercurrent of the desires and fears of vulnerable man (p. 49) and of the “juridical order”, the “event horizon” of the political and the juridical.

Of course, the artificial distance of the law attenuates, but does not annul, the regression to a negative as code of human existence; not as a destiny but —see Kant’s theory of radical evil— as a consequence of free decision: mediation, not immediacy.

But even in Hobbes, negative anthropology does not surrender to the ineluctable, it does not give rise to a nihilistic theory of law, of which he draws a democratic as long as theological foundation, a theology not reduced to a forced *reductio ad unum*. Unlike Hobbes, for Schmitt the political is an empty signifier, it is, in the words of Böckenförde, “a public field of relation” with non-predetermined contents, it is the possibility of the intensity of a clash, the ‘fight to the death’, and death is its ‘to what’. But if this is the political, then statehood —which Schmitt distinguishes from the political (there can be a non-political statehood)— can only be intrinsically unfounded and unstable: the mixture of a polemical reading of the political (hostility is the highest realization of the political) and the identification of sovereignty in the decision on the case of exception activated outside institutional normativity, blows up exactly, on the internal level, the possibility of keeping contrasts below the threshold of friend/enemy, and on the external level produces the subversion of those limits of sovereignty that Schmitt himself sees successfully tested by the *Jus publicum europaeum*: transition from the just war to the just enemy, from war

of extermination to war as a duel, from the state which is, starting from Grotius, the only subject that can publicly make/declare war (thus war itself is limited by the recognition of states) to a situation of disappearance of war (understood as a legal institution) in favour of that tendency to the extreme typical of the limitless violence.

Now, is the inauspicious outcome of degiuridification (whatever law is to Schmitt here, it does not matter) the result of an excess of normalization, is it the outcome of an attempt at humanization that is either a false opportunistic universalism or a blind idealization that produces heterogenesis of ends (Schmitt falsely accuses Kant of having exhumed the deadly concept of a just war)? In short, is all this, the unleashing of acherontic powers, not the end of 'war', but rather an increase in violence, the consequence of the limitation of sovereignty and a process of rationalization of domination? Or is this picture of permanent instability and a slide towards a tanatopolitics the logical consequence of a vision of politics and law incapable of identifying limits because it is incapable of thinking of mediation, incapable of having an institutional destination? It has been stated that the Schmittian thesis of the polemical nature of all political concepts has lent itself admirably to the delegitimization of the state (Portinaro, 2005, p. 41), that is, of the main institutional regulator not only of the mechanisms of exclusion, but also of inclusion and integration, of that integration which makes political conflict productive and not dissolving. From this theoretical-ideological basis - structurally unstable - we cannot draw either the relativization of internal contrasts, as Böckenförde claims, or even less that weak and questionable distinction that Chantal Mouffe draws between (positive) agonism and (negative) antagonism.

In short, Schmitt is a paradoxically anti-juridical and anti-institutional jurist. It is no coincidence that his negative definition of the people (apparently similar to Kelsen's) easily fits a populist conception of democracy: the people as formless energy that can only be realized through an alienation in the hands of a charismatic leader. Schmitt's thinking distorts the concepts of people, sovereignty and democracy.

A different way to politics

Nowadays a radical critique of fear is required, in order to rediscover nuclei of meaning that are both necessary for a form of politics that does not turn into a conflictualist "political", and essential for projecting democracy into the future, with the help of those resources De Ruggiero rightly foresaw in the Constitution to come: including the fear

promoted by the exponential increase in post-truths and the corrosive simplicisms of that public debate which is the lifeblood of democracy. A legal and political implementation of the constitutional project of equality and solidarity, of trust and community, which are normatives —*i.e.*, universal morality turned into law— is only possible if critical thought emerges from the lethargy into which it seems to have fallen after what has been (wrongly) defined as the era of the end of ideologies. On this point, I would like to recall the words of Timothy Snyder (2019):

All of the virtues depend upon truth, and truth depends upon them all. Final truth in this world is unattainable, but its pursuit leads the individual away from unfreedom. The temptation to believe what feels right assails us at all times from all directions. Authoritarianism begins when we can no longer tell the difference between the true and the appealing. At the same time, the cynic who decides that there is no truth at all is the citizen who welcomes the tyrant. Total doubt about all authority is naïveté about the particular authority that reads emotions and breeds cynicism. To seek the truth means finding a way between conformity and complacency, towards individuality. (p. 540, digital ed., epub.)

Integration vs. disintegration, solidarity vs. inequality, democratic ideal vs. hierarchical reality (which is hiding and consolidating behind undefined screen-words like “people”). And in times in which, for example, sovereignty is confused with sovereignism (the first one being legitimization and rationalization of power and therefore limitation, jurisdiction, equality, citizenship; the second one being unlimited, irrational in the Kelsenian sense, gubernaculum, privilege, hierarchy), this is even more urgent (Mancuso, 2013 and 2019).

References

- Alfieri, L. (2021). *L'ombra della sovranità*. Roma: Treccani.
 Bauman, Z. (2006). *Liquid Fear*. Cambridge: Polity.
 Bodei, R. (2019). *Dominio e sottomissione. Schiavi, animali, macchine, Intelligenza Artificiale*. Bologna: Il Mulino.

- Burckhardt, J. (1950). *Reflections on History*. London: George Allen & Unwin Ltd.
- Cassirer, E. (1958). *Storia della filosofia moderna*, IV. Torino: Einaudi.
- Derrida, J. (1992). Force of Law: the 'Mystical Foundation of Authority'. In D. Cornell, M. Rosenfeld, & D.G. Carlson (Eds.), *Deconstruction and Possibility of Justice*. New York and London: Routledge.
- De Ruggiero, G. (2018). *Il ritorno alla ragione*. Soveria Mannelli: Rubbettino.
- Esposito, R. (2021). *Istituzione*. Bologna: Il Mulino.
- Ferrero, G. (1942). *Pouvoir. Les génies invisibles de la cité*. New York: Brentano.
- Ginzburg, C. (2015). *Paura, reverenza, terrore*. Milano: Adelphi.
- Girard, R. (2010). *Battling to the End*. East Lansing: Michigan State University Press.
- Hart, H.L.A. (1994). *The Concept of Law*. Oxford and New York: Oxford University Press.
- Hobbes, T. (1998). *Leviathan*. Oxford and New York: Oxford University Press.
- Jonas, H. (1985). *The Imperative of Responsibility*. Chicago and London: The University of Chicago Press.
- Löwith, K. (1949). *Meaning in History*. Chicago and London: The University of Chicago Press.
- Mancuso, F. (2013). *Le verità del diritto. Pluralismo dei valori e legittimità*. Torino: Giappichelli.
- Mancuso, F. (2019). *Il doppio volto del diritto*. Torino: Giappichelli.
- Nietzsche, F. (1986). *Human, all too Human*. Cambridge and New York: Cambridge University Press.
- Pastore, B. (2021). *Semantica della vulnerabilità, soggetto, cultura giuridica*. Torino: Giappichelli.
- Popitz, H. (2017). *Phenomena of Power*. New York: Columbia University Press.
- Portinaro, P. P. (2005). *Stato: un tentativo di riabilitazione*, in Guaraldo O.-Tedoldi L., *Lo stato dello Stato*. Verona: ombre corte.
- Schmitt, C. (1996). *The Leviathan in the State Theory of Thomas Hobbes*. Westport and London: Greenwood Press.
- Snyder, T. (2019). *The Road to Unfreedom: Russia, Europe, America*, London: Vintage.
- Sofsky, W. (1998). *Saggio sulla violenza*. Torino: Einaudi.
- Zolo, D. (2011). *Sulla paura*. Milano: Feltrinelli.