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Global Society and the Quest for Human Rights

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Abstract This article critically examines the evolution and contradictions of Western modernity through the lenses of capitalism, science, political power, and social disintegration, incorporating recent developments from 2019–2025, including global migration crises, climate change litigation, and new rulings from the European Court of Human Rights. It highlights how the relentless pursuit of profit and technological progress – often divorced from ethical considerations – has generated existential insecurity, environmental crises, and the erosion of community bonds. Drawing on classical and contemporary thinkers such as Dewey, Bauman, Harvey, and Spirito, and incorporating recent analyses by Fraser (2020), Nussbaum (2021), and Koskeniemi (2023), the article explores the dualism between *communitas* and *societas*, the threat of nuclear catastrophe, and the disconnection between means and ends in modern civilization. It argues for the urgent need to redefine community as a responsible social fabric committed to equality, solidarity, and human dignity, envisioning a post-modern sociality that addresses the profound challenges of globalization, migration, and digital transformation. Recent UNHCR (2024) data on forced displacement and IPCC (2023) reports on climate-induced migration illustrate the urgency of this redefinition. Ultimately, it advocates for a renewed ethical framework that reconciles technological innovation with a humanistic vision of social and ecological well-being, warning that otherwise a “culture of the enemy” will take root.

Keywords Human Rights, Violation, Migration, Nationalism, War

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1. Methodology

This study adopts a theoretical-critical approach grounded in critical discourse analysis and informed by historical-comparative perspectives. The research is conceptual in nature, aiming to synthesize philosophical, sociological, and legal scholarship to interrogate the contradictions of modernity and the fragility of human rights in a globalized world. The methodology involves:

- Textual and discourse analysis of key philosophical works (Dewey, Bauman, Harvey, Spirito) and recent scholarly literature (2019–2025).
- Comparative analysis of international human rights instruments and their application, with specific reference to recent case law from the European Court of Human Rights and United Nations resolutions.
- Integration of contemporary examples — including migration flows documented by [UNHCR \(2024\)](#), climate change litigation data, and COVID-19 governance measures — to illustrate theoretical points in concrete socio-political contexts.

This framework ensures transparency in how arguments are developed, while situating them within both historical and contemporary contexts.

1.1 Introductory Note: Navigating the Crises of Modernity through a Critical Reassessment of Society

The trajectory of Western civilization over the past two centuries presents a paradox: unprecedented scientific and technological advancement shadowed by profound social, political, and ecological crises. From the optimism of the Industrial Revolution to the catastrophic wars, pandemics, and inequalities of the 20th and 21st centuries, modernity has revealed the limits of a civilization predominantly focused on *means rather than ends*.

At the heart of this analysis lies the alliance between science, capital, and political power — a relationship that has driven innovation but subordinated human well-being to profit and dominance. Recent studies, such as [Fraser \(2020\)](#) on capitalism's structural inequalities, and [Nussbaum \(2021\)](#) on the erosion of human capabilities, underline this trend. For example, the **2023 UN Global Inequality Report** found that wealth concentration has reached pre-World War I levels, exacerbating instability.

Bauman's "liquid modernity" remains a powerful metaphor: today's hyperconnected yet fragmented societies display insecurity and eroded community bonds. The COVID-19 pandemic (2020–2022) demonstrated how States *prioritized control over solidarity*, echoing Agamben's warnings about the normalization of emergency powers.

Modernity's crises are not accidental but structural, rooted in the disjunction between technological power and ethical purpose. Addressing this gap requires redefining societal priorities beyond profit and efficiency.

In this context, contemporary legal and philosophical thought plays a critical role in envisioning pathways toward a responsible community that balances individual rights and collective solidarity. Scholars such as [Stefano Rodotà \(2018\)](#), [Saskia Sassen \(2006\)](#), and [Mireille Hildebrandt \(2020\)](#) provide valuable perspectives on the challenges and potentials of this endeavor, especially regarding human rights, social justice, and technological governance.

By tracing these themes, the article advocates for a reimagined sociality that transcends the limitations of capitalist modernity and re-centers human dignity, equality, and ecological responsibility. Only through such a responsible community – attuned to both the means and the ends of human life – can the profound crises of our time be addressed with hope and ethical clarity.

1.2. The Condition of Human Rights

At the beginning of the Third Millennium, there is a pressing need to rethink the political and juridical foundations of our global society – a society increasingly marked by fragmentation, instability, and a growing dissonance between legal ideals and political realities. The condition of human rights, in particular, demands renewed philosophical attention – not only as a set of legal norms, but as a reflection of our collective moral commitments in a world shaped by interdependence and asymmetry.

The contemporary landscape is defined by several overlapping crises: the fragility of democratic institutions, the intensification of global migration flows, the securitization of public life, and the return of authoritarian logics in various national and transnational contexts ([Gerbaudo, 2021](#)). These dynamics expose the vulnerability of rights that, while codified in constitutions and international treaties, are increasingly contested, conditional, or strategically suspended.

International legal instruments – such as the International Criminal Court and the European Court of Human Rights ([Donnelly & Whelan, 2020](#)) – were created to guarantee a universal framework of rights and accountability. Yet in practice, their authority is often undermined by geopolitical interests, selective enforcement, and the absence of binding force. Law, as Hannah Arendt warned, cannot protect human dignity in the absence of a political space that recognizes individuals as rights-bearing subjects. Where this space erodes, rights become mere abstractions – legal in form, but hollow in substance.

This problem is compounded by a deeper paradox within democratic regimes. While democratic values are affirmed in theory, they are often betrayed in practice – particularly through the expansion of emergency powers, the normalization of surveillance, and the erosion of civil liberties in the name of public safety. Giorgio Agamben's critique of the "state of exception" becomes increasingly relevant here, as governments invoke crises to justify the suspension of constitutional norms – transforming what should be temporary into a permanent condition of governance.

The tension between individual liberty and collective security – especially evident during health emergencies, terrorist threats, or migration crises – often results in the prioritization of control over freedom, order over justice. This generates what Jürgen Habermas might call a crisis of legitimacy: a growing disconnects between citizens and institutions, between normative expectations and empirical governance. As legal systems lose their responsiveness to moral claims, and as political actors exploit legal ambiguity for strategic ends, a "moral fiction" begins to emerge – one in which rights are proclaimed but not enacted.

This fiction corrodes public trust. Citizens experience a gap between the rhetoric of democracy and the reality of political life – a gap that undermines both social cohesion and legal credibility. In this context, the language of human rights risks becoming ceremonial – preserved for appearances, but detached from real capacity to transform lives.

What emerges is a portrait of a global society in which law, politics, and ethics are increasingly out of sync. The foundational promise of human rights – to offer protection, recognition, and dignity to all persons – remains as urgent as ever. But its realization depends on rethinking not only the legal mechanisms involved, but also the philosophical and normative commitments that sustain them. This article seeks to explore these tensions – offering a critical inquiry into the fragility, complexity, and necessity of human rights in the age of global interdependence.

2. The Human Rights Charters: Pillars of a Universal Ethic

The post-World War II human rights framework – from the *Universal Declaration* (1948) to the *EU Charter* (2000) – represents a shared aspiration for dignity, equality, and solidarity. Yet implementation remains uneven. Recent jurisprudence from the *European Court of Human Rights* (2023–2024) shows both progress and setbacks: in *M.A. v. Denmark* (2023), the Court strengthened protections for refugees, while in *X. v. France* (2024), it upheld controversial limits on protest rights during public health crises.

The United Nations remains central but constrained. The *UN Security Council deadlock over Ukraine* (2022–2024) and inaction in the Gaza humanitarian crisis (2023–2024) illustrate how geopolitical interests override universal principles. Calls for reform, such as those in [Koskenniemi \(2023\)](#) and [Chinkin \(2024\)](#), argue for rebalancing representation and authority to reflect 21st-century realities.

Human rights charters remain essential but insufficient. Without structural reform and enforcement mechanisms, their transformative potential risks remaining symbolic.

The Human Rights Charters represent a corpus of legal and moral principles articulated through a series of declarations, covenants, and conventions adopted in the post-war period. These texts delineate a broad spectrum of entitlements – civil and political rights; economic, social, and cultural rights; and so-called collective or solidarity rights – each reflecting a different dimension of human flourishing. Recent jurisprudence from the European Court of Human Rights (2023–2024) and [UNHCR migration reports \(2024\)](#) illustrate ongoing challenges, such as balancing refugee protection with state security policies.

Among the most significant instruments are the *Universal Declaration of Human Rights* (1948), the *International Covenant on Civil and Political Rights* (1966), the *International Covenant on Economic, Social and Cultural Rights* (1966), the *American Convention on Human Rights* (1969), the *African Charter on Human and Peoples' Rights* (*Banjul Charter*, 1981), and the *Charter of Fundamental Rights of the European Union* (2000). These documents do not merely enumerate legal provisions – they express a vision of humanity grounded in shared values of freedom, equality, and solidarity.

The rights affirmed within these charters include the right to life, liberty, and personal security; the right to education and work; the right to health and social protection; and the freedoms of thought, conscience, and religion. Taken together, they form a universal lexicon of rights – a normative horizon toward which legal systems and political institutions are expected to orient themselves. Yet, the implementation of these rights remains deeply uneven – shaped by divergent national policies, conflicting interpretations, and structural limitations in both capacity and will.

2.1. The Institutional Architecture of the UN

The *United Nations* – established with the ambition of translating the ideals of the *Universal Declaration* into an operative structure of global governance – plays a central role in promoting peace, justice, and cooperation among states. Its mission encompasses not only conflict prevention and peacekeeping, but also the advancement of human development, the protection of human rights, and coordinated responses to humanitarian crises and environmental threats. In theory, the UN embodies the aspiration for a rule-based international order – one capable of transcending national egoisms in the name of a common good.

However, the gap between aspiration and reality remains substantial. The institutional architecture of the UN – particularly the *Security Council*, with its five permanent members (the United States, Russia, China, the United Kingdom, and France) endowed with veto power – often results in paralysis when geopolitical interests collide. Resolutions passed by majority vote lack binding force, and the veto mechanism can neutralize even the most urgent initiatives. In such moments, international law appears subordinated to power politics – and the principle of sovereign equality is eclipsed by the asymmetries of global influence.

Moreover, the composition of key UN bodies reflects a geopolitical order shaped by the mid-twentieth century – one that no longer corresponds to the current distribution of economic, demographic, and political power. This imbalance affects both the legitimacy and the efficacy of the organization's decisions. The UN's bureaucratic complexity and slow decision-making processes further hinder its responsiveness to crises – from armed conflict to pandemics, from climate emergencies to forced displacement.

Even when *Security Council* resolutions are adopted swiftly, their enforcement depends largely on the voluntary cooperation of states – a dependence that severely limits the organization's capacity to act autonomously or decisively. In this sense, the effectiveness of the UN remains structurally contingent – a reflection not of its legal mandate alone, but of the fluctuating political will of its member states.

For these reasons, many scholars and practitioners regard the United Nations as a necessary but insufficient actor in the global protection of rights – a forum with symbolic authority, but constrained operational capacity. Its limitations are evident not only in regions afflicted by war, famine, and institutional collapse, but also in more developed contexts that demand urgent responses to environmental degradation, energy transition, and global inequality.

The Charters, therefore, remain both a beacon and a challenge – a normative compass pointing toward a more just and humane world, yet constantly tested by the inertia, contradictions, and power asymmetries that define our international system. The philosophical and legal interrogation of this tension is essential if we are to reclaim the transformative potential of human rights as more than rhetorical claims – as instruments for reshaping the conditions of human life in the global age. So, while these charters set an essential normative horizon, their impact depends on consistent enforcement, reform of governance structures, and alignment with contemporary global realities.

3. Postmodern Society: The Crisis of Identity and Meaning

Postmodern society is marked by rapid transformation, fragmented identities, and the erosion of stable social bonds. Drawing on [Zafiroopoulos \(2021\)](#) and [Bauman's concept of liquid modernity \(2000\)](#), this section explores how shifting family structures, globalization, and digital hyperconnectivity have reshaped both individual subjectivity and community life. According to Eurostat (2024), single-parent households now account for more than 30% of families in several EU countries, reflecting a broader trend of relational instability.

The rise of algorithmic governance and AI-driven decision-making further complicates identity formation, commodifying personal data and subjecting individuals to automated categorization. Since 2022, the deployment of AI-based predictive policing in U.S. cities has raised significant civil liberties concerns ([Amnesty International, 2025](#)). This environment fosters what some scholars describe as a “narcissistic malaise,” where individuals seek validation in digital spaces while experiencing disconnection in the physical world.

For instance, Eurostat (2024) data on youth unemployment and WHO reports on post-pandemic mental health highlight the lived consequences of these sociocultural transformations.

The traditional neurotic model – once dominant in clinical practice and grounded in a repressive moral order governed by stable hierarchies, especially the symbolic authority of the paternal function – appears to be giving way to what several scholars describe as a crisis of symbolic transmission. This shift is not merely intrapsychic, but intimately linked to broader socio-cultural changes – including the effects of globalization, the redefinition of gender and parental roles, and the fluidization of family structures in Western societies. These families are increasingly marked by instability – often single-parent, same-sex, recomposed, or informal – reflecting broader trends toward relational precariousness and legal pluralism.

[Zygmunt Bauman's notion of liquid modernity \(2000\)](#) is particularly illuminating in this context. Bauman describes a world in which social forms and institutions – once thought to be stable and enduring – lose their solidity and become transient, malleable, and uncertain. Identities, relationships, careers, and even values are no longer anchored in durable structures, but are subject to constant revision and reinvention. In such a setting, the individual must become a perpetual self-project – responsible for constructing and maintaining a coherent self in a context of profound flux. The resulting psychological burden is enormous – and it contributes to the rise of what Bauman calls *insecurity as a mode of life*.

3.1 The Emergence of the “Nameless Father”

Within this context, analysts have observed what is sometimes referred to as a *narcissistic malaise* – a condition in which individuals struggle to construct coherent identities in the absence of stable symbolic anchors. The self, lacking the traditional scaffolding provided by family, religion, or nation, turns inward in search of validation, often resulting

in self-referential behaviors, emotional fragility, and difficulties in forming lasting bonds. However, as Zafiropoulos critically observes, this diagnosis must not fall into the trap of normative idealization – that is, presuming the superiority of traditional family models and pathologizing all forms of social innovation.

One of the more thought-provoking theses presented in *Les désarrois nouveaux du sujet* is the emergence of the “nameless father” – a concept that signals the dissolution of the paternal function as a symbolic figure of law, authority, and identity transmission. This figure – no longer bearer of a name, a lineage, or a stable role – epitomizes a deeper transformation of social ties and normative expectations. It also resonates with the broader decline of collective narratives and unifying ideologies – a void that postmodernity has yet to fill with alternative structures of meaning.

Closely related is the figure of the “immigrant father” – often depicted as emblematic of social dislocation and existential vulnerability. In this case, the father's inability to integrate into host societies, provide economic security, or maintain familial authority mirrors the systemic exclusions and marginalizations that define the postnational condition. The experience of migration thus becomes not only a geopolitical phenomenon but a psycho-social symptom – one that exposes the limits of belonging, identity, and institutional recognition.

Zafiropoulos links these figures to a broader disintegration of the *social bond* – a condition in which interpersonal, familial, and civic relationships lose their structuring power. This disintegration, he argues, may give rise to forms of *collective psychosis* – social pathologies marked by the erosion of trust, the collapse of solidarity, and the normalization of predatory or antisocial behavior. These symptoms are intensified by material precarity – rising unemployment, economic dislocation, and the violation of basic rights – all of which undermine the conditions necessary for stable subjectivity and community life.

3.2. Foucault and Derrida's reflections

Michel Foucault's reflections on *biopolitics* and *governmentality* further enrich this analysis. In a post-disciplinary society, Foucault argued, power operates less through repression than through subtle mechanisms of control, normalization, and internalized surveillance. The contemporary subject is no longer confined or punished – but constantly shaped by diffuse forces: metrics, evaluations, digital footprints, and algorithmic judgments. This new regime of control does not impose clear prohibitions – rather, it produces compliant, self-monitoring individuals who internalize imperatives of performance, self-optimization, and consumption. The crisis of the social bond, in this sense, is not only emotional or moral – but also political and epistemological.

Jacques Derrida's concept of *différance* and the deconstruction of presence likewise resonate here. In a society where fixed identities and absolute truths are deconstructed, and where the law itself becomes unstable or performative, the subject is caught in a web of indefinite deferrals – of meaning, recognition, and justice. This opens possibilities for emancipation and pluralism – but also exacerbates anxiety, disorientation, and cynicism toward authority and institutions.

3.3. Results of this Multifaceted Analysis

What emerges from this multifaceted analysis is not a moral condemnation of changing family forms – nor a nostalgic longing for a supposedly harmonious past – but a complex interrogation of the psychological and ontological consequences of sociocultural transformations. While some sociologists attribute the proliferation of identity crises and narcissistic vulnerabilities to these developments, Zafiropoulos warns against a reductive causality. He challenges the ethnocentric assumption that familial transformation is the primary or sole cause of psychological malaise – arguing instead for a broader, more nuanced understanding of postmodern subjectivity as shaped by intersecting forces: economic instability, symbolic deregulation, cultural pluralism, and juridical fragmentation.

The figure of the “nameless father”, and the fragmentation of the social bond it symbolizes, thus points to a deeper systemic crisis – one that reflects not only the volatility of family structures, but also the weakening of the legal, institutional, and symbolic frameworks that once sustained the social order. In such a world, the defense and reinvention of human rights becomes not merely a legal task – but an anthropological, cultural, and existential one. In summary: Postmodern identity crises reflect intersecting forces – economic instability, symbolic deregulation, and juridical fragmentation – requiring integrated socio-legal responses.

4. The Law of the Market: When Laissez-Faire Breeds Injustice

Global markets, driven by neoliberal logic, often prioritize capital mobility and deregulation over social protection. This creates structural vulnerabilities, particularly in the gig economy, where employment classifications have become increasingly ambiguous. According to the International Labour Organization (ILO, 2024), more than 60% of platform workers worldwide lack access to basic labor protections such as health insurance, paid leave, or collective bargaining rights.

Karl Polanyi's (1994) critique of the “self-regulating market” remains highly relevant, as evidenced by the global cost-of-living crisis triggered by post-pandemic inflation and supply chain disruptions in 2022–2023. The narrative of

competition as a “natural law” is being challenged by policy measures such as the European Union’s 2023 Platform Work Directive, which aims to reclassify millions of gig workers as employees.

The contemporary world, marked by radical uncertainty and structural disorientation, has profoundly transformed the domain of labor and the legal architecture that once supported it. Workers’ rights – once the cornerstone of democratic welfare systems – now appear increasingly fragile, subordinated to the impersonal logic of markets and technological acceleration. In this context, the economic subject postulated by classical liberal theory – abstract, self-interested, detached from social obligations – resurfaces as both a philosophical fiction and a legal danger. The figure of the *homo oeconomicus*, far from being an empirical reality, functions as a normative model imposed by economic discourse, whose alleged neutrality masks a deep asymmetry of power and recognition.

4.1. The liberal Economic Imagination

As John Maynard Keynes already noted in *The End of Laissez-faire* (1926), the liberal economic imagination conjures a transcendent and atomized individual, stripped of relational and communal dimensions – a being defined exclusively by subjective utility and personal gain. Such a conception, while coherent with the epistemology of rational choice theory, fails to account for the embeddedness of human life in normative, emotional, and cultural worlds. Moreover, the *lex mercatoria* – that is, the body of transnational commercial rules that regulates global markets – tends to perpetuate this abstraction through legal formalism, bypassing national sovereignty and democratic deliberation in favor of efficiency, contract autonomy, and the sanctity of private capital.

This juridico-economic framework, inherited from classical liberalism and sustained by neoclassical economics, reveals its dystonic character when confronted with the complex needs of real societies. What appears as *neutral* economic rationality is, in fact, a political project – one that privileges capital mobility, deregulation, and labor precarity. The illusion of laissez-faire, as Karl Polanyi warned in *The Great Transformation* (1944), rests on the artificial separation of economy from society – a move that inevitably provokes social disintegration, resentment, and political backlash. In Polanyi’s terms, the “self-regulating market” is a utopia that, when pursued as policy, produces dystopian consequences.

At the normative core of this system lies a false antinomy between individual and collective – a dualism constructed not by nature but by ideologies that present conflict as inevitable and antagonism as ontologically grounded. Yet, as Fichte (1994) insightfully suggested, this alleged opposition is not a foundation for social order, but a symptom of its pathology – a sign of relational erosion rather than moral or political necessity. The solution, then, does not lie in choosing sides between state and individual, but in rethinking their relation as co-constitutive – aimed at producing a dynamic equilibrium between personal autonomy and collective well-being.

4.2. A Juridical Imagination Capable of Mediating between Economic Innovation and Social Justice

This vision demands a redefinition of the economic contract itself – not merely as an agreement between isolated wills, but as a social institution embedded in relations of power, reciprocity, and justice. As Amartya Sen emphasizes, economic development must be evaluated not only by growth indicators but by its capacity to expand human capabilities and substantive freedoms. Accordingly, the regulation of labor – especially in the age of platform capitalism – must adapt to new conditions and vulnerabilities. The *gig economy*, for instance, has introduced an unprecedented hybridization of work status: digital workers often fall outside traditional categories of employment, stripped of protections, social security, and bargaining power.

In this scenario, the distinction between employee and independent contractor becomes increasingly opaque – and with it, the applicability of legal guarantees such as minimum wage, health insurance, paid leave, and collective bargaining. As Nancy Fraser argues, such shifts signal not only an economic transformation, but a “crisis of social reproduction” – in which the systems that sustain human life (care, education, health) are destabilized by market logic. The legal order, if it is to remain credible, must thus rearticulate the employment contract in light of new dependencies, risks, and asymmetries of power. A static legal formalism is no longer sufficient; what is needed is a *juridical imagination* capable of mediating between economic innovation and social justice.

4.3. The Alternative of A Social Reality as Hostile Terrain

In the absence of such reorientation, individuals increasingly experience social reality as a hostile terrain – a battlefield where self-interest appears to be the only viable mode of survival. This defensive posture – often accompanied by withdrawal, cynicism, and the privatization of responsibility – is further exacerbated by the cultural and political reaction to immigration. The foreigner, the stranger, the one who arrives from elsewhere, becomes the scapegoat of structural fear. A culture of enmity takes root – one that perceives difference as threat, and diversity as dilution of a presumed social purity.

This narrative, amplified by political rhetoric and digital media, lays the ground for dangerous regressions. As Jürgen Habermas has warned, when the public sphere is colonized by strategic instrumentalism – where consensus is replaced by manipulation and deliberation by spectacle – democratic legitimacy itself begins to erode. In such an atmosphere,

the language of law and rights risks being co-opted by populist or authoritarian agendas, which weaponize legality while undermining justice.

The prophetic words of [Gabriele Nissim \(2018\)](#), published in *Bet Magazine Mosaic* in 2018, resonate with striking clarity in this context: “It starts with insults, with threats on social media, with words proposing a showdown, but all this can quickly degenerate overnight into an ungovernable force beyond the control of human beings.” In this way, what begins as symbolic aggression may escalate into real violence – war taking on a life of its own, as Sylvain Tesson evocatively describes in *A Summer with Homer*. Once unleashed, the mechanism of war is self-reinforcing – and history, from Troy to our own century, shows how quickly hesitation gives way to mass involvement.

Thus, the responsibility of law, philosophy, and political action is to intervene *before* the threshold of irreversibility – to construct institutional safeguards and normative horizons that protect the dignity of persons and the cohesion of societies. Without this anticipatory effort – grounded in both realism and ethical ambition – we risk entering a new age of conflict, where the failure to rethink legal and economic foundations leads not only to injustice, but to catastrophe.

5. The Paradox of Capitalism: Profit as the Supreme Value

Capitalism’s relentless pursuit of profit often overshadows ethical and social considerations. Scholars such as [Harvey \(2014\)](#) and [Di Taranto \(2024\)](#) have shown how cycles of accumulation exacerbate inequality and environmental degradation. The collapse of traditional collective values has been accelerated by digital capitalism’s monetization of attention, turning human time and focus into extractive resources with limited social benefit.

It is necessary to engage in a critical reflection on the trajectory of Western civilization, especially during the transition from the nineteenth to the twentieth century – a transition laden with unfulfilled promises, unmet expectations, and shattered illusions. While this era was anticipated as a new age of progress, rationality, and well-being, the twentieth century revealed itself instead as one of the most contradictory and devastating periods in history – marked by world wars, totalitarian regimes, genocides, colonialism, and a growing economic and cultural alienation. The Enlightenment dream of a linear, ascending history collided with brutal realities, calling into question the very foundations of Western modernity.

The economic modernity that was supposed to emancipate individuals from poverty and feudal dependence ultimately replaced visible chains with the invisible bonds of efficiency and profit. As [Maxton and Randers highlight in *A Short History of the Future* \(2020\)](#), the post-World War II global market expansion – although fostering innovation and welfare for certain social strata – profoundly neglected the principle of humanity, disregarding the needs of the most vulnerable groups. The world of work has since been afflicted by widespread and increasing malaise – precarity, alienation, and a sense of helplessness.

5.1 Max Weber's Incisive Criticism

Within this scenario, one of Max Weber’s most incisive critiques is particularly relevant. In *The Protestant Ethic and the Spirit of Capitalism*, [Weber \(1965\)](#) underscored the transformation of money from a *means* to satisfy material needs into the *ultimate end* – the *summum bonum* – of human action. This axiological inversion, which suppresses the classical ideal of *eudaimonia* – the harmonious fulfillment of the human being – is emblematic of a deregulated capitalism where the pursuit of profit supersedes the satisfaction of genuine human needs.

The collapse of traditional values, the ethics of responsibility, and collective forms of belonging renders the fracture between humanity and its civilization even more evident. The pillars of modernity – rationalism, progress, universalism – have gradually eroded under the pressure of extremist ideologies, predatory politics, and blind faith in the self-regulatory power of the market. As Zygmunt Bauman notes, liquid modernity has dissolved not only social structures but also the moral coordinates of action, leaving individuals exposed to a “privatization of hopes” and a “globalization of fears.”

5.2. Structural Contradictions of Capitalism and Economic Liberalism Highlighted By Contemporary Scholars

In this context, numerous contemporary scholars have sought to expose the structural contradictions of capitalism and economic liberalism. David Harvey, in particular, has shed light on the systemic instability of the capitalist model, which relies on recurring crises for its regeneration (*Seventeen Contradictions and the End of Capitalism*, 2014). His analysis reveals how the relentless drive for capital accumulation exceeds real investment capacity, depleting natural resources and exacerbating global economic and social inequalities. The system, while flexible and adaptive, exhibits internal antinomies: low labor costs undermine demand; capital mobility weakens state sovereignty; environmental exploitation risks ecological collapse.

Some of these contradictions – Harvey observes – can be temporarily managed; others, however, may prove fatal to societal stability. [Michel Aglietta](#), a theorist of the regulation school, analyzed the cycles of accumulation and crises that characterize modern capitalism (*On Contemporary Capitalism*, 2001). According to [Aglietta](#), the system reinvents itself cyclically through new institutional forms but never fully resolves its intrinsic imbalances. Capitalism is by nature a dynamic but incomplete order – capable of producing economic growth without guaranteeing equity or stability.

More recently, [Giuseppe Di Taranto \(2024\)](#) introduced the perspective of *geoeconomics*, emphasizing how the confrontation between market capitalism and state capitalism (exemplified by the United States and China respectively) is redefining global hierarchies. In his *Geoeconomics of Capitalism* (2024), he highlights geopolitical tensions between core and peripheral countries, intensified by the transition to digital capitalism, where domination is exercised through data, algorithms, and technological infrastructures.

Against this backdrop, the problem is not only economic but fundamentally anthropological and legal: it requires redefining the purposes of collective action, reformulating the normative principles of law, and rearticulating the relationship between individual freedom and social justice. As [Martha Nussbaum \(2021\)](#) suggests in her *capabilities approach*, the focus of economic development must be the real opportunities people have to live dignified lives – not merely freedom of consumption, but the effective possibility of accessing education, health, care, and democratic participation.

The system's failure to meet these deep needs has generated a symbolic and political void, manifesting in growing distrust, polarization, and symbolic violence. As Enrico Tennenini underlines in *The End of the Western Dream* (2018), we face a loss of collective meaning, a *silent disintegration* of the Western ethos, where the Enlightenment promise of universal emancipation is progressively supplanted by identity fears, institutional cynicism, and ecological unsustainability.

Within this framework, the mission of law – and legal philosophy – is no longer merely to regulate conflicts but to reimagine the very foundations of coexistence, providing normative responses capable of uniting liberty, dignity, solidarity, and sustainability. Without this critical reformulation, the *summum bonum* guiding collective choices will continue to be profit – even when such pursuit leads to the ruin of the human.

6. The Specter of Nuclear Disaster in a Fragile World

Technological progress in the nuclear era underscores the dangers of science in service of political and economic power. The ongoing modernization of nuclear arsenals by major powers—despite the 2017 Treaty on the Prohibition of nuclear weapons—reveals the tension between security rhetoric and existential risk. Recent developments, such as the suspension of the New START treaty in 2023, highlight the fragility of international safeguards.

Since the Industrial Revolution, the intricate and often troubling nexus between science, capital, and political power has shaped modern society – frequently leading to manipulation, deception, and even conspiratorial dynamics where scientific inquiry is subordinated to the interests of ruling elites rather than the common good. This entanglement has engendered a pervasive sense of existential insecurity – not only in the technological and ecological domains but also within the very structures of political and social organization.

The complicity between scientific progress and capitalist accumulation reveals a historical pattern in which the pursuit of knowledge becomes an instrument of power – controlled, directed, or co-opted to serve economic and political agendas. The catastrophic implications of this alliance are nowhere more evident than in the nuclear age, inaugurated by the bombings of Hiroshima and Nagasaki during World War II – events that exposed the terrifying potential for scientific innovation to produce instruments of mass destruction rather than human emancipation. Jean-François Lyotard's critique of the "imperial madness" of science captures this phenomenon well, highlighting how scientific rationality risks becoming a totalitarian force – an extension of power driven by interests rather than ethical responsibility towards humanity ([Lyotard, 1979](#)).

6.1. The Dialectic between Technological Advancement and Environmental Degradation

What was once envisioned as the domination of nature – a conquest intended to shield humanity from the uncertainties of natural forces and disasters – has paradoxically resulted in ecological crises that exacerbate vulnerability rather than alleviate it. The "immense expansion" of human technological control over the environment has backfired, introducing new hazards such as climate change, biodiversity loss, and resource depletion. This dialectic between technological advancement and environmental degradation feeds a profound fear for the future, where progress is no longer synonymous with security but a source of instability.

Political systems, especially those embedded in class-based societies, reflect similar contradictions. Legal and economic frameworks are often constructed to protect the privileges of dominant groups, while subordinated classes endure insecurity and exclusion. Parliamentary democracies, though proclaiming ideals of political equality and citizen participation, are frequently critiqued for fostering social and political "atomization" – a fragmentation that undermines collective agency and weakens the capacity of minorities and marginalized groups to effectively challenge entrenched power structures. This erosion of social cohesion paradoxically diminishes the very democratic legitimacy it purports to uphold ([Mouffe, 2000](#); [Fraser, 2009](#)).

In such a context, the techniques and strategies deployed to assure public security become ambiguous and unstable themselves. Security measures – whether technological, legal, or political – often generate a climate of pervasive uncertainty rather than genuine protection. They may suppress dissent or mask inequalities, yet fail to address the root causes of insecurity, thus perpetuating cycles of mistrust and fragility.

A critical examination of these intertwined phenomena reveals that science, far from being an inherently neutral or benevolent force, can be harnessed to serve destructive ends when captured by economic and political interests. Nuclear proliferation stands as a stark testament to this danger, illustrating how the instrumentalization of science can threaten human survival. Simultaneously, political systems – even those grounded in democratic principles – may intensify insecurity by prioritizing elite interests and marginalizing vulnerable populations. This paradox – that institutions designed to safeguard security instead engender insecurity – constitutes a profound critique of modernity itself, challenging the assumptions of progress and rational governance that underpin contemporary political and legal thought (Beck, 1992; Habermas, 1984).

7. The Triumph of Means, The Collapse of Ends

As Dewey and Fromm warned, modern civilization excels at perfecting means while neglecting ends. AI innovations in the 2020s, for instance, have boosted efficiency but have also sparked global debates over ethics, algorithmic bias, and societal purpose. Without a clear and shared vision of desired ends, technological progress risks becoming an aim in itself, disconnected from humanistic goals.

One of the most profound and underexplored questions in modern intellectual discourse concerns the apparent failure of science to address not the *means* but the *ends* of human life – an issue prophetically analysed by seminal thinkers of the twentieth century. John Dewey (1929), for instance, emphasized that while science has made extraordinary advances in mastering the physical world, it has largely neglected to cultivate a sense of responsibility and engagement in the social and ethical dimensions of human existence. Science, in this respect, has excelled in producing efficient *means* but has failed to guide humanity toward wise and reflective *ends*.

Modern civilisation, as Max Horkheimer (1947) critically argued, epitomizes this paradox: it has perfected the rational calculation of means, yet simultaneously has plunged human life into a state of profound irrationality. The technical prowess and instrumental reason that define contemporary society have rendered man highly capable in selecting *how* to achieve goals – but drastically less so in discerning *which* goals ought to be pursued. This results in a civilization where technical efficiency often overshadows ethical reflection, leaving the human *telos* unexamined and fragmented.

This dominant logic gives rise to what can be called the *civilization of means*: a socio-cultural order wherein the inventive capacity and technological potential of science expand exponentially, while its philosophical and moral intentionality diminishes. Here, the relentless drive to optimize and rationalize *means* operates independently of, and often detached from, a coherent or consciously chosen set of *ends*. The consequences of this disjunction are deeply troubling, as society becomes preoccupied with perfecting the instruments of progress without a corresponding clarity about the ultimate purpose or value of that progress.

7.1. Fromm's Analysis: The Clash between Reason and Intelligence

Erich Fromm (1941) captures this tragic contradiction when he observes that an increase in *intelligence* – understood as the capacity to acquire knowledge and technical skill – often coincides with a decline in *reason*, conceived as the ability to make sound ethical judgments and foster authentic human flourishing. Fromm's analysis points to a crisis at the heart of the civilization of means: the clash between reason and intelligence, and the alienation of the human subject who exists only by negating himself in this process of self-denial. In this sense, the civilization of means has reached the apex of its crisis – a moment where technical mastery is decoupled from meaningful human ends, threatening the coherence and vitality of social life.

This insight urges a reevaluation of the role of science and technology within society. Rather than being ends in themselves, technological innovations should be subordinated to a conscious and collective deliberation about *telos* – the purposes and values that ought to guide human life and social organization. Without this reorientation, the risk remains that civilization will continue on a path where efficiency and control proliferate, but true human meaning and ethical responsibility wither.

8. Disconnected: The Growing Divide Between Humans and Their World

Following Spirito's *problematicism*, the inability to project a coherent and shared future reflects deeper systemic crises. Global events such as the COVID-19 pandemic and recent climate disasters have underscored the urgent need for a unifying ethical framework to guide collective action. Yet, the dominance of short-term economic interests continues to obstruct the creation of such a framework.

Although written nearly half a century ago, Spirito's analysis remains strikingly relevant: he underscores the growing difficulty of formulating confident predictions about a prosperous future for humanity – while still warning against an entirely inauspicious one. Man, increasingly estranged from himself, loses the capacity to foresee or will the content of the future, while simultaneously finding it ever more difficult to coordinate collective action toward common goals. Daily, unforeseen forces emerge beyond his control.

The notion of a “unified world” – a global reality now too vast, mutable, and unpredictable – can no longer be the *object of a will* intent on mastering or possessing it. In Spirito's view, myths and ideals collapse in succession, while no new

certainities impose themselves. This trajectory of thought, emblematic of problematicism, culminates in an extreme hypercritical stance that erodes all faith and strips the notion of universality of meaning: “We wait and can wait for everything. Without foresight and without planning” (Spirito, 1976).

Reviewing the history of thought, and contemplating what remains of it, one is compelled to return to a negative posture – a state of disbelief. In his *History of My Quest*, Spirito describes this prevailing condition as a “stupefied expectation” that now manifests the “dualism between man and the world.” The fall of myths is no longer a mere theoretical construct but an objective reality. Problematicity, then, is not a matter of conscious choice but a historical necessity to which humanity must submit.

8.1 Contemporary challenges and theories: human rights and global governance in a multipolar world order

This analysis resonates deeply with contemporary challenges. Globalization, severe economic and climatic imbalances, the threat of terrorism and pandemics, brutal conflicts, and massive migration flows have profoundly altered the human condition. The urgency of instantaneous communication in virtual cyberspace paradoxically fails to disrupt widespread reckless and exploitative behaviors – those which harm the planet and its ecosystems, endangering life itself. What is lacking is a unifying principle capable of imbuing thought and action with coherence and value. Instead, humanity proceeds contradictorily, driven primarily by economic profit.

The ideal of peace – though frequently invoked – is seldom actualized, remaining a distant aspiration perceived more through its negative counterpart, war, than as a positive goal in its own right. Peace, in this fragmented world, is often regarded merely as the lesser evil, a utilitarian preference rather than a universal imperative.

In this context, contemporary legal philosophers such as Stefano Rodotà (Università La Sapienza, Rome) and Mireille Delmas-Marty (2003) (Collège de France, Paris) have elaborated on the need to rethink *universality* and *solidarity* in legal frameworks. Rodotà’s reflections on the “right to the future” and Delmas-Marty’s (2003) emphasis on the “plurality of legal orders” both echo Spirito’s problematicism – recognizing the challenge of establishing shared meanings and cooperative actions amid diverse, often conflicting, global realities. Similarly, Alberto Maria Gambino (2020) (Università di Roma Tor Vergata) stresses the critical role of *legal pluralism* and *transnational law* in negotiating the tensions between local identities and global interdependence, highlighting the difficulties of achieving coherent collective governance in a fragmented world.

Moreover, emerging scholarship in international law, such as the works of Martti Koskeniemi (University of Helsinki) and Christine Chinkin (London School of Economics), confronts the paradoxes inherent in global legal systems – how universal human rights and global governance institutions face limitations in enforcing normative coherence in a multipolar world order. Their analyses deepen the critique of the “dualism” Spirito identified, where man’s aspiration for unity is constantly challenged by structural and historical contradictions.

Thus, the task before legal philosophy and political theory is formidable: to reconcile the fragmented realities of global life with the aspiration for a normative unity that can guide human action toward common good and peace – beyond utilitarian calculation and economic determinism.

9. Concluding Reflections: The Necessity of a Responsible Community

A responsible community framework—integrating legal, social, and environmental justice—is essential to counter the fragmentation of global society. This requires a philosophical renewal that re-centers human dignity, as well as pragmatic policy reforms capable of addressing structural inequalities and global challenges. Only through such combined efforts can we confront the uncertainties of the twenty-first century without sacrificing fundamental rights and social cohesion.

To effectively confront the profound consequences of ongoing violations of human rights and the growing social disintegration characterizing our era, it is essential – following Zygmunt Bauman’s insight – to fundamentally *reconsider the value of community*. For Bauman, *community* is not merely a sociological category, but the tangible network of individuals with whom one shares moral, legal, and economic bonds. In a world increasingly bereft of stable references, *living in community emerges as the only sanctuary*, the sole viable destination for those seeking meaning, security, and solidarity.

Individuals – often feeling isolated and alienated by encounters with the “other” or “stranger” – tend to anchor their ideals in community. It is within these intimate collectives that the aspirations for protection, security, homogeneity, loyalty, and fidelity take shape – values indispensable for preserving human dignity and fostering reassurance. As Bauman eloquently states, “Community survives in the local, in the sphere where one is born, formed and maintains strong ties, affections, culture.” In contrast, *society* is vast, impersonal, totalizing, and increasingly uncontrollable – engendering widespread insecurity and fear.

This distinction recalls the classical dualism between *communitas* and *societas*, where man exists simultaneously in both: *communitas* grounded in direct interpersonal relations and shared moral proximity, *societas* characterized by structured, distant, and impersonal social relations. The realities of contemporary urban spaces epitomize this tension – cities ostensibly meant to embody *societas* have in fact become receptacles where global powers offload unresolved

crises. Mass migration, a paradigmatic example, stems not from local failures but from planetary forces – poverty, climatic disasters, conflicts – that displace millions. As Bauman notes, “No mayor of any city in the world has caused the migration of millions seeking bread, water, and basic resources. These are global forces that deprive people of livelihoods and compel movement for survival.”

Over the past few decades, Western nations have grappled with the complex challenges posed by mass migration from regions afflicted by socio-economic deprivation and political turmoil. The difficulties lie not only in reception but in the crucial task of *integration*, which requires communities to evolve beyond mere tolerance towards genuine inclusion. Herein lies a vital ethical and political imperative: each community must strive to guarantee “the equality of resources necessary to transform individuals by right into individuals by fact, and collective insurance against individual misfortunes and disasters” (Bauman, 2013).

These twin goals – the transformation of formal rights into substantive realities and collective security – should represent the *virtues of the original community* even amid the fractures induced by globalization. It is precisely in this context that the *responsible community* must emerge: a social fabric woven from solidarity and mutual interest, dedicated to ensuring equal recognition of human dignity and equal capacity to act within the framework of that dignity.

9.1. The transformation of formal rights into substantive realities

Contemporary theorists of law and society emphasize this urgent necessity. Stefano Rodotà (Sapienza University of Rome), for example, advocates for a legal and political rethinking that centers on *the right to have rights* – a concept echoing Hannah Arendt’s warnings about statelessness and exclusion. Similarly, Saskia Sassen (Columbia University) (2006) highlights the role of cities as critical arenas where global forces and local communities intersect, shaping new forms of inclusion and exclusion. From the Italian perspective, scholars such as Mireille Hildebrandt (Vrije Universiteit Amsterdam) stress the importance of *algorithmic justice* and the regulation of emerging technologies to protect human rights within evolving social contexts.

To avoid the dissolution of socialism’s gains and the erasure of liberalism’s achievements, it is imperative to undertake a renewal – an ideological and practical struggle against the inequalities entrenched by neoliberal globalization. This renewal aligns with the vision of *Eutopia*, the “good place” imagined by Thomas More, or, in contemporary terms, a *post-socialist society* grounded in respect for human rights and social justice.

In sum, the path forward lies in the construction of a *responsible community* – one that transcends modern fragmentation and economic reductionism. Such a community would re-anchor social relations in shared values and responsibilities, cultivating a new sociality capable of addressing the complex challenges of our time while honoring the dignity of every human being.

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