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The profile of Romanian emigrants under the supervision of Dolj county probation service

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Abstract

The supervision of probation services includes criminally convicted persons, who for a period between 6 months and 4 years, or even longer (in the case of persons released conditionally from prison), must comply with a series of measures and obligations ordered by the court. However, in Romania, a very large number of people entering the supervision of probation services leave the country, most of them for employment purposes, bringing a series of challenges to probation counselors in the supervision process. Who are these people who leave the country, where do they go, why do they leave, we will answer all these questions in this material, as a result of a research carried out within the Dolj probation service by analyzing a representative number of probation files.

Keywords: *probation; profile of emigrants on probation; Romania; Dolj county; sociological research.*

Introduction

Globalization is associated with massive migration phenomena, especially from less developed states to developed ones, causing major long-term problems to the countries of departure (Bonciu 2020; Sorescu 2014). Since the phenomenon of migration has taken on a great scale in the last three decades, in Romania all social and economic sectors have been affected by this process (Ilie 2020). It has become increasingly difficult to estimate the number of Romanians who have gone abroad, due to the circulatory nature of this phenomenon (Nita 2014) and due to the large number of people who emigrate to the territory of other European Union member states (Porumbescu 2018). It is estimated that over 5 million Romanians have emigrated from Romania in the last 30 years, the migration being short, medium and long term.

From Dolj county, a number of 9839 people immigrated permanently in the period 1994-2022, with an annual average of 364 people, and emigrated temporarily, in the

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period 2012-2022, on average, 6809 per person per year. According to the National Institute of Statistics, on January 2024, a number of 667.094 people lived in Dolj county (Romanian National Institute of Statistics 2024).

A large number of people supervised by the probation services, leave the country with the aim of employment (Ilie 2023). In the conditions of departure from the territory of Romania, the supervision carried out by the probation service of the measures and obligations ordered through the criminal sentence, become difficult and the probation counselor must find a way to enforce the sentence and at the same time contribute to the reintegration of the criminally convicted person, thus, without affecting his source of income or more, by helping him to access a job.

Employment in the context of supervision carried out by probation services

Perhaps the best-known hypothesis used in the field of criminal rehabilitation is that the most effective approach in working with these individuals is to target dynamic risk factors (ie, criminogenic needs) that are causally related to criminal behavior (Ward and Langlands, 2009: 207; Canton 2011; Farrall 2013; Pricină and Motoi 2014; Serban 2022). The Risk-Need-Responsivity model (the RNR model) often promoted in the field of rehabilitation of criminally convicted persons, proposes that correctional interventions to be structured according to three basic principles of rehabilitation: risk, need and responsiveness (Andrews and Bonta: 2003; Hollin 1999, Durnescu 2000). The need for "employment"/"legal employment" is often identified by probation counselors as a result of client assessments. In this context and in conjunction with the estimated risk, an action pattern of the probation counselor must be identified: Evaluation, Information and Facilitating access to a job (Burke and Davies 2011; Phillips 2011).

Seen from the point of view of the social reintegration process, employment is a pro-social activity, which decreases the risk of recidivism.

Although many theorists who have analyzed social control theory have focused on the importance of coercion and direct control during childhood, this approach can also be useful in explaining behavioral changes and transformations during adulthood. From this perspective, both juvenile and adult offenders may be compelled to engage in patterns of prosocial behavior that may enhance their compliance investments and attachments to others, such as workplaces, school, or community. That is, direct control of behavior through legal coercion is found to increase compliance with conventional prosocial norms, rules, and activities. These activities, in turn, can enhance the socialization process that leads to increased social controls (Mackenzie and Brame 2001).

In the paper "Community supervision, prosocial activities and recidivism", Doris Layton Mackenzie and Robert Brame concluded that a supervisory relationship oriented towards prosocial behaviors (work in our case) will lead to a decrease in the revocation/recidivism rate (Mackenzie and Brame 2001).

So based on the principles of social control theory action, probation should be able to act through control, coercion and guidance towards social behavior, in our case, through guidance towards obtaining or maintaining a job, in order to reduce the recidivism rate.

Another theoretical model in the field of rehabilitation of criminals is the "Good Lives Model" (GLM), it is an approach based on the help given to criminally convicted persons in achieving their own goals and thus managing the risk of committing new crimes (Ward and Stewart 2003). It is a strengths-based approach in two respects: "(a) it

takes seriously the personal preferences and values of offenders; that is, the things that matter most to them in the world, and they rely on these primary goods to motivate people to live better lives; and (b) seek to provide offenders with the competencies (internal conditions) and opportunities (external conditions) to implement treatment plans based on these primary assets" (Ward and Langlands 2009).

Thus the counselor can offer this perspective to the person on probation in the sense of motivation: he can fulfill his own goal by accessing a job, the counselor being able to provide him with information and access to employment opportunities (external conditions) in the country or abroad.

In this context, of a massive migration for employment, we observe how many sacrifices Romanians are willing to make in order to obtain and maintain a job or a source of income that will ensure them a decent living, mostly or by resorting to the solution of employment outside the country. We believe that we must take into account "all the nuances that case management in probation entails (responsibility, motivation, awareness, learning)", the fact that case management must be oriented beyond "ensuring the framework necessary to fulfill the obligations" imposed by the criminal sentence and on "providing services to cover the identified criminogenic needs" and thus, we believe that the role of probation services is to support and motivate those who do not have a job in the approach necessary for employment, whether we are talking about employment in the country or abroad and to support those who work in the country or outside Romania in maintaining their jobs.

Empirical research: Analysis of the profile of the Romanian emigrants under the supervision of Dolj probation service

The empirical research aims to outline the profile of the persons supervised by the probation service and who are employed abroad.

Our first hypothesis is that a large percentage of people supervised by Dolj probation service emigrate for employment.

Thus, a first objective of the paper was to identify the percentage of people under the supervision of the Dolj Probation Service, who carry out lucrative activities abroad, in order to identify the dimension of the phenomenon that the probation service is facing.

The second hypothesis formulated is that most of the supervised persons working abroad have a low level of education and professional qualifications.

So, the second objective of the research is to identify the level of education and professional qualifications of the supervised persons, in order to be able to find solutions that could increase the qualification chances of these persons.

The third hypothesis is that most of the supervised persons work abroad mainly in the secondary sector of the labor force.

Thus, the objective was to identify the main fields of activity in which these people can fit in and to offer them alternative opportunities.

Another hypothesis is that a large part of the supervised persons work abroad without legal forms.

Another objective of the research was to identify the forms of employment abroad, thus aiming to identify solutions to reduce the number of people who carry out gainful activities without legal forms.

The profile of the person supervised by the probation service who leaves Romania for employment and the analysis of social documents was used, studying a number of 453 probation files from the total of 2706 active files at the level of the Dolj Probation Service

on April 6, 2022. The chosen sample of 453 surveillance files is a representative one, since we used the "quota sampling method" in the selection, within which it is necessary to select a certain number of people who satisfy one or more criteria (the quotas) (Chelcea, Mărginean and Cauc 1998). I chose three quotas: gender, age, sanction received. In choosing the sample, we aimed for "the proportion of people analyzed and who respect the chosen quotas, to be equal to their real percentage within the total population" (Buzărnescu 2010).

The first step was to establish the criteria for quota sampling:
I. The first criterion "the type of sanction applied" (postponement of the application of the punishment, suspension of the execution of the sentence under supervision, non-custodial educational measures, conditional release, release from the educational center or detention center, replacement of criminal fines not performed with unpaid work for the benefit of the community)
II. The second criterion: "gender of supervised persons"
III. The third criterion: "age of supervised persons (minor/major)"

The total population to be studied is 2706 people, divided according to the three selected criteria ("type of sanction applied", "gender of supervised persons" and "age (minors/adults)"), as in the following table (Table no. 1).

Table no. 1. Supervised persons in the records of the Dolj Probation Service on April, 2022 (classified according to: "type of sanction applied", "gender of supervised persons" and "age (minors / adults)"

No.	Sanction	Minor women	Men minor	Adult women	Adult men
1	Postponement of the application of the sentence - 706	-	-	69	637
2	Suspension of the sentence under supervision -1927	-	-	202	1725
3	Suspension of the sentence under supervision according to the old Criminal Code - 22	-	-	4	18
4	Conditional Release and Release from educational center and detention center -14	-	-	1	13
5	Non-custodial educational measures -30	2	28		
6	Replacing the unenforced criminal fine with unpaid community service -7	-	-	-	*7*
7	*Total overall* *2706*	*2*	*28*	*276*	*2400*

The second stage was the selection of the sample using quota sampling. The aim was to obtain a real sample, as faithful as possible in relation to the population to be studied

Thus, the sample established using the quota sampling method is 453 people, out of a total population of 2706 people, with a confidence level of 98% and an error rate of +/-5%. The sample of 453 people was divided according to the three quotas as follows (Table no. 2)

Table no. 2. Quota sampling using the criteria: "type of sanction applied", "gender of supervised persons" and "age (minors/adults)"
– Dolj Probation Service April, 2022-

No.	Sanction	Minor women	Men minor	Adult women	Adult men
1	Postponement of the application of the sentence -118	-	-	11	107
2	Suspension of the sentence under supervision -323	-	-	34	289
3	Suspension of the sentence under supervision according to the old Criminal Code - 4	-	-	1	3
4	Conditional Release and Release from educational center and detention center -2	-	-	-	2
5	Non-custodial educational measures -5	-	5	-	-
6	Replacing the unenforced criminal fine with unpaid community service -1	-	-	-	*1*
7	*Overall sample total =453*	*-*	*5*	*46*	*402*

In conclusion, 453 active probation files were analyzed on April, 2022 at the level of the Dolj Probation Service, the sample being a representative one.

Following the analysis of the documents, 89 people were identified who, during the surveillance period, traveled abroad for work, long-term or short-term. In conclusion, a percentage of 19.64% of the supervised persons move outside Romania in order to work, with or without legal forms, in the long or short term.

Data collection
Data collection through the analysis of probation files was carried out in April 2022.

Analysis of research results
To create the profile of the person supervised by the probation service who leaves Romania to get a job, the analysis of social documents was used, specifically the analysis of the probation files of these persons. Statistical analysis was used to select the 89 files, so from the 2706 surveillance files active on April 6, 2022, a representative sample of 453 files was extracted, using the quota sampling method with the following three quotas.

A percentage of 19.64% of the supervised persons move outside Romania for the purpose of employment.

By studying the probation files, I tried to outline the profile of the supervised, migrant for the purpose of employment, using the following analysis criteria:

1. Age category;
2. Sex of the person on probation (female/male);
3. Residence environment (rural/urban);
4. Level of education;
5. Living conditions in the country;
6. The type of ownership of the property in which he lives in the country;
7. Country of destination;
8. Type of employment - contract held in the country of destination (fixed-term contract/ indefinite-term contract/ no contract)
9. The method of carrying out the activity in the host country (contract with legal forms/ activity without legal forms)
10. The field of activity in which they operate in the country of destination
11. Average monthly income obtained from working outside the country
12. Documents of employment abroad submitted to the probation file.

Table no. 3. Age category

Age	Under 18 years	18-30	31-40	41-50	51-60	Over 60	Total
Number of persons	0	37	39	11	2	0	89
Percent	-	41.57%	43.82%	12.36%	2.25%	-	100%

Out of the total of 89 people who left the territory of Romania for employment, 41.57% are young people between the ages of 18 - 30, 43.82% are between the ages of 31 - 40, 12.36% are people in the age range 41 - 50 years and only 2.25% are people aged between 51 and 60

Table no. 4 Gender

Gender of the persons on probation	Women	Men	Total
Number of persons	8	81	89
Percent	9%	91%	100%

A percentage of 91% of supervised persons traveling for employment are men and 9% are women.

Table no. 5 Residence

Residence	Rural	Urban	Total
Number of persons	63	26	89
Percent	70.79%	29.21%	100%

A percentage of 70.79% of subjects reside in rural areas and 29.21% in urban areas.

Table no. 6. Educational level

Educational level	No education	1 - 4 classes	5 - 8 classes	9 - 12 classes	Higher education	Total
Number of persons	3	9	34	41	2	89
Percent	3.37%	10.11%	38.2%	46,07%	2.25%	100%

A percentage of 3.37% of the supervised persons are not educated, 10.11% of the persons have education between 1 and 4 classes, 38.2% have secondary education, 46.07% have graduated between 9 and 12 classes, and 2.25% of the subjects have higher education.

Table no. 7 Living conditions in the country

Living conditions	Good conditions	Medium level conditions	Precarious conditions	Total
Number of persons	24	47	18	89
Percent	26.97%	52.81%	20.22%	100%

A percentage of 52.81% of the supervised persons rated the housing conditions in Romania as average, 26.97% declared that they have good housing conditions, and 20.22% mentioned that housing in the country is poor.

We mention that out of the 26 clients who live in the urban environment, 12 people mentioned that they have good housing conditions, 10 rated the housing conditions as average and 4 poor. Of the 63 people who live in rural areas, only 12 rated the housing conditions as good, i.e. 19.05%, while 58.73% considered the housing conditions to be average, and 22.22% mentioned the housing conditions housing as precarious.

Table no. 8 The type of property ownership in Romania

Type of property	Personal property	Property of parents or other relatives	Total
Number of persons	12	77	89
Percent	13.48%	86.52%	100%

A percentage of 86.52% of the evaluated people live in Romania in a building owned by their parents or other relatives (grandparents, sisters, brothers, uncles) and only

13.48% have a home they own. Of the 12 people who have personal property, 9 people live in rural areas, representing only 14.28% of rural residents, and 3 people who have personal property live in urban areas, i.e. 11.53% of urban residents.

Table no. 9. Country of destination

Country of destination	Italy	Spain	France	Germany	UK	Other EU member states	Other non-member EU states	Total
Number of persons	12	12	7	21	27	9	1	89
Percent	13.48%	13.48%	7.87%	23.6%	30.34%	10.11%	1.12%	100%

In a percentage of 30.34% of the supervised persons move for employment in the United Kingdom of Great Britain and Northern Ireland, 23.6% move to Germany, 13.48% to Italy and also 13.48% to Spain, 7.89% to France, 10.11 % in other European Union states (2 people in Austria, 2 people in Belgium, 3 people in the Netherlands, one in Luxembourg and one in Sweden) and one person worked in the United States of America (see also Ilie 2014).

Table no. 10. The type of employment contract held in the country of destination

Type of employment contract	Fixed-term contract	Contract for an indefinite period	Without contract	Total
Number of persons	27	31	31	89
Percent	30.34%	34.83%	34.83%	100%

Among the evaluated persons, a percentage of 30.34% worked in the destination states with an indefinite period contract, 34.83% with a fixed period contract and 34.83% performed gainful activities without legal forms. On average, a fixed-term contract is 4 months.

Table no. 11. The manner of carrying out the activity in the host country

The method of carrying out the activity	Employment contract with legal forms	Activity without legal forms	Total
Number of persons	58	31	89
Percent	65.17%	34.83%	100%

A percentage of 65.17% of the evaluated persons work with legal forms and 24.83% perform lucrative activities without legal forms. We mention the fact that, of the 31 people who do not work with legal forms, 13 people carry out activities in the field of

agriculture, 8 in the field of construction, 2 people carry out marginal activities (begging) and 9 people work in various fields such as housekeeping, animal care, waste sorting, transport. Of the people carrying out activities without legal forms, 9 work in Germany, 7 in Spain, 5 in Great Britain, 3 in France, 3 in Italy, one person in Belgium, one person in Sweden, one person in the Netherlands and one person in Luxembourg.

Table no. 12. The field of activity in which they operate in the country of destination

Field of activity	Agricul ture	Constru ction	Trans port	Houseke eping	Hospit ality field	Elderly/ child care	Othe r type s of servi ces	Marg inal activi ties	Tot al
Num ber of pers ons	40	10	10	1	3	2	21	2	89
Perc ent	44.94 %	11.24 %	11.24 %	1.12%	3.37%	2.25%	23.5 9%	2.25 %	10 0%

Most of the supervised persons are employed in the field of agriculture, respectively 44.94%, followed by those who work in construction and transport, each 11.24%, in the hospitality field 3.37%, child/elderly care 2.25%, housekeeping 1.12% and 23.59% they carried out various activities, such as waste sorting, fruit and vegetable packaging, security, physiotherapy, butchery, trade, management, interior decoration, etc. Two persons admitted that they practice begging in the destination states.

Table no. 13. Average monthly income obtained from the activity carried out

Amount earned monthly	Under 500 euros	Between 500-1000 euros	Between 1001-1500 euros	Between 1501-2000 euros	Between 2001-2500 euros	Over 2500 euros	Total
Number of persons	3	11	47	19	6	3	89
Percent	3.37%	12.36%	52.81%	21.35%	6.74%	3.37%	100%

The majority of people (52.81%) under the supervision of the Dolj probation service have an average monthly income from the activity carried out abroad, between 1001 and 1500 euros, while 21.35% have an average monthly income between 1501 and 2000 euros, 12.36% earn between 501 and 1000 euros, 6% between 2001 and 2500 euros, and 3.37% earn either under 500 euros or over 2500 euros.

It should be noted that the highest incomes, over 2,500 euros, have the people who declared that they work in the primary sector of the labor market (accounting activity, manager of a construction company, kinetotherapy practitioner). Also, workers in the construction and transport sectors have more consistent incomes.

Note: For the calculation of the amounts won, the conversion from the currency used in the host countries to euros was carried out.

Table no. 14. Submission of documents certifying employment abroad to the probation file

Documents submitted to the file	Submitted documents	Unsubmitted documents	Total
Number of persons	50	39	89
Percent	56.18%	43.82%	100%

Most of the supervised persons submitted to the probation file the supporting documents (work contract, documents certifying the transport and accommodation), and 43.83% did not submit supporting documents, as they either did not work with legal forms, or declared that they were going to bring to return these documents.

We notice that very few people have submitted supporting documents attesting to their place of residence in the country of destination.

Based on the criteria analyzed above, a profile can be outlined of the people who, during the period of supervision by the probation services, work abroad, as follows:

- A percentage of 42.82% of the people who go abroad for employment are aged between 31 - 40 years, and the people between the ages of 18 and 30 is in a percentage of 41.57%. Thus, we observe that 84.39% of migrants are people between the ages of 18 and 40;
- The majority of people who leave the country for employment are men, specifically 91%. This must also be correlated with the high percentage of men entering the supervision of probation services. Only 10.27% are women.
- A percentage of 70.79% of the people who leave Romania for employment come from rural areas;
- A percentage of 46.07% graduated between 9 and 12 grades and a percentage of 38.2% graduated between 5 and 8 grades;
- A percentage of 52.81% of migrants live in Romania in buildings that offer them average living conditions;
- 86.52% do not own a home;
- A percentage of 34.82% work without legal forms and 65.17% with legal forms;
- A percentage of 34.82% have an employment contract for an indefinite period, being long-term away from the country;
- The majority of those who left, namely 44.94%, work in agriculture, followed by construction and transport workers, with 11.24% each;
- The preferred countries are the United Kingdom of Great Britain and Northern Ireland and Germany, followed by Spain, Italy and France;
- More than half (a percentage of 52.81%) have incomes between 1001 and 1500 euros.

Research conclusions

Following the theoretical and empirical analysis of the phenomenon of migration for employment of people supervised by the Dolj probation service, we can conclude that this situation is very common among people who enter the records of the probation

services and with it brings a series of challenges in the process of supervision and assistance. Practically, one in five cases brings with it such a challenge.

Following the outline of the profile of the supervised person who travels abroad for emplyment, we note that it is very likely that we will meet in the next case, a young person aged between 18-30 years, resident in the countryside, with education between 5 and 12 grades , who wants to go to Great Britain or to a member state of the European Union to engage for a fixed period in agriculture and perhaps in the fields of construction or transport. The identified problem is that many of these people are not employed with legal forms, most of them leaving on the migrant network chain, without being well informed about the possibilities they have in the country or abroad.

The hypotheses assumed at the beginning of the research were confirmed.

Recommendations

We noticed that the people under the supervision of the probation services who go abroad to work are people with a precarious financial situation, mostly with secondary education and who hardly find a job in the country that covers their needs, so, they often settle for temporary jobs or work without a contract. Therefore, I believe that the probation service should be more involved in helping these people find a decent job in the country or abroad (Anghel 2010), therefore we formulate the following recommendations:

1. The drafting by the probation services, at the level of each county, of a database in which the County Employment Agency and labor recruitment agencies constantly update the list of jobs.

In accordance with strategic objective 4. "Improving the services provided and developing partnerships", point 4.2. "The development of partnerships for the integration and valorization of the contribution of institutions from the community, the strengthening of inter-institutional cooperation, as well as international expertise in probation activity" from the Strategy for the Development of the National Probation System in Romania for the period 2021-2015 (2021), we propose the conclusion of a partnerships with the National Employment Agency through the county agencies and labor recruitment agencies, aimed at creating a database by the probation services, in which the partners periodically insert the jobs available at county level and the list of jobs available outside the country. Collaboration with the National Employment Agency and recruitment agencies is important for the monthly update of this database.

The counselor will be able to present this database to the supervisee who is looking for a job.

2. Drafting of a centralized database of the probation service in which the contact details of people looking for a job will be inserted

Drafting of a centralized database of the probation service in which the contact details of people looking for a job and relevant information about these people such as: name, level of education, professional qualifications, gainful experience, address and dates will be inserted contact (phone number and email address), the availability to travel within the county, in the country or abroad. National Employment Agency and labor recruitment agencies can access these databases.

A document created by the probation services can be used and then uploaded to Google drive, where the information can be constantly and timely changed so that recruitment agencies can make a first selection online.

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Sport, social inclusion, disability and illness. Improving quality of life using new neuroscience methods

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Abstract

This work aims to make a contribution on how social sciences can be of support and help for people with disabilities. Social sciences can play a significant role in supporting and helping people with disabilities by identifying the environmental and social barriers that make disabilities most visible and challenging for individuals, removing them and creating more inclusive and accessible environments for them. Social sciences can also empower people with disabilities by giving them a voice and helping them build confidence and social capital.

In fact, the world of physical activity, sport, disability and the path towards conquest of resilient peculiarities must merge in the awareness that they guarantee a better quality of life for disabled people is possible beyond barriers cultural, social and architectural.

Keywords: sport; neuroscience; health; society; social inclusion.

Introduction

Throughout time, the relationship between health and illness has often been subjected to relevant and indisputable changes, Among the latter, it is worth highlighting the development of many processes of "cleft and separation" between the different dimensions such as the social one, the biological one and so on. Indeed, the balancing and, consequently, the overcoming of the traditional biological model are both a clear and tangible proof of a better awareness regarding the concepts of the individual and the environment as parts of the bio-social and psychological aspects. The harmony and the rightly indispensable conjunction between disability, social dimension and the environment has led scholars to shed a new light on the essential role played by both sport and physical activity. Empirical researches and international studies have both highlighted, for example, the ways through which sport, when used as a means for promoting social inclusion and developing the didactic and motoric processes of people with disability,

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whether the latter be temporary or permanent, has become an important element which is impossible to exclude in order to guarantee a quality of life which reaches beyond the minimum acceptable limit; a right indispensable for people with disability. We can scientifically consolidate the relevant role played by sport not only as an element of cohesion, but also of promotion of new ways for socialization and for reclaiming spaces, the right self-awareness and experiences which the person with disability rightfully needs to share among a group of heterogeneous peers. Currently, there have been a different variety of empirical studies which have highlighted the strong relationship between sport and the development of socio-cultural processes and inclusion; a relationship which people with disability need in order to keep accomplishing knowledge, regaining (recovering) self-esteem and self-awareness of themselves and in all the others who accompany them though the daily different spaces and aspects of socialization. The following paper will try, based to the aforementioned premises, to reaffirm the importance and the necessity of promoting the process of interaction between elements whose ai mis to guarantee the social and educational welfare of people with disability within a social context where the group, with its diverse elements of constitution, has to be the driving force of the pedagogical experiences which important for the future of the person with disability, just as for their families, the sport teachers and socio-sanitary staff. The dimension of physical activity, sport, disability and the path towards the achievement of resilient peculiarities must merge in a type of awareness which is able to guarantee a better quality of life also for disabled people beyond pre-given cultural, social and architectural barriers.

Sociogenesis of the health/illness dimension. The right to pedagogical and social inclusion between participation and sport.

In order to give a definition of what is meant today by terms such as health, illness and disability as a means for order identifying an exhaustive and unitary definition of knowledge around the elements of our study is certainly not an easy task to follow. There are essentially two substantive reasons for this objective limitation. First of all, the concept of health has been both constantly enriched and modified in relation to the succession of historical cycles and, above all, in relation to the different social and cultural horizons that this concept has been crossing over time. The concept of health and its socio-genetically meaning are both aspects closely bounded to the historical, social and anthropological changes in the constitutive and founding elements of the social horizon. Only by relating these elements and observing them in their definition it would be possible to understand the mutability of the very concept of health and disease. Socio-cultural transformations and changes have indeed preserved the original features of the concept. Nevertheless these have been accompanied by different, necessary readings, which have ultimately been greatly affected by the development of paradigms and models following the active agency of most modernist thrusts. This aspect suggests that it would be sufficient for us to refer to and reflect on how both relationships of communication and interaction between the doctor and his patient has changed over time. This ultimately include the keen reading of what is understood today within the boundaries of the "disease" dimension, of the concept of well-being, of disability paradox and of QoL (quality of Life). Nowadays, in the light of the different approaches of such a reading, the contributions of sociologists such as I. Illich, T. Parsons, N. Elias up to the recent contributions that refer to the numerous studies conducted by Achille Ardigò and his school, are a tangible example of this thought. The quadrilateral matrix of concepts, firstly theorized by A. Ardigò, is a sort of map that takes shape in a new emerging paradigm; it

represents a new sociological approach to health, illness and the institutions that deal with it (C. Lonardi 2011). Indeed, by analyzing the health system, the author manages to bring together multiple interconnected analytical levels. The quadrilateral to which Ardigò was referring represents a broader matrix of concepts compared to the models previously proposed and intends to take into consideration, in order to understand the new horizons of the health/illness/person relationship, the interaction of four very distinct dimensions. Ardigò understands, for example, how it is necessary to highlight the existence of dialogue and of an interaction between elements such as internal nature, external nature, social nature, the person-subject and all elements which, combined together, give rise to six pairs of bidirectional conjunctions. From the implementation of this system, it emerges that there is an internal nature that focuses more to keenly evaluate the relationship between the concept of health and its protection; a process that continues with the subjects' attention towards healthy and adequate behaviors which finally leads them to pursue healthy and correct lifestyles also through motor activity. In addition, the concept of health must be understood and explained in relation to another dimension that is usually associated with the latter and to which it is closely linked: illness, i.e. its direct opposite. The academic contributions that address and explain the concept of health in close relation with its direct opposite, arriving at an interpretative paradigm that never underlines a split between these two dimensions but underlines their close dependence, are certainly those included in the scientific activity conducted by C. Cipolla. The Author, in fact, does not hesitate to maintain the theory that health represents a condition that is truly and only understood in relation to either its opposite, or when the former is missing; that is illness. This is neither the place to reel off a series of definitions around the health/illness dimension, nor the time to retrace the different paradigms that have come and gone up to the contemporary age, which would certainly be reductive. However, there is no doubt that in the light of social transformations in act, and despite the latter, "health is a subjective situation that must be protected by the State from all elements that can in some way hinder its enjoyment; health is understood as a fundamental right towards the State called upon to provide suitable structures and means [...]. The right to health is understood as a social right, which implements the principle of equality between citizens in healthcare; health protection is, according to Article 3 of the Constitution, an instrument for elevating the social dignity of the individual and therefore constitutes the interest of the entire population" (Cifaldi 2010). The right to health, a duty from which the State cannot escape, becomes a primary element to guarantee the social dignity of the individual as an irreplaceable piece in the natural order of the evolution of any society. The need and obligation for society to recognize and safeguard human dignity must go beyond the obstacles deriving from the onset of an illness, from the occurrence of cases of disability, whether permanent or even transitory. Guaranteeing at all costs an acceptable level of quality of life, even in subjects temporarily excluded from the complete enjoyment of their intellectual, physical and psychological functions remains a peremptory duty for every State and for its citizens called to respect and deference towards any form or state of disability. Promoting the process of interaction between elements aimed at guaranteeing social well-being and personalized educational motor paths in disabled subjects always remains a duty that modern societies must oblige to achieved. They could, for example, try to follow paths, such as that of motor activity and of sport, which could be seen as important vehicles and tools for social cohesion and inclusion. Furthermore, it must be highlighted that, regardless of the state of diversity that may derive from conditions of

physical, social and economic disadvantage, everyone has the right to enjoy, through the process of inclusive education, what is a universal right; that is the right to "education". From this perspective, the process of educational inclusion which can be articulated, starting from school and sport, becomes both the premise and the tool on which to anchor a path for building social inclusion (Pavone 2014). The right to inclusive education is recognized internationally. Indeed, all international conventions promote the right to education without discrimination, including disability (UN CRPD 2014). "The fourth objective of the 2030 Agenda launched in New York in 2015 sets the goal to be achieved as -Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all- giving a clear orientation to the road map that will have to guide the policies of international community until 2030. It also marks an important change of pace compared to the previous Millennium Development Goals (MDGs) where greater weight was given to access to education to the detriment of its quality" (Inclusive Education 2013). From this perspective, attention to the health/illness dimension is also seen as an experience with meaning; one which is able to foster and promote interaction and non-discrimination. Therefore, starting from a perspective that also takes into account the academic orientations of modern sociogenesis, Schutz (as quoted by Lonardi) argues that health represents a human experience, "an action that has its own meaning and which, in order to have it, can be neither detached from the people who are experiencing it, nor being separated from the interpretation that the protagonist gives of it" (Lonardi 2011: 322). Following a holistic reading of the dimensions of illness, health, individual, social background, environment, it becomes necessary to consider these dimensions as inseparable. In recent years the concept of health has very much changed. Indeed, the definitions themselves have conformed to the new approaches and models that have been created under the pressure of global organisations, such as UNESCO, the World Health Organization (WHO), etc. The bio-psychosocial model was one of those approaches that most contributed to the detachment of the concept of health from that traditional point of view which for too long perceived it to be a condition of absence of disease and conformity to a cold statistical norm.

Lonardi defines this model as a strategy for approaching the person which recalls the multidimensional conception of health described in 1946 by the World Health Organization ("complete state of physical, mental and social well-being and not just the absence of disease or infirmity") and proposes a systemic vision according to which health is correlated to a multitude of determinants, relating precisely to the biological, psychological and social dimensions (Lonardi 2011: 322). This thought still contributes to undermining the biomedical model by proposing an innovative approach to the concept of health. Moreover, C. Lonardi highlights how within the framework of the said systemic model at three levels, biological, psychological and social, it is necessary for the medical diagnosis to take into consideration, when evaluating the patient's state of health or prescribing a certain treatment, the interaction of the three components or factors. Therefore, this model contemplates a closer look at the patient and his state of disability observed in his environment and integrated with it. As Petrillo writes, it is no longer the fragmentation of the patient, but the unity of the human person in a scenario that is not the background but is an integral part of it.

This modern approach (or paradigm) is characterized by the fact that we no longer observe the system, but the individual instead in all his experience of health, illness and pain. From this perspective, the experiences of the individual subjects who are both observed and interpreted become of indispensable relevance. Their lived experiences are

connected to those of health and illness, as Lonardi writes, giving life to a specific literary trend (the so-called illness narratives), relating precisely to the experience of illness, disability, recovery, life experiences (Lonardi 2011: 322). A sociogenetic model that abandoned and rendered inactive the previous biomedical model; one in fact which is destined to enter into a crisis due to the limits it placed. The bio-psychosocial approach does not consider the body of the sick or disabled person as if it were only a biological entity but, alongside the exclusively biological-medical reading, adds other dimensions of reality, including the social aspect, the psychic and physical reality of the subject, such as elements capable of leading to a holistic and all-inclusive reading of the subject. According to what was written by C. Lonardi, the biological approach explained health in reference to its opposite, i.e. disease, understood as a solely pathogenic manifestation, defining health itself as the absence of disease and as an expression of conformity to a statistical norm (Lonardi 2011: 322). Following this model, the health condition regulated the functionality of the organism without taking into account variables connected to psychological, social and cultural aspects. A. Ardigò, quoted by C. Lonardi, argued that this explanatory model considered "illness as an entity that penetrated the healthy body and, as such, had to be identified and eliminated by medical science" (Lonardi 2011: p. 322). Healing, therefore, was an objective state, declarable only when the initial condition of well-being was re-established, before the advent of the disease. In the statements of Galimberti (cited by Lonardi) the limit of the biological model is well summarized. According to his words, this is a model in which "the medical gaze does not encounter the patient, but his illness, and in his body it does not read a biography but a pathology, where the patient's subjectivity disappears behind the objectivity of symptomatic signs that do not refer to an environment, to a way of life, [...] but to a clinical picture, where the individual differences that have repercussions in the evolution of the disease disappear in that grammar of symptoms with which the doctor classifies the morbid entities, like the botanist the plants" (Lonardi 2011: 322). Against a background that might seem exclusively of medical relevance, the debate around the meaning of health, illness and social integration must necessarily be integrated with a reading that also directly involves the scientific contribution of sociological research; one which interprets health the right to access it and social inclusion as the subject's ability to fulfill a social role. Following this concept, certainly, the sociologist T. Parsons was among the first to have developed a sociological and systematic treatment of the health/illness question. In Parsonian theory, health is defined by starting from its opposite, i.e. disease. Within the theorizations of the sociological current of structural-functionalism, of which Parsons is one of the greatest representatives, the concept of health is closely related to the idea of an efficient functionality of the body; as A. Labisch noted, according to Parsons medicine is the paradigm of the functional preservation of social structures" (Labisch 1997: 572). Moreover, following Parsons' sociological approach, health represents the condition of social normality; "it is the state of optimal efficiency that allows the subject to carry out the social tasks relating to his role; disease, on the other hand, is the state that alters this capacity" (Labisch 1997: p. 572). Parsons defines illness as a form of social deviance, indeed, a form of institutionalized deviance with respect to the social roles that each subject plays, necessary for the functioning of the social system. Naturally, the patient is not responsible for his condition, "but he has the obligation to seek competent medical advice. The doctor has the function of an important social control tool, since it is he who legitimizes the illness and the patient as the bearer of socially institutionalized skills), and

then effectively follows the indications and therapeutic remedies to return as soon as possible to the previous role relationships, recomposing social balance" (Lonardi 2013). However, for this process to be implemented, the role of the State also becomes necessary. The latter is called upon to guarantee and safeguard, through adequate instruments, the right of the individual in a state of illness, whether temporary or permanent, underlining the right of everyone without distinction to concrete possibilities of improving the quality of life, the right to pedagogical and social inclusion. Therefore, by briefly retracing the horizons of the sociogenesis of the health/illness dimension, we have finally arrived over time at the paradigm that dominates the contemporary dimension nowadays. We will not talk about health as the absence of illness, but instead we consider it a process of adaptation to new conditions of more healthy and correct lifestyles. This approach is also revised from a perspective through which the sporting dimension and physical activity take on a non-secondary role designed also and above all for subjects with disabilities, whether permanent or transitory. A process that therefore necessarily also promotes to perceive sport and physical activity as realities that are called on in order to make their contribution as tools capable of carrying out re-educational and socialization tasks for disabled individuals; especially those who require important supports to access knowledge, social exchanges, recovery of one's self-esteem and self-awareness. The pedagogical function of sport can function as a proper tool, the most direct pivot through which to anchor the will and awareness of overcoming social and cultural barriers and promoting the social well-being of the subjects involved and lead them towards a quality of life beyond the expectations that the person in a state of disability may be desired.

Theories on disability: from the ICIDH 1980 model to the ICF model. The social model of disability. Brief reflections.

In previous pages we have briefly mentioned how over time the approaches and interpretative paradigms around the concepts of health and disease have changed considerably. We also argued how these concepts have been approached with new modes of interpretation in order to explain the processes of interaction between the physical dimension of the subject, the socio-environmental construct and the psychophysical dimension. From the perspective of this paradigmatic metamorphosis, the concept of disability, person and environment have also been revised according to a new interpretation at a global level, welcoming new measurement and interpretation parameters. This paradigmatic metamorphosis therefore also affected and involved the dimension and category of disabilities which were included within boundaries and categories not previously contemplated. The purely medical pathological reading of a state of disability gives way to readings capable of including less specialized visions, including social, environmental, and not just personalistic or pathological aspects. We are witnessing an important paradigmatic shift which has inevitably led to the multidimensionality of the concept of health and set its characteristics and its meanings in a continuously, fluctuating social context. Despite there are a vast number of studies on both the notion of disability and its definitions to which theories and interpretative paradigms are often linked, international scientific communities agree in recognizing the existence of two broad categories of disability: the medical model and the social model. The medical model, also known as "personal tragedy theory of disability", is a paradigm that has dominated and characterized schools of thought around disability and its policies for much of the last century. In summary, this model, developed especially in Western

societies, promoted the idea that a disability was a sort of impediment of the subject which could be translated into the loss of functions or limitations. This model has been focusing its attention on both the individualizing elements of the subject and the medicalization aspect. The definitions found in the ICIDH in fact suggest that the state of impairment is nothing but a form of deviance from a biomedical norm. This model thus suggests that each subjects lives their lives according to both their individualistic dimension and their detachment from the social context in which they live. Now, if we proceed with even a preliminary comparison with what can be defined as the disability classification models, i.e. the ICIDH (International Classification Impairment Disability Handicap), which dominated for much of the 20th century, and the ICF (International Classification Functioning), we are widely aware of how the medical, social and organizational approach towards forms of transitory or permanent disability of disabled people has changed over time. The first classification proposed by the ICIDH (International Classification Impairment Disability Handicap), revised several times over the years, was divided into three distinct dimensions:

- Impairment: loss or abnormality of a psychological – physiological – anatomical structure or function

-Disability: limitation or loss resulting from an impairment of the ability to perform an action in the manner and within the limits considered normal for a human being.

-Handicap: situation of social disadvantage, expression of the impact deriving from impairment - disability on the specific social role of an individual (IPCVERRI 2011).

The ICIDH, considered in these terms, represented a sequential model, i.e. the impairment determined the consequent disability, identifying the handicap; specifically, the state of disability/handicap as a consequence of the corresponding impairment.

"The first ICIDH, to clarify the relationships between disease and its consequences, proposed a unidirectional linear flow scheme of the type:

Illness –Impairement -Disability - Handicap

└_____↑"(NERITEAM, 2003)

According to this type of model, health effectively remained a condition that was explained through the absence of disease. However, the proposed model of treatment, as anticipated above, was none other than the figure of the doctor; a device used for controlling social order. Within this context, disability soon became a personal problem as an alteration of the normal state of health. In addition, it also entailed a state of disadvantage, therefore handicap, considered an inevitable consequence of disability compared to environmental standards.

Over time, the limits of this approach became evident since disability could not continue to be traced back to a purely personal issue of the subject. Furthermore, always according to this model, classifiers could refer to the implication of environmental factors and were contextual to the experience of the disabled person. Important debates and a greater need to arrive at less restrictive classification tools have led to the overcoming of the medical model in favor of a different approach where the classification parameters themselves demonstrate changed revisions compared to the past. As a consequence, a new classification model, called the IFC model, is born that will be used to measure and describe the health and disability of a population. The ICF (International Classification of

Functioning, Disabilities and Health) was born following a series of revisions made by the WHO on the ICIDH, and was presented in May 2001 at the 54th World Health Assembly. This is an important approval where 191 countries recognize, in the new logical principles of this model, the new norm for health and disability. The approval of this model constitutes a sort of revolution in the field of disability; one in which the principles that characterize it will ensure that for the first time the contextual and environmental factors in which the subjects live are taken into account. Through the acceptance of the principles of this model, we have signed up to a substantial change in the approach to the condition of disability, establishing a unified language to describe a person's state of health through an important terminological reversal; that is no longer the use of the term handicapped but person with disability. Following this model, there will be agreement in adopting a language and terminologies that are more compliant and non-discriminatory to the state of disability, no longer words such as impediments, disabilities or handicaps but participation, functions, structures, activities; a revolution that will also pass through a terminological revolution. The term handicap disappears in place of participation in order to underline greater attention and sensitivity towards the human aspect of the subject and his condition. Furthermore, the tripartition present in the previous model speaking of impairments, disabilities and handicaps has also changed and is completely erased in favor of the adoption of a single dimension of orientation: disability. The sequential profile present in the previous model gives way to the descriptive profile, i.e. disability is an objective social limitation, regardless of the presence of an impairment; in this paradigm shift, all pathologies are placed on the same level regardless of the cause. The state of health is no longer dependent on the absence of disease, but health is defined as a state of psychophysical well-being at the level of functioning, activity, participation, while disability is the result of the reduction or absence of psychophysical well-being at the level of impairment, limitation of activities and restriction of participation. The care model that characterizes this new approach is the bio-psychosocial model. The latter argues that a disability is no longer conceived as a personal problem but is a problem created by society itself deriving from the lack of interaction of individual beings. This awareness of both the medical-health bodies and the government authorities persuades us to understand the need to direct recovery and action interventions on the environment since the latter is considered the element responsible for the disadvantage. The results that the ICF model intended to achieve can be summarized in the following points: offering and achieving a less specialized and closed vision of the concept of health, going beyond the personalistic sectoralism of the medical model, placing the person at the center of interventions, planning on his needs, interventions within a project of global improvement of the person through an appropriate care model. "This way of seeing disability addresses the problem in the social context in which individuals interact, considering disability a social construction and not (only) the outcome of a mental or physical impairment: "Disablement has nothing to do with the body… Impairment is in fact nothing less than a description of the physical body" (Hughes and Paterson 1997: p. 330). Therefore, rather than attempting to change or fix the person with disability, a social model of disability provides services aimed at removing social and environmental barriers to foster the full social, physical, career and spiritual participation of disabled people (Federici 2007). Social and environmental barriers can be broken down thanks to well-articulated and structured projects in which sport, physical activity, the sense of belonging to a group such as a team, are primary tools through which to help the disabled person to become aware of their own possibilities and resources. The figure of a coach who knows how to

motivate, who teaches people how to believe in enhancing everyone's resources through unanimous participation as a means for achieving common goals represents a significant opportunity. At the same time, the close dialectic between the concept of empowerment and disability cannot be separated by addressing the numerous advantages related to physical activity. There is a well-established and widely articulated literature regarding this concept. In a pioneering study conducted in 2002, Pensgaard and Sorensen propose a model of empowerment in close relation to the sport context by expanding research conducted in 1990 by Htzler. Their objective was to observe and study the concept of enhancement and physical strengthening of people with disabilities within the sport environment. In their study, the authors decided to introduce three different levels of empowerment: the social, the group and the individual level. Following their research, the important parameters for studying the dimension of empowerment in the sport context develop at an individual level, therefore including all the objectives that the disabled person could achieve, at a group level (the motivational climate, collective efficacy and group identity) and, finally, at a social level (the cultural context and political efficacy). All elements which, combined together, would certainly have favored an increase in the level of quality of life for people with disabilities, promoting new opportunities for social inclusion, development and personal growth. Often, both in the sporting and corporate context, we hear about empowerment but, to date, conceiving an all-encompassing definition of the word would certainly be a reductive action due to its vast use in contexts that are often distant from each other. According to the scientific reading given by Zimmerman on the theory of empowerment, we know that the author attributes to this concept the meaning of an orientation value for being able to work and move within a social context. At the same time, it defines the concept as a theoretical model (Zimmerman and Perkins 1995). The value orientation of empowerment, according to Zimmermann, suggests objectives and strategies for implementing change and, at the same time, his empowerment theory provides principles, tools and structures for organizing knowledge (Zimmerman and Perkins 1995). Following his theories, empowerment is a process in which efforts to exercise control become of vital importance. Thus, participating together with others as a way to achieve the objectives set, or even the efforts to access social, cultural and economic resources are fundamental components of the aforementioned theory (Zimmerman and Perkins 1995). In a further contribution of 1995 called "Empowerment Theory, Research, and Application", the author, together with D. Perkins, highlights the important need to cooperate and participate with others in order to achieve shared objectives and goals. Hence, the effort to access shared resources and the study of the variables and elements of the sociopolitical fabric are the vital components of the concept (Zimmerman and Perkins 1995: 570). In addition, the need to make social actors, sports operators and those who share life experiences with disabled people on a daily basis aware of the value and social capital that can derive from repeated processes of social inclusion through sport and school must be set as a mission that the State and society itself cannot avoid in order to improve QoL.

Towards social inclusion. Improve Quality of Life (QoL) through sport.
In a study published in 2016 on the value of inclusion in sport between disability and participation, F. Kiuppis highlights how in recent years there has been a desire on the part of UNESCO to promote the guiding principles of inclusion in educational systems around the world (Kiuppis 2018). The principle, according to which it is necessary to guarantee

an inclusive education system at all levels, was an objective also recalled in the Convention on the Human Rights of Persons with Disabilities. When we talk about "quality of life" we are referring to a social construct aimed at increasing the well-being of a subject whose positive repercussions involve the entire social community. It represents an important indicator that helps to understand and evaluate the state of life of the person placed in the social, cultural and environmental context. Through the validation and analysis of well-being indicators, it is possible to evaluate the degree of social involvement and the ability to develop potential to improve one's own state. Despite the numerous disciplinary and scientific contributions to the concept of Quality of Life, the latter seems to escape a precise conceptual determination, due to the variety of elements that enter into an exclusion-inclusion relationship in the concept examined; hence the impossibility of providing a definition of the concept that can be considered exhaustive. However, it would seem that this objective limit, in recent years, has been partly overcome thanks to the systematic contribution of international studies and research; particularly the contributions of researchers in the medical and social sciences who have distinguished themselves for having reserved a particular attention and a specific interest in the concept of Quality of Life (QoL). These studies keenly focused on highlighting the need to understand to what extent the study of "quality of life" could induce in order to help institutions in providing services, aid and support s means for improving the citizens' living conditions by favoring a raising social inclusion process and promoting policies aimed at improving the community's well-being. These scientific debates and interdisciplinary discussions led to a review on those studies which focused on the concept of QoL indexed on Web Of Sciences. In light of the numerous reviews that have affected the concept of QoL over the years, the most influential ones were both the research study conducted by Verdugo (2005), and Zuna (2009). As well observed by Brown & Brown in 2009, nowadays the quality of life is associated with those human values which include happiness, satisfaction, general feelings of well-being and opportunities to achieve personal goals and satisfaction (Brown 2015). It follows that the quality of life today, according to what emerged from the studies of Vertugo, is measured by taking into account a series of interrelated and inseparable factors. This new dimension reserved for the state of QoL appears characterized by fundamental domains and elements, influenced by personal characteristics and environmental and contextual variables (Verdugo et al. 2005). Interdisciplinary studies have isolated eight basic domains related to QoL: emotional well-being, personal development, material well-being, interpersonal relationships, self-determination, social inclusion and rights (Schalock 2002; Beadle-Brown et al. 2009; Wang et al. 2010). When these domains come into relation with each other they determine a subject's QoL. The results referring to a QoL can be influenced by a series of factors or variables connected to the various domains. In order to arrive at a relevant and adequate measurement of the "quality of life" index, a holistic and inclusive reading of the various domains is necessary. M. Verdugo speaks, in this case, of subjective and objective indicators (Verdugo et al. 2005). In recent years, the academic contribution of researchers and scholars such as I. Brown, R. L. Schalock, M. A. Vertugo Alonso, has allowed and favored a process of operational adaptation by ensuring that the construct in question became an essential point of international reference for a professionalism interconnected to different disciplinary fields (Schalock 2002; Verdugo et al. 2005; Brown 2009; Reinders and Schalock 2014). This aspect has allowed the concept to detach itself from a theoretical vision of the same, equipping itself with measurable tools and parameters, dividing itself into domains related to an ecological perspective and

specific indicators. A paradigm that has consolidated over time, becoming a reading tool for the international scientific community. The process of defining the new paradigm was also defined on the basis of the new vision and interpretation of today's concept of health. As already mentioned, the latter now takes on a new dimension no longer and not only considered as the absence of disease, but one capable of taking into account a series of variables that are not only strictly medical but which also include a holistic vision; having as its ultimate goal the promotion of the concept of integrity of the person as placed within the social context. "From this approach follows a pedagogical principle of great heuristic and hermeneutical depth: in establishing an educational relationship with a single subject it is necessary to start from the clear awareness that the personal well-being pursued is complex, articulated, dynamic (Nistor, Anghel and Popa 2024). The educational communication initiated gives rise to processes of a clear systemic nature which, against any inclination of the educator to limit his intervention to a sectoral aspect of the existence of the student, require him to have the ability to correlate the particular with the universal, the part with the whole" (Anffas 2015). For years now, this certainty has been consolidated by the fact that physical activity and the involvement of disabled people in the sporting dimension is an excellent conduit of elements that contribute to raising well-being rates and improving life prospects even in the long term. A targeted and well-articulated program of sporting and physical activities is capable of providing highly appreciable results both in the psychophysical dimension of the disabled individual and in the social and pedagogical dimension. The psychological advantages bring with them a non-negligible improvement in the subject's mood, with a consequent reduction in anxiety and depression and with a rise in the percentages of self-esteem and confidence in one's abilities. From this perspective, the resulting social advantages cannot be excluded. The encounter of disabled people with the dimension of sport and physical activity generally favors new experiences, new relational exchanges, elements capable of counteracting processes of stigmatization and social labelling. In recent studies from 2017, Côté-Leclerc, Boileau Duchesne et al., demonstrate how interest in looking for a job, including physical activity, represents a determining factor for health. It happens, however, that objective limits often preclude the use and optimal performance of physical activity, sometimes compromising its success and the achievement of appreciable results and influencing the quality of life. The same authors argue that to date, although the quality of life also passes through an evaluation connected to participation in a physical activity, we know little about how participation in adapted sports can influence the quality of life of subjects with mobility limitations (Côté-Leclerc et al. 2017). However, the research conducted by the scholars cited has confirmed how good social interaction, involvement in well-balanced groups, cohesion within the group, self-esteem can lead to achieving important social and pedagogical goals. From the data available to us extracted from the cited contribution, out of a total of 34 wheelchair users aged between 18 and 62, who regularly practiced adapted sports, managed to complete the "quality of life" index. More reassuring results were obtained from the structured and semi-structured interviews that the subjects completed. Nine women and twenty-five men who regularly participate in an internationally or nationally adapted were all found to be subjects whose quality of life was comparable to subjects without limitations. The authors thus state that sport, through factors such as the personal ones, social participation, environmental, contextual factors and accessibility, are essential elements for improving the quality of life in individuals with any forms of disability (Côté-Leclerc et al. 2017). The conclusions reached by the

scholars denote that subjects with mobility limitations who practice adapted sports have a quality of life similar to those who have no mobility limitations. It follows that participation in sports for people with disabilities has positive effects on the sense of belonging to a group and a society, on participating in significant activities, and also on the attitude that society has towards people with disabilities. Sport and, in general, sport activity, therefore both represent important means for promoting integration. They also are indicators of QoL by adhering to the educational principles that are necessary to provide the skills and knowledge essential to the disabled person. From this perspective, it becomes particularly important to promote social well-being, that is all those opportunities and occasions in which it is possible to establish and tighten social relationships which have a fundamental influence on the subjective well-being, especially of the disabled person. Feeling part of a group, of a community, represents an unparalleled resource that offers the possibility of inclusion and belonging on a daily basis. Social well-being, understood as the quality of social relationships that each subject can cultivate and objectify within their own community, is the most direct and tangible product that arises from a healthy and fair social relationship between the subjects and the context in which they live. Sport, therefore, becomes the means through which it is possible to connect people with disability with the new context of activity by both educating them and making them aware that in everyone there are the conditions for improving oneself, through new forms of social adaptation that needs to be learned over time. Hence, the movement becomes an unexpected possibility and an educational opportunity. As active member of a group or team, or even when facing challenges, the disabled person compares himself and thus stimulates his own personal initiative. "Motor activity for people with disabilities can constitute a reason for emancipation and growth, since the comparison with others, the verification or immediate perception of one's own efficiency and the refinement of self-regulatory skills, can structure an environment full of possibilities and stimulation meanings" (Gamberini et al. 2007). Sport, as the authors specifies, is an educational strategy to emerge from isolation as it becomes the context where experiment and the objectification of new experiences happen; one through which the individual can improve their self-esteem and self-image and overcome states of fragility inherent to the isolation that the disabled person sometimes experiences. Education to the notion of movement inevitably leads to experimenting with new forms of integration, cohesion, sharing between subjects, stimulating relationships and increasing one's social capital convertible into significant relational opportunities.

New challenges: neuroscience.

The field of Sociology has recently been moving towards new lines of research, opening up to neuroscience. In fact, in the national sociology congress held in Naples in January 2020, prof. Vincenzo Cesareo declared that sociology must investigate and embrace neuroscience as a new research frontier. In fact, performing an action or movement is always the result of neuronal processes that relate the activity of many brain circuits that are not only of the motor domain. The use of diagnostic tools such as functional magnetic resonance imaging or the postural balance platform are a great contribution to the evaluation of an individual and their postural appearance.

Figure 1.
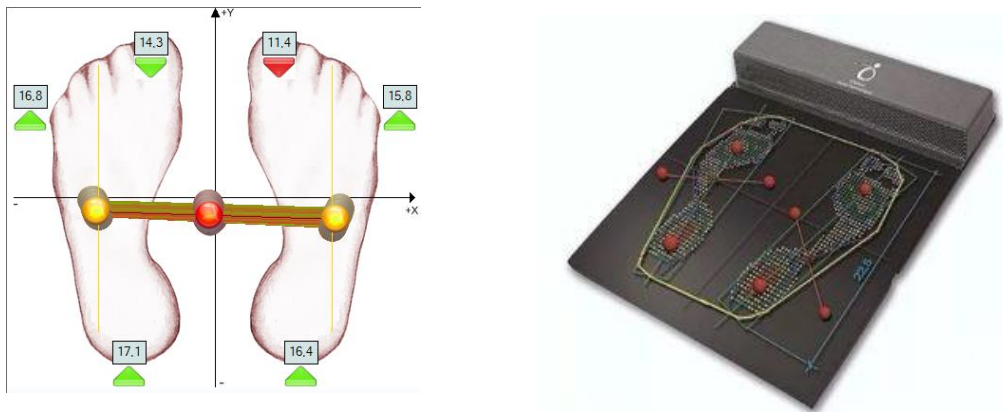
Through he use of the platform, we wanted to understand to what extent the human postural control system influences the emotional-social state and vice versa. The question that arises is: how much is our posture conditioned by the emotional state? Recent scientific evidence establishes a real correlation between sports performance, especially in professional athletes, and one's postural structure and psychophysical and social state.

In fact, through the diagnostic tool of the postural stabilometric platform (see fig. 1) you can see how the individual centers his body and how he can rotate around his own axis. For about 20 years, some studies have evaluated the relationship between emotion and posture using the International Affective Picture System (IAPS) (Lang et al. 1997). This system was developed to provide a series of references through emotional stimuli for experimental research on emotions and attention. The goal is to develop a large set of standardized, emotionally evocative, internationally accessible, color images that include content from a wide range of semantic categories, which may consist of a set of visual stimuli containing images classified on two dimensions: reassuring (e.g. sunsets, landscapes, works of art etc.) and exciting (war scenes, corpses, sex scenes etc.). Furthermore, it was found that the maintenance of postural balance occurs through the integration of the central nervous system. Following a holistic vision, we note how the correlation between the posture, the position/axis of the gaze (vestibulo-ocular) and the occlusive masticatory apparatus establishes a real plan of action, resulting in an increase in efficiency or not. of social relationships and sporting performance. Relatively recent publications have highlighted how through the postural-stabilometric platform it was possible to verify that emotional states can influence posture because the administration of images with positive content led the subject to get closer to the image itself while those with negative content induced a backward posture, that is, they tended to make the subject move away from the slide. These studies also demonstrated another thing that the investigation instrument is important for conducting the experiment. Indeed, the same subjects, in addition to being monitored through the aforementioned platforms, were

examined with a 16-channel electromyograph and in this last case the instrument did not was able to give the same result recorded by the postural-stabilometric platform. This recording difference is attributable to the surface electromyograph instrument which can investigate the superficial muscle chains but not the deep ones which are mainly involved in the control of an individual's postural structure.

Conclusions

In conclusion, we can state that the historicization of the social functions of sport is a necessity, in the light of Merton's "middle-range theories" and of the "sports society", as a relationship and interaction between groups, civilisations, cultures in certain places and precise modes of sport, according to the historical-social intuitions of Elias and Elias with Dunning. The influential book "Sport and Aggression" by Norbert Elias and Eric Dunning (Roversi 1989), allows us to define sport as: "[...] the set of physical-motor activities which: 1) require a minimum level to be carried out of intellectual skill or competence, as manifested in the knowledge and assimilation of the relevant gaming techniques; 2) they have methods of execution that do not depend on the will of the participants and therefore cannot be modified at will, but on the contrary are part of a network of rules; 3) they have their purpose in a final outcome of a formal nature: victory or defeat; 4) they are an integral part of specific social institutions that have inserted them into their production and consumption structures" (Roversi 2001). Sport can be studied as a form of that cultural and communicative process along which a person, for example, learns to fulfill a role, thanks to solicitations, advice, reproaches, suggestions from qualified socializing agents (instructors, coaches, athletic trainers); or again, sport represents a great ritual of channeling violence, through precise rules, such as the duel, the challenge, a final. The different attitudes of the individual (social actor) can also be read with the glasses of neuroscience and develop new theories.

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Legal-economic fragilities in contemporary thought. How to explain inequality: Thomas Piketty's contribution

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Abstract

For Piketty finally, we have the political proposal of inclusive liberalism on the field to counter the enormous inequalities caused by the unbridled neoliberalism that characterizes the globalized world of our days. The current of liberal thought defined as embedded liberalism, which is opposed to uncostrained liberalism unfettered. We have to understand if inclusive liberalism accepts the classic policies of European social democracies, without which true social inclusion is difficult. As long as there are no serious proposals for a redistributive policy of wealth, on social justice, the parties of the traditional left will lose support. The challenge represented by the social question inequality evidently implies the totality of social life.

Keywords: Reduction of statehood; inequalities; neo-liberal period; globalization; post-globalization; Welfare state; Social inclusion.

Introduction

Thomas Piketty, with great expertise in *Capital and Ideology* (2020), succeeds in combining, while always preserving a global vision, the study of economics with the history of the ideologies of power, covering, moreover, a good part of economic history (Piketty 2017, 2018, 2015). Addressing the subject of inequality, he argues that it does not originate from economic or technological reasons, but has an ideological and political' nature. All of his research focuses 'on questions of content, in particular on thinking about the property system, the tax, social and educational system, and boundaries: that is, on the

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social, fiscal and political institutions that could contribute to the creation of a just society (Piketty 2020). This is one of the most important statements that we must bear in mind when we reason about complexity in contemporary times.

The work stands out because it is well supplied with economic and social data and correlated by a scrupulous historical investigation, which starts from antiquity, to analyse the forms that inequality has taken in different historical periods, up to the present day. Piketty explains that, the market and competition, profits and wages, capital and debt, skilled and unskilled workers, local and foreign, tax havens and competitiveness, do not exist as such, but are social and historical constructions that depend entirely on the legal, fiscal, political, educational and social system chosen by the ruling classes and the categories of thought and justification they decide to adopt (Piketty 2014).

Ever since agriculture has existed and we are no longer hunter-gatherers, every human society does nothing but justify its inequalities: reasons must be found, otherwise the entire political and social edifice is inexorably in danger of collapsing. Every age produces discourses and ideologies that do nothing but legitimise existing inequality, and those in power do nothing but try to describe it as natural. Thus, the economic, social and political rules that structure societies as a whole are constructed by the classes in power to justify and implement, as much as possible, their privileges. And these also use law. Analysing the role of law in the contemporary world, scholar Katarina Pistor argues, in fact, that for "global capitalists this is the best of all possible worlds, because it allows them to choose the laws that favour them most without having to invest in politics to turn laws to their advantage. [...] The empire of law is composed of a selected set of domestic laws, woven together by rules, such as private international law"(Pistor 2021), which allows these laws to be recognised and enforced worldwide.

In today's societies, the dominant narrative is the "meritocratic" one already analysed by Michael Young in the 1950s in a book that was understood backwards, *Meritocracy* was a satire, but recently, it has been "understood" as a manual for getting ahead (Piketty 2020). Piketty, analysing the meritocratic ideology, sums up the *storytelling* of neo-liberalism as follows: modern inequality is fair because it derives from a freely accepted process where everyone has equal access to the market and property, and where everyone spontaneously benefits from the accumulation of the richest, who are also the most enterprising, the most deserving and the most useful. More precisely, Piketty retorts that: "under the cover of personal 'merit' and 'ability', social privileges are actually perpetuated, because disadvantaged groups do not have the codes and dialectical equipment with which merit is recognised. The student population has increased a great deal [...] But the working class remains almost completely excluded"(Piketty 2020); the reference is made on the basis of statistics, which are almost identical in all western states, where less than 1% of the children of farm labourers have access to university education,

compared to 70% of the children of industrialists and 80% of those of professionals. In short, 'cultural and symbolic privilege is more insidious, because it presents itself as the result of a freely chosen process in which everyone, theoretically, has the same opportunities' Piketty 2020, (Sen 2010). Our *Maître à penser*, emphasises that, in theory, this view is at the opposite extreme to the mechanisms of inequality in pre-modern societies, which are based more on rigid, arbitrary and often despotic inequalities of *status*. This grand proprietary and meritocratic narrative had its first construction in the 19th century, after the collapse of *Ancien Régime* societies, and an even more radical and widespread confirmation worldwide after the fall of Soviet communism and the triumph of hyper-capitalism (Milanovic 2007). Today, however, it appears more and more fragile and the result of an invention not based on real facts.

This theme, in *Capital and Ideology*, is expanded by analysing cultures other than those of traditional Western countries. All the world's societies are studied, with a diachronic perspective that draws on the solid economic-statistical basis of property and income studies, arriving at the present day and starting as far back in history as possible where data could be found. In particular, from the 18th century for the UK and the post-revolutionary public administration reform for France. Piketty, points out that the evidence of inequality is now taken as established on the basis of a substantial existing literature that starting from economics and broadening the reasoning, incorporates the social sphere and political action. He himself, deals with the study of 'unequal' societies throughout the modern era, roughly taking over Karl Polanyi's main topic of study in his landmark 1944 essay, *The Great Transformation* (Polanyi 1974), to deal with the expropriation of land in 18th century England and the birth of capitalism, up to the 'hyper-capitalist' society of the 1980s-2020s (Atkinson 2015; Beck, 2021), to confirm the historical process through which inequality was constructed.

The very choice of the title, *Capital and Ideology*, derives from the fundamental importance Piketty attaches to the ideological arguments with which the various unequalitarian societies have justified their structure and hypostasised their inevitable 'naturalness'. Piketty does not hide the cultural and political objective of his research: to provide tools of interpretation and action for the formation of what he calls an egalitarian coalition, which aims to overcome capitalism towards a just society for the 21st century, based on participatory democratic socialism (Scalon 2020). The work is divided into four parts. The first, is devoted to the study of unequal societies in history. It starts with ternary societies, based on functional tripartition: clergy, nobility, third state, and studies their foundations, power and property, in European order societies, with important references to India, China, Iran and Japan. The French Revolution of 1789, marks the great demarcation: with the affirmation of the bourgeois class we have the right to individual property as the foundation of a new social order and its place in the centralised state. This fundamental

transition is explored in depth in the French experience, with a wealth of data, in the United Kingdom, but also in other cases with particularly interesting aspects, such as Ireland and Sweden. The second part studies slave and colonial societies. The slave society is the extreme of inequality, and its abolition, in stages, throughout the 19th century under the 'proprietary regime' (Piketty 2020), leads to the invention of public debt: exemplary is the case of Haiti, where the first self-liberation of slaves ended up financing compensation to former slaveholders that lasted 150 years, and is the main cause of the widespread poverty of this nation. The events of the American Civil War and the abolition of slave or servile regimes in Brazil and Russia are analysed. The different colonial societies are studied, starting with the experience of the two main historical colonialisms, France and the United Kingdom. Mention is made of the late emergence of the *apartheid* regime in South Africa, and the failure of the experiment of post-colonial democratic federalism with the failed Mali Federation, which attempted in the 1960s to provide a more solid basis for the development of French-speaking African republics.

In the following chapters, there is a rather in-depth analysis of Indian society, with reference to the 'caste' system and how it was implemented by British colonialism. More on the transition from the tri functional society (Piketty 2020) to the centralised state in China, Japan and Iran, with an interesting part devoted to the problems of Muslim countries, and a look at the main differences between Sunnis and Shias. The third part is devoted to the great transformation of the 20th century. The explicit reference in the title to Polanyi's work is interesting. In this book, one finds many topics treated with a wealth of data. Indeed, Piketty explains in the introduction that he considers Polanyi's book to be the ideal inspiration for his Capital in the 21st century.

The interwar period 1914-1950 would bring about the end of proprietary (ownership) (Again using a definition by Piketty, let us consider proprietary: "which I define as a political ideology that places at the center of its project the total protection of the right to private property (originally thought of as a universal right, i.e. independent of ancient inequalities of *status*)", (Piketty*, 2020), in developed countries and the end of the old income classes of the previous century, decimated, as it was, by public debt and inflation. The violent post-World War I economic and social crisis of 1929 led to World War II, the subsequent post-war period, 1950-1980, saw the birth of the welfare state, with the great invention of social democracy and the progressive income tax at its center. In the period from 1945 to 1980, there are successes and, above all, failures of the two attempts to end inequality: socially-democratically inspired societies and communist societies.

It is interesting to note the criticism made of the socialist-inspired parties (See the interview: R. Ciccarelli, *Interview with Piketty. Participatory socialism. An open scenario for the crisis to come,* Il Manifesto, 9/06/2020, where urged, Piketty replies: "If you want my opinion, we could go even further. The social democratic parties have lost the popular

electorate because they have abandoned any ambition of redistribution') that, after having managed the societies they governed very well, as in Sweden and the United Kingdom, they did not adequately counter the rise of the neo-liberal ideology. Since the immediate post-war period, the rich countries, Western Europe and the United States, have experienced a period of unprecedented prosperity and development, with, at the same time, a sharp reduction in economic inequality. An event that has never occurred in any period of history.

There is no doubt that this happened with the political leadership of the Left, considered in a broad sense, i.e. all the various formations of social democratic, socialist, communist, and labourist inspiration in the West, from Europe to Australia and New Zealand to the American Democrats. Also influencing the success of these policies, in the climate of the Cold War, was the competitive drive of the communist countries.

The various social policies have differed considerably between countries. From the American *New Deal*, to post-war reconstruction, to the social policies of the European classist left; firstly, we owe to them not only the conquest of the welfare state and the greater well-being and freedom of the working classes represented by it, but the questioning in some ways of classical private property itself. We see in many nations, the birth of workers' cooperatives, extensive public intervention in the economy, forms of social ownership in enterprises, such as the co-management experimented in the Nordic Scandinavian and German-speaking countries. Last but not least, what Piketty calls 'temporary ownership', in essence the application of progressive income tax, also very radical, on property and inheritance. The affirmation of egalitarian principles in education, which, implemented mainly in Europe, have meant that a large mass of young people from the humblest social classes have been able to access university studies, so much so that one speaks of a mass university. Certainly many great successes were thus achieved. But at the end of this period this whole process came to a standstill.

Privatization and globalist liberalisation

Piketty's thesis is that, faced with a globalisation process based on the free movement of capital and the unlimited growth of its financial component, social democracies, on the one hand, have themselves taken decisive choices to favour these processes (The initial moment is identified in the 1980s, the era of the neo-liberal revolutions of Thatcher and Reagan, this historical moment is characterised by the abandonment of Keynesian economic policies, which envisaged state intervention in the economy to support demand and income. During this period, the major political forces of socialist, social democratic, labour and democratic inspiration accepted this situation as inexorable and incontrovertible and endorsed privatisation and globalist liberalization (Höffe1999; Stiglitz 2002, 2013). On the other, they have failed to overcome the limitation of the nation-state that was the typical framework within which they were accustomed to

operating. That is, they have favoured the internationalisation of capital but have not themselves internationalised. In this regard, the German sociologist Ulrich Beck argues: "*the perception of social inequality in everyday life, in politics and in research is based on a general view that sets territorial, political, economic, social and cultural boundaries. In reality, however, the world is increasingly interconnected. Territorial, state, economic, social and cultural boundaries continue to exist, but no longer coexist. The empirically well-documented increase in intertwining and interaction across national borders calls for the 're-measurement' of* social *inequality*" (Beck 2011) .

And so their reforms remained half-hearted, locked in the national enclosure. For example, the European Union, has globalised the markets of goods and finance, but has been unable or unwilling to construct a supranational fiscal policy, based on the principle of progressivity, there has been no supranational legislation in defence of labour. Equality in educational processes stopped at secondary schools, while the new economy demanded higher professionalism. The consequences on the *constituency of* the electoral left were ultimately explosive. For this worldwide inadequacy of the political left, starting in the late 1980s, Piketty believes that "a more satisfactory interpretation is that the feeling of abandonment of the working classes by social democratic parties provided fertile ground for anti-immigrant discourses and nativist ideologies. Until the absence of redistributive ambition that lies at the root of this feeling of abandonment has been corrected, it is hard to see what can prevent this ground from being increasingly exploited' (Piketty 2020).

The 1980s-2020s, the advent of neo-conservatism, the era before us is characterised as hyper-capitalism (Bauman 1999, 2000) and neo-proprietary. Piketty does not miss an opportunity to point out the return to modernity of ideologies typically linked to the old trifunctional and proprietary societies.

The fourth part is dedicated to an extensive rethinking of the ideologies of political conflict. It demonstrates, on the basis of the intersection of electoral, census and educational data, the weakening if not the end of the left-right dualism that characterised political and economic debate in the 19th and 20th centuries. Almost everywhere, the left-wing parties, from being the expression of the working classes, have turned into the parties of the 'graduates' and 'graduates'. The processes of globalization (Moreover, throughout the entire history of mankind, there have always been attempts to bring different civilisations, even those physically distant from each other, into communication and contact. It has not always been just a matter of economic motivations and conquest (Sloterdjk 2002), have profoundly transformed labour and raised the level of basic education required to climb the social and pay scales, at the same time, increasing inequality to an unprecedented extent in favour of a narrow share of the richer classes. There are new forms of political division: a left, which Piketty calls *Brahmin*, and "internationalist un-equalitarian" (Piketty 2020), made up of the educated and *internationalist* "internationalist un-equalitarian, (pro-immigrant, pro-rich)" classes (Piketty 2020), i.e. who support globalisation; concrete examples of this left, or rather who call themselves center-left, have been Macron, in

France, and Renzi, in Italy. In both cases we have had, in government action, pro-rich policies. In France, the abolition of wealth tax (Piketty, 2020), "From an economic and fiscal point of view, Macron's political action in 2017-2018 saw the abolition of the ISF (wealth tax) and progressive taxation on capital income: these measures were financed by an increase in indirect taxes on fuel". Piketty insists that there are *material reasons* well before the economic crisis of 2008 for this estrangement of the poorest part of the population from the left: tax and education policies in the first place (the reduction of taxes on high incomes, for example, resulted in an increase in indirect taxes, which hit consumers, thus penalising the economically weaker part of the population). In Italy, with the Renzi government, we had the abolition of Article 18 of the Workers' Statute, which guaranteed workers from unfair dismissal ("The policies conducted by the PD - in particular the facilitation of dismissal procedures (the so-called '*Jobs Act*') decided by the Renzi government shortly after coming to power, which provoked strong opposition from the trade unions and large demonstrations (one million people in Rome in October 2014) - contributed to increasing the party's unpopularity among the working classes and workers from the poorer classes. The strong support for these reforms publicly expressed by the then German chancellor, the Christian Democrat Angela Merkel, and the certainty that their approval in parliament would be guaranteed by an implicit agreement between the PD and Forza Italia helped to consolidate the view that the party no longer had anything to do with its post-war socialist-communist origins (Piketty 2020), with serious consequences for the confidence of the working classes. We do not find it difficult to analyse on a global scale the reasons that have led a growing part of the disadvantaged social groups to feel poorly represented (or even abandoned) by the left in elections. A part of the left, which is more radical, remains faithful to the classic ideals, which Piketty calls 'egalitarian internationalist', a pro-immigrant, pro-poor left, but which remains a minority in the choices of voters, worldwide. Just look at the results then in the US primaries, and in the French presidential elections. There is also a division on the right with a *nativist* right, capable of also attracting popular classes, in fact it is defined as 'egalitarian nativist', which is characterised by being: anti-immigrant and pro-poor, at least from the electoral declarations. Examples of this right may be, with due differences and national particularities, also difficult to separate from the neo-liberals, the following *leaders* such as Trump, Erdogan, Bolsonaro, Orbán and, in Italy, Meloni and Salvini. But the still hegemonic neo-liberal right considered to be the *market right*, safeguarding the principles of identity and borders, is characterised, according to Piketty, as anti-immigrant and pro-rich. Piketty's analysis tends to point out that from Hungary to Brazil, via the United States and Italy, the danger of authoritarian and xenophobic movements makes it urgent to radically address the issue of inequality.

In the last chapter, he develops a proposal for the construction of a new welfare state that will require fair taxation and an international financial register, forcing the rich and large corporations to contribute fairly. The current regime of free movement of capital, established since the 1980s and 1990s under the influence of the rich countries (and in

particular Europe and the United States), inexorably encourages the evasion of billionaires and multinationals worldwide. It also prevents the fragile tax structures of poor countries, born out of decolonisation, from developing fair taxes, which makes state-building more fragile.

Some of the political themes already present in the Manifesto for the Democratization of Europe (http://tdem.eu/it/manifesto-2/), launched by Piketty and others in May 2019 ('Manifesto for the Democratisation of Europe' published in December 2018, available at http://www.tdem.eu; M. Bouju, L. Chancel et. all 2019), envisage entrusting a European Assembly - made up of the countries wishing to pursue a common progressive taxation project - with the elaboration of a proposal without any changes to the current treaties. This Assembly is to be composed, in a proportional manner, of the same members of the Parliaments of the individual states, plus representatives of the European Parliament: "*the proposal envisages transferring to this European Assembly the competence for the adoption of four important EU taxes: a tax on corporate profits, one on high income, one on high wealth and one on CO_2* " (Piketty, 2020).

With this democratically representative assembly, the fortunes of the European Union could be revived and it could also serve as an example for other continental unions. "*The essential point is to establish a space for democratic deliberation and decision-making that allows for effective fiscal, social and climate justice arrangements at the European level. As we have seen by analysing the structure of the vote in the French and British referendums in 1992, 2005 and 2016, the distance separating European construction from the popular classes is now very wide. Without concrete and perceptible measures that demonstrate that Europe can be put at the service of fiscal and social justice, it is difficult to think that this reality can* change (Piketty 2020).

In summary, Piketty's proposal is of property circulation and progressive income tax as the basis and heart of the programme of radical reform and democratisation of European institutions. In fact, it should not be forgotten that taxation has always been, and still is, the main instrument for supporting the welfare state, redistribution of income and circulation of property. Therefore, it is the fiscal lever that determines the socio-economic policy that any state, federal or newly conceived political entity such as the democratised European Union can have at its disposal. And Piketty puts a tax proposal (The tax system proposed by Ours consists of two pillars: a progressive property tax to finance a capital endowment available to every young adult upon reaching the age of 25, for example.

Property is defined as real estate, professional and financial assets net of debts; the levy would be annual. There would then be an inheritance tax. We speak of average and not median assets, which greatly increases the absolute base value. The objective of an estate tax is to achieve the widest circulation and diffusion of property, limiting its concentration at the top of the social ladder. A progressive income tax (including social contributions and a *carbon tax*) to finance the basic income and the social and ecological state (health, education, pensions, unemployment benefits, The tax system proposed by Ours consists of two pillars: a progressive property tax to finance a capital endowment available to every young adult upon reaching the age of 25, for example. Property is defined as real estate, professional and financial assets net of debts; the levy would be annual. There would then be an inheritance tax. We speak of average and not median assets, which greatly increases the absolute base value. The objective of an estate tax is to

achieve the widest circulation and diffusion of property, limiting its concentration at the top of the social ladder. A progressive income tax (including social contributions and a *carbon tax*) to finance the basic income and the social and ecological state (health, education, pensions, unemployment benefits, energy, etc.). Income includes both labour income (wages, pensions, non-wage income, etc.) and capital income (dividends, interest, profits, rents, etc.). In the hypothesis, it would levy 45% of the national income. The various indirect taxes would of course be phased out in such a system. The steep upward slope of the tax levy is nothing new in history. It was, on the contrary, the norm in the post-war years, both in the US and Europe, and coincided with unprecedented development.

Property taxes, on the other hand, have always been quite bland in historical experience, rarely updated to property values, and almost never concerned the most typical source of income of the wealthy classes, i.e. financial income. Piketty's idea of participatory socialism aims at overcoming the current system of private property. Here, I have privileged the fiscal part of the argument because it seems the most disruptive aspect in comparison to the omissive debate we are used to. Another very interesting part of his propositional analysis is the idea of social ownership, in continuity with the experiences of participation in the management of companies implemented by the Nordic social democracies and in Germany, where it has always worked well there. This is a political model that the left, or the so-called left, has always substantially opposed in our country, and which, on the contrary, should be rethought today in the face of the employment crisis in traditional productive sectors).

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employment crisis in traditional productive sectors. At the centre of a programme that aims to overcome the current capitalist system and draw the contours of a new egalitarian perspective at the universal level, based on social property, education and the sharing of knowledge and power.

The current moment in history, also on a global level, can also be an opportunity to think about a minimum health and education income for all, financed by a universal entitlement on a part of the tax revenue to be borne by the richest people: large corporations, high-income families and large assets (e.g. the world's richest 1 per cent). After all, their wealth is based on a globalised world economic system (On the same subject as Piketty with a total agreement of ideas, see: Bourguignon 2013, where he considers that "international concentration on redistributive policies and the fight against inequality is appropriate. There has been a certain 'contagion' among the tax reforms of developed countries over the last three decades, tending to decrease the progressivity of redistribution for high incomes. There is an urgent need to reverse course, but this time in a concerted international manner. The political debate is ripe, in many countries, for such an initiative not to be rejected at the first blow, and it is not unlikely that several emerging economies will follow suit. Avoiding the globalisation of inequality today requires a globalisation of redistribution').

What is needed, therefore, is a new worldwide regulation to ensure social and ecological sustainability and the elimination of 'tax havens', which allow tax evasion, in particular, of large multinational corporations, multi-billionaires and illicit gains.

This is not a new critique of neo-liberalism, the difference being that Piketty offers the reader an incredibly impressive amount of data, always original, which complements the 17 chapters of the book and also warns of the danger of authoritarian regimes. If the current economic system is not profoundly transformed to become less unequal, fairer and more ecologically sustainable (On the topic of global warming and climate change, which is of great and serious topical interest, we the same theoretical slant, in which I would like to quote: "Global warming is now a reality with which we have to deal. But what will be the social and economic consequences of the ecological crisis we are experiencing? By placing the geopolitical dimension of climate change at the center of their reflection, and drawing on the tradition of political philosophy and critique of capitalist economics, Mann and Wainwright glimpse the signs of an imminent and ominous scenario and lay the foundations for a necessary and radical alternative: a planetary revolution in the name of climate justice', in Mann, 2019, p. II of the title page; in this work, in particular, we have many references to possible taxation for polluters and also from a social point of view assonances with Piketty: "As long as the world continues to be capitalist inequalities will remain the barriers to a global and cooperative approach to climate change"), have a recent publication in which many of the topics discussed by Piketty are considered with, in all countries, rich and poor, xenophobic populism will have the way open for its future electoral successes. To avert the risk of authoritarian and xenophobic regimes, knowledge of facts and history remain our best resources, calling for a 'new participatory socialism for the 21st century'.

The French author remains optimistic: inequalities have existed throughout human history but, in the past, the revolutionary and political processes that "have made it possible to reduce and transform inequalities have been a great success, and are at the origin of our most precious institutions: those that have made it possible for the idea of human progress to become a reality (universal suffrage, free and compulsory education, universal health insurance, progressive taxation)" (Piketty 2020). The pages on the wealth tax on great wealth are very convincing in the sense that the reader is persuaded that, in principle, these reforms can be implemented. As far as income is concerned, Piketty re-proposes top rates for the highest incomes, which in the 1970s in some countries, especially in the Scandinavian countries, exceeded eighty per cent (The steep upward slope of the tax levy is nothing new in history. It was, on the contrary, the norm in the post-war years, both in the US and Europe, and coincided with unprecedented economic and social development. Property taxes, on the other hand, have always been quite bland in historical experience, rarely updated to property values, and almost never concerned the most typical source of income of the wealthy classes, i.e. financial income, which is often free of any effective taxation).

The 'fair' proceeds of these taxes would be used to finance a form of universal minimum income, as some members of the new 'egalitarian internationalist' left claim. But above all, reapplying inheritance taxes on large estates would facilitate a radical inter-generational redistribution, so as to neutralise, in part, hereditary privileges. These reforms would reduce the large *gap in* both income and opportunity that has been created between the young and the old, and which continues to widen over time. The limitation to be considered is that Piketty does not spend much time discussing the certainly very strong obstacles that substantial reform would face. All the major flaws of today's societies are the effect and in part the cause of the weakness of other institutions, such as state institutions, in which citizens have historically had little trust.

He believes it is all too easy to persuade the world's citizens that the right reforms can be achieved. In Piketty's ideal world, it seems that governments are always benevolent and not the expression, in many cases, of voracious and unscrupulous *elites* (Well-known scholars of democracy have pointed out that the democratic system is based on the struggle of *elites* vying for power). Citizens trust politicians and accept fair tax increases, the proceeds of which would be used to reduce inequalities today and, in perspective, for future generations as well. And again, according to Piketty, *lobbies* and *managers* never defend unproductive rents and never lead companies to lay off workers to increase profits and then relocate them where it is most convenient.

The *actual* reality is much more complicated. Wealthy citizens do not trust governments, especially when governments try to defend the rights of the less well-off. Citizens, even the non-wealthy, fear that resource transfers could turn into undeserved rents. The obstacles would become even more insurmountable if the attempt to redistribute resources were to take place on a global scale. Piketty is rightly an advocate of overcoming national borders, both in the movement of people and in fiscal solidarity (Piketty, has a

substantial unity of views with the theory of legal globalism, which sees the ideas of democracy, respect for human rights and political participation at a higher level, both in national and global spheres. The theme of cosmopolitan democracy, echoing a Kantian theme, is increasingly proposed as the possible complement to national democratic systems in a system of economic globalization). All this in an idealised world where citizens have no qualms about ceding part of their sovereignty.

But the question we must ask ourselves is: are Hungarian or Polish voters willing to be governed by a Dutch or Finnish head of government, and when the latter imposes sacrifices or spending cuts, do they accept them willingly? In Piketty's proposal, direct European elections are held with candidates who, in perspective, represent the entire European people, without national distinctions. Will this ever be possible? Consider, simply the first problem, the language to communicate with the electorate in an understandable way. How will it be possible to have a truthful election campaign without populists gaining votes by exploiting resentment against foreigners, as is so often the case today? Other important problems are the issue of trans-national justice (According to the well-known Nobel Prize-winning economist Sen, it will, in perspective, be much easier than one might think to democratise the entire planet, Sen 2004) and global warming, which are not so easily solved without a real involvement of all citizens of the world.

Despite these difficult aporias *Capital and Ideology* is full of important and fundamental arguments. Absolutely relevant is the analysis of economic reforms, *first and foremost* the new tax structure: 'an EU tax on the profits of large corporations [think Amazon for example] at all levels: local and European' (Piketty 2020) and, only recently, embryonic hypotheses of a possible taxation of large global *players* at 15 per cent. We must hope that it is democratic politics that dictates the agenda, not the financial economy. Indeed, the "experiences of the 20th century have shown how high tax progressivity could not only be associated with rapid growth, but is indeed one of the essential elements of a development strategy based on relative social equality and education" (Piketty 2020). A policy that counteracts the 'new hyper-disparate narrative [ideology] that has emerged since the 1980s and 1990s [which] should not be assumed as inevitable'. Piketty, thinks that 'through highly progressive taxation of large assets', we can give 'life to a permanent circulation of goods ... [and] rethink the current organisation of the world economy in order to establish a transnational democratic system based on social, fiscal and climate justice' (Piketty 2020), Piketty returned to the subject, explaining and articulating very well his thinking in favour of a wealth tax as well: "I think a new form of monetary policy would be needed in which money is given directly to ordinary people not to banks and those who can borrow. And then one day you will certainly have to have the contribution of the richest [...] all the great public debt crises were solved in this way in Germany in 1952, an exceptional levy on the highest private assets was instituted [...] which made it possible to reduce the German public debt in an accelerated way and to finance post-war reconstruction", in F. Manacorda, 2021. The grand historical fresco of the first seven hundred pages leads us to understand the necessity of the defence of the idea of justice.

The various reform proposals put forward by Piketty need to be reinforced in order to gain traction.

We now hope for a great debate that can pave the way for the necessary reforms. We are certain, also thanks to Piketty's work, that the increase in inequality is not a natural phenomenon, nor is it inevitable. It is a contingent development that citizens have accepted too passively. We have now arrived "[...] at a time when Western societies are questioning the ever-decreasing presence of people from the working classes in the most selective educational paths, but also in parliamentary assemblies and state administrations" (Piketty 2020).

The idea that the huge inequalities in today's world are justified is a product of ultra-liberal and neo-conservative ideology that we need to get rid of. We have to think globally because "now more than ever, the different regimes based on inequality (and their evolutions) are closely connected to each other, all over the planet" (Piketty 2020) In the book Piketty gives countless examples of the interconnectedness of nations, even the most distant ones, in the world, where "Inequalities of income and wealth concentration [...] everywhere generate growing social tensions [...] which are now emerging in all regions of the world: in the United States and Europe, in India and Brazil, in China or in the Middle East".

We have two alternatives: to govern capitalism with democratic politics or to let it continue its unbridled march towards ever greater profit, in a perspective in which rights are only a hindrance.

I would like to quote this consideration of our author, namely: "the idea that a just society must be based on a logic of universal access to basic services: health, education, work, wages and deferred wages for the elderly (in the form of an old-age pension) and the unemployed (in the form of unemployment benefits). The aim must be to transform the entire distributional model of income and wealth, [...] to change in this way also the distribution of power and opportunities" (Piketty 2020).

The democratic idea of civilisation that we have inherited from the past, according to which every man is (should be) an active and constituent part of the entire community, is emptied of meaning in today's world in the face of such an immense centralisation of socio-political power and wealth. For Luciano Gallino, we are inexorably witnessing the "greatest operation of transfer of income and wealth from the bottom to the top - in other words of exploitation - that history has ever known. An operation that began centuries ago with colonial enterprises, then interrupted a couple of times in some countries during the 20th century, to finally experience a formidable acceleration from the 1980s to the present day. It has also just been mentioned that the intertwining of economics and politics on which it is based has all but emptied the democratic process of meaning" (Gallino 2021).

As a matter of fact, there is a huge growth of income inequality worldwide, even in other advanced economies and constitutional democracies (See the latest Oxfam report of January 2024: *Inequality, power serving the few*), even in times of economic growth and technological development. Carlo Trigilia, a sociology scholar and former minister in the

Italian government, believes that the "consequences of the pandemic and the invasion of Ukraine add to the picture. The European left and the Italian left are thus facing a new challenge, decisive not only for their future, but also for that of democratic capitalism. The popular electorate, which used to be its core, is in fact fuelling an exodus towards abstentionism and the new radical right, attracted by protest and populism. In the face of worsening working and living conditions, old and new groups most uncomfortable do not feel represented today' (Trigilia 2022).

The ambition for the future of a rule of law is to contribute to the emergence of a new model of society, more just and with less inequality. But, the first thing to do, is to get out of the state of affairs, being able to understand that "social expenditures on health, education and employment are also the most economically productive expenditures, since the protection and development of productivity, both individual and collective, depend on them. Evidence of this is not only the greater wealth of countries in which, as in Europe, the welfare state has developed compared to poor countries and their own past, but also in rich countries, the comparison between economic growth in the years of welfare state construction and today's recession caused by public spending cuts and employment reduction implemented by the current austerity policies [and the increasingly recurrent financial crises in today's capitalist system]" (Ferrajoli 2016). Moreover, we must never forget that undoubtedly 'the tycoons' primary and most urgent interest is to reduce taxes on the tycoons themselves' (D'Eramo 2020). But we must no longer be fooled by the super-rich and tycoons, who are increasingly inclined to get richer and not think about the 99 per cent of the world's population who are increasingly poor (According to some serious scholars of the phenomenon of poverty, it is becoming increasingly widespread, even where it has not been for a long time: "Inequality has now reached extreme levels, both worldwide and within the most advanced countries. In the last thirty years in our societies the rich have become much richer, the middle class has shrunk, the poor have slipped even further into poverty: income inequality has even returned to the levels of a century ago. Wealth is even more unequally distributed; according to Oxfam's annual reports, the wealth possessed by the richest 1% of the world's population is even equal to that of the rest of humanity (Oxfam 2015)", (Franzini 2015).

Income inequality has also increased in all advanced countries and is a central problem of capitalism today, in the current fierce neoliberal version. Because whichever way we think about it, we have to agree with this fine definition of the consequences of neo-liberalism: "however you look at it, neo-liberal theories undermine education, health, increase inequality and reduce income shares for workers; these effects cannot be doubted" (Chomsky 2010).

Today more than ever we 'need "Politics" in the strongest sense of the term, because only in this way can we promote that common culture, that shared way of relating to the sphere of coexistence within the same public space, without which we cannot build what is the basis of every political aggregation [...], that is, the tension towards the achievement of the common good (Pombeni 2020).

We must go back to thinking of a free, democratic, participatory society, with adequate education truly for all at the forefront, with all social rights guaranteed, where people are truly equal, and everyone can develop his or her abilities to be able to live with dignity. The father of liberalism himself knew this, "no society can be flourishing and

happy if the majority of its members are poor and miserable" (Smith 2009). Why, nowadays, should we pretend not to know this?

Nobel Prize winner Joseph Stiglitz himself, repeatedly states in his investigations that, the concentration of wealth in a few hands, will cause the planetary spread, as is happening, of inequalities, and that the polarisation of incomes will be a real obstacle to real social growth and GDP development. In countries where the *middle class* still plays a decisive role in the social composition, they are in a privileged condition since the area of 'propensity to consume' is fundamental to the prosperity of those same states (Stiglitz 2016, 2017).

Thus, new and profound contrasts tear at the social fabric of Western societies: big cities versus poor provinces, highly specialised elites versus masses of low-skilled workers, rich countries, or parts of rich societies, versus poor countries. These lacerations generate new anxieties, new anger and new political passions, as witnessed by the wave of support received by populists around the world, from Trump to the party of Brexit to the Italian right wing. Paul Collier, one of the world's leading experts on poverty and migration, tries to outline the paths through which these new economic, social and cultural fractures can be overcome. But he believes that only if capitalism manages to give itself an ethical foundation that makes it fair and compassionate, and not just efficient and economically prosperous, will it be able to guarantee a dignified life. A capitalism in which dignity and reciprocity prevail over aggression, fear and humiliation, typical features of our 'rottweiler society' (Collier 2020).

Other proposals of a profoundly different matrix and inspiration, but to be borne in mind, came out in 2012 in Italy: "Manifesto Capitalista. Una rivoluzione liberale contro un'economia corrotta" (Zingales 2012), an essay in which Zingales addresses the economic crisis from the perspective of the collective, thus emphasising issues such as meritocracy, clientelism and the degeneration of the free market. He basically states that those who had believed that freedom and equality were attainable thanks to the free market have found themselves disappointed and even more cheated by a capitalism that has caused a nightmare of injustice and poverty, *primarily* due to the lack of an adequate anti-trust system and widespread clientelism. The solution does not lie in the pursuit of a populism that rejects economic mechanisms, because otherwise we would risk losing what remains of what Zingales describes as the best of all possible systems, which, even with all its flaws, always offers the greatest number of opportunities to the greatest number of people.

The solution lies in the defence of the free market, provided it is cleansed of the *lobbies*, monopolies and corruption that have caused its degeneration; merit must be rewarded, competition encouraged, privileges eliminated and education supported. In conclusion, therefore, the 'Capitalist Manifesto' has no other aim than to propose a careful programme to re-found capitalism, to make it fairer, more humane and efficient, all of which are obviously part of the free market (Zingales 2004), where the two authors, starting from the positions of the 'Chicago school of economics' and with an erudite

defence of the free market system, mediate the debate between conservative isolationists and *no-globalists*. They argue that only markets left to themselves and not protectionism can create an environment that supports and stimulates competition, innovation and economic growth. They rail against any government attempt to keep failing companies afloat with subsidies or tariffs on international competition. An essay explaining why free markets are crucial, why markets are not stable, but also why they are endangered by the very people who should be their greatest supporters: the financiers).

We also have to consider the disturbing but increasingly widespread aspects of 'crony capitalism' (Carboni 2013), i.e. an inextricable relational intertwining of business and politics. In these cases, we are well aware that economic success is not determined by free market competition and appropriate regulatory rules, but is dependent on personal acquaintances and friendships, favouritism and corruption travelling through anonymous power matrices, through multi-positioning (*interlocking*) in key economic posts, in the top positions of business and politics, etc.

Of course, it is not only our country that is afflicted by this degenerative disease, which was revived on a large scale during the *golden age* of globalised finance (Period roughly corresponding from 1980 to the crisis of 2008), which fell, after thirty years of splendour, due to the disasters caused by the gigantic conflicts of interest it had generated. However, in our country, this disease seems to have taken root to a greater extent, thanks to the invasive force of political capitalism and the weakness of modern and organised forms of *private politics*. When it comes to weakness, we don't miss a thing: not only a government deficit, but also a lack of private capacity to compose one's own interests (business, consumer, labour). On the one hand, pan-politicism, bureaucratisation, and asphyxiating constraints on free economic action have allowed parasitic economies to run in the country, based on rent, pure and simple speculation, if not bribes and corruption. In short, a 'steel cage' created by a deterrent relationality, made up of bribes and nepotism, and therefore adverse to economic rationality and innovation. On the other hand, our frayed and fragmented socio-economic fabric has appeared incapable of expressing forms of *private politics capable* of overcoming, through associationism and organisation, as Robert Nozick argued (Nozick 2008), the traditional selfish and familistic particularisms, 'belly' corporatism and tedious parochialism that flourish when political capitalism is strong but *stateness* is weak. To combat the disease of *crony capitalism* in our country, the antidote is not only exogenous: it is not enough to trust that between the two sides of the Atlantic, sooner or later, a reliable and shared transnational regulatory framework will be created, capable of rebalancing the irrational and distorted links between the financial economy and the real economy, between banks and financial operators on the one hand and companies and labour on the other. In the meantime, our businesses, our jobs, our families would be at risk of going broke. Instead, there is a tough 'domestic' battle to be fought to make merit prevail and not political profiteering, innovation and not speculative privatisation of profits, competition and not conflict of interest. This battle must be waged on both public and private sides, with laws, but also with new forms of behaviour that free us from protectionism, favouritism, etc., from which those narrow groups that intertwine in

the boardrooms, between the business world and politics, have benefited. If modern forms of *private politics* existed in Italy, intermediate representative organisations would have a greater capacity for shared *governance of* interests. This capacity would not only help governability and governance, but would also call politics back to its leading role. Unfortunately, the crisis of representation affects politics and does not spare intermediary organisations, which have long been institutionalised and weakened as animators of *private politics*. A state weakness is combined with a private one in the construction of the public sphere. Thus the most disparate corporatism, sectarianism, localism, a 'steel cage' that appears 'gilded' only for our self-referential *elites, resists*. However, we must not mistake, as some do these days, the *low concept* of relational capitalism bordering on the *crony*, which is partly the case in Italy (corruption is high), and the *high concept* of relational capitalism that values interconnection, the capacity for positive *networking.* It is a bit like confusing today's neo-notables with the *net elites*, who exercise traction precisely by virtue of fiduciary relational networks. Beware, therefore, of getting too indignant by looking only at one side of relational capitalism, to consider the ever-stronger persistences of the new.

A leading legal sociologist believes that the profound global inequality, with most of the world's wealth concentrated in the hands of the very few, is one of the most pressing issues on which scholars and *policy makers* are focusing. According to Katharina Pistor, it is the law (Pistor 2021) that is the most powerful tool for ensuring social order, but also a dangerous tool if used for other purposes. Pistor argues that, contrary to what is often believed to be true, law is anything but a secondary player in the great process that leads simple objects, skills or ideas to be transformed into resources. It is precisely in law firms, indeed, that the codification of capital takes place, the elaboration, that is, of those instruments and institutions capable of making a piece of land, a building, an idea for a new drug or a string of digital code *assets* capable of generating wealth for those who hold them. But who, and for whose sake, determines which resources are codified into capital, effectively controlling the distribution of wealth and the enormous privileges that come with it? The Capital Code sheds light on the established, yet silent and barely visible mechanisms by which the holders of capital and their lawyers create wealth and inequality, generating the real risk that the legitimacy of states and their laws will be increasingly eroded. This is a fearsome mechanism that can be combated through the codification of new rights, a long and difficult road, but one by which democratic society will be able to get back on track. According to Pistor, law firms, especially in the Anglo-Saxon world, bend and succeed in transforming national laws in favour of their wealthy clients, with the obvious consequence of ever-increasing inequality: "those with resources, with the best lawyers at their service, can pursue their interests with very few limits"(Pistor 2021). All this is increasingly happening worldwide, even in *civil law* legal systems. The consequence of this is that 'states are not neutral when it comes to deciding which interests should be given priority: possible future gains are more likely to be supported by the state than claims aimed at self-government or environmental protection' (Pistor 2021). For those with

more money, this historical moment is the best possible. In fact, for "global capitalists this is the best of all possible worlds, because it allows them to choose the laws that favour them most without having to invest in politics to turn the laws to their advantage. The empire of law... [is composed] of a selected set of domestic laws, woven together by rules, such as private international law" (Pistor 2021) , which allows these laws to be recognised and enforced worldwide. In fact: "US civil law has imposed itself throughout the world and all the various trade treaties are negotiated and signed only in exchange for the application of US law to disputes, which ends up shaping the conception and administration of justice throughout the world: it changes our law without us even realising it" (D'Eramo 2020) .

The Capital Code sheds light on the well-established, yet silent and barely visible, mechanisms by which capital holders and their lawyers create wealth and inequality, with the real risk, if not certainty, that the democratic legitimacy of states and their laws will be increasingly eroded. Thus, at the origins of the creation of wealth, as well as its survival, in the hands of those who own it, even in adverse economic cycles, we find the law (The 'code', therefore, refers to the laws of property, contracts, *trusts*, financial intermediaries and corporations that manage to transform any good into capital and thus generate, increasingly, private wealth in a capitalist system. Of course, one must always remember that it was the prototypes of legal codification: land or goods in the material sense, the first goods from which the whole process was generated), codifications of law firms. In particular, the focus is on the modules through which capital is codified and which manage to bestow upon the various resources essential attributes that guarantee great privilege to their holders. The fundamental modules are: priority (Priority, ranking legal positions, favouring certain titles of an asset holder over others), durability (Durability means that rights to assets can be extended over time, allowing for the constant growth of capital), universality (Universality ensures that priority and durability are sustained against adverse forces) and convertibility (Finally, with convertibility, asset holders have an option to convert their assets into value). With the use of these attributes, which are codified in laws, any asset can be transformed into capital and thus create or increase wealth for its holders. These forms, are represented by company, commercial and bankruptcy law in the first place, as the playing field in which economic actors, with the help of their lawyers, strive to assert their interests. A fearsome mechanism, which can, indeed must, be combated through the codification of new rights, a long and difficult road, but one thanks to which democratic society will be able to get back on track.

In this context, we find an interesting work that notes that "The phase of 'hyper-globalisation', as the great economist Dani Rodrik called it, seems to be coming to an end. The financial crisis of 2008, the intensifying competition between the United States and China, the pandemic and the war in Ukraine and Palestine are, in fact, stages in the profound transformation of the international political and economic order that had taken shape in the preceding decades, starting with the break of 1989. It is time to think about a new form of globalisation, based on the recognition of interdependence and political, legal and cultural pluralism. The law can play an important role in structuring and stabilising

this new global order if it is conceived, beyond the paradigm of legal globalism, as a more flexible instrument of negotiation and agreement between inevitably divergent geopolitical interests and between states that do not fully renounce their sovereignty" (D'Attorre 2023). Where it is reiterated that, now that the illusion of a world unified by the market economy has waned, we must understand that global interdependence between states requires new balances between national sovereignties and international law. All this considering that 'contemporary politics is marked by the overbearing return of the interventionist state. The plans for the green transition, subsidies to buffer the growing social malaise, the anti-contagious measures seen during the pandemic, the return of trade protectionism and the right-wing demand to close borders to immigrants are all attempts to respond, in different forms, to the pressing demand for security. Control and protect are the two imperatives that mark this 'neo-statist' phase. 'Control', because we live in a world that appears out of control, where the transmission belt between the people and their representatives has broken; 'protect', because there are many reasons to be afraid and feel vulnerable. In this book based on an in-depth analysis of the political discourse in Europe and the United States, Paolo Gerbaudo illustrates the founding elements of this new paradigm and the way it redefines the political battlefield; finally, he shows how "only by investing in a project that combines social and environmental protection and real democratisation of the state will the Left be able to avoid the drift towards an authoritarian future" (Gerbaudo 2022).

Wanting to draw the first conclusions from this work, which will continue in the examination and analysis of the inescapability of a wide-ranging confrontation of the numerous and inescapable reasons that subsist on the current 'sick relationship' between freedom and equality, I would like to represent a thematic node, crucial to understand the meaning of the individualism prevailing in modern democracies and, at the same time, not to confuse the sense of personal independence with selfishness and indifference to the fate of society. Fates, by now entrusted to the sole capacity of a global legal neo-regulation (For an educated and wide-ranging examination of the urgent need for global legal regulation, compare the essay by Ferrarese (Ferrarese 2022) where the author highlights how: "Large corporations, professional associations, bureaucracies, financial groups occupy strategically important positions where the new rules for the globalised world are decided. Today, power is a complex game, with many voices, less and less decipherable, stable and recognisable. Although the conflict unleashed in Ukraine has presented us with its most primitive and violent face, we cannot ignore the great metamorphoses that have profoundly transformed power and its scenarios in recent decades. Abandoning the severe guise of *government*, more vertical and decipherable, in favour of that of *governance,* more horizontal and diffuse, power has taken on new faces, becoming from time to time national, international, public, private, *hard, soft, smart,* barely visible, indirect. Numerous new actors, not only financial and economic powers, but also technological ones and masters of artificial intelligence, moving casually between politics and economics, forge

the new foundations of our world), of a private digital metaverse, currently, unfortunately, devoid of any logic and boundaries.

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Social Work Doctoral Programs: Challenges and Opportunities in the Modern Society

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Abstract

This article offers a review of the major literature about the modern status of social work as a science within the western context and its implications for Georgia, the former Soviet Union Country. It identifies the most appropriate types of social work research (e.g. translational research) that can be used for bridging the science and service communities to directly affect the provision of services across different social work sectors.

It also summarizes the current situation of doctoral social work education in the western countries as well as in Georgia and outlines the main features of a sound social work doctoral program.

Keywords: *Social work education; Social work science; Social work research; Doctoral education in social work; Translational research.*

Introduction

The growing recognition that scientific research is the critical component of the social work profession requires establishing doctoral programs in the transitional countries where social work is a newly emerged profession and social and human services are in the process of development. In this context it is critical to base social work practices and services on an empirically derived knowledge base. This article offers an overview of the major literature about the modern status of social work as a science within the western context and it also identifies the most appropriate types of social work research (e.g., translational research) that can be used for bridging the science and service communities to directly affect the provision of services across different social work sectors.

In this article the major literature about the modern status of social work as a science within the western context is reviewed. To this regard it also identifies the most

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appropriate types of social work research (e.g., translational research) that can be used for bridging the science and service communities to directly affect the provision of services across different social work sectors. Finally, the current situation of doctoral social work education in the western countries as well as in Georgia is summarized. Some of the imminent issues such as importance of scientific funding and standardization of curriculum design are highlighted. It is important to discuss some issues of concern and the direction in which a strong and sound doctoral social work education can be developed.

Social Work as a Science

While Social Work education has historically been grounded in professional practice, reconsideration of Social Work as a science has recently been urged (Fong, 2012). American and European colleagues-initiated discussion about increasing Social Work's visibility as a scientific discipline and making a more demonstrative contribution to expanding the scientific knowledge base in social and human services (Anastas 2014; Shaw 2014; Sommerfeld 2014; Brekke 2012, 2013; Marsh 2012; Longhofer & Floersch 2012).

Social Work along with sociology, psychiatry, public health, psychology is an applied integrative science, not a natural or core science that engages in the development of knowledge for its own sake (Anastas 2014). According to the International Federation of Social Workers (IFSW) and International Association of Schools of Social Work (IASSW), Social Work is both interdisciplinary (several disciplines working jointly from their discipline-specific bases to integrate, combine, or synthesize perspectives, concepts, and/or theories to address a common problem) and transdisciplinary (a collaboration between several academic disciplines and practitioners in professional fields outside academe to address a complex real-world problem). In contrast to the core or natural scientific disciplines (such as biology, chemistry, etc.), the integrative scientific disciplines seek to push disciplinary boundaries for solving 'problems in living' (Brekke, 2013, p. 522). They are defined by their explicit focus on the application of disciplinary knowledge in integrative ways. Thus, their knowledge is always applied and technological (Brekke 2013). Social work as an integrative applied discipline provides new applications of existing theories (from social sciences and humanities) to problems in life and develops new social work integrative theories, 'indigenous knowledges' (IFSW) and models and guides in solving critical social work problems, which can be replicated.

Sommerfeld (2014) defines social work as an 'action science' which means that it is constituted by the real-life problems of social work practice and it is also 'transdisciplinary' as it is building a consolidated knowledge base of social work where the main challenge consists of integrating multidisciplinary knowledge in a transdisciplinary way. This approach of action science goes beyond evidence-based practice. It does not evolve from adding and meta-analyzing empirical data rather than composing specific theories of action so called 'technological knowledge' comprising of multidisciplinary knowledge (Sommerfeld 2014). Action theories are theories of a special kind. They are theories on the relation between ends and means, theories of rational target-oriented action and it meets four criteria: (1) they are based on verified theories that explain the causal factors that lead to the emergence of a problem of a concern in a field of practice; (2) the treatment has to be described and there has to be at least plausibility that this treatment affects the causal factors; (3) a scientific explanation of how treatment affects the causal

factors – how the treatment works – is developed and (4) the treatment has been proven effective (Sommerfield 2014).

The aim of transdisciplinary action science of social work is to enable the profession and professional practitioners to make responsible and informed choices that would become a solid ground for legitimacy of professional social work. In addition, the knowledge produced in practice must be integrated as well (Sommerfeld 2014).

A critical task is to distinguish social work from other integrative scientific disciplines. Social work is the only helping profession that explicitly promotes social change and social justice (Payne 2006). In fact, the international definition of social work (IFSW 2014) claims that social justice is fundamental to it. Accordingly, social work has three functions: (1) therapeutic, which may promote change on an individual bases; (2) problem solving in human relationships, promoting interpersonal and social 'harmony' and (3) promoting social development and/or social change (Adams, Dominelli & Payne 2009, p. 2).

Brekke (2012, 2013) defines the framework of the science of social work with (a) core constructs (biopsychosocial, person-in-environment and service systems for change), (b) core domains such as to understand marginalization, disenfranchisement, the individual and social factors in disease and supporting health, and to foster change: empowerment, inclusion, reducing disease, and increasing health, and (c) aesthetic characteristics (complexity, synthesis, and pluralism). In addition to this, a science of social work must encompass the issues relevant to an evidence-based approach to social work practice (Brekke 2012) as evidence-based practice (EBP) is the area where social work has an explicit relationship with science. EBP provides science informed practice (so called the scientific practitioner – Rosen, 1996) and it also includes development and implementation of evidence based or evidence supported practice interventions (e.g., problem solving therapy; assertive community treatment etc.). Thus, EBP can be seen as a central feature for a scientific, accountable, informed, and ethical approach to social work practice (Brekke 2012).

Importance of Research in Social Work Science

Social work's commitment to rigorous research is the major indicator for defining social work as a science. According to both Action Network for Social Work Education and Research (ANSWER); National Association of Social Workers [NASW], 2015, social work research benefits consumers, practitioners, policymakers, educators, and the public through the examination of societal issues such as health care, substance abuse, and community violence; family issues, including child welfare and aging; well-being and resiliency; and the strengths and needs of underserved populations. Social work research identifies strategies and solutions that enhance individual, family, and community well-being by exploring the social, behavioral, and environmental connections to health and mental health issues, and examines the inter-relationships among individuals, families, neighborhoods, and social institutions by conducting research in schools, communities, health care facilities, and human service agencies. Social work research provides empirical support for best practice approaches to improve service delivery and public policies (NASW, 2015).

In 1988 the task force on Social Work research consisting of 13-members appointed and funded by NIMH and it developed a 108-page report entitled 'Building Social Work Knowledge for Effective Services and Policies'. This report consists of six sections

beginning with a discussion of the 'crisis' in social work research and moving through research education, research productivity and research careers, research dissemination and utilization, support systems for research, and a plan for research development. Conclusions from this report are valuable as it helps others who view social work as a profession demonstrates that social work has a significant and important research dimension. This report advocates for more government funding, it calls for more research training for social work students with an emphasis on utilization and proficiency in methods and analytic techniques, and it advocates for strengthening accreditation standards pertaining to research and the integration of research and practice (National Advisory Mental Health Council, 1991).

In the past two decades historic improvements in the scope and quality of social work research and research capacity have been made through enormous investments by federal entities such as the National Institutes of Health (NIH), the Institute for the Advancement of Social Work Research (ASWR), and concentrated efforts by deans, directors, and faculty members. All of these have led to important advances in research infrastructure and capacity in many social work programs (Jenson, Briar-Lawson & Flanzer 2008).

In 2009, at the 13th Annual Meeting of the Society for Social Work and Research (SSWR), the quality and quantity of social work was still criticized. Some scholars mentioned that 'social work students, faculty, and the intellectual leaders of the profession (that is, editors, reviewers, and deans) are ill-prepared for the intellectual rigors of professional scholarship' (Howard, 2009, p 4). In fact, there are indications of growth in the quantity and quality of social work research; however, serious systemic issues currently limit the production, utilization, and utility of social work research (Howard 2010).

Social work leaders have long debated the patterns of how social work researchers pursue scientific inquiry (Guerrero 2013). The general concern was the extent to which social work has adopted a methodological rather than substantive approach to conducting research (Brunswick Heineman 1981).

According to Tripodi and Potocky-Tripodi (2005), social work research is defined as the use of social research methods (e.g., qualitative research, participatory research, ethnographic field studies, case studies, needs assessments, program evaluations, single-subject designs, participant and nonparticipant observation, secondary data analyses, experiments, quasi experiments, surveys, etc.) for producing and disseminating knowledge (hypothetical, qualitative-descriptive, quantitative descriptive, associational or correlational, causal) that is pertinent to policies and practices that affect and/or are implemented by social work organizations, practitioners, administrators, and educators. The research methods employed depend on the level of knowledge sought, financial and ethical considerations, the sociopolitical environment, and expertise in the use of research methods (Tripodi 2005).

There are some authors who consider social work research in different context as the social work profession has its unique ethical values as it emphasizes human rights and human dignity, a commitment to serving marginalized and oppressed people, and a mission to foster a more just society (Witkin 1995). This ethical context is augmenting the value of social work research. In comparison with other helping professions, social work claims to embrace a very distinctive mission: to oppose the roots and effects of social oppression. Thus, social work research is considered as anti-oppressive research and it should be assessed from an anti-oppressive social work perspective (Strier 2007). Strier

(2007) argues that to match the liberating mission of the profession, social work research should defy the dominant traditions of social science research.

DePoy, Hartman and Haslet (1999) suggest a critical action research model as a framework for social work inquiry that is consistent with the mission, values, and aims of the profession. The philosophical foundation of this model is purposive, inclusive, empowering, and action oriented. Moreover, in concert with the contemporary trends for accountability and evidence-based practice, action orientation using this model is well informed by sound and participatory inquiry. This model provides a bridge between the university and the community and between research and practice. Although implementing such a model is a complex process, the critical action model provides systematic guidance through which multiple groups can assume a critical approach to knowledge that informs the development and implementation of social and human services. Action research can use action processes from either experimental and naturalistic traditions or an integration of the two. However, consistent with its principles, all research occurs within its natural context, and it relies on strategies that characteristically are interpretive in nature (DePoy, Hartman & Haslet 1999).

Proctor (2003) proposes so called intervention research as the most relevant for social workers. Moreover, social work researchers are encouraged to conduct not only intervention research, but also intervention informative research. Research about practice, its challenges, its priorities, and its participants, has the potential to inform intervention development and guide the application of existing interventions to new practice contexts. Thus, research needs to help us better understand problem severity, duration, variability over time, costs, and consequences for social and interpersonal functioning. Also important are clinical epidemiological studies that document problem prevalence among the clients served by social services agencies as they can inform treatment priorities and assessment protocols (Proctor 2003).

Social work needs to make a greater investment in producing scientific knowledge to enable community change (Coulton 2005). Social work research agendas should have more rigorous research designs, drawing on matching, time series, and other principals of experimentation (Coulton 2005). The use of statistical analyses to examine community influences should be multilevel, and spatial statistics should be incorporated into community intervention studies. For this reason more systematic and comparable methods of documenting community interventions and boundaries should be engaged (Coulton, 2005). Moreover, social work needs to invest in echometric, not just psychometrics Unick and Stone (2010). Unick and Stone (2010) also indicate the importance of employing more complicated measurement procedures for social work research. They focus on IRT (Item Response Theory) modeling as it provides greater capacity for understanding and accounting for measurement bias across diverse populations.

Current trends in social work research development show more focus on interdisciplinary and collaborative research. NIH aims at advancing social work research through four types of social work investigations: (1) studies that assess the effectiveness of existing social work services and interventions on health outcomes; (2) investigations to develop and test the effects of innovative social work interventions on client functioning; (3) proposals that aim to improve health outcomes through interventions delivered in nontraditional health care settings; and (4) studies that examine effective program implementation strategies in communities (Jenson 2006, 2008). Thus, Creating and sustaining interdisciplinary research is a significant challenge in the larger context of

infrastructure and research capacity which translates into competitive grant awards are increasingly inter- or multidisciplinary (Jenson 2008), Building investigative teams across disciplines occurs more quickly in a school or department culture that values input and scholarly contributions from other disciplines (Jenson, Briar-Lawson & Flanzer, 2008).

In response to interdisciplinary and collaborative research, the authors also offer a set of strategies for building and sustaining research collaborations between university and community-based social work professionals (Begun et al. 2010). Social work researchers, social work educators, and social work practitioners should engage in collaborative partnerships that improve social work practice through research and advance the knowledge base of the profession (Begun et al, 2010). Community-based participatory research (CBPR) is an emerging methodology for bridging gaps between research knowledge production and community-based practices (Ahmed, Beck, Maurana & Newton 2004; Currie et al. 2005; Jason, Pokornyji & Kunz 2005; O'Fallon & Dearry 2002; Viswanathan et al. 2004).

Finally, the notion of importance of building a translational science agenda in social work research became very actual issue (Brekke, Ell & Palinkas 2007; Fong 2012). Translational science takes both research informing practice competency and the practice informing research competency and operationalizes them to tie the researcher and the practitioner more closely together (Fong, 2012). There is a great need for translational research in mental health services for children and adults, schools, corrections, child welfare, and services for elderly (Brekke, Ell & Palinkas 2007).

The goal of translational science is to support research that will build the models and methods needed to bridge the science and service communities, and thereby directly affect the provision of services in all these usual care settings across sectors and populations. In this regard, NIMH prioritizes two goals for social work research: (1) to speed the use of promising and evidence based mental health practices into usual-care settings and (2) to train service researchers to develop and participate in interdisciplinary investigative teams (Brekke, Ell & Palinkas 2007). Thus, practice-based research or critical action research, intervention research and community based participatory research (so called translational research: a new horizon for social work research by Nurius, Brekke & Fong 2010) share an overarching theoretical framework and can be considered as the most appropriate types of social work research.

Doctoral Educational Standards for Social Work

Social work has significantly grown in terms of developing doctoral programs, scientific journals, a large body of published studies, and access to governmental and private funding to pursue research activities (Guerrrero 2014). However, the status of doctoral social work programs varies country by county (Ashley, et al. 2017).

In 1915, Bryn Mawr College established the first PhD program in social work in the United States. Since then, various forms of post-MSW education have been promoted, such as the research oriented PhD programs championed by Edith Abbot and Sophonisba Breckenridge in the 1920s and 1930s, the "third year" programs in psychiatric social work funded by the National Institute of Mental Health (NIMH), and the practitioner-based doctoral programs (DSWs (Doctor of Social Work)) that emerged in the 1940s and 1950s (Lightfoot & Beltran, 2018). NIMH also funded various committees and task forces including the American Association of Schools of Social Work, and later the Committee on Advanced Curriculum of the CSWE (Council of Social Work Education), to study, monitor, and guide doctoral education in social work from the 1940s through the 1960s.

These task forces and committees developed three sets of guidelines for doctoral education in social work in 1946, 1953, and 1964, which were the precursors to the modern GADE PhD Program Quality Guidelines first published in 1992 (Lightfoot & Beltran, 2018).

In the United States the Group for the Advancement of Doctoral Education in Social Work (GADE) revised its Quality Guidelines for PhD Programs in Social Work (Fong, 2013). In the revised version the science of social work is mentioned (Harrington, Petr, Black, & Cunnigham-Williams 2013). Today US social work applicants have two choices of doctoral degrees: the DSW (Doctor of Social Work) and the PhD. A doctorate in social work (DSW) prepares graduates for the most advanced jobs, such as administration, supervision, and staff training positions. The DSW is an applied degree in the sense that it prepares DSW holders for roles in practice settings as administrators, trainers, and evaluators. The DSW is a specialized, degree for social workers who wish to gain advanced training in research, supervision, and policy analysis. The course work tends to emphasize research and qualitative and quantitative analysis methods as well practice and supervision issues. Graduates engage in teaching, research, leadership roles, or in private practice. Typically the degree entails 2-4 years of coursework, and a doctoral candidacy examination, followed by dissertation research. The DSW program in clinical social work prepares licensed social workers for leadership roles in academic and agency settings.

The PhD in social work is a research degree. The DSW and PhD differ regarding emphasis on practice versus research. The DSW emphasizes training in practice, so graduates become expert practitioners, whereas the PhD emphasizes research, training graduates for careers in research and teaching. College and university teaching positions and most research appointments require a PhD and sometimes a DSW degree.

In contrast to doctoral programs in the United States, doctoral studies in social work in Europe do not have a long tradition. Laot (2000) conducted the research on doctoral studies in social work in several European countries before the Bologna reform. The survey showed that the courses are conducted as part of other disciplines. The programs differ from each other according to the time allocated to the research (Lyons 2010). The European Qualification Framework (EQF) defines the requirements for qualification at the doctoral level of education. An increasing number of European countries are offering doctoral degrees in social work, which relate to level 8 (the highest level) in the EQF. The general formulation of this level refers to academic degrees higher than MA (Leskošek & Matthies 2017).

Comparison of knowledge, skills and competences in social work doctoral education defined by GADE (quality guidelines for PhD programs in Social Work) and European Qualification Frame for doctoral studies are presented in the table below:

Table no. 1: Social Work knowledge, skills, and competences at doctoral level by GADE (2013) and European Qualification Frame for doctoral studies (European Parliament 2008; Matthies 2011)

	GADE	General descriptors defining level 8, European Qualifications Framework (EQF)
Knowledge	Theory and knowledge, research methods,	Knowledge at the most advanced frontier of social

	philosophy of science, history of the profession, social policy, diversity, ethics, content in any discipline relevant to program goals. • Locate their work in the intellectual landscape of social work. • Critically analyze theories, practices, policies, and research. • Understand the relations among social work education, research, and practice. • Understand how knowledge in social work is relevant to public issues, including promoting social justice and increasing equity. • Understand the role and importance of social work values and ethics in research and knowledge development. • Develop expertise in at least one specialized area of knowledge.	services, social work, and social sciences as well as at the interface between fields
Skill/Competences	Research Skills: • Conceptualize significant, meaningful, and relevant social work research questions. • Critically evaluate and review published work in the student's area of expertise. • Identify the strengths and limitations of their own research. • Conduct research that is guided by theory. • Understand both the technical aspects and conceptual underpinnings of a broad range of	• The most advanced and specialized skills and techniques, including synthesis and evaluation, required to solve critical problems in research and/or innovation and to extend and redefine existing knowledge or professional practice of social work • The ability to demonstrate substantial authority, innovation, autonomy, scholarly and professional integrity, and sustained commitment to the

	methodological and statistical techniques. • Demonstrate in-depth knowledge in the selection and application of the most rigorous, feasible, and appropriate methodological and data analysis approach(s) for the research question(s) posed. • Proactively and consistently implement plans for the responsible and ethical conduct of research. • Design and implement appropriate procedures for sampling and data collection. • Widely disseminate knowledge that contributes to the advancement of social work research, practice, and policy, including: writing publishable, peer-reviewed manuscripts; presenting at local, national, and international conferences; and producing policy briefs /white papers. Teaching Skills: Understand and apply theories of adult learning. • Design and teach a course in a social work curriculum. • Create a learning culture and classroom climate that is inclusive of a diverse population of students and diverse learning styles. • Address ethical dilemmas that might arise in teaching.	development of innovative ideas or processes at the forefront of social services and social work contexts including research

	• Understand the place of social work education within the larger context of higher education.	

The above described frame establishes a shared global idea of doctoral degrees as offering the 'most advanced' knowledge, skills, and competences in the following areas: in-depth knowledge of social work as a profession and discipline, research and scholarship, and teaching. Further, persons with a doctoral qualification should have a capacity to develop innovative, critical ideas and professional authority that enables needed changes in the field of social work. All of these correspond with the discipline's understanding of both critical practice research (Marthinsen & Julkunen 2012) and critical realism (Pease 2010).

The sound doctoral education in social work can build long-term social work research capacity. Social work doctoral training should give opportunities for students to identify and study meaningful topics and social problems. Moreover, the doctoral education is the context for acquiring advanced methodological and analytical skills necessary to participate in knowledge development activities. Doctoral students need to become scholars of the academy, which means that they should be required to take courses that make social work distinctive in the PhD program like Social Justice and Human Behavior in the Social Environment (Fong 2013).

It is important to highlight intersectionality and a transdisciplinary approach for faculty who are teaching courses for doctoral students. This approach expands the scope of learning and mitigates the dichotomy between basic and applied research (Fong 2013). Thus, doctoral education needs multiple mentors from different disciplines to understand and use a multidisciplinary approach and doctoral programs should incorporate team-taught courses presenting a multidisciplinary framework (Fong 2012). For instance, a best practice is designing multi-professional teaching clinics, bringing together expertise from different social sciences/disciplines, e.g. psychology, public health, mental health, social policy to advance solutions to difficult social issues in the country.

Thus, the success of social work doctoral training is measured partially by the capacity of doctoral graduates to plan, propose, and implement research that contributes to the profession's knowledge base (Jenson, Briar-Lawson & Flanzer 2008). Social Work has not yet embarked on a significant review of the nature of doctoral research training. Strategies are needed to ensure that social work doctoral students contribute to the research capacity and knowledge development missions of our profession (Jenson, 2008).

Infrastructure support and research capacity are also critical at the department and university levels. Currently, many schools lack the fiscal resources necessary to help faculty members establish productive research programs. Consequently, common supports such as course releases, class buyout policies, and proposal development funds are simply unavailable in many schools of social work (Jenson, Briar-Lawson & Flanzer 2008).

Internationalization of social work programs is exceedingly difficult as this profession is highly dependent on language and the interpretation of culture and is thus country specific. Social work can be quite fragile inside its own country specific settings, especially in the current times of rapid and extensive changes to the welfare state (Leskošek & Matthies 2017). According to Jones (2013), the varying political and social histories of different states require broader international alliances that would enable a common social work identity.

There are new forms of international activity that can support the development of doctoral studies. Since 2011 the European Conference of Social Work Research (ECSWR) has been held, and in this frame a European Social Work Research Association ESWRA was established in 2014. Together with the European Association of Schools of Social Work (EASSW) and International Association of Schools of Social Work (IASSW) they may also offer opportunities of internationalization for doctoral students of social work globally. They not only enable PhD students' networking but also offer an exciting platform for training and presenting research to one of the highest levels of international audience (Leskošek & Matthies 2017).

Doctoral Education in Georgia

The post-Soviet states have gone through multiple reformation processes at all levels of social life including the dramatic reconstructing of their economic, political, and welfare systems. Such transformation has created opportunity for social work as a new profession responsible for dealing with the prevailing social needs of its citizens (An 2014). Consequently, the priority task became preparation of a social work force through university and academic education. As a result, Bachelor, Master and, rarely Doctoral programs were established to prepare professionals in Social Work. However, the new profession of Social Work is significantly challenged within academia, as it is not seen as a scientific and research field and sometimes, is seen as a vocation and "secondary" profession. The consequent lack of qualified social work practice and policy researchers, as afforded in the research university setting, prevents internal and comparative research, as well as the delineation of best social work practices at micro and macro levels, and the production of adequate professional workforce (Sadzaglishvili, 2017).

The social work programs developed at two universities of the country - Ivane Javakhishvili Tbilisi State University (TSU) and Ilia State University in 2006. Graduate, undergraduate and post doctoral programs in social work count more than 500 graduates at the time of the writing of this article. However, there are only two graduates from doctoral programs in Georgia.

Doctoral program is three to five years program that requires prerequisite of MSW degree or BSW degree. The program also includes bachelor and master graduates from the broader field of Social and Behavioral Sciences and Social Welfare and Health. Candidates are required to present certification of English Language on B2 level that is   TOEFL (P/B at least 513 points; I/BT at least 78 points); IELTS (at least 5.5 points); FCE. Candidates also must present their doctoral research statement and participate at oral exam/interview.

The program at Ilia State University is elaborated according to the GADE standards and by support of the individual Fulbright Research Grant ID # 68141013 – "Enhancing Research Capacity and Knowledge Development through Social Work Doctoral Education" that aimed to study Silver School of Social Work doctoral program at New York University and adapt this model into Georgian reality.

To facilitate internationalization of the program, there are several international scholars involved in students' scientific mentorship and supervision. They are also involved in competence development workshops and seminars. The major interest is in joint research project development.

The purpose of the PhD in social work is to prepare students to be scholars who function as "stewards of the discipline." (GADE, 2013). The aim is tot improve the art and

science of social work by generating, disseminating, and conserving the knowledge that informs and transforms professional practice. The domains of social work inquiry

derive from the social work's mission and purpose: "to enhance human well-being and help meet the needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty" (GASW Code of Ethics 2021).

After completion of the program students will be able (1) by locating their work in the intellectual landscape of social work, critically analyzing theories, practices, policies, and research, to create new knowledge in social work through using innovative methods for accomplishing social work research independently; (2) To safeguard professional and academic ethics within social work context to work with stigmatized and oppressed individuals and group systems; (3) To reflect outcomes of research in international peer-reviewed journals to extend knowledge in social work theory and practice; (4) To transfer knowledge to auditorium through teaching and learning process; (5) Based on the modern knowledge to develop further processes and new ideas in the spheres such as child welfare, probation and criminal justice systems, rehabilitation of disabled people, elderly, addiction, alcohol abuse, HIV/AIDS prevention and etc. in other words, tot develop expertise in at least one specialized area of knowledge; (6) to develop research and funding proposals, both independently and in collaboration with others.

The main infrastructure for doctoral program (research center) was created by the support of the Shota Rustaveli National Science Foundation. (SRNSFG) [#FR 17_31] under the research grant "HIV prevention Among Street Connected Youth" that was funded by This research". PhD students were involved in this study to prepare their dissertations. This is Transdisciplinary Research Center (TRC) named "Research Center for Advancing Science in Social Services and Interventions" at Ilia State University, Faculty of Arts and Science, which comprised of ISU professors, senior local investigators, community/civic organization members, social service providers and practitioners, and international experts to facilitate transdisciplinary social intervention research in Georgia by using translational research tools. This center provides information, workshops, consultation, and other resources to assist young scholars: master and doctoral students. There are 9 professors and 3 international consultants assigned for this program.

During the PhD program students must accumulate 60 credits and publish one peer-reviewed article in international journal. Below there is structure of the program.

Table no. 2. Structure of the program at Ilia State University

Components	Semesters										ECTS
	1	2	3	4	5	6	7	8	9	10	
Mandatory Courses (48 credits)											
Doctoral Seminar 1	■										6
Doctoral Seminar 2		■									6
Preparation of Doctoral thesis			■	■	■	■	■	■			-
Writing for Academic					■	■	■	■			6

	1	2	3	4	5	6	7	8	9	10	
Publication					▓	▓	▓	▓	▓		
Modern Social Work Research and Methods	▓	▓									6
Social Work Research Methods	▓	▓									6
Teaching Assistance			▓	▓	▓	▓	▓	▓	▓	▓	12
Curriculum development and learning and teaching strategies in higher education		▓	▓	▓	▓	▓	▓	▓			6
Dissertation						▓	▓	▓	▓	▓	-
Mandatory Elective (6 credits)											
Statistical Modeling		▓	▓	▓	▓	▓	▓	▓	▓	▓	6
Qualitative Research Methods		▓	▓	▓	▓	▓	▓	▓	▓	▓	6
Free Elective (6 credits)											
Elective course from Social Science Field			▓	▓	▓	▓	▓	▓	▓		6
											Total: 60 credits

Ilia State University, Research Center for Advancing Science in Social Services and Intervention conducted a 4 day- conference in 2021 on the topic "Social Work – Science for Social Change".

The conference was dedicated to the celebration of the World Social Work Day. The goal of the conference was to support and promote social work as practical science in Georgia by holding the first scientific conference in the field and by increasing the interest of young professionals in research and science as some of the most critical areas and roles for a social worker. An additional goal was to share the Georgian scientific experience with the scholars in the field of social work, researchers, practitioners, experts, students, representatives of related fields and other interested persons. As a result of the discussion, the main characteristics of the social work scientific research were developed. The results were printed and published with the support from Ilia State University (57 Aspects of Social Work Research). This material is used by the doctoral programs in Social Work to set standards for doctoral education.

Conclusions

Social work as a scientific field is still at the developmental stage in Georgia as well as worldwide. For example "Social Work Research" itself is not clearly and coherently identified by well-known American and European social work scholars. Thus, it is critical

to promote an idea of Social Work as Science, especially, in the countries where social work is a newly emerging discipline (Sadzaglishvili, 2017).

As historical analysis of social work development showed one direct way of promoting social work as a science is to establish sound doctoral programs in research university settings (Reid, 2011). Sound doctoral education in social work should be based on the international standards (GADE, EQF) and should focus on teaching qualitative as well as on quantitative and positivistic approaches and comprehensive research methodologies to identify and study meaningful topics and social problems.

In combination with establishing sound doctoral programs in social work it is necessary to develop research infrastructure (e.g. research centers, grants) for social work doctoral programs. For this reason forming social work research lobbing organizations is critical for advancing "Social Work Research" opportunities.

Finally, Schools of Social Work should implement Translational Research as an advanced social work research modality that will open ways of dialogue and collaboration between university and community. Consequently, social work will gain stronger position among other well-developed scientific disciplines by promoting its theoretical and practice basis comprehensively. Translational Research opportunities in the transitional contexts of the post-Soviet countries will have a positive effect on dissemination practices of social interventions by facilitating evidence-based, sustainable solutions to emerging public health and social challenges.

Authors contributions
S. S. - Conceptualization, Literature Review, Methodology, Data Analysis and Interpretation, Writing – review & editing.
J. T. D. – Supervision and Final Revision.

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research interests focused on street connected youth, deinstitutionalization, IDPs, HIV/AIDS and mental health.

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Revealing the hidden vulnerabilities of psychiatrists: Insights from the Romanian health system.
A sociological and empirical study

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Abstract

It is well known that the medical and sociological literature abounds in materials that present a whole series of categories of patients as being part of vulnerable population categories. Medical professionals, and doctors, in particular, are seen as parts of the therapeutic relationship holding power, also leading to an image of a 'privileged' social group. Although this idea is a predominant one within classical sociological theories, but also within the traditional image of the doctor, if we look in a certain context, such as the functional one of the Romanian health system, we can reveal another social image of today's psychiatrist. The present work wants to outline such a picture, starting from theoretical landmarks of medical sociology and observing a whole series of social realities identified through empirical research based on ethnographic evidence, but also on analyses of publicly available secondary data. The conceptualization of the vulnerability of psychiatrists will be highlighted within the complex interactions within the health system, which is in a problematic relationship with the entire social system. Finally, we want to undertake exploratory research on the specific vulnerabilities of psychiatrists (some vulnerabilities characterizing the entire professional body of doctors): complex clinical tasks, limited collaboration with other categories of doctors, limitation of resources specific to the profession (paraclinical and laboratory examinations), rigid control, extensive and overlapping of different control bodies, geographical isolation from other medical institutions and the emotional impact in the face of patients' suffering. The vulnerability of doctors overlaps, but also inverts, that of patients, accentuating a whole series of already existing problems. Defining the group of psychiatrists as a vulnerable social group generates the need to identify answers for a problem that we consider

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fundamental: difficulties arising in the complex of mental health care can lead to a real social problem.

Introduction

The purpose of this paper is to examine a series of vulnerabilities of psychiatrists, within their professional practice, the unveiling of an invisible side in a power complex with patients, taken for granted, both by researchers in the social fields and by society as a whole. The examination of vulnerability will be done by analyzing professional life within psychiatric hospital units. Sociology looks at vulnerability as a one-sided process within binary relationships such as the doctor-patient relationship. Because doctors are the ones who intervene in this relationship from a position of power, both through professional knowledge and membership in a whole range of social structures and agencies, it is the patients who seem to bear all the suffering and helplessness. Psychiatrists' vulnerability appears to be rarely discussed in studies of vulnerable groups.

The concept "vulnerable" finds many definitions in the sociological literature and involves various uses, with meanings that can change between them; most often referring to 'sensitive', 'hard to reach' or even 'hidden populations' individuals or groups. Vulnerability can be defined by several variables such as lack of autonomy and independence, bodily and psychological insecurity, marginalized or deviant status, and lack of recognition within society (Liamputtong, 2006). Vulnerability studies include emotionally overwhelming and socially taboo topics, such as those related to intimate experiences that can lead to discrediting and criminalization (Lee & Renzetti, 1990), such as death, pain, violence, AIDS, drug use, and homelessness. Vulnerable groups are exposed to discrimination, intolerant attitudes, and subordination. Very often, when we refer to vulnerable groups, we include people who have certain health-related conditions, such as those with terminal pathologies or those with mental disorders (Dickson-Swift, James, & Liamputtong, 2008). Patients are usually the first people we think of when we talk about vulnerable people in a medical context; doctors, seen as the upper pole of power within the therapeutic complex, are rarely characterized as a vulnerable group, but in certain circumstances, they can be recognized as vulnerable especially if the conditions that put them in such a position are revealed. The social context of Romania and the observation of the functioning of the local health care system, using empirical data and secondary data sets, can reveal a series of vulnerabilities of doctors that are almost always mixed with those of patients. Doctors' vulnerabilities span multiple social dimensions, from individual, and psychological ones to the much broader, institutional ones. We consider it important to modify our approach and leave classic conceptualizations; vulnerability can no longer be seen as belonging only to certain groups, marginalized and powerless, but can seriously affect even traditionally empowered populations. This aspect can become an easy one to perceive when we become aware of how such population groups interact and are influenced, especially in the healthcare sphere.

Professional autonomy of physicians

Professional autonomy of physicians can be described as a sociological concept that refers to the freedom and independence a physician has to exercise his own judgment and expertise in the treatment and care decisions of his patients. According to sociological theories, the professional autonomy of doctors is based on two key elements: professional expertise and social authority. Professional expertise refers to the specialized knowledge and skills that the physician possesses that enable him or her to make wise and well-informed medical decisions. Such expertise is obtained through long professional training and ensures that patients will receive quality care related to their needs. Social authority refers to the respect and trust society places on doctors because of their expertise. This authority is also derived from the public's perception of doctors as highly qualified professionals who can provide quality care and is also influenced by the institutional arrangements of the health system, such as the division of labor and the control of strategic uncertainty (Salvatore & al., 2018). Likewise, the professional autonomy of doctors can also be seen as a form of self-control. This means that the doctor can regulate his behavior and conform to ethical and professional standards without being influenced by external pressures or financial or political interests. In addition to these theoretical aspects, the professional autonomy of doctors can also be influenced by cultural, political, and economic factors, such as relationships with patients, the health system, or the pharmaceutical industry. In any case, it is an essential aspect of the medical profession that must be protected and promoted to ensure the best patient care. Several theorists and sociologists have analyzed the professional autonomy of doctors.

Classic works such as Eliot Freidson's „*Professionalism Reborn: Theory, Prophecy, and Policy*" scrutinize the concept of medical professionalism and the professional autonomy of physicians as fundamental to the functioning of the medical system (Parker & Freidson, 1995). Talcott Parsons, the author of social systems theory, analyzed the role of the doctor in society and the importance of professional autonomy from the perspective of the functioning of the social system (Parson, 1949). Bryan Turner, the author of "*Medical Power and Social Knowledge*", describes how physicians gain social authority and exercise power in the medical system (B. Turner, 1995). Even if we turn our attention to contemporary theories, the professional autonomy of doctors retains a central position. Michel Foucault, author of the theory of power and social control, analyzed the power relations between doctors and patients and the influence of the medical system on the body and health. "*Naissance de la clinique*", published in 1963, explores the transformations in the medical field in the 19th century and their impact on the relationship between doctors and patients. Foucault examines how medical power and authority evolved with the development of medical institutions and changes in the way illness was understood and managed. He emphasizes the importance of new medical practices, such as clinical analysis and direct observation of patients, instead of more traditional and abstract methods. Medical knowledge and power over individual health were consolidated in the hands of medical professionals, thereby promoting their authority; this medical authority is not only a matter of technical expertise but also involves an exercise of power and control over the individual's body and health (Poynter, 1964).

The decrease in the psychiatrist's autonomy can put him in a position of vulnerability, as it can affect his ability to exercise his professional expertise and protect his patients. In psychiatry, professional autonomy is essential to be able to provide

appropriate and effective treatment for patients, as the diagnosis and treatment of mental disorders are often complex and require individualized assessments and decisions.

In the context of psychiatry, a physician's professional autonomy may be limited by several factors, such as institutional rules and policies, government laws and regulations, pressure from health insurance, as well as the interventions of other mental health professionals, or the patient's family. These boundaries can influence medical decisions and lead to conflicts between psychiatrists and others involved in the patient's care. In addition, another threat to the psychiatrist's professional autonomy is stigmatization and discrimination against people with mental disorders, which can affect the psychiatrist's ability to exercise his expertise without prejudice or external influences. Professional autonomy is essential in psychiatry to ensure the best care for patients and to protect their rights and interests. Limiting this autonomy can have negative consequences for psychiatric practice and lead to the psychiatrist's vulnerability.

Decrease or lack of trust in doctors

Lack of trust in doctors can be described as a tendency in which people have a decreased level of confidence in the skills and judgment of doctors or the medical system in general. This trend can be caused by a variety of factors, such as negative personal experiences with doctors or the medical system in general, misinformation and mistrust of available medical information, high costs of medical care and limited access to quality medical services, perception of an increase in the financial interests of doctors and medical institutions, which could affect the treatment of patients.

In addition, the lack of trust in doctors can be influenced by socio-cultural factors, such as cultural views of authority and power in medicine or the relationships between patients and doctors within the medical system. Distrust of doctors can therefore be considered as a sociological concept as it is linked to wider cultural, economic, and political issues and impacts on patient-doctor relationships as well as the medical system in general. It is important to understand and address this issue to improve the quality of medical care and to ensure that patients have confidence in the medical services provided.

Sociological research has also addressed the phenomenon of lack of trust in doctors and the medical system. An example is the American sociologist Anselm Strauss, who researched the relationship between patients and doctors and developed the concept of "medical interaction", which refers to the communication and interaction between patients and doctors during medical care. Strauss identified several issues that can lead to a decrease in trust in doctors, such as the communication barrier, reduced humanization of doctors, and negative experiences with the medical system (Strauss, 2018). Eliot Freidson studied the medical profession and the power that doctors hold in the medical system; the aspect he considered central was the fact that doctors have strong control over patients and the medical system in general, which can lead to a decrease in trust in them if patients feel that they are not treated with respect or are not given appropriate care (Light, 2010). It is becoming increasingly urgent to address the negative effects of medical misinformation, especially in the context of new technologies and virtually unlimited access to information in the Internet age. Misinformation in the medical sphere is not a new topic; its contribution to decreased trust in doctors and the medical system in general appears in sociological research (Löwy, Pringle, Cassell, & Lowy, 2000).

Lack of trust in doctors can particularly affect the psychiatric profession, as psychiatrists are often involved in the treatment of mental disorders, which may be seen as more subjective or difficult to assess than other medical problems. Psychiatrists depend on

the trust of their patients to work effectively and establish a strong therapeutic relationship. If patients have a lack of trust in doctors, including psychiatrists, this can affect psychiatrists' ability to establish a positive relationship with their patients and provide them with the necessary care. In addition, a lack of trust in physicians can affect patients' access to psychiatric services, as well as the hiring and funding of mental health programs. These problems can make psychiatric work more difficult and less effective, which can lead to greater vulnerability for people with mental disorders. Therefore, psychiatrists must be aware of the impact of a lack of trust in physicians and try to establish trusting relationships with their patients through effective communication and transparency. It is also important that there be efforts to increase trust in the medical system and the psychiatric profession in general, by educating the public about the benefits and effectiveness of psychiatric treatments, and by improving access to psychiatric care.

Diminishing the doctor's authority

The decrease in the doctor's authority can be described in sociological terms. This can be analyzed from several perspectives, including that of changes in power relations and social expectations. In modern society, power and authority are increasingly distributed among different social groups, and patients want to be better informed and make more active decisions about their own health. This movement towards autonomous and informed patients has led to a change in the physician's role in the relationship with patients. In addition, the development of technology has led to an increase in access to medical information, which has allowed patients to improve their knowledge about health and disease. This allows them to take a more active role in making treatment decisions. The healthcare system has also undergone major changes in recent years, with a greater focus on efficiency and cost. These changes reduced the power of doctors regarding treatment decisions and shared them with other actors in the health system. As a consequence, we can say that the doctor's authority has decreased, and patients have become more informed and more active in the treatment process. This change reflects wider changes in modern society, which place greater emphasis on equality and individual rights.

Several sociologists have addressed this trend and have explored changes in the doctor-patient relationship. Anselm Strauss developed the theory of the "*active patient*"; starting from this conceptualization we find a whole list of works that emphasize the importance of the patient's involvement in the medical care process and decision-making (Grötken & Hokenbecker-Belke, 2012). Nikolas Rose introduces the concept of the "*informational patient*", who seeks and accesses information about his own health and treatments, and thus becomes more autonomous in his decisions (Rose, 1999). Bryan Turner has written about the "*medicalization of everyday life*" and how medicine and health are increasingly integrated into our lives, leading to a shift in the power and authority of the physician (B. S. Turner, 1997). Michel Foucault's approach to themes such as power, control, and discipline within the medical system has become a classic and is the starting point for many other directions of interpretation. The fundamental element remains that medicine has an important role in controlling society and that the doctor's power is based on his knowledge. Erving Goffman wrote about "*self-presentation*" and how patients and doctors present themselves to each other in medical interactions, highlighting that these interactions are influenced by social status and power in the doctor-

patient relationship. Starting from this principled approach we can reach much darker points of view in which health institutions operationalize totalitarian practices, contributing to the "mortification" of patients and nurses alike, in the service of the bureaucratic machine (B. S. Turner, 1997). Practically, the operation of the health system and hospitals, under the supervision of an ever-increasing number of regulatory and control institutions, with bureaucratic architecture unimaginable a few decades ago, leads to a severe diminution of the professional authority of the doctor but also other professionals.

The decline of physician authority is not unique to psychiatry but is a trend seen in many areas of medicine and the health care system in general. However, it can be argued that psychiatrists are more vulnerable than other doctors to this tendency, for several reasons. The stigma of mental disorders exists, is recognized, and exceeds the intensity of that felt in the case of other illnesses. People's reactions continue to include a strong stigma associated with mental health problems, causing many individuals to avoid seeking help or be reluctant to seek treatment. This can make the doctor-patient relationship more difficult and reduce trust in psychiatrists. The psychiatrist is closely related to the entire stigmatization process of the psychiatric patient. The relationships between stigma and the psychiatric profession are so closely connected that members of the professional body can simultaneously be stigmatizers, recipients of stigma, and powerful agents of de-stigmatization (Schulze, 2007). Mental health professionals, as targets of stigma, can be seen as clinicians adding additional occupational stressors through the role of stigma as an occupational stressor in psychiatry. The complexity of psychiatric diagnosis and treatment is another factor that can promote the diminution of the psychiatrist's authority. Mental disorders are often more difficult to diagnose and treat than other medical conditions, which can make psychiatrists feel less secure in their authority and lead to increased uncertainty. Although psychiatric diagnosis has followed a path of standardization through the construction of operational scales and diagnostic criteria included in diagnostic and treatment manuals, uncertainty continues to be present; the perception by patients of such a positioning inevitably leads to a reduction in the axis of power within the therapeutic relationship and a diminution of authority. Recently, the literature in the field of medical sociology has introduced calls for medical uncertainty to be better understood (Hatch, 2017) and for doctors to move into a therapeutic space of "shades of grey" and change their professional culture to embrace uncertainty (Simpkin & Schwartzstein, 2016). Psychiatry's role in the development and application of treatments is somewhat similar to that of other branches of medicine, however, many treatments for mental disorders are developed and applied in a more unclear and perceived way than treatments for other medical conditions, which can lead to greater uncertainty and an increase in controversy. All these aspects can make psychiatrists feel vulnerable in front of patients and the health system in general. However, it is important to recognize that diminishing the doctor's authority can also have positive effects, such as encouraging patients to be more informed and make more active decisions about their own health.

Institutional complexity in medical care
Institutional complexity in healthcare systems is a concept studied by medical sociology. It refers to the number of institutions and organizations involved in the provision of health services and how they are interconnected and coordinated. In general, the more institutions and organizations involved in the provision of health services, the greater the institutional complexity. This complexity can lead to problems of coordination,

communication, and collaboration between different organizations and can affect the quality and efficiency of health services. Medical sociologists study institutional complexity in healthcare systems to better understand how it affects the delivery of health services and to identify ways in which it can be reduced or managed more effectively. Within the system of institutions dealing with mental health care, 'planned spontaneous complexity' was chosen as an overarching theme to characterize the new knowledge and practice that was developed. We are in a situation where the space in which the medical act takes place is shifting and non-medical professions are being introduced that have enabled community practices thus, the whole framework is being reshaped and new knowledge is emerging about service users as people and professionals as skilled professionals. The challenge remains for managers to trust their colleagues and not impose rigid rules, schematized methods, and repeated controls (Topor & Matscheck, 2021).

Institutional complexity in health care systems has led to different sociological conceptualizations that describe the dynamics within the social system of both patients and physicians. Anselm Strauss, who studied how patients and their families navigate the healthcare system, developed the concept of the "suffering line" to describe their experience. The patient trajectory refers to the sequence of events and turning points that occur during treatment. Once a trajectory is initiated, there may be intermittent and alternating phases, acute, stable or unstable, ascending or descending. In its purest forms, a patient's trajectory does not have a set course, as it is shaped and managed by continuous interactions of the actors concerned (Pescosolido, 2013). The doctor's trajectory follows that of the patient; the doctor accompanies the patient, accompanies and supports him within the increasingly complex institutional health system; the difficulties felt by the doctor can lead to even greater suffering for him by superimposing a moral vulnerability that arises from his assumption of the role of caring and protecting health. In the classical literature of sociology, we can find references regarding the modulation of social interactions as a result of the complicated structuring of the health system. Talcott Parsons examined how different medical and social institutions interact in the provision of health services. Eliot Freidson analyzed the role of medical professionals in healthcare systems and explored how they establish their position within healthcare institutions. John G. Bruhn, who developed the concept of the "health system" to describe the set of institutions and organizations involved in the provision of health services and analyzed their interaction, also observed that increasing institutional complexity accentuates the difficulties regarding access to healthcare and, inherently, there is an erosion of public trust in the medical professions (Cano & Bruhn, 2004).

Increasing institutional complexity can affect psychiatrists as well as other healthcare providers. Psychiatrists must navigate multiple levels of institutions and organizations to provide mental health services to their patients, including hospitals, clinics, private practice offices, government agencies, and professional associations. This complexity can affect the availability and accessibility of mental health services, as well as communication and coordination between different organizations. It can also increase the administrative burden and reduce the time available to provide effective mental health services to patients. However, psychiatrists are usually trained to deal with institutional complexity through their medical training and learning of the health system. Overall, psychiatrists may be vulnerable to increasing institutional complexity, but they can develop the necessary skills to cope with this and provide high-quality mental health services to their patients. For the real situation in the Romanian health system, we should

interrogate the level of functionality of all the structures involved, not just the medical ones; the care of psychiatric patients involves the interconnection with the social assistance system whose real representation within our social system remains deeply limited.

Inconsistency and ambiguity of laws

Legal systems governing health systems have been analyzed by medical sociology; it focuses on the study of health systems and the social processes that influence health and disease. The legal framework and its functioning are difficult aspects to integrate into a unitary sociological concept; we must understand that medical sociology covers a wide range of topics and issues, and theoretical and methodological development continues to evolve. Thus, several sociological concepts are used to analyze issues related to health and the care system. These include the concepts of social health inequality, medicalization, the stigma of mental illness and other mental health problems, the patient-centered approach, and more. It is important to note that these concepts are not independent and can be interconnected in a complex web of theories and models. Medical sociology allows for an interdisciplinary approach and can collaborate with other disciplines such as medical anthropology, medical psychology, history of medicine, and others.

In medical sociology, several researchers and theorists have studied the problems of inconsistency and ambiguity in the laws that govern medical practice, and psychiatric practice in particular. The critical theory of power and discourse, developed by Michel Foucault, has also been applied to the medical system. In his book "*Madness and Civilization: A History of Insanity in the Age of Reason*", Foucault examines how psychiatric practice has evolved. This medical practice is considered to have been used as an instrument of power by society and governments (Wilder, Foucault, Howard, & Pepitone, 1972). This particular action of a medical procedure cannot take place without a legislative construct imposed by the state and society. Even the stigmatization phenomenon developed by Erving Goffman within the theory of "*social identities*" does not intervene in a social vacuum but within a structure in which laws intervene decisively. In his work "*Stigma: Notes on the Management of Spoiled Identity*", Goffman examines how people suffering from mental health problems are stigmatized and marginalized by society. The dividing line between normality and stigmatization is not as deep as a look at the problems of people with deformities, colostomies, homosexuals, prostitutes, "junkies" and social minorities might lead us to believe. Three categories of stigmatized individuals are examined: those with physical deformities, those with mental disorders, those in prison, those with addictions, alcoholism, etc., and those with tribal stigmas, including race, religion, and nationality. It is concluded that the phenomenon of stigmatization is universal (Goffman, 1974). The physician is not exempt from inclusion in such a process, both directly and by association with his patients, and the legal framework that seeks to bring about a social order appears to be a distinct and broad one for each of these categories. Even if the initial objective is a salutary one, to protect suffering people and reduce negative conditions, the legal construction becomes broad and must be used by the medical professional who is based on a completely different professional training. It becomes obvious that medicine thus joins the social institutions of control even if it did not set out to do so at the primary level. Irving Zola's "*Medicine as an Institution of Social Control*" addressed issues related to the medicalization of society and mental health; at the same time, it analyzes how medical practice can be used as a tool of social control and

how it can affect people with mental health problems (Zola, 1971). Formal social control through laws has a growing impact in today's society.

The analysis of the legal framework that acts in medicine is a difficult undertaking to realize and conceptualize; even if it can easily pass into the sphere of perceptions of the members of a professional body, the enormous number of changes that the main law governing health in Romania (Law No. 95 of 2006, on health reform) has undergone remains an objective aspect and easy to prove. The inconsistency and ambiguity of laws governing psychiatric practice can lead to a vulnerability of psychiatrists. Psychiatric practice is subject to strong social control through a series of laws and regulations, which can be quite complex and difficult to interpret. Furthermore, legislation in this area may vary from one country to another or even within different states of the same country. In such situations, psychiatrists may be exposed to vulnerabilities such as malpractice lawsuits, disciplinary investigations, or even court actions due to differing interpretations of the law. In addition, the inconsistency and ambiguity of laws can make psychiatrists feel uncertain about the decisions they have to make, which can lead to delays in providing treatment or decisions that may be less beneficial to patients. Psychiatrists must be well-informed and have a clear understanding of the laws and regulations that govern their practice. In addition, they should have access to appropriate resources, such as consultation with specialized lawyers, to ensure that their practice is by legal and ethical standards. Training in the medical profession, however, contains few elements of a legal nature and this kind of support during the practice of the profession remains insignificant for the local system.

Emotional and psychological experiences

Psychiatrists' emotional and psychological experiences of their patients' suffering have been tracked and analyzed in sociological research on mental health. Sociologists interested in this topic have studied how psychiatrists feel and manage emotions during interactions with their patients, how these can influence the quality of care, and how the negative effects of stress on the professional health of psychiatrists could be prevented. For example, some sociologists have investigated the phenomenon of "burnout" in psychiatrists and analyzed how this condition can affect their ability to provide quality care to patients. There is more and more evidence that shows a loss of control on the part of psychiatrists regarding the defining parameters of their medical practice, an increase in demands related to productivity, and an emphasis on the administrative burden associated with professional activity that contributes to the emergence of burnout syndrome. Compared to other medical specialties, psychiatrists tend to under-report symptoms related to burnout, and there is a need to understand what are the protective factors and what are those that promote the onset of this suffering. As more psychiatrists begin to work in large systems of care, the shortage of psychiatrists becomes increasingly present, and practicing clinicians will have to meet "unpaid obligations" to provide services to a number more patients while using the same or even fewer resources. This unbalanced balance can increase the occurrence of burnout syndrome and will urgently need to be corrected (Roberts, Hales, & Yudofsky, 2019).

Other researchers have studied the role of empathy in the psychiatrist-patient relationship and analyzed how psychiatrists can develop and maintain an empathetic attitude toward their patients despite the difficulties and stress associated with the profession. Breaking empathy can result in the loss of the therapeutic relationship. The

intensity of the therapeutic process and the activation of both patient and therapist in response to traumatic reports can produce unique countertransference reactions (or empathic tensions) (*Ment. Heal. Consequences Torture*, 2001). Sociological research in the field of mental health has investigated the emotional and psychological experiences of psychiatrists concerning the suffering of their patients and has contributed to the development of strategies to prevent the negative effects of occupational stress and to improve the quality of care provided by psychiatrists to their patients.

American anthropologist and psychiatrist Arthur Kleinman wrote about the interaction between the emotional experiences of patients and psychiatrists and how this can affect the quality of medical care. He introduced the concept of "*suffering representations*" to describe how patients and mental health professionals interpret and respond to symptoms and behaviors related to mental health problems. The perspective is much closer to the sociological one and is based on ethnographic explorations. In the face of suffering, we do not only have an individual response of the person experiencing the trauma, but there is a relationship between collective and individual memory, alternative public spheres are created for the articulation and narration of the experience, the voice of the individuals facing the tragedy and the meaning of healing and return are recovered to everyday life are interconnected. Ethnographic essays often poetically address issues of social trauma and the remaking of everyday life through a uniquely anthropological perspective that explores how violence "works on lives and interconnections to tear apart communities" (Aprahamian et al., 2002). This is a welcome contribution to a field dominated by psychologists and psychiatrists whose focus is on documenting, and diagnosing PTSD. The anthropological approach brings into focus the issues of cultural representations, collective experience, and critiques of the construction of knowledge based on the appropriation of social suffering, it also highlights the consequences of social suffering on everyday life, the effects of collective violence and social trauma on the individual and the "*construction*" of suffering social. From this angle, the psychiatrist cannot be a character excluded from suffering, when exposed to the trauma of mental illness. Psychiatrists' emotional experiences and other mental health issues have been noted since the classical period of sociological conceptualizations. In the book "*Patients and Healers in the Context of Culture*" the relationship between cultural factors and psychiatric experiences was explored, trying to obtain an image from the perspective of the professional as an actor deeply involved in experiencing suffering (Kleinman, 1980). American sociologist Charles L. Bosk wrote about the emotional experiences of psychiatrists and the effects of professional stress on them in his book, "*Forgive and Remember: Managing Medical Failure*". He used case studies to show how doctors tend to hide their emotions and blame themselves when their patients suffer or die. Perhaps the most important aspect is the fact that in medical education, technical norms are subordinated to moral ones (Bosk, 2003). American sociologist Allan V. Horwitz wrote about the history of psychiatry and the evolution of the diagnosis and treatment of mental illness in his 2002 book, "*Creating Mental Illness*". He examined how social and cultural factors influenced the development of psychiatry and how mental health professionals interpreted and treated psychiatric symptoms. Conceptions of psychiatric distress as a disease may be reexamined. The author argues that this notion fits only a small number of serious psychological conditions and that most conditions considered mental illnesses are cultural constructs, normal reactions to stressful social circumstances, or simply forms of deviant behavior. Framing mental illness as a disease benefits various interest groups, including mental health researchers and clinicians, prescription drug manufacturers, and

mental health advocacy groups, all of which promote disease-based models (Wirth-Cauchon & Horwitz, 2002). The cultural determinism of mental illness brings the physician into the circle of suffering related to interaction with mental illness.

Psychiatrists can become vulnerable in managing their patients' suffering and mental disorders for several reasons. Physicians' empathy and emotional commitment can be brought to the fore. Psychiatrists are often exposed to the painful stories of their patients and can develop a strong emotional bond with them. This connection can lead to a strong emotional commitment and can cause the psychiatrist to become too involved in the patient's problems, which can lead to emotional exhaustion. Psychiatrists often face stressful and difficult situations, such as aggressive or suicidal patients, or the pressure of dealing with a heavy workload; all these aspects outline an independent entity: professional stress. This stress can be overwhelming and lead to physical and psychological exhaustion. Psychiatrists are exposed to the traumatic life histories of their patients and may witness traumatic events during treatment. Exposure to trauma can lead to the development of post-traumatic stress disorder or other mental health problems. Psychiatrists who prescribe drugs may be exposed to their side effects, manifested by patients, such as fatigue, irritability, feelings of loss of control, influencing other somatic treatments, or different aspects of daily life. All of this loops back to the mental health care professional.

To manage these risks, psychiatrists must pay close attention to their own mental health and take steps to protect themselves against occupational stress and burnout. These measures may include personal therapy, regular exercise, a balanced work schedule, and other forms of self-care. It can also be beneficial to have a support network, such as work colleagues or support groups for mental health professionals.

The risk of physical and emotional violence
These forms of abuse can occur in the practice of psychiatry, as patients who come to a psychiatrist often have severe mental health problems or a history of trauma or abuse. This can lead to aggressive or defensive behaviors on the part of patients, and psychiatrists can be exposed to these behaviors. In medical sociology studies, violence against psychiatrists has been conceptualized as a form of abuse of power over a vulnerable group, in this case, patients with mental health problems. These studies examine the risk factors that may contribute to violence during psychiatric consultations and how it affects both patients and psychiatrists. How psychiatrists constitute a vulnerable group from the perspective of abuse is still insufficiently investigated. Medical sociology studies also examine how these incidents of violence affect the relationship between psychiatrists and patients and how these incidents are reported and managed within the health system. Studies show that patients who exhibit violent behaviors are less likely to receive appropriate medical care due to stigma and fear of retaliation. Physical and emotional violence are important issues that arise during the practice of the psychiatric profession, and medical sociology studies are important to understand these issues and to develop strategies to prevent and manage violence within the health system.

Several important sociological works address violence against psychiatrists and dealing with patients with mental health problems. "*Violence in Mental Health Settings: Causes, Consequences, Management*" focuses on violence within the mental health system and examines the factors that contribute to it, such as overcrowding, underfunding, and a lack of training and support for medical staff. The paper also offers suggestions for

improving the management of violence within the health system. Therapists, nurses, social workers, and counselors in hospitals and other inpatient and community settings will find violence in mental health settings a source of vital insights and ideas for future policy (Richter & Whittington, 2006).

"*The Violence of Care: Rape Victims, Forensic Nurses, and Sexual Assault Intervention*" by Sameena Mulla examines sexual violence against women and how medical intervention can perpetuate this violence. The author also explores the impact on medical staff providing care to victims of sexual assault (Whiteoak, 2015). Observations can be extrapolated to other forms of abuse or represent starting points for further observations.

Violence against psychiatrists is a real problem that needs a systematic approach and can be linked to the stigmatization of people with mental health problems and problems in the mental health system; the stigma likely extends to the professional group that provides care for these types of patients. The papers also highlight the importance of understanding social context and inequalities for addressing mental health issues and improving medical interventions. Psychiatrists, in many cases, can be considered a vulnerable group due to the violence and other forms of abuse they are subjected to during the exercise of their profession. First, psychiatrists face an increased risk of violence from patients with mental health problems, who may exhibit aggressive and unpredictable behaviors. In addition, psychiatrists may be exposed to violence and abuse from other people, such as family members of patients, employees of health institutions, or even co-workers. Psychiatrists can also be subjected to verbal and emotional abuse from patients or their families. This exposure to violence and other forms of abuse can have a significant impact on psychiatrists, including physically and psychologically. There can be effects of post-traumatic stress, anxiety, depression, burnout, and even increased risk of suicide. In addition, psychiatrists also face other problems and vulnerabilities while practicing their profession, such as overwork, the pressure of time and limited resources, administrative and financial demands, and others. Psychiatrists must have adequate support and protection to deal with these issues and to protect their health and well-being while fulfilling their important role in caring for people with mental health problems.

Marginalization within the medical system.

The marginalization of psychiatrists can be examined from several perspectives, including the interrelationships with other medical specialties, authorities, and patients. For example, it is possible to analyze how certain specialties, such as family medicine or neurology, are more valued compared to psychiatry within the health system, or how government authorities and other institutions influence the funding and distribution of psychiatric services.

"The Social Transformation of American Medicine" by Paul Starr examines the historical evolution of the American healthcare system, including the marginalization of psychiatrists compared to other medical specialties. At the same time, we find the idea that liberal-minded people approved the wide extension of medical authority in the regulation of social life (Starr, 1982). Regulation not only intervenes in social structuring but inherently pushes several social groups towards certain distinct areas of society. The Rise and Fall of the Biopsychosocial Model: Reconciling Art and Science in Psychiatry by S. Nassir Ghaemi discusses how psychiatry has been marginalized in comparison to other medical specialties by the very model it has adopted, and the author argues that an approach A more holistic approach to mental health is needed to address the complexity

of psychiatric issues. The biopsychosocial model was developed in the 20th century as an outgrowth of psychosomatic medicine and is seen as an antidote to the constraints of the medical model of psychiatry. In evaluating the biopsychosocial model, Ghaemi provides a philosophically grounded assessment of the concept of mental illness and the relationship between evidence-based medicine and psychiatry. He argues that the conceptual core of psychiatry is eclecticism, which in the face of too much freedom paradoxically leads many of its followers to enforce their own dogmas. A new paradigm of medical humanism and method-based psychiatry that is consistent with modern science while incorporating humanistic aspects of the art of medicine appears to be desirable (Feisthamel, 2011). An evolution of psychiatry towards less eclectic models presupposes an acceptance of the social construction of mental illness; relying on the methods used implies a closeness to the treated individual, a humanization, or even a socialization of psychiatry. In this way, one could hope for a reduction in the marginalization of the profession and also of individuals suffering from mental disorders.

"*Madness in Civilization: A Cultural History of Insanity*" by Andrew Scull examines the historical evolution of the concept of mental health and psychiatry within Western society and discusses the issues of stigmatization and marginalization of patients with mental health problems. Madness has often been posited as the antithesis of civilization; a "*madman*" was essentially outside the civilized world. And yet "*madmen*" are always with us, and in many ways, their condition is as elusive today as it was in the ancient world. As such, the problem of insanity and its ineffective remedies have been infiltrating our civilization for centuries (Carey, 2022). The relegation of people suffering from mental illness and those who intervene in the management of these illnesses to a peripheral area of society is not a new process but rather one that is perpetuated; man continues to manifest a fractured and fragmented relationship with mental illness through deep cultural springs.

"*The Divided Self: An Existential Study in Sanity and Madness*" by R.D. Laing is considered one of the most influential works in the field of existential psychiatry. Laing argues that mental health problems are often related to social and cultural trauma and criticizes traditional psychiatry for its medicalized and pharmacological approach. Psychiatry might be, and some psychiatrists are, on the side of transcendence, genuine freedom, and true human growth. Laing's perception comes to reinforce opinions that are quite widespread socially and that confirms an attitude of marginalization of many aspects related to the field of mental illness; psychiatry can so easily be a technique of brainwashing, of inducing behavior that is adjusted, through (preferably) some form of harmless "torture". In the best places, where straitjackets are abolished, doors are unlocked, lobotomies are largely abandoned, and they can be replaced by more subtle tranquilizers that place bars and locked doors inside the patient. That is why I would like to point out that our "normal", "adjusted" state is too often an abdication of ecstasy, a betrayal of our true potential, so many of us are too successful in acquiring a false self to adapt to false realities (Laing, 1966). Such a conceptualization of the psychiatric world explains the broad phenomenon of social exclusion and marginalization, both as a result of a modification of the self through the action of the social and cultural framework and an impairment of the individual's identity in the eyes of extended social groups.

Psychiatrists can be considered a vulnerable group from the perspective of marginalization for several reasons. The first reason would be stigmatization. Mental health, and by extension psychiatry, are often taboo or stigmatized topics in many

cultures. This can lead to the marginalization of psychiatrists, who may be perceived as *'different'* or *'strange'* by colleagues, patients, or others in society. Discrimination can be an independent phenomenon for the social group of psychiatrists. In many countries, psychiatrists' salaries and benefits are lower than those of other medical specialties. Psychiatrists may also be discriminated against in terms of promotion and access to leadership positions within medical institutions. The lack of resources within the institutions in which they operate may represent an additional factor. Mental health services are often underfunded and undervalued compared to other health services and may be placed outside the healthcare system as a whole. This can lead to a lack of resources and equipment for psychiatrists, as well as a lack of support and ongoing training within medical institutions. The history of psychiatry is marked by controversial practices and abuses, such as involuntary treatments and incarceration of patients in psychiatric institutions. These practices can lead to a negative image of psychiatry in society and contribute to the marginalization of psychiatrists. All this can lead to a marginalization of psychiatrists and an underestimation of the importance of mental health services within the health system.

Results and discussion

The present work contributes to the contemporary discussion about the vulnerability of medical professionals and, among them, that of psychiatrists in the context of their activity in the Romanian social and medical system. If we look at the vulnerability of psychiatrists from the perspective of marginalization, disadvantages and social inequalities, poverty, and social problems we could say that doctors cannot be attributed to a vulnerable group. If we refer to the professional stress and exhaustion of medical professionals, to the presence of various symptoms, or to the emotional distancing that becomes a constituent part of the burnout syndrome, we can conclude that we are facing a vulnerable group. Through a deeper approach, which takes into account the structural and functional contexts of the social system in which psychiatrists work, a large number of defining conditions of vulnerable groups can be identified. How doctors were viewed until now, starting from the distribution of power within the therapeutic relationship, seems to be no longer up-to-date, nor does it manage to faithfully describe the positioning in the social system; maybe the time has come to move away from a classical conceptualization. The traditional image of the patient belonging to vulnerable groups may retain its relevance, but that of the doctor seems to be drawn with new touches; perhaps these are still quite pale, and the new identity remains hidden from the viewer. It is precisely this last feature that raises even more the problem of belonging to a vulnerable group.

The approach taken was to examine, in an exploratory way, a series of invisible (or ignored) vulnerabilities of a professional group, which is considered to be strong and resourceful (especially by being attached to the wider group of doctors). The more specific we become in observing some characteristics of psychiatrists that hardly describe other professional categories (doctors from surgical specialties or highly technological ones such as medical imaging) we can reveal a much clearer picture of a distinct group of doctors, with a high chance of being reunited within a vulnerable social group. As a rule, vulnerability is attributed to patients (especially those suffering from mental illness or those considered at the end of evolution for a somatic illness, the terminal ones). The process is also a very easy one to go through if we look at the patient as a passive beneficiary of services and specialized medical help, and deficient in terms of understanding and knowledge about the disease. Even that last statement has become

intensely questionable in today's information and internet age. Despite the policy of neoliberal choice and investing patients with the power to choose and decide about therapeutic intervention, their resources remain limited, they experience physical and emotional suffering and a large part of them are dependent on social assistance services. If we refer to traditional, binary sociological approaches to understanding power relations, doctors oppose patients through the power brought by professional knowledge, the power of decision and action; referring to these premises they should not suffer and could not be considered vulnerable. Understanding the professional and social context can dramatically change this view.

A first criticism of classical sociological approaches regarding vulnerability refers to the implicit definition of certain groups as vulnerable; here we have the clear case of the patient group. In this way, we only narrow our observational field and ignore "hidden" vulnerable groups. Only if we keep our senses sharp and use the sociological imagination properly do we manage to notice inappropriate professional practices and harmful interactions between various components of the health system or the social system as a whole. The limits of the determinants that enter together in the construction of the vulnerability of the psychiatric profession are quite imprecise, it is difficult to draw clear demarcations; the qualitative, ethnographic information manages to bring several negative conditions into the visibility area. It is increasingly difficult to see doctors positioning themselves in an emotionally neutral zone when dealing with the suffering of the psychiatric patient, and the difficulties that must be overcome to find therapeutic solutions (including for somatic diseases) in a deficient medical system for countless reasons. Many situations can be identified (probably most non-medical or outside psychiatry proper) in which doctors lose their power or are dominated by feelings and cognitions from this sphere; other times they cannot manifest the action that defines their professional role and face a lack of resources. The results are also counted in terms of suffering, with the difference that, compared to their patients, these experiences also take other forms: existential and moral. It is precisely this type of suffering that seems to be invisible, ignored, and perhaps even denied at the level of society.

Another distinct approach concerns the abandonment of paternalism when analyzing professional groups of physicians; this kind of one-sided perspective excludes precisely the social and systemic context in which the professional life of doctors is carried out. At this moment, we are experiencing complex changes in everything that constitutes the health system; we have a mix of non-medical influences and decisions that are conceptualized differently and override the physician's paternalism. Whether we are talking about the management of medical institutions (based on economic principles of profitability or according to the regulation of the distribution of funds) or whether we are talking about the marketing of medicine, the doctor's influence in clearly tracing the path of a patient is becoming less and less. These new premises are found in the restriction of the doctor's autonomy and the feeling of the numerous pressures from the administrative, regulatory, and control institutions. External constraints are not only restrictive (such as lack of funds or limiting therapeutic protocols) but can also be contradictory. The direct conditions of practice in the workplace are little or not at all within the direct control of the professional so the choice of appropriate treatment strategies for patients cannot reach high heights. From this moment we can identify a new vulnerability, the legal one; improper working conditions can lead to errors and medical negligence circumscribed to the phenomenon of malpractice. Vulnerability is accentuated by adding the moral one;

elementary professional training involves the well-being of the patient and not the deterioration of his health.

Physician vulnerability does not limit its ill effects to the physician as an individual or to his professional group. Even the psychiatric patient, belonging a priori to a vulnerable group, suffers. When the physician experiences vulnerability, it is expected that the patient will benefit from less attention and poor care through the actions of those factors that cause vulnerability to the physician. The therapeutic relationship becomes damaged, and dysfunctional, characterized by low trust between the two parties. Complaints by disgruntled patients and their actions before the courts are seen as unfair by the medical professional group; understanding professional contexts can give them justice even if the harm to patients is as real as possible. The evolution of today's society can lead to an aggravating route of vulnerability; social programmatic actions aimed to reduce the vulnerabilities of the patient group end up creating a new vulnerable group, that of psychiatrists. Patient suffering can be exacerbated by the feedback loops of defensive medicine stemming precisely from litigious risk. Doctors are concerned with protecting themselves from possible sanctions and, implicitly, reduce the time and actions allocated to direct patient care. The circle closes and all this negative conditioning can be accelerated. The way to a real social problem seems open.

Professional autonomy of doctors

The professional autonomy of doctors represents a fundamental element of carrying out a specific activity and can be seen as a reflection of the sum of the patient's rights arising from traditional ethical principles. The decision to admit a patient is formal, according to specific medical provisions, under the direct influence of the medical decision. The practical experience, revealed by the doctors' statements, identifies situations where there is pressure from some state power institutions for the hospitalization of certain social categories of patients. Some particular groups of patients can be identified for whom hospitalization in the psychiatric hospital can be seen as a translation of social control to the medical profession and the transformation of the psychiatrist into an agent of this type of control. Hospitalization of alcohol-intoxicated patients can be analyzed medically from several points of view; acute intoxication would fall within the scope of medical competence of other medical specialties and it would be correct to be treated in multidisciplinary centers and not in mono-disciplinary centers (as psychiatric hospitals are organized domestically), with limited resources. Compliance with the specific legislation for the situation in which the patient cannot express his consent or when it is not valid and which aims precisely to protect the patient is difficult to achieve. The situation does not seem to be a limited one but a genuine practice in our society that puts pressure on a professional group not only through medical responsibility but also through the transfer of power that would be the prerogative of the state. The medical liability and the risk perceived by the doctor for the occurrence of litigious situations or even malpractice reach high levels both through the impossibility of being able to correctly assess the risk of severe complications of alcohol consumption and which are treated in multidisciplinary teams (for example acute pancreatitis, aspiration syndrome, and even delirium) as well as by how patients and families will later interpret the "restriction" of individual freedom by the doctor's "decision". In a situation where this decision is not one under the principle of professional autonomy, it becomes a determining factor for negative perceptions and even suffering for the doctor.

The state's attempt to protect individuals from the violent potential of the psychiatric patient, based on utilitarian principles, can interfere with precisely the individualistic,

humanitarian principles that protect the individual (even the doctor, not only the patient). At the center of this conflict is the psychiatrist, in a moral, functional medical, and civil dilemma, without the state developing the resources necessary to protect a profession that intervenes in the case of genuine social problems. Things become much more complicated in the case of patients who, in the context of mental illness or not, carry out actions punishable by criminal law. Doctors describe an inadequacy of the state to ensure care in a continuous form of psychiatric patients leading to the maintenance of a responsibility on the psychiatrist who provides the initial intervention; the doctor cannot ensure the real discharge of responsibility representing another facet of a real professional autonomy. Examples include various categories of patients for whom the state's care chains remain dysfunctional: patients with chronic, degenerative diseases, such as dementia, for whom the medical network does not provide adequate services. In reality, healthcare structures take over roles from the social assistance sphere. The physician is placed in the position of continuing care, sometimes exceeding the bounds of medical rigor, unable to refer patients and families to an appropriate support network. The creation of a forced framework for practicing the profession is called for, under the pressure of families and civil society, prolonging admissions, and maintaining enormous periods of hospitalization for some patients in health facilities whose role is different. The inability of the state to ensure functional evaluation structures and intra-community care leads to a professional paradigm that forces the psychiatrist to a series of behaviors in which his decision ends up with a reduced degree of autonomy.

Decrease or lack of trust in doctors. Diminishing the doctor's authority

In the professional relationship between doctor and patient, authority is transferred from the patient to the doctor, by his role as a specialist, professional, the one who, following his training and skills, decides sovereignly on the diagnosis and solutions resulting from the problem raised by the patient. He, in the absence of specialized training, turns to professional judgment, inhibits his own options, and leaves himself to the decision of the professional, because he cannot identify by himself what are his own needs and what are the solutions can cover the needs resulting from loss of health. Authority cannot be understood without taking into account professional autonomy, and therefore the statements of doctors are difficult to be strictly framed in a certain theme; they cover multiple topics and their presentation in a specific section is only to reveal hidden vulnerabilities in an organized way. The authority ultimately represents a form of power with which the doctor is endowed not only as a result of his specific training but also as a result of some formal rules of the state included in a series of legal norms. As a functional result, the reduction of authority also leads to a decrease in professional autonomy; this mechanism may be an easily noticed one in certain situations while, in others, it is a subtle result. Observations from qualitative evidence can reveal such mechanisms that can lead to the vulnerability perspective we investigate in this paper. The psychiatrist intervenes in situations considered risky through a specific measure, that of non-voluntary hospitalization. The state gives authority to the physician to decide (for a certain time, subject to further confirmation by a judicial procedure) to limit individual liberties to some extent to prevent potentially harmful acts. The problem arises in the situation of an imprecise regulation that makes the doctor vulnerable to patients, families, and society as a whole. Whatever decision he makes, there is a degree of risk for it to be considered inappropriate and the return to the legal provision, through its ambiguity, does not offer support to the professional activity. The law should contain objective elements that can be

easily proven so that the doctor's authority, conferred by the state, is a solid one. The chosen statement focuses on the use in the legislation of words that are interpretable or whose functional definition is extremely difficult, leading to a vulnerability of the one entitled to make decisions based on this regulation. When the psychiatrist is faced with such a situation (the decision to admit a patient without obtaining his consent) he should be able to focus on the patient's risks and needs and not on his own. If the harmful risk for the patient is not perceived by the doctor as "imminent enough", he can decide not to admit the patient, but he has no control over the subsequent conduct of the patient and his family (initiation and adherence to treatment, supervision, return to a psychiatric service in certain conditions); the occurrence of an undesirable event in the following period will result in the questioning of the responsibility of the doctor who is now unable to objectively justify the decision.

The operating rules of the health system not only limit the doctor's autonomy but also destroy his authority by imposing rules that are distant from the medical ones and concern economic aspects, many of them. The inclusion in certain diagnostic groups to report some indicators or for inclusion in certain rigors of prescribing the compensated medication are just a few examples. Health economics appears to be a rigid and complex functional center (prescribing rigors, case complexity calculations, insurance carrier prescribing protocols, and more) while violence risk assessment remains in a fluid and imperfect regulatory framework. The state imposes a thick regulatory framework to control the spending of public funds, but the regulation of how the psychiatrist exercises his role as an agent of social control transferred by the state remains deficient.

Also interesting is the perception that doctors have regarding interaction with state "force" institutions that conceptually have a direct role of control, an authority that departs even from the statutory roles of these institutions (such as the police). The physician's fundamental role is directed toward the recovery and maintenance of health and not toward a form of citizen control; the latter is a derivative role and a surrender of state authority to a professional group that finds itself unsupported in a role for which it has not prepared. The comparison used by the doctor below is highly suggestive; the mental disorganization specific to schizophrenia is translated into the disorganization of the state regarding the functioning of all parties involved in decisions related to the freedoms of people, citizens (psychiatric patients continuing to remain citizens of the same state even after the installation of a mental pathology).

Emotional and psychological experiences. Experiencing discrimination and stigma

Stigma is a well-documented barrier to health-seeking behavior, engagement in care, and adherence to treatment in a range of health conditions globally. Existing stigma frameworks typically focus on a single health condition in isolation and often focus on the psychological pathways that occur among individuals. This trend has encouraged a separate approach to health stigma research, focusing on individuals, preventing both comparisons between stigmatized conditions and research on innovations to reduce health stigma and improve health outcomes (Stangl et al., 2019). The inclusion of doctors and their understanding, as experiences and perceptions, within the chains and social reactions related to stigmatization and the experience of discrimination becomes more and more necessary. Stigma can affect different patient groups and the degree of stigma can vary according to society, culture, and individual perceptions. However, patients with mental disorders are often among the most stigmatized in various communities. Several socially manifested reasons lead to this result. We can talk about a lack of understanding and acceptance of psychiatric suffering; many people do not fully understand mental disorders

and, due to lack of knowledge, may perpetuate negative stereotypes and fears about these conditions. The psychiatric patient and his entire social context (including the doctor) are pushed into a shadow area of social perception, into a hidden part, apparently in a similar way to other vulnerable populations. The process perpetuates itself over time and we can speak of a historical stigmatization. The process must be seen as a legacy of our social development and the evolution of social institutions. In the past, people with mental disorders were often marginalized, isolated, or even locked up in institutions. Even today, there are traces of this history in the way mental disorders are perceived. Perhaps more than ever we are faced with a situation of media stigmatization, with unsuspected influences in the context of new technologies and the speed with which "information" circulates today. Misrepresentation of mental disorders in the media can contribute to the perpetuation of stereotypes and stigma. Often, characters with mental problems are presented in an exaggerated or distorted way. Both large types of news that roll repetitively in the domestic media can have such an effect, regardless of the stated objective of the authors. If the news views the psychiatric care environment as a prison and the doctor's intervention as a limitation of individual rights, in the end, the image of the doctor-patient complex is not a positive one. The second hypothesis concerns the social impact of the deviant actions of a psychiatric patient (from acts of violence to suicide); in this case, the image seems all the more negative, and the medical profession is blamed for its far too little preventive actions and unable to limit the mobility of the patient with mental suffering. Under the rule of utilitarian interests, individual rights are neglected, omitted, or even denied, for which society seems to campaign outside of such events. Again, the doctor and the patient are held accountable for their actions amid a long-term inert society. Primary experiences of any human being are primed; in the case of mental disorders, we can talk about fearing unpredictability. Some mental disorders can be associated with unpredictable or unusual behavior, which can generate fear and rejection from others (including other individuals in medical or caring professions). All this social reaction becomes a reverberating, amplified one, including through reactions of self-stigmatization. People with mental disorders can internalize stigma and experience self-stigma, that is, they can internalize and accept the negative stereotypes that circulate about these conditions. To what extent such a mechanism is also valid in the case of psychiatrists becomes a legitimate question that can be empirically validated.

Inter-sectionality in sociology is no longer a new approach but even a mandatory one; natural social evolution has led to a multidimensional approach to all aspects of human life. Manifestations of stigmatization can no longer be understood without addressing the entire social context, the extended social group in which the patient lives with his doctor and his family. Intersectional stigma is a concept that emerged to characterize the convergence of multiple stigmatized identities within a person or group and to address their joint effects on health and well-being. While investigating the intersections of race, class, and gender serves as a historical and theoretical foundation for intersectional stigma, there is little consensus about how best to characterize and analyze intersectional stigma or how to design interventions to address this complex phenomenon (Turan et al., 2019).

The psychiatrist seems to go beyond his traditional professional setting, the one for which he has formally trained; medical care becomes one accompanied by one with a clear role to reduce discrimination. This participatory role leads to an experience of discrimination and stigmatization on the part of the doctor and to an experience of the

doctor's vulnerability, normal if we look at the therapeutic relationship created as a natural transition between people. The manifestation is all the more severe as society's reaction also includes other categories of doctors who, more or less voluntarily, accentuate the circuits of stigma. The following passage is relevant in revealing the reaction among GPs and positioning them at the base of the care system; the damage at the level of primary medicine leads to negative damage from the foundation of the psychiatric patient care process, which concerns prevention. The refusal to identify the individual with a psychiatric condition as a result of potential (real) discriminatory situations in general social circuits is strong evidence of the intensity and depth of the stigmatization process in psychiatry.

Marginalization within the medical and social system

The private life of the psychiatrist cannot be seen as completely separate, independent, from the professional life. The gross time spent at work does not produce a strictly proportional influence on the individual but one, probably much more important; therefore, the working conditions are an important determinant of the quality of life even of the psychiatrist. His exposure to inhumane conditions transposes him not only to an attachment to the vulnerable group he cares for but include him, through the hours lived in this environment, within a marginalized population.

Even though many of the shortcomings have been remedied in the last two decades, the general (unsatisfactory) aspect remains, most likely the result of a broad, socially-ranking attitude towards the management of mental disorders. Society seems to oscillate between utilitarian needs (patients must be "locked up" to be protected) and humanistic needs, which concern the individual rights of a person. Society is prepared to intervene in the sick to a similar extent as the health system is prepared and willing to assist these citizens: staff training, infrastructure, availability of resources, continuity of care, the existence of support networks, and a clear legislative framework do not seem to have reached the desired or claimed standards. The psychiatrist remains at the center of the care process, burdened with the greatest responsibility, under unsuspected societal pressures, and constantly in a moral dilemma stemming from his professional status and role. Seen this way, its vulnerabilities are revealed and become question marks addressed to the wider, societal framework.

The treatment of difficult cases, of those that may be the subject of the press or may constitute criminal investigation files regarding the ill-treatment of minors, are a suggestive example of how the group of psychiatrists is positioned. The cases of children with disabilities return to the attention of the media or to that of some public authorities without being able to find solid, consistent, and systemic solutions. In the example selected and presented below is the case of a child with serious psychiatric problems; the described dilemma concerns, on the one hand, the fear of escalating a psychiatric treatment (which could raise the issue of a form of drug containment) and the inability felt by the doctor due to the lack of institutional means to provide adequate support (psycho-medical treatments, of support for the family or the possibility to provide an appropriate environment for this child in care centers). Belonging to an organized form of representation, also felt as a negative condition through precisely its lack of a form of social inclusion, can also lead to the idea of a form of marginalization within the social system.

The feeling of deep fear felt by the author of the comment starts from a highly publicized case that was finalized in favor of the doctor after many years of legal instruments in the criminal sphere: "The neuropsychiatrist Ramona Gheorghe was arrested

as part of the case opened by the prosecutors for several employees of the "Sfânta Maria" Social Services Complex, which targets alleged acts of mistreatment of the minor, abuse of office and embezzlement. Given that the doctor Ramona Gheorghe was the only psychiatric specialist employed in the social centers in Sector 1, and this one on a part-time basis, the children had no one to prescribe the necessary medication for their ailments." (HotNews.ro, 2016). The fear regarding the criminal investigation and even the risk regarding the doctor's imprisonment (even temporary) seems to be as justified as possible; attaching the image of the doctor who cares for children with such problems to that of a criminal becomes a real one. Through the small number of specialists who care for such patients, through the direct conditions of practice made available by the medical and social protection institutional environment, and by pushing responsibility to the exclusive responsibility of the doctor, we find a form of marginalization within the entire social system that becomes inert to real problems and focus on subjective situations, explained by individualistic ethical principles and moral principles that seem to be attributed only to the medical profession, and members of society, in general, seem to be exempted or these principles are ignored in public messages. Problems regarding the coverage of doctors according to the real needs of society cannot fall to the responsibility of the professional group and, even more, cannot be the individual responsibility of the doctor who nevertheless provides such services. The situation is neither new nor hidden from the public or the authorities; it appears in the media, with some cyclicality, on the occasion of a case that becomes mediatized. An example is the case of children with attention disorders, a pathology with increasing prevalence: "*Things are even more disastrous regarding the Directorates of Social Assistance and Child Protection in Bucharest, which have an acute shortage of pediatric psychiatrists to treat institutionalized children. The situation in Sector 1 is as eloquent as possible: Dr. Ramona Gheorghe, the doctor prosecuted in a case for ill-treatment of minors, employed part-time within DGASPC Sector 1, had to monitor over two hundred minors monthly.*" (Bogdan, 2016). The real possibility of adequately treating such a large number of patients is clearly limited by the very fundamental characteristics of any human being: it cannot be ubiquitous and thus cannot simultaneously care for such a large number of suffering children. The cry for help also reveals a series of moral vulnerabilities deriving from the professional practice itself: exceeding certain doses existing in the basic norms of the profession or existing in the approval and marketing documents of medicines, interfering with the prescription of another colleague, exceeding of skills through intervention in the case of another specialty (in Romania we have two distinct specialties, psychiatry and pediatric psychiatry). The medical intervention becomes one without a solid positive impact, it seems to be only one to temporize the situation until the family or the protection institution requests a new consultation (emergency or not); it is the moment when another colleague, possibly from a related specialty (that of adults because pediatric psychiatry is very little represented), is put in a situation of probably higher vulnerability (the inability of the system to intervene adequately becomes more and more visible, from one medical intervention to another and the concrete problem can trigger the entire media reaction or specific to some regulatory and control institutions). The helplessness of the specialist can also be seen as a reduction of power within social relations, a reduction of professional autonomy, and the lack of convergent reaction of society and public institutions leading the profession and patients into a shadow cone, into an unseen part of society, towards a periphery of the social field.

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From the patriarchal vision to the empowerment of women through secondary victimization and victim blaming

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Abstract
The essay aims to reflect, in the theoretical framework of Bourdieu (1998) on the types of violence whose effects translate into an objectification of women and into a social reproduction of attitudes typical of patriarchal society which, declining into habitus, crystallize in the daily behavior of individuals and institutions. In this context, violence against women (Istanbul Convention 2011) reiterates, even today, a social structure based on asymmetric power relations which does not allow them to acquire the determination necessary to escape from "natural" subordination. Violence remains hidden and, very often (Grevio Report 2019), produces a sense of distrust even in institutions as in the case of the phenomenon of secondary victimization (Vonderhaar and Carmody 2015) which, once again, explains delays in fighting violence. For these reasons, the prevention of violence requires a cultural approach inspired by the principles of gender equality, also considering the possible bias of A. I. in terms of gender stereotypes, which is capable of increasing women's empowerment, making them "capable" (Sen 1979) of carrying out own choices in autonomy and freedom (Grignoli 2022) for a sustainable social future.

Keywords: *violence; secondary victimization; institutions; gender equality; self-determination* .

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Introduction

Sociological analysis investigates on whether and how nature and/or culture are "conditioning" and/or "determining" in the production of gender identities (Decataldo and Ruspini 2014, Sugamele 2015).

In particular, it is undeniable that biological differences establish the sex and reproductive function of each individual, but it is also unquestionable that cultural elements - within a given context (time, space and place; Tönnies 1887), characterised by peculiar normative common-sense orientations and personality values in "reciprocation" (Bourdieu, 1998) with each other - "structure" people's gender identity, establishing their belonging, their role and their expectations (Crespi 2008).

In this scenario, one of the issues most debated by social scientists over time, that is the issue of inequality and, in this case, that between men and women, comes into play.

This inequality has been passed down to more advanced societies by modern society (Ruspini 2018), through patriarchal structures valorisation, as pioneering explained - in 1884 - by Friedrich Engels in his work *The Origin of the Family, Private Property and the State*, and later recall, with variations and new proposals, by other well-known theorists, such as Pierre Bourdieu.

In advanced societies, so, social reproduction, in order to maintain the typical behaviours of patriarchal society, through the *habitus* of individuals, structure the social system in asymmetrical power relations between men and women where women lack the self-determination to leave their subordination "natural" state.

Within this framework, the phenomena of violence very often remain hidden, and this behaviour produces, in the victims (women), a sense of distrust in Institutions, as in the case of the phenomenon of secondary victimization that has been defined as «the victimisation that occurs not as a direct result of the criminal act but through the response of institutions and individuals to the victim» (Council of Europe 2006; Vonderhaar and Carmody 2015).

It should be drive by the principles of gender equality and it should be able to empower women, it should act like women "capable" (Sen 1979) to do their own choices in autonomy and freedom (Grignoli 2022) for a sustainable social future.

Gender inequality: from Patriarchal structures to Word-Embedding Association Test (WEAT)

Friedrich Engels, retracing the history of societies and that of class inequality, stresses the equality issue, including that between men and women - for a fair sexual division of labour - as at the foundation of "hunting and gathering societies", where men are hunters and women are dedicated to the care of the fields and the gathering of fruits, and of "horticultural ones".

Therefore, discrimination against women takes hold in "agricultural society" which attributes to men the productive role outside houses and to women a mere reproductive role - as well as educational role of traditional values - within the domestic dimension (see: John Stuart Mill's work The Servitude of Women).

These conditions, inherited from paternalistic societies in which the authority of men (or *pater familias* of ancient Roman memories) and the consequent subordinate position of women are legally legitimised, are socially acceptable in capitalist society in the light of the oppression of women, their categorization as subordinate subjects and their exclusion from social, public and political space.

In addition, for capitalist society, patriarchal power is legitimized, historically and culturally, through the representations of men, strong workers, active subjects, and that of fragile women who are not perceived - and even less cannot perceive themselves - as equal to men (Meagher 2011).

Moreover, women are extremely disadvantaged subjects when they are the "synthesis" of two exceptionally powerful and prevalent systems of oppression: race and gender (Collins 2019, Crenshaw 1989, Hill Collins 2022).

Unfortunately, these prejudices are also present in the most advanced societies, so much so that Artificial Intelligence (AI) systems demonstrate, for example, through the Word-Embedding Association Test (WEAT), how with language, they also "absorb" implicit prejudices, associating - in the workplace - words linked to the female sex (such as "woman" and "girl") with artistic ones and much less with mathematics (Nosek *et al*. 2002a).

In fact, according to Nosek *et al*. (2002a; 2002b), Sweeney (2013), Barocas and Selbst (2014), Datta *et al*. (2015), technologies may perpetuate cultural stereotypes.

For example, Caliskan *et al*. (2017) shows that «text corpora contains recoverable and accurate imprints of our historic biases, [...] reflecting the status quo distribution of gender with respect to careers or first names» (Caliskan *et al*. 2017). Also, Nosek *et al*. (2002b) underlines that while women are associated with a home-related language, men are associated with a work and career-related language. In coherence, European Union Agency for Fundamental Rights (FRA 2022) demonstrates that exists a connection between AI gender-occupation biases and the employment dimension gender gap.

The result is relevant, as it highlights how a language overlaps with historically rooted cultural prejudices and stereotypes, of which a human being may not even be aware. This is because language and culture have always influenced each other.

Some lessons: power and symbolic violence

According to this *file rouge*, Pierre Bourdieu argues that cultural variables, having the strength to give shape to the different types of power/authority «imposed through orders, but also the power that is exercised unconsciously [...]» (Bourdieu 2012), allow in their association with social structures with gender roles (social and family), to accept the social supremacy of men on women.

In coherence with Pierre Bourdieu's thought, the relationship between the social and the cognitive structure represents «one of the most solid guarantees of social domination», giving rise to that symbolic power that allows one to «act on the world by acting on the representation of the world» (Bourdieu and Wacquant 1992).

In this way, symbolic power, also defined as implicit (Lukes 1974), manifests itself through a form of violence, which is also symbolic (Bourdieu 1998) and which arises from the internalization of models that pass through the body, the profound feeling of every individual, the unconscious memory that is rooted since childhood, through family and social relationships.

In particular, symbolic power, which in its creation legitimizes domination, is paradoxically generated precisely by the dominated. In fact, it is described in Bourdieu's words as «that form of violence that is exercised on a social agent with his complicity» (Bourdieu 1998), that is, as demonstrated, that domination practised on women by men, through the male supremacy power consolidated in history.

Therefore, symbolic violence «is established through the adhesion that the dominated cannot fail to grant to the dominant (thus to the domination) when, in order to think about his relationship with the dominant, he only has tools of knowledge that he has in common with him and which, being simply the embodied form of the relationship of domination, make this relationship appear natural» (Bourdieu 1998).

For a typical life the "Sexualized habitus"

To better understand the categories of perception in the society, are inevitably those created by domination, they «not only exactly reflect the established order [...] [but] impose themselves with all the appearances of objective reality» (Bourdieu 1979). Thus, the dominant representations of society translate into what Bourdieu defines *habitus* (Bourdieu 1980), that is, into a set of "rules" acquired during the phases of socialization that prescribe a way of existence: this «modelling work creates differences between male and female, differences that circulate from the body to the unconscious, reinforcing the effect of naturalness of reality. Relations of sexual domination are thus, for Bourdieu, somatised. [...] Sex, understood as the construction of sexual categories and oppositions, is [...] first and foremost a symbolic language that structures reality and practices» (Negretti 2008).

In particular, to facilitate the *habitus* functioning in relation to the difference between men and women, "sexual *habitus*", it is possible to consider the choice of studies after college made by women and men: girls "don't find STEAM (*Science, Technology, Engineering, the Arts and Mathematic*) interesting", so - although if they are not forced - very rarely attend STEAM courses.

Indeed, social conditioning is incorporated by *habitus*, in this case gender which leads girls to exclude choices that would be "too atypical".

In the *habitus*, agency and structure meet, the individual will and the social conditioning that characterize the environment in which individual is formed.

Thus, in the words of Pierre Bourdieu «the construction of the world and of agents takes place within structural conditions; therefore, agents' representations vary according to the position (and the interests associated with it) and according to their *habitus*, as a system of perception and evaluation schemes, as cognitive and evaluative structures that are acquired through the lasting experience of a position in the social world» (Bourdieu 1994).

Social representations is natural: Sociodicy and symbolic violence

Bourdieu shows how the symbiosis between cognitive structures (typical of the individual subject) and social structure (proper to the social systems themselves), which operates through incorporation into the *habitus*, is based on the description-prescription dialectic. In this framework, in which symbolism reigns supreme, the most powerful systems are those which, while they seem to describe a social reality, such as the relationship between men and women, actually prescribe a way of existence.

In fact, the «constancy of the domination of men over women does not arise from the social transformation of a natural order, but from its opposite, that is, from the naturalization of a social relationship of inequality and subordination. This naturalization, which Bourdieu calls sociodicy, is also inscribed in the symbolic structures of society [...]; such symbolic structures are imposed on the dominated. Symbolic violence [...] is a form of domination that implies the relationship of complicity (conscious or not) of the victims» (Corradi 2009).

Therefore, the legitimation of power has its roots in social representations, perceived as natural, because they are incorporated by individuals. So, symbolic violence is an "hidden" type of violence, present in face-to-face interaction, but which works only to the extent that it is recognized as violence, coercion, or intimidation.

Symbolic violence presupposes that the subjective structures - the *habitus* - and the objective relationships are in agreement, that "what is appropriate has been internalized" (Krais and Gebauer 2009: 65, Crenshaw 1989), in other words, the subordination of women compared to men.

Violence: from the "field" to the "intersectionality" concept

As stressed, a person is not considered for his ability to act in the world, but he is evaluated for the cultural-external categories in which he has been positioned. The different positions that the individual occupies in the "field", such as the sphere of social life which has its own rules, generates a network of relationships between individuals lead to an internal conflict where the dominant ones are committed to maintaining the *status quo* and the dominated are working to change it, but there is also an external one, where barriers are erected at the entrance to the field.

The fundamental concept is that *habitus* is related to different fields, giving rise to different outcomes depending on the case. It is consequently possible that a person may find themselves more or less disadvantaged, within power relations, depending on the field in which they operate at that moment.

This concept is very clear in examining intersectional studies and the general concept of intersectionality. In 1989 Kimberlé W. Crenshaw coined this term to describe how the experience of African American women was subject to forms of discrimination and domination that neither feminist nor anti-racist theory had managed to grasp. Intersectionality aims to clarify how forms of exclusion and discrimination intertwine with social class, gender, and ethnicity to shape the socioeconomic and power inequalities that we observe every day in our present.

In this case, women, beyond their abilities or gifts, are brought back to certain categories, attitudes, and roles. This position contrasts with the autonomy of the person, and it becomes a denial of subjectivity and, thus, their body, the primordial place of passive synthesis of the person, offers others the possibility of its objectification.

Violence reduces women to a dominated object, crystallizes them, fixes them within a rigid model of identity and reduces the uncertainty of thought around the categories that should classify and understand the body itself and the person.

In this context, phenomena of violence that very often remain submerged (Grevio Report 2019), producing in the raped subjects (women) also a sense of mistrust in institutions as in the case of the secondary victimization (Vonderhaar and Carmody 2015).

Secondary victimisation

Among the social conduct reproduced on an institutional and socio-cultural level is so-called secondary victimisation, as we said - taking up the Council of Europe definition - is the indirect response of institutions and individuals towards victims of gender-based violence: stereotyped attitudes and prejudices, even unconscious ones, may be put into practice, which produce further consequences on their bio-psycho-social well-being, affecting their empowerment.

For example, data from a research conducted by the network Di.Re - Women in Networks Against Violence, state that as many as 27% (or 1,568 out of more than 5,000 subjects) of the women involved in the research claim to have been the object of institutional victimisation (Di.Re 2021).

Secondary victimisation is, moreover, exacerbated in the presence of minor children by social services and the courts (Di.Re 2021). Secondary victimisation, therefore, recalls violence in its different types and manifestations of power and abuse, often interacting with each other.

Victim Blaming as a social phenomenon

Victim blaming is the behaviour of attributing guilt and blame to the violence victim and not to the perpetrator (Ryan 1971). It is an attribution that can be carried out not only by all the institutions responsible for the victim care, but also by the family, by the friends and by parental network in general. These blaming actions can be enacted by shifting blame into the victim through judgements, thoughts, attitudes, and behaviour.

This is an inversion of the social order because roles are reversed: the aggression committed is transferred to the victim who would have acted in such a way as to deserve that physical and verbal or even psychological violence, which is often translated into the words: "*she wanted it, she liked it, it was her fault, she asked for it*".

Thus, must be emphasised the role of society in which there are still shared «cultural norms that endorse violence as an acceptable method of resolving conflicts; norms that accentuate men's power over women and children» (WHO 2002) and in which a general inequality between men and women persists; a rigid perception of gender roles and gender stereotypes, combined with the consideration of violence as a means of resolving conflicts and tolerance towards it in relationships.

A further element is the banalisation process that makes aggression an accepted and established "social" practice. It is real in our society that "justifies" violence as a life approach, where also persists a general inequality between men and women legitimised by a rigid perception of gender roles and by a "cage" of behaviour built on gender stereotypes. It is also possible that a process of banalisation of violence is a way making aggression as a "normal" social practice.

As anticipated in the preceding paragraphs, it is what Bourdieu (1979) calls symbolic violence, a suffer "gentle and almost invisible" violence which in a hidden way that conditions us, orients us in everyday life and gives us a view of the real world. It is the process of "labelling" (Becker 1968; 1971; Taylor, Walton and Young 1973) that sees the victim as blame deserving and as validating the injury suffered.

This attitude finds confirmation, also, in its de-humanization-objectification and degradation of the other (Wertham 1949) where the victim is deprived of intrinsic qualities. It is a disintegrative shaming (Braithwaite 1989) that stigmatizes and excludes the offended person, consequently creating a class of "excluded" subjects about whom to assign "pity" feelings (Lorenzetti and Ribon 2017).

In fact, the violence against women phenomenon, especially if physical and sexual but not exclusively, has impactful consequences on the victim who suffers a double isolation and a double stigmatization (Goffman 1963), assuming the blame for what happened, incorporating it to herself, thinking "she deserved" the aggression, thinking "*I was wrong, I don't remember well*". She closes herself behind silence and fear.

Then, victim blaming, women report difficulties in terms of autonomy, confidence with compromised self-esteem (Bates 2017); they may develop a sense of shame and guilt

that become paralyzing emotions to any possibility of redemption and, in many cases, requests for outside help. Their social credibility is violated, linked to the image that is compromised between private and public sphere because they are exposed to public derision. Women experience a feeling of emptiness, loneliness, and perpetual judgment. And it is precisely this aspect that it crucial in order to fight known and the hidden violence and to work on prevention and awareness-raising interventions.

These are all risk factors that can no longer be ignored but they must be recognized and reported from and in legal, social and health contexts: in fact, victim blaming contributes growing a discriminatory culture, objectifying women, and contributes to violate human rights, not only of women but for all.

Conclusions

Within the theoretical framework of reference and the suggested literature, it is necessary to reflect on the dissemination and cultural reproduction of gender-based prejudices, particularly those against women. This reflection must necessarily consider the impact of A. I. and machine learning in the gender stereotypes of social reproduction which affect - also through virtual contest (Varsha 2023) - the women's potential empowerment in terms of requests for help, of the possibility of actively participating in the promotion of activities to contrast the phenomenon of violence.

The engagement of women and men in issues concerning gender relations, the new technologies use, the habitus "crystallisation" and the nature of language used, must be central in sociological and interdisciplinary reflection. Among the processes there is the role of socialisation as a preventive tool of violent behaviour for new generations. In fact, «the deconstruction (also) from the male side of patriarchal systems of privilege is indeed a fundamental step in achieving gender equality and in ending the impunity of perpetrators of this type of violence also because, while it is true that the majority of perpetrators of violence against the female gender are men, it is also true that no boy is born a perpetrator but, certainly, if he is grow up in a context that minimizes, normalizes and generates sexism, gender inequality and violence against women, he will not think through an "innate" sense of rejecting the idea of prevaricating over others and therefore also over women» (Onida 2023).

In this context, it is important to not forget the ambitious project to promote women's empowerment through the concept of gender equality, central to the Italian Constitution (Italian Constitution, articles 3, 51 (paragraph 1), 37 (paragraph 1), 117 (paragraph 7), 29 (paragraph 2), 37 (paragraph 1), 48 (paragraph 1), but also in all that international discipline aimed at incorporating the gradual overcoming of the patriarchal model and the continuous process of transformation of societies (Universal Declaration of Human Rights - Article 16). Are fundamental also the Charter of Fundamental Rights of the European Union (Article 23) and the basis of the Convention for the Elimination of All Forms of Discrimination against Women (Convention of Istanbul, 2011 signed, but entering into force in the EU on 1st October 2023) and the Strategy for Gender Equality 2020-2025, as well as constituting one of the objectives of the 2030 Agenda on Sustainable Development.

These all-transversal priorities are crucial, together with the territorial and generational ones, of the Italian National Recovery and Resilience Plan (PNRR) with the "The Istanbul Convention, a lifeline for women and girls and an essential component of Europe's human rights framework".

In conclusion, as stated by FRA (2022), «any future development of algorithms needs to be accompanied by bias measurements, which allow a better understanding of the impact predictions have on decision-making. Only in this way can better, more consistent, and less discriminatory decisions become a reality» (FRA 2022).

Authors contributions
Although the result of a common reflection, paragraphs 1 and 9 must be attributed to all authors, while paragraphs 2, 5 and 6 to Daniela Grignoli, paragraphs 3 and 4 to Danilo Boriati and paragraphs 7 and 8 to Mariangela D'Ambrosio.

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Racial prejudice: a phenomenon of social distance

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Abstract

In 1924, R. E. Park published The Concept of Social Distance as Applied to the Study of Racial Attitudes and Racial Relations, thus resuming the analysis carried out in 1921 together with Burgess on the types of behavior of individuals and of groups and the phenomenon of social distance. It is emphasized how these "accommodations so flagrantly displayed in the relation between white and black men (race prejudice)" are not confined solely to this specific relation but "The same mechanisms are involved in all the subordinations, exclusions, privacies, social distances, and reserves which we seek everywhere, by the subtle devices of taboo and social ritual, to maintain and defend".

The conceptualization of social distance in Park and Burgess's volume is mediated, especially by Park, through Simmel's formal sociology and will subsequently be elaborated, on a methodological level, by E. Bogardus through the relative measurement scale. The influence of the German sociologist is made evident by the constant reference Park makes to him in his writings, with particular reference to the treatment of the foreigner and to the spatial variable as constitutive of the dynamic form and meaning of social relations.

This contribution aims to deepen the conceptual elaboration of social distance, starting from the argumentation in the volume by Park and Burgess.

Keywords: race; social distance; Park; stranger; Simmel.

1. Introduction

The interest in and study of social distance developed in a historical period with two characteristic aspects: the profound social and urban transformation of American society – between the end of the 19th and the beginning of the 20th century – originating from the arrival and settlement of immigrants in cities and their subsequent metropolization, and the effort to strengthen the sociological discipline and to represent it to the public with a more marked scientific profile.

In focusing on these social aspects and pursuing this objective, it can be recalled how two sociologists who worked at the university founded by the capitalist Rockefeller in 1890, W.I. Thomas (in *Social Origins*, 1909) and Park, respectively dwelled on the study of quantitative and qualitative techniques – more specifically, the former on social attitudes in general and on racial and ethnic groups in particular, and the latter on issues concerning race and racial relations within American society.

It is Park himself who develops the concept of "social distance", on both the theoretical and methodological level, starting from Simmel's formal sociology, by which he was clearly influenced during his time in Berlin. A clear confirmation of this is both the constant reference to Simmel in his writings (Hinkle 1994) and the extensive use he makes of the simmelian treatment of the foreigner in hi (now century-old) book. He also hinges on the problematic aspects of foreigners belonging to racial and cultural groups they are in contact with, especially when they settle in the same neighborhood, focusing on "the combination of the near and the distant" (Park and Burgess 1921).

Henceforth, Park and then Bogardus believed that the concept of social distance could be used to study race and ethnic relationships, using the "prejudice" that is developed by some individuals/groups

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towards other individuals/groups in a social space (Park 1924) in order to establish some measurability through the degrees of understanding/intimacy and closeness/distance.

2. The premises of social distance in Simmel's formal sociology

Simmel's so-called "formal sociology" (Simmel 1971) has always had a twofold purpose, the second of which is consistent with the first, namely to take as a formal category the geometry of social life with which to proceed to the interpretation of psychological content.

Simmel (1971, 1989) analyzed the way in which the distances between subjects influence the formation and dynamics of what he defined as forms of associated living and argued that it is precisely the distance that determines the relational processes at the base of the construction of the social.

The German sociologist and philosopher, remembered primarily as a "formal sociologist", had tried to achieve an image and a "more geometric" study of the *social* in which space appears to be a semantic dimension. At the same time, he recognized in the pragmatic effects the ability of the symbolic-semantic dimension to exert an influence on individuals in determining distances from other individuals and the very forms of social life.

Simmel insists on the importance of the study of space to understand the interactions between people. "Men", says Simmel, "cannot be close to or far from each other without space imprinting its shape" (Simmel 1989). According to Simmel, space – within which men activate their relationships, their cultural and economic exchanges – more than a geographical entity, represents a set of psychological forces that tend to bind individuals. By virtue of these ties, space takes on different connotations that lead Simmel to define it as "an activity of the soul" capable of connecting "in unitary visions sensitive affections that are unrelated in themselves" (Simmel 1989).

In addition to this psychological representation of the importance of space, there is another that identifies the interactions between men as a need to fill space. In fact, if everyone occupies a beautiful space delimited by his or her activity, with his presence distinguishing him from his neighbor who has his own space, Simmel says that an empty space is created between the two that is filled only thanks to interaction, and therefore it is animated. The concept of space understood geometrically or even geographically is different from what is sociologically understood, which instead is connected to the concept of soil and territory: as Simmel affirms, every social function that is consolidated on a territory has its own unique character. Within the district of a city, only that city can exist, and "if a second city were to be born within these borders it will be two cities, not on the same territory, but on two territories once united and now separated" (Simmel 1989).

In the medieval period, this separation represented the "mark", that is to say that space that was interposed in mental form between two or more spaces that had the same identity. At that time, within a city, which also shared the same historical and traditional identity linked to shared values, there could be several guilds, each of which represented a profession/group in the city. In this way, the city territory was divided not quantitatively but functionally. Similarly, there may be several churches for different professions, but all were understood as churches of that city.

Here then, the city is outlined by the occupation of a space imbued with not only social but also cultural and symbolic meanings, which take on their connotations in a more appropriate form when the space itself is actively occupied and lived. In this case, the existence of a "frame" acts as a limit capable of circumscribing the boundlessness of the space within well-defined boundaries. Within these borders, therefore, it is possible to find a world that responds to its own particular rules, representing a society linked not only by an inner coherence but also by a set of relationships that are functionally linked to each other.

For Simmel, the concept of "limit" – the *limes* of the Latins – has a notable sociological value, which serves to mark the relationships between people belonging to different cultures who recognize themselves in different territories. The sociological limit thus understood implies being unable to act not only beyond the border but above all on the other subject, understood as a social actor able to manage his freedom in full right. In this way, a limit is created that is no longer just spatial but has its roots in the *psyche* of the people, because it is this that basically create the boundaries. "The limit", Simmel will say, "is not a spatial fact with sociological effects, but it is a sociological fact that is spatially formed" (Simmel 1989). Therefore, the boundary is nothing more than the concrete, structural representation of what has already settled in the consciousness of the community that recognizes and identifies itself within that boundary, nourishing the

"mechanical solidarity" that Durkheim (1984) will use to explain the social cohesion typical of pre-modern and isolated communities.

Simmel's reflection, precisely because of his ability to analyze the effects that the interpolations between spatial and semantic entail for life and social structuring, leads us to consider distance as the pragmatic consequence of bringing back a particular individual subject within a larger group, within a logical and semantic category. This statement is of considerable importance for the understanding and study of social distance itself since it introduces the need, on behalf of the researcher, to refer to the axiological, cultural and hermeneutical frameworks of societies, communities and groups within which social distances are observed and studied.

3. Simmel's "stranger" and the evolution of the concept of social distance

Simmel, in his broader treatise Sociologie of 1908, conceptually circumscribes the identity of the starrer in his personalistic essence of the subject of the search for social desirability which then takes shape in the social space. Simmel's contribution is sociologically an important reference point for the studies of Park and Bogardus as this could help them in identifying the different possibilities that individuals have at their disposal in interactions with other individuals or groups of individuals (social groups) or between groups of people (between social groups). Individuals or social groups through their social desires and instincts interpret differently the social space within which they intend to affirm their personalities and social identities by attributing, in fact, to the same space a true "geometry" (Lopez 2021). Simmelian "geometry" is used, by the sociologists of Chicago mentioned earlier, in the conceptualization of social distance on the basis of the counterposition of space distance as geometric space and symbolic distance as metaphoric space. Returning to the conceptualization of social distance, there is no doubt that Park, above all, used the simmelian treatment of the stranger as a sociological form to analyze the construction of the meaning of the relationships that each individual attributes to space, both in the form of individual relationship as well as of group and between social groups. In other words, one could talk of de-construction of semantics that is attributed to space (in a wider geometry) through the interests that individuals and groups pursue by creating alliances (proximity or distance).

This is reflected in Simmel's work when he writes:

The stranger is thus being discussed here, not in the sense often touched upon in the past, as the wanderer who comes today and goes tomorrow, but rather as the person who comes today and stays tomorrow. He is, so to speak, the potential wanderer: although he has not moved on, he has not quite overcome the freedom of coming and going. He is fixed within a particular spatial group, or within a group whose boundaries are similar to spatial boundaries. But his position in this group is determined, essentially, by the fact that he has not belonged to it from the beginning, that he imports qualities into it, which do not and cannot stem from the group itself (Simmel 1950 [1908]).

The relationships that individuals and groups establish, therefore, assume precise meanings only if the symbolic conditions of the relationships themselves are also considered. Simmel, following Kantian ideas, considers the spatial and the temporal dimensions of modernity as two necessary forms without which we cannot perceive or conceive the objects, and discusses the way space and time entail empiric reality (Ethington 1997). Space is therefore a form of meaning, a way of organizing experience and life, and as such, it is always embodied in a single and peculiar spatial configuration. In other words, space can only be grasped starting from the configuration it helps to create as a container of relationships.

Certainly, "the stranger" (metaphorically, the strangeness – that which is unfamiliar) for Simmel constitutes the social type and the basic element of his social distance concept. The reference to Émile Durkheim is important because when he writes about the characteristic of organic solidarity and the social integration, he had already reflected on the physical and social distance "under the guise of the moral density concept" (Levine et al. 1976).

4. Park, Burgess and Bogardus: racial relations and the social distance scale

If the Simmelian theorization of the sociological form of the foreigner had as its historical-social background the transformations of the European continent of the late Eighth Century, its "American elaboration" had as the background some of the greatest transformations in history in general and of America in particular that, flying on the wings of an accelerated development, attracted immigrants from all parts of the world, increased its population with the development of metropolis, transformed its social realities with the birth of phenomena of discrimination and racism.

In 1908, W. I. Thomas began studying race relations, and in particular, Chicago's largest immigrant minority (Polish), at the time generally only discussed in local newspaper articles in reference to "Polish Crime" (Collins and Makowsky, 1978). This research, conducted together with Florian Znaniecki, set out to

criticize this stereotype and culminated in one of the classics of sociology, *The Polish Peasant in Europe and America*. The scientific interest in race and ethnicity became one of the main topics that influenced the activities of sociologists at the University of Chicago, and among them, with particular reference to the concept of social distance, Park and Burgess.

They (and Bogardus later) privilege the purely formal nature of the concept of social distance and apply it empirically, especially with regards to the specific theme of the perception of and relationships with immigrants, in contrast to the high level of abstraction and formalization that characterized the concept in simmelian thought.

Ethington (1997) talks of a partial use – one would say exclusively "phenomenological" – of the social distance concept, to the detriment of the constructivist potential inherent in its previous simmelian elaboration. Park (Levine et al. 1976)[1] uses the conceptual figure of the foreigner to observe the new relations between social groups of immigrants coming not only from Europe and Asia (mainly) but also from other American states (especially the South) that were transforming American society (Wark and Galliher 2007).

Park and Burgess (1921) were very interested in the phenomena of race and racial prejudice linked to social distance. They talk about racial prejudice as:

- a form of insulation (pp. 250-252);
- primary contacts (p. 330);
- interracial competition (pp. 539-544);
- racial conflicts (pp. 578-579 and 631-633);
- a defense reaction (620);
- competition between people with different living standards (pp. 620-623);
- assimilation (pp. 756-762 and 769-770);
- prestige (pp. 808-809);
- and, finally, as a phenomenon of social distance, the main topic of interest here.

Park and Burgess distinguish their metaphoric sense of "distance" from its ordinary-use geometric meaning (Park and Burgess 1921). In fact, to separate individuals there are both spatial distances and psychological distances. Park and Burgess (Park and Burgess 1921) are well aware of the role that state of mind assumes as a guide to behaviors of "race consciousness" and "class consciousness" with which individuals themselves more or less consciously act in space to produce social distance or proximity. The same distance can be deployed in terms of class and/or race between individuals or between groups.

The two scholars reverse the simmelian assumption that geometric distance produces metaphorical distance, observing that people have an instinctual drive to "maintain social distance", choosing to occupy different residential and productive spaces. In chapter IV of their book *Centenary* (Park and Burgess 1921), they write:

> *A morphological survey of group formation in any society discloses the fact that there are lateral as well as vertical divisions in the social structure. Groups are arranged in strata of relative superiority and inferiority. […] New devices come into use to keep aspiring and insurgent individuals and groups at the proper social level. […] As protection against the penetration of the inner precincts of personality and the group individuality, there are the defences of suspicion and aversion, of reticence and reserve, designed to insure the proper social distance.*

And in chapter VII (pp. 440-441):

> *The simplest and most fundamental behaviours of individuals and groups are represented in these contrasting tendencies to approach or withdraw from an object. If instead of thinking of these two trends as unrelated, they are thought of as conflicting responses to the same situation, where the tendency to approach is modified and complicated by a tendency to withdraw, we obtain the phenomenon of social distance. There is a tendency to get close, but not too close. There is a*

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[1] Park proposed the "marginal man" as a counterpart to the concept of the stranger: "The emancipated Jew was, and is, historically and typically the marginal man, the first cosmopolite and citizen of the world" (Park, 1928: 892).

feeling of interest and sympathy of A for B, but only when B remains at some distance. So the Negro in the southern states is "all right for him". […] The adaptations between conflicting tendencies, so blatantly shown in the facts of racial prejudice, are not limited to the relationship between black and white men. The same mechanisms are involved in all the subordinations, exclusions, intimacies, social distances and reservations that we seek everywhere.

Park himself subsequently (Park 1924) clarifies that the "race consciousness" - as a type of social distance - it was possible to observe it precisely with the use of the social distance concept. The Chicago sociologist, highlighting the aspect of prejudice in the dynamics of social contact, adds that distance is a function of a "state of mind" in which differences are encountered: "What we ordinarily call prejudice seems to be more or less instinctive and spontaneous disposition to maintain social distances" (Park 1924). A further conceptual and methodological evolution is offered by Park in his 1924 *The Concept of Social Distance as Applied to the Study of Racial Attitudes and Racial Relations*, which resumed the analysis carried out in 1921 together with Burgess on the types of behavior of individuals and of groups and the phenomenon of social distance.

Hence, Park, and then Bogardus, believed that the concept of social distance could be used to study racial and ethnic relationships, using the "prejudice" that some individuals/groups develop towards other individuals/groups in a social space (Park 1924) and establishing measurability precisely through the degree of understanding/intimacy and closeness/distance. Here, it is necessary to remember a non-accidental element, namely the "psychological" education (Wark and Galliher 2007) of both Chicago sociologists, in addition to the already mentioned interest in phenomena linked to immigration and race. This may have played a significant role in collaborations on joint research works, even though Bogardus had, in the meantime, moved from Chicago to California.

At the University of Southern California, through the Pacific Coast Race Relations Survey, Bogardus (as director) and Park methodologically experimented the first development of the social distance scale with a quantitative indicator of social distance. This methodological approach used to also analyze statistically the framework of racial relations, combined with the (already mentioned) more qualitative one of Thomas, Bogardus pursued the scientific interest in racial issues as one of the main social dilemmas of America of those times (Owen et al. 1981).

In 1925, Bogardus published *Social Distance and Its Origins*, in which he defines social distance as referring "to the grades of understanding and intimacy which characterize pre-social and social relations generally" (p. 216). The following year, he launched the most important investigation into social distance and the use of the relative scale. Through the collaboration of as many as 25 American universities in many states and implemented every decade until 1966 (except 1936), the scale made it possible to trace the evolution of the American experience of diversity and difference over a period of four decades and became one of the most famous tools in the social and psychological history of American culture. Finally, it should be emphasized that Bogardus' work is much broader (Clemente 2019) and that racial distance is only one of the ten types/fields of distance treated in his work *Social Distance* (1959).

5. Concluding remarks

The concept of social distance is characterized by a very rich ambivalence and flexibility for the purposes of social research. The bi-dimensionality of the concept of social distance has been underlined several times, through the identification of a symbolic-metaphorical value and a properly geometric-spatial value.

Furthermore, on the empirical level the concept of social distance expresses value in the analysis of social phenomena both at a micro and macro level, obviously not in a simplistic and absolute sense. On the micro side, for example, the theme of social distance becomes interesting for a sociological and epistemological reflection on the current relationship between the cognitive dimensions of the social and, in return, the social dimensions of cognition in the age of the Internet and social media networks. The social reorganization of time/space is strongly permeated by the Internet and the essential use of devices (smartphones), and all this concretely acts on the representation of social categories from which identity itself is constructed. In sum, social distance can be produced and reproduced with concrete effects through the use of media tools.

On the macro side, think of the theme of globalization, in which the approach to social and cultural differences develops within the same spatial dimension but in a system/network in which they are largely fluidified and complexified by the system of technological networks as social networks (Castells 2002). In this space – a container of multiple cultures and values, and different histories – there is both a contraction of social distance understood as geometric distance and (not automatically but very frequently) a high symbolic social distance.

On the other hand, there are numerous studies conducted in many countries of the world and in various disciplines (sociology, political science, psychology, linguistics and pedagogy) that, even very recently, have made use of Bogardus' scale of social distance.

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Modern society levels of prevention against anti-social and anti-juvenile behaviour in relation to early school leaving: summary of a study

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Abstract

The aim of this paper is to analyse the role of the social worker in mental health, and in particular in Borderline Personality Disorder (BPD). The so-called "mental health" corresponds to the well-being condition in which a person finds himself when he reaches a satisfactory personal psychological balance. Mental health is a subjective condition that depends on different factors (personal, relational, social, economic) and changes as a result of the vicissitudes of life. The subject with mental discomfort lives in a state of suffering: for fear, for loss of confidence in himself or in others, for inability to love, to work, for loneliness. When psychic discomfort persists for a long time it can result in a real mental illness. The most common psychiatric diseases are: depression, anxiety disorder, panic attacks, the large group of psychoses, including schizophrenia. In the past, people with severe mental illness were isolated in asylums, places of segregation rather than places of care. The mentally ill was considered "dangerous to society", so he had to be removed. Today, the Social Worker fits into this delicate context as a professional who contributes to the achievement of the state of health understood by the World Health Organization (WHO), as "complete well-being, physical, mental and social".

Keywords: *Mental health; social service; society, families; borderline.*

Introduction

Today, mental health is recognized as a fundamental factor for people's well-being, greatly affecting everyone's quality of life. The search for individualized and effective interventions aimed at the user, the particular attention to improving the quality of life of people and the respect of their fundamental rights are very recent aspects in the psychiatric

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field. Only since 1978, with the introduction of the Basaglia Law (Italy), the approach to people with mental problems changed. With Law 180/78, in fact, the Parthians of simple care were abandoned and with them the asylums were closed, thus restoring dignity and rights to all people suffering from mental disorders. Until that time, for the latter, the only possible prospect was a long mental institution. By evolving, psychiatry has realized that mental illness, in addition to the physical component, also has a psychosocial character, bringing with it numerous relational and social repercussions. Moreover, very often situations of mental distress are strongly gripped by the stigma, which alters the image of the person suffering from it and, on the other hand, promotes strong discrimination and social exclusion. In order to protect rights and address conditions of weakness and fragility that often unite people with psychiatric disorders, A system of targeted services has been created that guarantee individualized care and encourage the development of user empowerment and a path aimed at recovering responsibility and autonomy. Today, the Department of Mental Health (Italy) and, through the multiplicity of professionals present, involves the person in different rehabilitation activities, supporting and supporting him in his recovery path, acquiring awareness of their potential and the skills to manage their disorder. Among the various interventions should also be highlighted those offered by residential or semi-residential structures, graduated according to their possibilities of assistance, aimed at the recovery of skills of a social and relational nature. Within the Mental Health Center, the Social Worker collaborates with all other professionals present within the Center to achieve the goals set by the entire team. This helps him to consider the user at 360 degrees and to face the need for help expressed by the user in a complete way. Very often, however, the team is not enough to address the social part of the user's needs and the social worker must, therefore, know how to look for the necessary resources offered even within the network of institutional and non institutional services, present in the territory. The latter becomes the space in which the necessary resources can be found and found. It is important, therefore, that the social worker adopts an approach that allows the development of the local community, through their knowledge and methods. Over the years, mental health services have certainly undergone a long process of transformation from institutionalisation to community-based practices.

Mental health and the legislative process in Italy

The history of mental health in Italy is marked by laws rooted in the last century (Tab. 1). The relationship between Mental Health and Social Service is not born in a homogeneous way, but rather, from the set of several elements and events that, at the turn of the sixties and seventies, gave an enormous organizational turn to the phenomenon. Initially, after the Second World War, the social aspects of life of the person were not considered in the field of health, therefore, the Services responded to the problem only through the use of classic therapeutic practices. In fact, because of the Crispi Law, No. 6972 of 1890, social welfare activities were confined to charities, volunteers and municipalities (Rossi, 2014). The approach used was medical, centered on the concepts of body and pathology. At that time, the reference law was No. 36 of 1904, entitled: "Provisions on asylums and alienated. Custody and care of the alienated" which outlined a system based on the social danger of the psychiatric patient and the obligatory treatment (Campanini 2020). The interventions were then carried out through the diagnosis and treatment of the injured parts of the person, in order to normalize the dysfunctional aspects caused by mental illness.

Table no. 1. The most significant laws on mental health, in Italy

1. Law 14 February 1904, n.36, "Dispositions on asylums and alienated persons", known as the Giolitti Law: defines the link between the social factor and psychiatry, to such an extent that not only people with psychopathology are interned, but also anyone who could disturb the balance of society (Ianni 2019).	2. Law 18 March 1968, n.431, "Providence for psychiatric care", known as the Mariotti Law, followed by the d.p.r. n. 128/1969 "Internal order of hospital services". The Mental Health Centres (CIM) are introduced as a community service; a maximum number of beds in each structure is defined; the number of specifically trained professionals is increased and the team working in CIM with psychologists, health assistants and AS is integrated, the latter were introduced in 1972, since previously only present in Psychiatric Hospitals (O.P.); voluntary hospitalization in O.P. is allowed without the loss of civil rights; Art.604 of the Code of Criminal Procedure concerning the registration in the criminal record of measures for admission to the asylum (Melani 2014) is repealed.

3. Law May 13, 1978, n.180, "On voluntary and mandatory medical examinations and treatments", known as Basaglia Law. The aim is to reverse the principle that internment is the appropriate treatment for psychiatric illness (Lentini 2019). The complete closure of the asylums did not end until 1994-1999. The Law 180/78 in fact, lasted only a few months: the 23 December of the same year has merged into art. 33-35 of Law 833/78 establishing the National Health Service (NHS) with which they introduce, at the Local Health Units (USL), departmental services for the protection of mental health with functions of prevention, diagnosis and rehabilitation, equipped with multidisciplinary teams (Marini 2015).

Psychopathology is "a syndrome characterized by a clinically significant alteration of the cognitive sphere, of the emotional regulation or of the behavior of an individual, which reflects a dysfunction in the psychological, biological or evolutionary processes underlying the mental functioning" (APA 2013). Three basic characteristics have been identified to define the mental disorder: 1. personal distress (deep individual malaise that the person feels as a result of the disorder); 2. violation of social norms and disability (impairment of important areas of the individual's life); 3. dysfunction (alteration of evolutionary, psychological and biological processes) (Kring and Johnson 2023). BPD is one of the Personality Disorders (DDP). "We define "personality traits" as constant patterns of perceiving, relating and thinking about the environment and oneself, which manifest themselves in a wide spectrum of social and personal contexts" (APA 2013). We talk about DDP when such traits become so pronounced and maladaptive as to impair the functioning of a series of areas such as cognitive, affective, social. DDP are ego-tuning disorders, a term that indicates a set of symptoms that the person perceives in tune with his ego and his needs; for this reason, he does not realize the disorder he really suffers from because it is as if it were an integral part of his identity (Hart et al. 2018). Because of this,

unlike what happens for other mental disorders, these people when they ask for help, rarely allude to the manifestations of the real disorder they suffer and therefore, at the beginning of the therapeutic path, professionals must help the person to become aware first of all that it is his personality traits that are dysfunctional and source of malaise (Zimmerman 2021). The DSM-5 identifies ten types of DDP, divided into three clusters:

1.   *Cluster A (Odd cluster)*: characterized by eccentric behavior, mistrust and tendency to isolation. It includes personality disorders: paranoid, schizoid, schizotipic.

2.   *Cluster B (Dramatic cluster)*: characterized by dramatic behavior and strong emotionality, egocentrism and poor empathy. Includes personality disorders: narcissistic, antisocial, borderline, histrionic.

3.   *Cluster C (Anxious cluster)*: characterized by anxious behavior and low self-esteem. Includes personality disorders: avoidant, dependent, obsessive-compulsive (APA, 2013). It highlights how people suffering from certain types of DDP, frequently resort to psychiatric services. People with BPD (cluster B) account for about 10% of outpatient mental health patients and 10% of people with this diagnosis die by suicide (Fonargy 2007). The DSM-5 identifies (Figs. 1,2,3), moreover, nine criteria (it is necessary to respect at least five of them in order to diagnose the psychopathology in question:

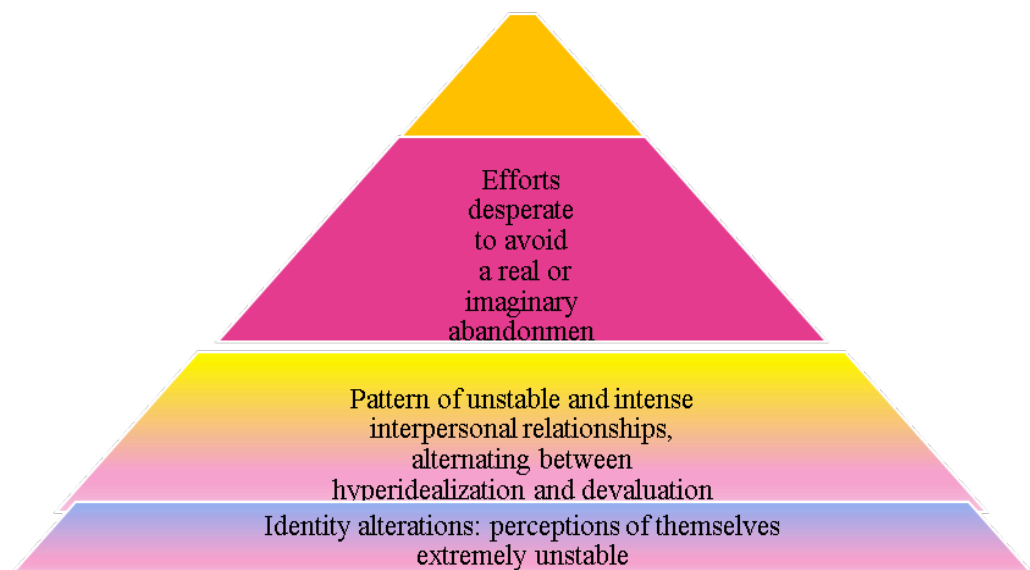Fig.1: Borderline diagnostic criteria
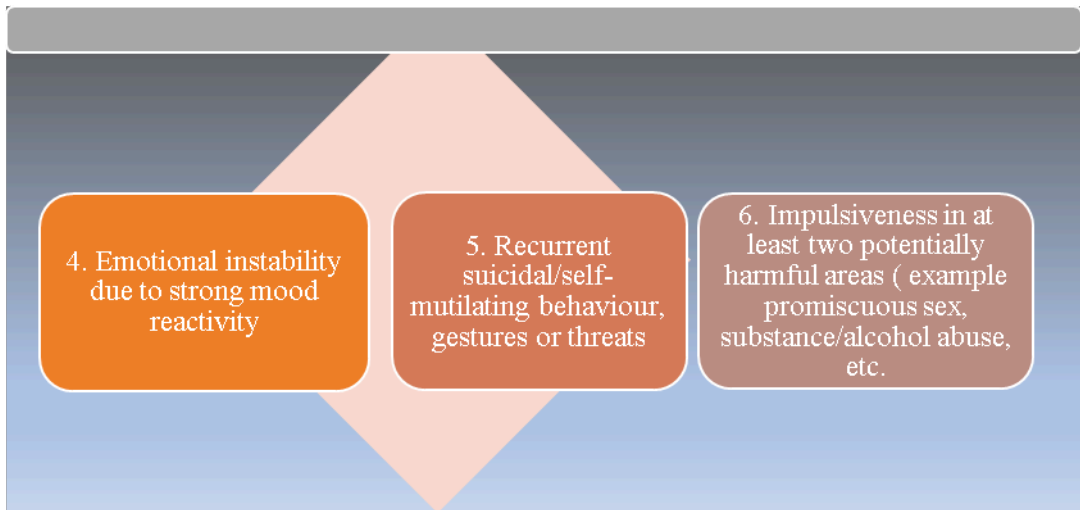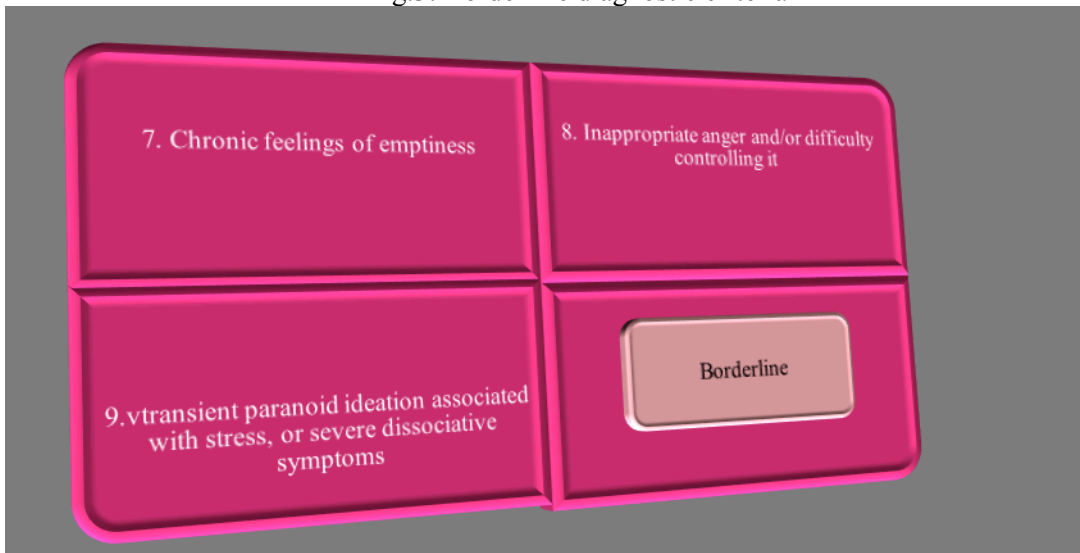
Fig.2: Borderline diagnostic criteria

Fig.3: Borderline diagnostic criteria

One of the objectives of the research is to identify, from an early age, the main risk factors for the development of BPD, so as to implement an accurate prevention program (Beeney et al. 2021). These factors include: psychopathology of parents, traumatic events experienced during childhood (e.g. abuse, neglect, caregiver neglect), negative affectivity and impulsiveness of the child (Stepp et al. 2016). In particular, a punitive parenting style, characterized by severe and/or corporal punishments, insults and screams, is strongly associated with the development of BPD, especially if there is already an early emotional regulation deficit in the child (Beeney et al. 2021). People with BPD face emotional suffering through impulsiveness, identifying it as the most appropriate means of self-defense to express anger and frustration. Having suffered significant trauma, can result in

patients with BPD a central nervous system constantly "alert", ready to react immediately and excessive in the face of real or imaginary threats (Manna et al. 2004). In front of people with this disorder, in addition to lightening the severity of the symptoms, it is appropriate to implement a psychosocial intervention that encourages interpersonal relationships, promoting continuity and work success (Giberti and Rossi 2007).

The recovery path: role, contributions and occupational risks of the social worker

Social service in mental health is defined as "the set of specific professional actions which, within programmes aimed at achieving the objectives of prevention, treatment and rehabilitation of people/groups suffering from mental disorders, contribute to the overall individual and collective health projects, [...] as well as making a significant commitment to the promotion of the culture of inclusion and acceptance of diversity" (Spisni 2013). AS plays a central role in the recovery path. The interventions are addressed to three dimensions: the individual, understood both as an individual and the family; the organization, or the service of belonging to the worker, respecting the institutional mandate; the community (Cellini and Dellavalle 2015). "Effective rehabilitation requires changes in both the individual and the community, which should promote the achievement of rehabilitation objectives by providing support and the necessary resources for users to achieve an independent life" (Carozza 2006). Specifically in the psychiatric field, it is objective the need for multidisciplinary work involving different experts such as the psychologist and the psychiatrist, who, together with the AS, each according to their own skills, provide to develop a Therapeutic Project-Individualized rehabilitation (P.T.I.). The aim is to identify the set of therapeutic-rehabilitation interventions that are best suited to the specific need of the person, helping him to face his discomfort from all points of view and always remembering that even with equal diagnosis, each person is profoundly different (Pacini 2019). To concretize the P.T.I. is approached the instrument of the therapeutic contract (CT); it is a point of reference for the user and his team treating, let alone form of alliance between the contractors and foundations for the relationship of trust that is hoped to be established between these (Cellini and Dellavalle 2015). A research carried out at the CSM of Forlì (Pacetti and Ravani 2013) showed that the drafting of the CT represents a motivational element to therapeutic continuity, discouraging the abandonment of services, frequent choice in people suffering from BPD because of the impulsiveness and relational instability that characterizes them.

The main role of the AS is to support the person in a path of psychosocial rehabilitation where "rehabilitation means a process that has as its objectives to identify, prevent and reduce the causes of disability and at the same time help the person to develop and use their resources and abilities in order to gain more self-confidence and increase the level of self-esteem, leveraging on what is healthy and not on pathology" (BA 2003). The support in the path of training and work placement is part of the psychosocial rehabilitation that carries out psychiatric AS. It is frequent that a person with severe psychiatric fragility experiences periods of social withdrawal as well as removal from the working environment or difficulties of integration (Rosina 2016). People who suffer from BPD often have an irregular work history characterized by relationship conflicts with colleagues/superiors, procrastination and repeated absenteeism, which leads to job losses as well as frequent changes in work career. In the research carried out by Dahl et al. (2017), the work emerges as a source of personal success, which allows you to feel an active part of the community; it is therefore essential to include work placement among the objectives of the P.T.I. The

AS can also provide support by taking on the role of mediator to create a profitable working alliance between the person with BPD and those present in the workplace. When a person suffers from a psychopathology, the negative consequences also fall on those around him. For this reason, AS also intervenes on the caregivers of the person, in order to support the primary network in the understanding of mental distress. It may also be necessary to support the family in the search for an appropriate structure in which the person can reside if it is necessary to leave the home, helping to maintain as much as possible family relationships even after the placement (Rosina 2016). It always remains of primary importance to guarantee the emancipation of the person from the assistance received by the services, trying not to make these his only points of reference. It is therefore a matter of identifying the resources not only of the individual but also of the surrounding social fabric, in order to create a varied and constant support network (Sanicola 1997). Numerous evidence shows that people with psychiatric vulnerability suffer not only from psychopathology itself, but also from the social consequences that mental disorder entails and that manifest themselves in the form of discrimination, injury, more generally in the form of stigma (Lasalvia and Tansella 2008). With regard to mental distress, stigmatization has consequences that affect the general well-being of an already fragile individual. The degree of stigma varies according to the type of disorder: a higher level has been noted towards those psychopathologies labeled by society as "dangerous and unpredictable", including BPD (Padovani 2021).

The most serious repercussion of the label is the so-called "label avoidance"[1] that generates abstention to care (Lasalvia 2022), followed by "the self-stigma": a set of moods of the person with psychopathology that presents difficulties to admit first of all to itself of having a psychological problem and which can result in self-exclusion from any social environment because it does not consider itself able to live it adequately (Lasalvia and Tansella 2008).

Among the types of "stigma" is also recognized that of socio-health professionals. It refers to the set of stereotypes, negative attitudes and unconscious or conscious behaviors, implemented by aid professionals, who are often victims of stereotypes as much as the general population (Lasalvia 2022). In this regard, research shows that people with BPD are identified among the most difficult patients to treat. This involves the implementation of the process of "malignant alienation" which consists in the interruption of the therapeutic relationship due to the refusal of the user by the professional. This behavior stems from the operator's fear of manipulative behavior typical of people with BPD. This is experienced by the latter as an expulsion and discriminatory attitude involving a symptomatic worsening. It is a cycle of self-fulfilling prophecies because the professional tends to have preconceptions that affect the interaction with this type of target; In turn, BPD people will respond to the specialist's actions with behaviors that unknowingly confirm what was previously assumed (Markham 2003; Kealy and Ogrodniczuk 2010). This often leads to an early cessation of treatment and the repeated testing of new carers, drugs and services; this form of constant instability becomes itself a source of stigma (Aviram et al. 2006). To try to break down as much as the public stigma, strategies have been identified including (Fig. 4):

Fig. no. 4: Methodologies for weakening the social stigma
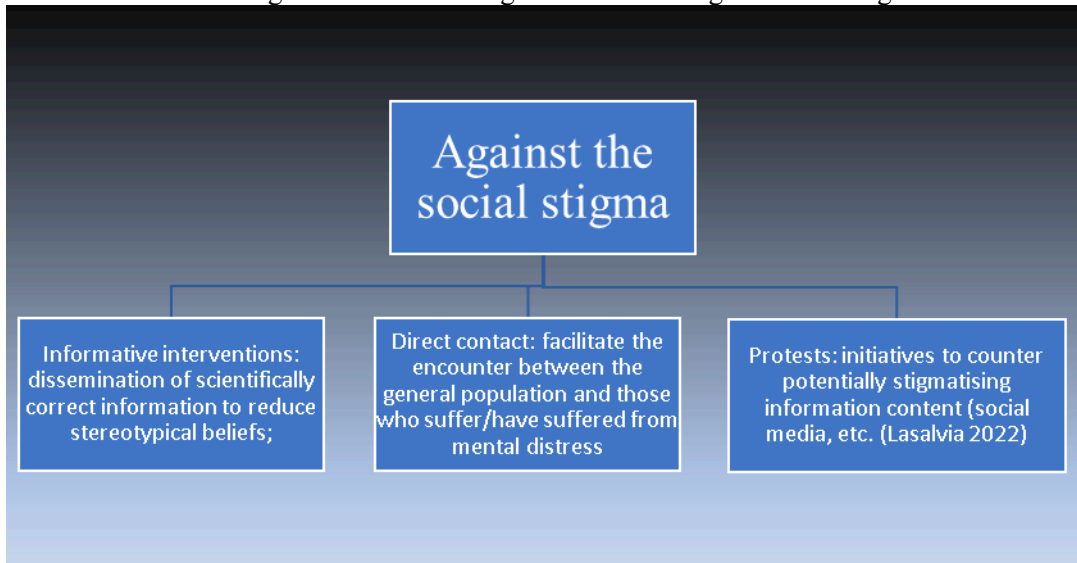
In the fight against stigma, the AS plays an essential role thanks to its formation and awareness of inequalities. The function of advocacy, or giving voice to the rights of the weakest groups, allows you to enter professionally into action to support those who remain aloof in the social fabric. Attention is paid to all health determinants that can affect the worsening of mental ill-health conditions and cross-sectoral projects are implemented, which foster feelings of belonging and interaction in different contexts of daily life (CNOAS 2021). Those who help others professionally create relationships based on emotions and empathy. By empathy, we mean "the ability to understand the state of mind and the emotional situation of another person, [...] immediately understand the psychic processes of the other sometimes without resorting to verbal communication" (Enciclopedia Treccani 1999).

The continuous contact with the suffering of others, can involve in the operator two reactions: identification or identification. The first means the process by which one person ideally moves into the experiences of the other, trying to lend support; the second refers to the assimilation of the state of suffering close to that of the user that causes a dysfunctional alteration of the professional role (Asioli 2022). It is common to think that the "management of emotions" is necessary, which involves a repression and denial of the same; the risk is that the professional, given the lack of emotional processing, is then invaded by their emotions and implements stereotypical or superficial responses. It is therefore necessary the process of "reflection on emotions": listening and self-knowledge, externalization and observation of one's own feelings, are the appropriate behaviors to manage any inner resonances and be able to exploit emotions as a resource in the professional path (Sicora 2010). "For professionals learning the ability to limit (total) mirroring in the pain of the other is as important as being able to identify with his condition and his experience" (Asioli 2022).

Given the continuous exposure of the AS to the vulnerability and suffering of others, it would be desirable, in order to be able to carry out their work, the development of resilience and emotional intelligence. The latter can be defined as the ability to identify,

understand and express one's emotions in a functional way; it involves being able to motivate oneself, persevere in the face of frustrations and prevent anguish from overwhelming the ability to think (Herland 2021). Resilience refers to two key components: the experience of adversity and positive adaptation in response to it. Resilient people are able to tolerate difficult and stressful situations and gain strength from them (Cleveland et al. 2019). Protective factors have been identified for the development of reflexivity; among these is recognized professional supervision, which in the social service can be defined as "process of accompaniment and guidance led by an expert whose objective is to move solicitations of various nature [...] to promote an improvement in the awareness of being and the appropriateness of acting" (Burgalassi and Tilli 2018). Given the complexity of the emotions, the emotional dilemmas that are found in the work, should be the subject of discussion in team meetings and counseling spaces but it is still a highly underestimated reality (Herland 2021). Working in the social sphere often involves work overload, lack of time and a hectic environment, factors that can lead to acute stress and hinder the path of reflection. Burn-out is a particularly severe feature of chronic stress; it is a multifactorial syndrome that has three key dimensions: emotional exhaustion, depersonalization and work inefficiency. It is often associated with psychosomatic symptoms (Lloyd et al. 2002; Kring and Johnson 2023). The authors say that the way others perceive social work is also a source of stress for ASs. In particular, it emerged that ASs working in the field of mental health often feel frustrated because their role is misunderstood, not recognised and not properly evaluated by other colleagues (Lloyd et al. 2002).

Conclusion

Relatively quickly, the evolution of psychiatry has eliminated a strong system of exclusion and institutionalization that marginalized people with mental disorders. Until the introduction of Law 180/78, in Italy, internees were stripped of their rights and dignity, without any hope of readmission within society. With the introduction of the aforementioned Basaglia Law, he changed his gaze towards the sick, whose care and rehabilitation has since been in the hands of a team of professionals belonging to the Departments of Mental Health. Psychic disability is now understood as a disorder in fulfilling those social roles that are normally expected of an individual. In fact, today it is no longer society that must be protected from madness, but it is the sick person who must be protected from the damage that society can transmit to him, even indirectly. This new perspective aims at improving the quality of life through the personalization of interventions, encouraging inclusion in the community by restoring confidence in the performance of daily activities and life. In this reality, there is room for an often underestimated professional: the social worker. The latter, in fact, over the years has seen more and more recognition of its contribution and the affirmation of its role in the world of mental health:

from the performance of very limited bureaucratic tasks or simple social secretariat within the asylums, today holds a pivotal position in the aid process. Through the specific tools of the profession, the social worker works to promote a correct rehabilitation and a correct social reintegration and a possible employment of the user. Moreover, thanks to its ability to network within the services, the social worker is a bridge that allows on the one hand the realization of an individualized project through a global management of services, on the other hand allows to connect the care service with the community service. It is from

the latter, in fact, that the social worker must be able to draw useful resources for the aid project, facilitating and mediating the parties so that the community itself improves the way in which it addresses the problems that involve it.

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The phenomenon of early school leaving in Romania and strategies for reducing it

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Abstract

From a sociological point of view, by the term 'school drop-out' we refer to the calculation of irregular exits from the education system, i.e. summing up the various indicators of a bumpy ride: withdrawals, drop-outs, failures, repeats, delays, educational debts. Sociologically, therefore, school dropout is a phenomenon that encompasses everything that is lost during the evaluation of the learning process.

However, not all pupils but only a part run the risk of dispersal because schools operate a social selection function, distinguishing pupils on the basis of evaluation criteria for school success, which in turn is influenced by factors that are not biological but social, both ascribed such as socio-economic status and the cultural background of the family of origin, and acquired such as motivation, interests, degree of independence.

Keywords*: early school leaving; social consequences; Romania; cultural background; sociological research; educational and social inequalities.*

Introduction

Sociology provides a comprehensive framework for understanding the multifaceted nature of educational inequalities. At the outset, it is essential to recognize that social inequalities significantly influence educational opportunities and outcomes (Durkheim 1956). These pre-existing disparities—termed "inequalities at entry"—create barriers for disadvantaged individuals, limiting their ability to access schooling and, in turn, making it more difficult to achieve the theoretical benchmarks that are often set for educational success. This phase, characterized by "inequality of result," highlights how initial disparities can lead to a cascading effect, creating divergent educational trajectories based on socio-economic background (Fadda and Mangiaracina 2011; Zajacova and Lawrence 2018).

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Moreover, the educational system itself can perpetuate or exacerbate these inequalities through what are known as "inequalities of treatment." These inequalities may arise from systemic mechanisms that result in exclusion and discrimination, such as biased disciplinary policies or unequal resource allocation among schools (Uncu and Penu 2011). Additionally, even neutral actions, which might appear impartial on the surface, can inadvertently highlight and magnify these underlying inequalities when students are evaluated. Essentially, the evaluation process can act as a magnifying glass, illuminating the disparities rooted in a student's context and background (Fadda and Mangiaracina 2011; Zajacova and Lawrence 2018).

Furthermore, the impact of educational investments is not uniform, leading to what sociologists describe as "inequalities of profitability." This concept pertains to the differential returns that individuals receive from their educational qualifications in terms of access to the labor market, salary levels, and overall career progression. The timing of market entry, coupled with the qualifications possessed, can significantly shape one's economic trajectory, as individuals with higher educational qualifications often experience more favorable job opportunities and higher wages than their less-educated counterparts (Egyed, McIntosh and Bull 1998).

In summary, the interplay of these various forms of inequality—be they at the point of entry, during the educational process, or in the resulting benefits from education—creates a complex landscape where social disparities are not only upheld but also intensified. Thus, a sociological examination of education must consider these interconnected elements to fully grasp the systemic issues contributing to educational inequity (Fadda and Mangiaracina 2011; Zajacova and Lawrence 2018).

Empirical research: Romania and the phenomenon of early school leaving

Before 1989, it was almost impossible to talk about school dropout in Romania because under communism, school was free and compulsory and the regime was very 'violent' in this regard.

The presence of young people in the education system was very important, not only because the regime needed educated people to build the socialist society, but also because schools were responsible for indoctrinating pupils and preparing them to become pillars of communism.

With Law 28 of 1978, the communist regime introduced the compulsory attendance of at least ten classes (years) for all pupils, otherwise the fines for parents were hefty, but not only that, they risked becoming society's 'outcasts', with no chance of promotion to the ranks, while for children, since it was compulsory to work after finishing school, if they failed to complete at least ten classes, they risked, at least towards the end of communism, juvenile detention (Law 28/1978).

The compulsory and free education of the Romanian school system began with the first law of 1864, which fined the parents of pupils who missed school without legal reasons (Art. 35/Law 1150/1864).

Communism, towards its end, introduced the compulsory attendance of at least twelve classes (years) for all pupils, a compulsory requirement that would be lifted once the regime was removed in 1989.

As a result, early school leaving in Romania reached 17.8% in 2012, at which point the government took steps to decrease it. From 2012 until 2021, Romania has spent more than four million euro to decrease early school leaving, reaching 15.6 per cent in

2020, exceeding the threshold of 11.3 per cent envisaged by the 'Strategy for decreasing early school leaving' (Romanian Strategy for decreasing early school leaving 2015).

Fig. 1. *The evolution of early school leaving in Romania (pupils aged 18 to 24) from 2012 until 2020 in percentages:*
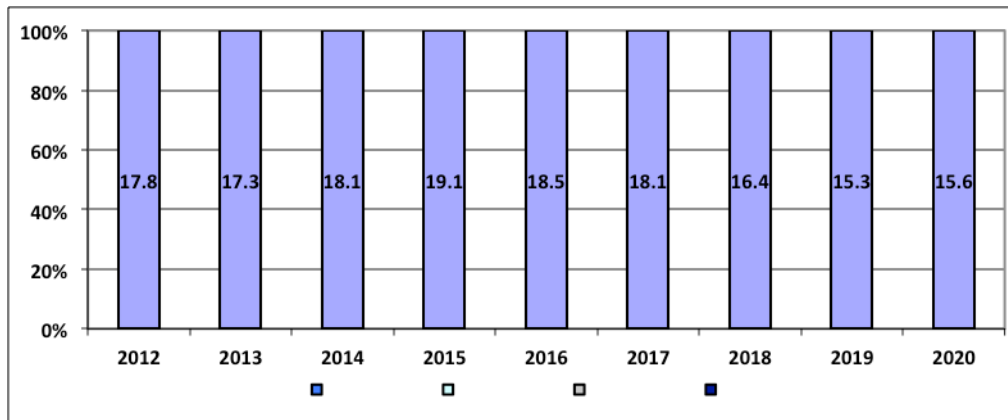
As can be seen from figure number one, starting in 2019, the strategies bore their first fruit, reaching the 2019 percentage in 2021, i.e. 15.3% (Romanian National Institute of Statistics 2024). However, the figures were still too high given the average in the EU, as can be seen from figure number two (Edu Pedu 2021).
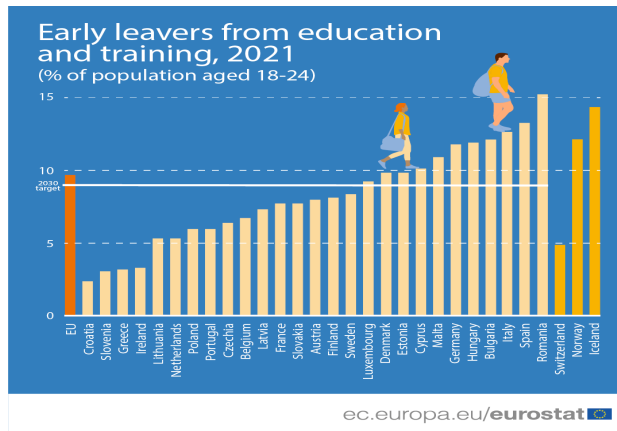
Fig. 2. *School drop-out rates in percentages for 18-24 year olds from 2010 until 2021 in Romania and the average in the European Union*

In 2021, Romania was the state with the highest percentage of early school leavers (15.3 per cent), as can be seen from figure number three, followed by Spain and Italy, both with 13 per cent (Eurostat 2022).

Fig. 3 (School drop-out rates)

It is needless to explain how the CoVID19 pandemic has affected school drop-out. Despite the efforts of the government, especially in rural areas, where poverty did not allow many pupils to have computers, tablets etc., but also because they were not yet connected to fast internet to at least allow those with the means to get online.

Under these auspices, the year 2022 saw an increase in school drop-out rates, reaching the 2020 instalment at 15.6%. Unfortunately, the year 2023 did not show better values either. The Romanian Ministry of National Education reported a 1% increase in early school leavers to a value of 16.6%, thus surpassing the year 2018 when a value of 16.4% was observed.

Fig. 4 (The evolution of early school leaving in Romania (pupils aged 18 to 24) from 2021 until 2023 in percentages) - (Edu Pedu 2024)
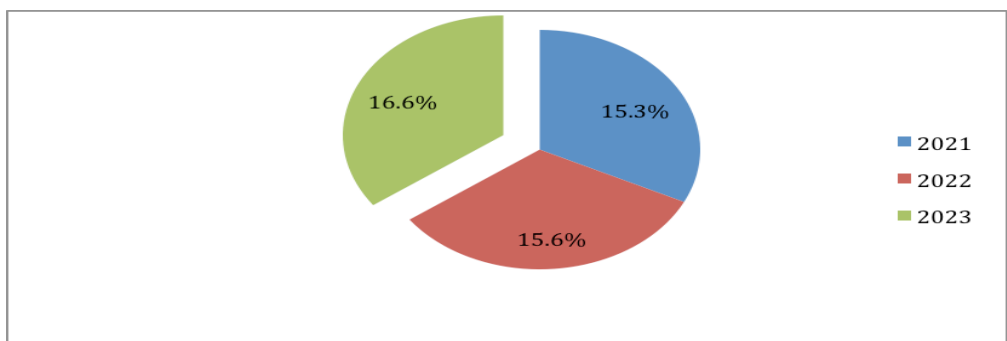
The 'Strategy for Reducing Early School Leaving' in Romania
Given the high rate of 19% early school leavers, in June 2015 the Romanian Ministry of Education published the Strategy for Reducing Early School Leaving, a document approved by the Romanian Government. The document included measures to be implemented until 2020 and was based on the European Strategy 2020, where the

target for decreasing early school leaving was 10% in the European Union, and 11.3% in Romania (Romanian Strategy for decreasing early school leaving 2015).

In accordance with the Strategy for Reducing Early School Leaving in Romania, the main causes of early school leaving are:

1.   The "low level of income per family, as a financial constraint to bear the collateral costs of education, especially among poor and disadvantaged families;

2.   Low territorial accessibility of educational services in isolated rural areas;

3.   Involvement of children in seasonal work activities and care of younger siblings;

4.   Migration of parents from some communities abroad (leads to temporary withdrawal from school);

5.   The parents' level of education, particularly that of the mother;

6.   How the benefits of family schooling are perceived;

7.   Children with disabilities and special educational needs;

8.   Health, early marriage and/or pregnancy, other personal reasons;

9.   Poverty, poor employment opportunities and low parental participation in education (Kazdin 1997; Niță, Motoi, Ilie Goga 2021) in many rural/suburban communities; high rates of post-traumatic stress disorder among Roma children, poverty and, in some cases, cultural factors are also associated" (Romanian Strategy for decreasing early school leaving 2015).

From a sociological perspective, it is social inequalities that precede educational action, in other words, inequalities in entry, that are an expressive factor influencing access to education and educational success. This phenomenon has been extensively documented in the scientific literature, which notes how social inequalities, such as the difference in income and educational level between families, influence school choice (Stancu and Popp 2020) and access opportunities to higher education (Kovach 1991). A 2007 study showed that class inequality in the possibility of obtaining a high school degree increased slightly, while inequality in the possibility of obtaining a university degree remained stable (Checchi, Fiorio and Leonardi 2007; Anghel 2014).

This suggests that although there has been progress in reducing entry disparities, social inequalities continue to play an important role in determining school choice and access to higher education (Brunello and Checchi 2007)

According to the 2015 Romanian Strategy, the main factors influencing educational provision (Palaghia 2018) are:

1.   The „insufficient number of places and the limited availability of Second Chance, Initial Vocational and Technical Education and School After School type programmes in rural areas and poor communities;

2.   Insufficient number of places for apprenticeships/traineeships;

3.   Lack of infrastructure at kindergarten level, especially in rural areas;

4.   Insufficient infrastructure at the level of vocational and technical education;

5.   The poor quality of the current initial vocational and technical education system in some educational units;

6.   Insufficient correlation between the educational offer and local economic specificities;

7.   Educational quality, processes and practices: behavioural problems at school level, especially concerning teachers' attitudes towards students (and each other) or teachers' attitudes towards parents (Patterson 1976);

8.   Insufficient support for students belonging to minority groups;

9.   Quality of teaching (Ţăranu 2020) and learning processes (Ratiu, Popovici and Codorean 2019): teaching skills and teaching methods of teachers do not correlate with modern methods and are inadequate to meet the needs of at-risk groups; teaching methods are inadequate; lack of teaching resources available in schools; students fail the national examination at the end of year 8; teachers are not motivated;

10.   School environment - lack of communication between different levels of the education system and parents/community and other relevant institutions at local level;

11.   Lack of additional financial resources at the Ministry of Education and Scientific Research level: budget and staff allocations for the approach of early school leaving were insufficient; conditions in schools are inadequate;

12.   Lack of school counsellors or psychologists to help children with special educational needs (Kazdin 1987); students with disabilities do not receive adequate support;

13.   Lack of reliable, transparent and timely data hinders the sector's ability to adequately monitor trends in early school leaving;

14.   Weak correlation between education provision and the skills and knowledge required by the labour market;

15.   Limited funding per student from the school budget (because the number of students is small), which only covers basic administrative costs and teachers' salaries, with no funds available for specific measures concerning early school leaving" (Romanian Strategy for decreasing early school leaving 2015).

The Strategy acknowledged many problems, including the non-functionality of the Integrated Education Information System in Romania, for which the government had just allocated four million euro to make it functional.

According to the government and its strategy, the „groups most at risk of entering early school leaving are:

1.   Minorities and other marginalised groups. Data from the Family Budget Survey (BFS) show indicative differences between children in the poorest quintile and those in other categories. According to recent studies, the main reasons for early school leaving, identified by both educational actors and families, are directly associated with financial difficulties. The Roma population is the most vulnerable to them and the situation is even worse for Roma girls (Olah 2009), due to poor living conditions and traditions. Recent research has shown that out of 597 Roma children (aged 7-11) from families with at least one child not attending school, almost half (44.2%) do not participate in any educational or vocational training programme. According to the 2011 census, 14% of the Roma population is illiterate, compared to 1% of other minorities or Romanians, and only 9% have completed high school, compared to 39% of other communities or Romanians. The lack of reliable official statistical data on the situation of Roma in general and on Roma participation in education in particular is a major obstacle to correctly assessing the extent of this problem and current trends. Cultural factors are partly responsible for this problem, as it is difficult for Roma to identify themselves as Roma without facing discrimination. Experts' estimates place the number of Roma much

higher than official reports: according to Council of Europe data, in 2010, the Roma population in Romania was estimated at between 1,200,000 and 2,500,000 (i.e. between 6-12% of the total population). Furthermore, data from the UNDP/WB/EC Household Labour Force Survey (2011) indicate that more than a third (37%) of the Roma population in Romania is under 15 years old, in stark contrast to the ageing demographic profile of the Romanian population.

2. Children from rural communities. Early school leaving in Romania is, in most cases, a major problem, especially in rural areas .

3. Students repeating or dropping out of school. Many factors influence the completion of studies, including the risk of drop-out by students with poor results or those who are older than the level at which they are enrolled. These children and young people will certainly contribute to an increase in the number of school drop-outs, especially those who have repeated more than once or who did not enrol at the right age.

4. Children/young people with special educational needs. Romania has traditionally organised special educational services in special schools (special education). Since 1998, a series of measures have been implemented to integrate these children into mainstream education. Funding for the schooling of pupils with special educational needs enrolled in mainstream education has not been adjusted to the additional costs for new teachers and teaching assistants, equipment and materials to increase accessibility and to modify classrooms. Therefore, the potential benefits that children with special educational needs could enjoy through integration are significantly reduced by the lack of attention to their special needs" (Romanian Strategy for decreasing early school leaving 2015).

According to Gabriela Neagu, "those with economic capital invest both directly in education - buying books, supplies, paying school fees, transport, accommodation - and indirectly - in health care, ensuring optimal conditions for studying at home, organising children's leisure time, etc.". On the contrary, material-financial instability discourages the elaboration of strategies, the setting of medium- and long-term educational goals, and represents a potential source of conflict in the family, with negative effects on the psycho-physical and intellectual development of the children" (Neagu 2007).

The strategy to reduce early school leaving was based on three guiding principles: prevention, intervention and compensation. "Prevention measures aimed at reducing the risk of early school leaving before potential problems arise. These measures optimise the provision of vocational education and training to support the student in achieving better educational outcomes and to remove obstacles to educational success. These types of measures aim to establish a solid and early foundation for students to develop their potential and create opportunities for better school integration (Patterson, Dishion and Yoerger 2000). Intervention measures aimed at eliminating the incidence of post-traumatic stress disorder by improving the quality of education and vocational training, at the level of educational institutions, by providing specific support to students or groups of students at risk of dropping out of school early warning signals received (O'Sullivan and Tennant 1993). These measures consider all levels of education, from early childhood education and care to upper secondary education, with a focus on

1. policies at the school level, to be integrated into the overall development policies of the unit;

2. the individual level, in order to develop students' 'resilience' to the risk of dropping out of school and the recovery of concrete difficulties, which may be of a social, cognitive or emotional nature.

The compensatory measures were aimed at supporting the reintegration into the educational system and the training of early school leavers and the acquisition of the qualifications needed to enter the labour market" (Romanian Strategy for decreasing early school leaving 2015).

As a mode of action, the strategy identified the following main pillars: Pillar 1: 'Ensuring access to education and quality education for all children'. According to the ministry, the measures proposed in this pillar aimed 'to increase enrolment rates in pre-school education (pre-school education - children from birth to 3 years and pre-school education - children from 3 to 6 years) (Tremblay, Pihl, Vitaro and Dobkin 1994), primary and lower secondary education. Within the goal of expanding access to education, special attention will be given to pre-school education and the continued expansion of pre-school education (3-5 years), in order to achieve a near-universal enrolment rate and a substantial increase in the number of children (especially those aged 2-3 years) who can access pre-school care and educational services, including services leading to greater parental involvement in children's education (Romanian Strategy for decreasing early school leaving 2015).

Further results are also proposed concerning enrolment in primary and lower secondary cycles in order to address asymmetries in learning outcomes for the four selected target groups: children aged 11-17 years, particularly those from poor economic backgrounds, from rural areas, Roma children and other minority groups. The central objective of this pillar is to substantially improve the quality of primary and lower secondary education (Romanian Strategy for decreasing early school leaving 2015).

These improvements will attract more students to school by forcing them to stay in school'; Pillar Two: 'Ensure that all children complete compulsory education'. The strategy proposed that the second pillar "will focus on improving retention in compulsory education. Special attention will be given to classes/levels of education where this problem is acute.

This pillar will promote the development of early detection and intervention systems; strengthen, expand and customise counselling services; and introduce mechanisms to promote student-centred remedial education programmes in schools (e.g. after school, summer kindergarten, etc.), as well as other types of programmes to improve retention in the system. This pillar is designed to ensure the educational success of all children, including children from socially marginalised and at-risk groups, by guaranteeing them equal access to educational opportunities, rights and services" (Romanian Strategy for decreasing early school leaving 2015).

The third pillar entitled "Reintegration of early school leavers into the education system" was aimed at "supporting early school leavers to reintegrate into the education and training system by offering them reintegration pathways, through which children and young people acquire the necessary qualifications to occupy a position in the labour market. This pillar focuses mainly on a better quality and greater expansion of Second Chance programmes" (Romanian Strategy for decreasing early school leaving 2015).

The fourth pillar, Developing Adequate Institutional Support, "aimed to create a compelling environment for the strategy, which focuses on the Romanian government's ability to adopt an integrative governmental approach to respond to the challenges of early school leaving. In particular, the Pillar focuses on the ministry's capacity to administer, plan (annually) and implement the Reducing Early School Leaving Strategy' (Romanian Strategy for decreasing early school leaving 2015).

Conclusions

Obviously, the strategy contained all the actions to be taken to achieve all the objectives, infrastructural interventions in schools, planned costs and a whole series of tools for monitoring and evaluating the interventions. The document also enumerated the institutions empowered to intervene for each objective and at each stage, the cooperation between them, the responsibilities of each, etc.

Unfortunately, although some results were seen for a while, as I said before, the strategy missed its target of 11.3% until 2020.

The causes are complex, but the main ones have as their background the lack of investment in education. Although education is a strategic goal in Romania, which is also enshrined in the Constitution, it seems that so far no government has ever managed to give it the importance it deserves.

The low salaries of teachers in comparison with the rest of the European Union (Ilie 2014), especially the western states, the financial allocation based per student, the overcrowding of classrooms, the lack of adequate staff in rural areas, and lately also the depopulation of these areas are only some of the reasons why the Strategy for Reducing Early School Leaving has failed.

Although the Strategy succeeded in decreasing early school leaving from 19.1 % in 2015 to 15.6 % in 2020, with the lowest value in 2019 with 15.3 % (see fig. 1), the values were still too high for the imposed target of 11.3 %, let alone the EU average of 10 %.

Unfortunately, the following years were worse, with 2021 and 2022 remaining at the average of 2019-2020, but the year 2023 brought a 1% increase to a value of 16.6%, one of the highest since 2017 (fig.4.).

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Prison Break -
Promoting resilience through the arts

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Abstract

This paper elaborates some suggestions and intends to share some possible theoretical paths. Above all, it describes some very important experiences conducted in two Italian prisons. Those experiences were successful in terms of biographical resilience of young prisoners and in terms of promoting positive experiences for children visiting their fathers in prison. Two case studies were described, in particular: the Nisidiani experience (a group of famous writers working in Nisida juvenile prison) and the Millennium Ensemble concert in Frosinone's prison in 2022.

Keywords: *Social Work, Resilience, Music, Literature, Nisidiani, Millennium Ensemble, Veronica Maya.*

Detained minors and the children of detainees: first and second childhood and first and second adolescence between wounds and traumas

There are many works of social historiography, psychology, sociology of the family that have shown, especially since the 1970s in France, the United States and Italy, as well as in several other European countries, the devastating effects of traumatic events in early and late childhood as well as in adolescence. In addition to the general season of crisis and upheaval of the traditional family (which is also capable of being pathogenic for its children while maintaining its structure unchanged), it is necessary to consider (in addition to divorces, separations, bereavements, chronic diseases, drug addictions) as the major cause of the fractures of a serene line of development and construction of the identity of minors, In childhood as in adolescence, two factors: the first, which is not investigated in

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this article, is sexual harassment and the physical and psychological violence that minors may face; the second factor, on the other hand, is represented by the absence of parental or tutor reference figures due to prolonged periods of detention of one or both parents or of the child himself. In the case of early and late childhood and adolescence, we refer above all to the negative effects of the absence of one or both parental figures when they are under arrest; in these circumstances, their absence harms the reassuring and daily routines to which minors are accustomed, depriving them of the constant presence of parental figures, sometimes replacing them with technical figures who, although they are an expression of a welfare. But we are also referring, in the case of second adolescence and early youth, to the fracture of the relationship with the family that can arise when juvenile delinquents are arrested and are then removed from their daily lives and their usual spaces and transferred to a new and difficult place. This article attempts to highlight the importance of triggering rebirth dynamics in both types of situations described above. In particular, pausing to observe the liberating power of music and narration, this short contribution tries to offer suggestions in the wake of the theoretical works of Boris Cyrulnik, who have clearly highlighted the importance of promoting verbalization and all the multiverse languages within which it is necessary to convey the negative impulses resulting from traumatic events. triggering a new awareness of oneself and one's identity. When a subject undergoes a traumatic event, which in this case can be above all a forced detachment from a figure towards whom there is in any case a form of attachment and reassuring habit, promoting resilience means transforming the child from a simple prey to negative emotions of bewilderment and abandonment into a creative subject who slowly manages to mature a self-awareness and a self-story: within this almost literary operation of the psyche, the subject from victim and target of a trauma becomes, in his own eyes, a heroic figure capable of taking the reins of his own destiny in his own hands to change and grow. The promotion of other creative languages and moments of pure well-being through music proves to be the ideal solution also with respect to the preservation of the relationship between offspring and parenthood in the prison context.

First Case Study: The Liberating Power of Literature in the Work of the Nisidians

Overlooking the sea of Naples, connected to the city by a thin isthmus of land, stands the islet of Nisida, which houses a juvenile prison and inside which, every day, school is held. Since 1984, Maria Franco, an extraordinarily stubborn and generous teacher, has been teaching here, who in an interview told how with each new group of young people, who express themselves in dialect and come from stories of blood and the street, she has not tired, for almost forty years, of reading, at the first lesson, Leopardi's *L'Infinito*. Each time they tell her that they haven't understood anything, but that they feel a disarming beauty. What sense does it make to bring classical poetry to young people who can hardly express themselves in Italian? Why not let them study directly in dialect? The choice of this teacher is courageous: to convey the estrangement of a high language, distant in its beauty; To choose the difficult path of leading them by the hand to a linguistic unknown that is beyond, right where the new self is that they must so be found. For over ten years, the voices of contemporary Naples writers have gathered around this woman: Maurizio de

Giovanni, Riccardo Brun, Valeria Parrella, Viola Ardone, Daniela de Crescenzo, Antonio Menna, Patrizia Rinaldi. They call themselves "I Nisidiani", and every year their literary adventures with the children become a book, thanks to the support of the Neapolitan publisher Diego Guida. From their testimonies, from their works, from the statements of the young people, we understand the value of duration: the long time of these interventions, diluted over the course of the year along a path of literature and growth, rewrites their horizon and makes them part of a story of reconstruction. Many arrive in prison at night, suddenly, and the weight of that instant in which their lives have changed seems to expand for a long time, crushing the flow of their consciences. The adventure of expression, of the encounter with these writers, of the narrative challenge, restores a healthy, growing, constructive relationship with a temporality that would otherwise be only a repetition of desperate instants, in the shadow of the instant that changed their lives by taking away their freedom. Through the work of these writers, on the other hand, the children conquer the flow of time by experiencing the limit: a limit that is not only deprivation, pitch on the wings of their youth, but is, above all, the containment of anger and the guardian of intelligence. The power of literature slowly, simply, rewrites their lives in the direction of new possibilities, and this circle of writers becomes the guardian of this process that ferries them from the immediate and inevitable to the mediated future, where a second chance to embrace life will open up before them. Maria Franco also recounts many failures, even deaths on the street, but most of the stories of these young people are positive stories: they verbalized emotions such as anger, abandonment, resignation and shaped them into a new existential possibility. It is a slow process of resilience, made possible through the narrative approach to their own biographical events, bringing literature into their lives. The case study of the Nisidians represents an educational model to be multiplied and disseminated in all juvenile prisons, through teachers of literature and authors able to excite the children. It would be naïve to believe that literature can fill the irremediable void left in these very young lives by the absence of positive parental figures, however the compensatory function played by educators and teachers remains undeniable: These can, by offering lively texts and opportunities for expression and dialogue, make them feel a presence in the absence of alternative adult references and, above all, trigger in difficult children a life purpose, an alternative vision of the dynamics of the world, an opportunity for commitment and intellectual challenge capable of making them discover talents that they did not know they possessed, thus promoting a renewed sense of self – so, from young lives doomed to destruction and failure, they might be able to become young people who open up to life, despite everything, with the desire to build a future for themselves.

Second case study: the liberating power of music in the work of the Millennium Ensemble with the voice of Veronica Maya

This second case study also has to do with the liberating force of an important piece of literature: the fable and fairytale heritage. But it is an experience dedicated to an older age group, which mainly involves children between two and thirteen years old, and is accompanied by music. The Millennium Ensemble is a wind quintet composed of Fabio Angelo Colajanni on flute, Massimo Lamarra on oboe, Emanuele Geraci on clarinet,

Paolo De Gasperis on horn and Gaetano Lo Bue on bassoon. These musicians, through a melodic and onomatopoeic work at the same time, musically narrate Aesop's Fables and the Fairy Tales of the Brothers Grimm, mainly in schools throughout Italy, including the islands, but also in the pediatric wards of hospitals and prisons. The reference literature on the symbolic-cultural and educational-emotional function of the fairy-tale and fairy-tale heritage is boundless: Bruno Bettleheim, Marie-Louise Von Franz, Vladimir Propp, Gianni Rodari, Carl Gustav Jung... Grasping different aspects of it, all these authors have underlined the value of this great heritage that the popular imagination has transmitted from one generation to the next, sedimenting hypotheses, adventures, roles, moral teachings for centuries. A narrative-literary heritage that has given voice to the depths of the psyche but has also shaped pathological and salvific dynamics, elaborating a language that is apparently simple but full of suggestions, allusive, exhortative. In contemporary Italian society, especially in socially deprived contexts, the trusted adult who finds the time to tell stories is not a predictable and widespread figure as in the past, when communities, devoid of digital tools, multiplied the narratives of the world, to pass time. Even less obvious is, for the children of less fortunate Italy, the experience of live music. I would like to emphasize the didactic and emotional value of this project, which blends narrative aspects with the bodily experience of well-being triggered by music. Through the work on Maestro Schembari's texts, another musical instrument enriches the project: the narrative voice of the artist Veronica Maya. Thanks to her sensitivity, not only does the narrative unfold with its contents, but through a playful and emotional modulation by the actress a musical message and an allusive-imaginative game is built: the cold wind, the shepherd's laughter, the bleating sheep, the sounds of the Bremen musicians, the witch's fear and so on. The voice, a unique instrument because it is capable of singing words and language, envelops the children to the point of igniting in them the vision of an elsewhere from which they will return transformed, excited, ignited. The children, listening for the first time to the virtuosity of the flute or the funny sounds of the bassoon together with the vocal accompaniment, literally vibrate in their chairs, taken by the enchantment of the ancient and new game of narration. A project that is only apparently simple, which disseminates the salvific and normalizing power of music and literature intertwined at the service of society. Perhaps the most significant event is the one that took place in the prison of Frosinone on November 21, 2022, on the occasion of the anniversaries for the feast of St. Cecilia, patron saint of musicians. Veronica Maya, Alessandro Camilli and the Millennium Ensemble met the inmates with their families for a concert that saw the staging of the show "The Fairy Tales of the Brothers Grimm" with original music by Maestro Giuseppe Bonafine, in the presence of the composer. Among the most beautiful testimonies given to the protagonists at the end of the event, the one of a prisoner who repeatedly thanked the artists because it was the first time since he was in that place and received his family, that his children would return home with a smile. In a grey and frightening place like a prison, children are forced to see their parental figures mortified and forced: through this project, a moment of normality and beauty has become possible.

Perhaps these precious moments of well-being and simple normality should be further promoted and encouraged by the legislator, in defense of the need for innocence and sweetness denied to children whose parents are imprisoned, and in favor of the well-being and enthusiasm for life that all children should be able to feel.

Body and voice as tools to promote resilience: the art of Veronica Maya, enchanting mermaid

When I interviewed Veronica Maria in order to prepare this article, I was immediately struck by her voice: a silky voice, very sweet and capable of modulating itself following the thread of emotions and the story. I was struck by her ability to use her as a dancing living body, able to draw real frescoes in his sound field, able to arouse in the interlocutor a lively, almost visual imagination of what he was telling. This is certainly due to a natural talent strengthened by years of study and training, including the good fortune of being the daughter of art, She is the daughter of an actress who has been directing a large school of theatre and musicals for decades and therefore has given her the opportunity since she was a child to play with the modular potential of the voice. A certain musical training has also led her to develop a sensitivity and ability in singing and, not last, A solid training as a dancer, both classical and contemporary, has allowed her to create a holistic and enveloping way of telling, in which the choreographic movement recalls the vowel movement and in turn this plays and reverberates between onomatopoeia and melody. I jokingly told her that I would remember her as an enchanting mermaid, for her uncommon voice and her green and iridescent eyes like the sea of Naples, but beyond the jokes the song of the sirens is the basis of the classic Mediterranean heritage and contains the magic ingredient that drives those who travel, and after all each of us is a traveler in life, to leap towards an unknown adventure. The sirens' song is the temptation of the new, it is the exercise of imagination with respect to a path already trodden - so much so that Ulysses' sailors wear wax plugs and only he, at the risk of risking madness, ventures into listening. So listening is the key to history, the key to every possible narrative, from the ancient one and Homer's, with its southern visions, to popular tales, which are mixed with choreographic movements, refrains and songs and sediment for millennia in the imagination of peoples even outside the meridian context. Difficult children, children whose parents are detained in prison, people who are recovering from a secret wound have in common the instinct and the need to listen; the educator, and even better if possible the artist, have the task of making the chords of the narrative vibrate with all possible tools. Such a theatrical, so engaging, at times even interactive approach because it is characterized by moments of exchange with the public, guarantees the traditional and ancient art of storytelling a charm and effectiveness that has nothing to envy to the augmented realities and special effects proposed by mass cinema, which amazes with colours and landscapes while impoverishing itself in semantics and words. In contexts of suffering, the spectacularization of the story proposed by cinema is not enough, while the impromptu interactive narration can really trigger a fuse of curiosity and change.

Theoretical considerations on the importance of fairy tales and fables in re-educational processes and in the construction of the self.

Sometimes we forget that the most difficult task for minors, whether they are educators, teachers, parents, grandparents, is to help them search for meaning in life. The human being is characterized by a need for meaning to which he also responds collectively in the most varied ways, think of superstitions, the sacred, everything that happens in the magical thinking of primitive peoples, as well as in the beliefs of global citizens, who have not been prevented from relying on fortune tellers, horoscopes, and even pagan rituals in some areas of the West. In the case of minors, education cannot consist only in exposure to content, although at least since the 1700s there have been questions about the essential contents to be offered to generations and several times philosophers and pedagogues have tried to offer models of behavior, references, or a heritage of moral teachings through literature. But beyond the classics that can be proposed to children or the indispensable content that the school must bring to the learning of these young people, the fact remains that as a child grows up, he must absolutely learn to understand the world but also to understand himself well; The capacity for introspection makes him able to place himself among others in a more fluid and conscious way and possibly in the tiring search for a meaning to get up after each fall. Inner resources, before being an ethical and psychological issue, constitute the antidote to a destabilization and autonomy with respect to community life to which minors can easily fall prey and then seek compensation in violent attitudes or in the consumption of drugs and other kinds of addictions. Fairy tales and fables, in different ways, address the theme of choices and the connotations of identity and in doing so promote the overcoming of negative feelings and the experience and promotion of positive feelings; that is, they promote hope in the future, which will sustain them while facing adversity. Paradoxically, however, much of the literature dedicated to children, aimed at developing their cognitive skills, fails to stimulate and feed the difficult problems in the inner self. Increasingly, in the West, it seems to be in front of refined scholars who precociously specialize, use techniques but are then disoriented as people who have never studied. Information and specific knowledge applied to particular situations without cultivating a weltanschaung at the same time produce very fragile young people, informed but unable to read the book of life because they lack a sense of vision; The particularly Anglo-Saxon approach of eduinfotainement, laudable in many respects and comfortable from a didactic point of view, has proved to be a negative boomerang with respect to the inner and linguistic awareness of the children. Inevitably, in a season of great acceleration, we discover that civilization, like a sea wave, sends us back to a rock where only an enchanting mermaid can help us rediscover the poetry of slowness, which preserves the being and the meaning of our lives.

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A New, Feasible Age of Post-Globalization.
Sociological and Legal Thoughts on the Need for a Constitution that unites all the Nations of the World

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Abstract

The free movement of capital, economically very strong companies transnational corporations and large economic unions between nation states have long existed indicated as signs of a globalization that surpassed the classic form of National state to move towards borderless world governance and conflicts. This thought has established itself, also thanks to the strong propaganda of the masses media, making great promises of economic prosperity for all, of freedom and democracy, with the contemporary realization of the free movement of capital, the major deregulations of national economies, the economically very strong ones multinationals and large economic unions between national states. A world that would have happily shared Western values, considered "morally superiors", of democracy and the free market, of interdependence and of cooperation, to the detriment of old ideologies and useless divisions. But today this phase of globalization seems to be in its decline, with the financial crisis of 2008, the worsening of competition between the United States and China, the pandemic and wars constitute, in fact, as many stages of the profound transformation of the international political and economic structure.
 Large state-level powers are returning to the scene continental with the desire to be geopolitical protagonists, and the probably return of all the characteristic baggage of divisions and spheres of influence, alliances and hostility. We have new alliances between emerging nations, globally, the so-called BRICS countries (acronym used in international economics to refer to to the following countries: Brazil, Russia, India, China, South Africa, to which they will be added soon other important nations not belonging to the "tradition" strictly western.

Keywords: Post-globalization; multipolarism; national state; Europe; Brics.

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Introduction: How economic and financial globalization has implemented the increase in inequalities.

The free circulation of capital, the wealthy multinational companies and the large economic unions between national states have all been perceived, for a very long time now, as signs of a globalization which exceeds the traditional idea of the national state in order to move towards to a "*Governance*" of the world freed from borders and conflicts, a world at the "end of History"(Fukuyama 1992), The end of history is one of the key concepts of the philosophical analysis of the political scientist Francis Fukuyama: according to this historiographical study, the process of the social, economic and political evolution of humanity reached its peak at the end of the twentieth century; an epochal turning point which would stimulate the start of a final phase of human history as we know it.

A world that would happily share Western values (considered "morally superior") of democracy and the free market and of interdependence and cooperation to the detriment of old ideologies and useless divisions (Magnani 2004). Supporters of this school of thought, for example, were certain that once economic well-being had been achieved, liberal democracy would have inexorably triumphed in China too. Without this belief, communist China would never have been welcomed with such benevolence and cordiality in the globalized world market, as set forth by its accession to the WTO in 2001. The Western world had, consequently, chosen to give asymmetric readings to two very important and fundamental events that occurred in the same year (1989): the fall of the Berlin Wall and the Tiennamen Square riots. The former event marked the triumph of the Western capitalist system of life without realizing that it strongly depended to the endogenous failure of the Soviet Union. The latter, instead, was naively perceived as a victory of democratic values which led to recklessly underestimate the terrible strength of Deng Xiaoping's repression and the Chinese government system. Two major sins of *hubris* (Hubris is a *topos* (recurring theme) of Greek tragedy and Greek literature, describing a personality quality of extreme or excessive pride or dangerous and excessive confidence, often combined with (or synonymous with) arrogance. It generally refers to an unjust or wicked action that occurred in the past, which produces negative consequences on people and events in the present. It is a background that serves as an underlying cause that will lead to the catastrophe of the tragedy itself. In this specific case, arrogance seems to be the best possible definition. Antonio Gramsci the expression he used to talk about how the liberal governments of united Italy had treated the south. As was once said of the condition of women, so it can be said of the condition of our South: they are the mirror of the entire society. If you want to understand what a society's sense of justice is, first of all look at the policies adopted for the most disadvantaged parts. The mirror of today's Italy, the result of decades of liberal policies that this government represents at its best, is in those areas, sometimes beautiful, socially abandoned. And the Northern League proposal for differentiated autonomy would come as the final blow: keeping the regions under the nefarious heel of an establishment that hoards resources and distributes them to stay in the saddle. Differentiated autonomy is institutional trickle-down. He repeats the logic. With a lax and conniving state. The outcome, writes Gianluca Passarelli in this newspaper, would be fatal: "one-way migration, social desertification, drying up of essential services, demographic de-structuring and abandonment of public outposts". The financial and human tools of this government for the South are aimed at creating a rapacious socio-political class. Gramsci would speak of Cadornism: sacrificing reality to a plan presented

with logical and rational hypotheses that does not hesitate to blame reality if it falsifies it, at the cost of imposing useless sacrifices on those who suffer it", which, in retrospect, remind us of the unfounded certainty of the neoliberal triumph which particularly characterize the last two decades of the twentieth century. Indeed, they still actively pervade and influence much of today political, social and financial world. In reality, the economists who support wild globalization have acted in an absolutely "ideological" way (taken in its most typical and fundamentalist meaning), demonstrating little ability to tackle down tensions, inequalities and great weaknesses caused by economic hyper-globalization. They have always attributed any obstacle that prevented the total realization of this system either to ignorance or, much more likely, to the private interests of lobbies and protectionists of all kinds. With these assumptions in mind and for the sake of globalization, no attention was ever paid to the legitimate clash between opposing values and ideals. Moreover, they have overlooked the reality of markets that function correctly, as countless historical examples demonstrate, only through correct action and related direct interventions by the State. Clearly the only prescriptive indications of these liberal "economists" have caused serious consequences by losing the opportunities to use the tools of their conception of trade to obtain better effects. Among the best effects we must consider the greater distribution of wealth, which has not happened at all. This absolute trust resisted until the September 11 attacks (the "war on terror"); much less after the financial crash of 2008, the subsequent European debt crisis, and the "small" Middle Eastern cold war. But the moment in which the true and profound crisis of neoliberal ideology was demonstrated occurred only in 2016; a year marked by "Brexit" and Trump's electoral victory. These two "shocking" events similarly hit the cornerstones of the Western system: London and Washington; that is the "old" and "new" capitals of the Liberist Empire. At first, they were considered basic anomalies which would not have mattered much. Today, however, we know that it was the beginning of a truly epochal crisis, even if we do not know the type of implications and consequences they will actually bring into the financial and political scenes. Under the blows of Covid, of the geopolitical revisionism brought by the "Putinian" system and of the Sino-American tension, the era of global neoliberal "magnificent and progressive fortunes" promoted by this ideology seems inexorably to be at a turning point.

A new post-global geopolitical paradigm begins to assert itself.
The economist Dani Rodrik has suggested the idea that the world's phase of financial and political "hyper-globalization" seems to be at an end (Rodrik 2023). After a thoughtful study on our current historical and socio-political moment, Rodrik stated that: "The financial crisis of 2008, the worsening turnover competition between the United States and China, the pandemic and the war in Ukraine, constitute, in fact, so many stages in the profound transformation of the international political and economic structure that emerged in the previous decades, starting from the caesura of 1989. It is time to think about a new form of globalization, founded on the recognition of interdependence and political, legal and cultural pluralism. Law can play an important role in structuring and stabilizing this new global order if it is conceived, beyond the paradigm of legal globalism, as a more flexible instrument of negotiation and agreement between inevitably divergent geopolitical interests and between States that do not completely renounce their sovereignty" (D'Attorre 2023). In addition, Branko Milanovic, an economist from the University of New York, has argued against the inequalities caused by globalization highlighting the fact that they are too often forgotten if not deliberately hidden (Milanovic 2012, 2017). He decided to make

a financial graph by comparing the income gains with the level of incomes themselves of the twenty-year period 1988-2008. The outcome of his study revealed the presence of a camber. Known currently with the more appropriate term "elephant curve", this camber shows how, in that particular period, there was a growth in the world's lowest incomes and a decline in average ones. Moreover, it also revealed a strong rise in the highest incomes. When linking together all the dots in the chart of the financial diagram, the "curve" resembled the side-shape of an elephant. Thus, its name. Following these studies, one question is then worth asking ourselves: "Who are the beneficiaries of globalization?" «In nine out of ten cases they belong to emerging Asian economies such as China, India, Thailand, Vietnam and Indonesia», and in particular, they belong to the poorest social ranks. This new "emerging middle class" is opposed by members belonging to the middle class of "richer" countries, (Western Europe, North America, Oceania and Japan) which, by contrast, are experiencing an inexorable decline of their financial assets due to globalization. Finally, there is one last group of very rich individuals distributed throughout the various countries of the world whose incomes have significantly increased during the same twenty years. Therefore, it can be said that globalization has produced a small group of few, selected "winners" within a greater one of the richest citizens of some emerging countries and in the super rich all over the world. Conversely, it has witnessed the emergence of an increasing amount of a very large group of "losers" within the now and newly impoverished middle classes of the richest countries. Similar conclusions also come from the studies of Thomas Piketty who analyzes the historical series of accumulation and distribution of capital starting from the 18th century. The French economist stated that: "When the rate of return on capital regularly exceeds the growth rate of production and income – as happened until the 19th century and as risks happening again in the 21st – capitalism automatically produces unsustainable, arbitrary inequalities, which call into question the foundations of the meritocratic values on which our democratic societies are based."(Piketty 2014). The first consideration to make is that it is necessary to be wary, in a matter of this kind, of any economic determinism. The history of the distribution of wealth is often tied up to a historical discourse which is dominated by politics and is not limited to the identification of purely economic mechanisms. In particular, the decrease of inequalities observed in developed countries in the last century, in particular between 1950 and 1960, is primarily due to the impact of the Second World War and the public policies implemented as a consequence of this traumatic event. Just as the growth in inequalities from 1980 to the present day mostly depends on the political changes of recent decades, especially in fiscal and financial matters. The history of inequalities depends on the representation of what is right and what is not according to the political idea of people at power. An important role, for example, is played by the economic, political, social actors, their power relations and their strong impact on influencing the collective decisions of a given society. Hence, our idea of "inequality" is inexorably determined by all the power forces involved. The second consideration is that the dynamics of the distribution of wealth moves around the idea of a large-scale phenomenon. The latter is characterized by drivers of both convergence and divergence because of the absence of any natural or spontaneous instrument that controls the prevalence of destabilizing tendencies that trigger inequality. Let's begin to analyze this mechanism in favor of convergence, i.e. in favor of the reduction and compression of inequalities. The main factor of convergence are the processes of diffusion of knowledge and investment in skills and training. The game of supply and demand, as well as the

mobility of capital and labor which constitutes a variant of the same, can equally intervene in this direction but to a less intense extent, and often in an ambiguous and contradictory form. The process of diffusion of knowledge and skills is always the crucial element, the mechanism that simultaneously allows the general growth of productivity and the reduction of inequalities both within each country and at global level. This concept can be demonstrated by analysing the economic rebalancing currently achieved by many poor and emerging countries, starting with China, compared to rich countries. By adopting production models and reaching the skill levels of rich countries, less developed countries close productivity gaps and increase national income. This process of technological convergence can be favored by opening up different commercial possibilities. However, it is essentially also a process of diffusion of knowledge and income, of sharing of that given knowledge which, as we more commonly know it, is the public good par excellence (Hess and Ostrom 2009) good. The book reiterates that knowledge must be a shared resource, the very propellant for modern societies that link their prosperity and development to research, training and the maximum social diffusion of creative and innovative knowledge. We want to find a way to preserve this asset in the era of globalized informational neoliberalism. It is argued that we must prevent the ecological-social system of "useful" knowledge from being overwhelmed by privatization. To achieve this great democratic goal, it is necessary to rethink intellectual property and copyright, but also the role of libraries, educational institutions and forms of digital creation and sharing of knowledge, as well as the way in which new digital contents can be preserved and made available via the web. With open content, creative commons and open source which can constitute an effective way of guaranteeing access to knowledge and its greater and more democratic global diffusion. The word "knowledge", which becomes fundamental for widespread global development, in this book refers to all understandable ideas, information and data, in whatever form they are expressed or obtained), rather than a mechanism of the market. Angus Deaton's studies, (Deaton 2015) for example, are dedicated to the inevitable relationship between inequalities and health in the global scenario. He explains how: «The people of the world are not only gaining years of life and becoming richer, they are also growing in height and strength, with other important advantages, one of which is the development of their cognitive abilities. However, as happened with mortality rates these advantages were distributed unequally. At current rates, it will be centuries before Bolivians, Guatemalans, Peruvians and South Asians can become as tall as Europeans. Therefore, although many have fled, millions have remained behind, and the resulting world of differences is crossed by inequalities visible even in bodies. Emmanuel Saez and Gabriel Zucman (2020) also deal with inequalities highly developed by the globalization system.

 They also stated that "Beyond the American case – the authors continue – the story we tell essentially concerns the future of globalization and the future of democracy. Because, if it is true that the change has been extreme in the United States, fiscal injustice is triumphing elsewhere too. Most countries have recorded a more or less marked increase in inequalities and a reduction in the progressivity of taxes, in a scenario marked by growing tax avoidance and unbridled competition". However, nowadays this system is experiencing a real crisis. Indeed, Eric Sadin expressly claims that "A phenomenon that was unthinkable until a few years ago is taking place: it is the agony of neoliberalism. All its excesses, all its injustices, all its disasters daily reiterate its harmfulness. This is evidence shared by all that neoliberalism is dragging us towards a ruin that is as social as it is environmental, as much ethical as it is economic, as much individual as it is collective. We would need a new social organization, new economic policies, a return to a fairer and more sensitive welfare

state that is able to take charge of ecological issues and a more heartfelt participation of citizens in public life." (Sadin 2023). As a matter of fact, the great continental-level state powers are returning to the scene with a strong desire to be geopolitical protagonists, suggesting the development of a counter-side effect of a probable return of all the traditional baggage of divisions, biases and inferences, alliances and hostilities. Indeed, we have new trade alliances between emerging nations, on a global level, the so-called BRICS (Rogari 2014) countries (an acronym used in international economics to refer to the following countries: Brazil, Russia, India, China and South Africa as well as all other emerging countries which will soon be to the pact). Almost all of these countries share a developing economy and an abundance of strategic natural resources. In addition, they have been characterized by a strong growth in gross domestic product (GDP) and a share in world trade, especially starting from the beginning of the 21st century. These economies aim at building a global trading system through bilateral agreements that are not based exclusively on the petrodollar; indeed, they would certainly like to exclude the dollar as the only currency of exchange. Thus, in recent years a new post-global world seems to be emerging despite the fact that it is still difficult to predict with clarity its political and financial features. The most important example can be found in the management of the Covid-19 pandemic, the mediatic campaign in regards to the vaccines and the strong and centralised role in controlling human society played by, once again protagonists, national states. The political situation began to change radically in 2018 with the return of protectionism; that is when US President Donald Trump announced a first series of tariff increases aimed at several European countries as well as, and above all, China. These tariff increases ultimately developed into a tariff war between the world's two largest economies: USA and China. The former started to impose tariff increases on steel and aluminum imports from almost every country in the world; something that had never happened in the era of globalization. Despite the change in US administration, most of these tariffs are still in effect. The United States continues to justify a political and financial attitude which promotes the idea that these tariffs are still necessary for national security. The political desire by the nation that most promoted globalization to close itself off to economic exchanges with competing nations such as China can only inevitably lead to serious consequences, with notable destabilizations, for the future of globalization itself (or at least as we have been experiencing it so far). Indeed, we can witness the return of various national policies and increased interventionism in regards to rates, money and deficits. We can observe how the use of energy puzzles is becoming more and more important, leading to a stratospheric increase in costs and the return to a war economy as highlighted by the disastrous war in Ukraine. The terrible combination of "pandemic + war" and with its serious consequences has also hit particularly hard one of the main drivers of globalization; that is the transnational production process more appropriately known under the term of "global value chain" (GVC, Global value chains organize the production of goods and services worldwide by segmenting it into different phases, located in different areas, often thousands of kilometers away from each other. The OECD, World Bank and World Trade Organization agree in attributing GVCs a fundamental role in the economy of the first part of the 21st century, given their impact on trade, the creation of jobs and added value, as well as on the economic development of traditionally marginal regions. In fact, global production increasingly involves countries with low and medium levels of GDP. Among the twelve countries with the highest value of trade in intermediate manufactured goods, those that enter into the production of other intermediate goods intended for the

production of final consumption or investment goods, include, in ascending order, Vietnam, Argentina, Chile, Indonesia, Philippines, Turkey, Brazil, India, Thailand, Malaysia, Mexico and China. According to United Nations data, China alone represents 8.5% of the total trade in intermediate manufactured goods. In some cases, such as, for example, that of computers, global production chains are dominated by multinational companies that coordinate the production and marketing phases thanks to the property rights they hold) 90% of trade takes place by sea, due to the Covid-19 pandemic, maritime trade has suffered significant restrictions which have made connections between the various countries of the world more difficult. This has economically damaged the companies in the sector and, in the end, also us consumers, given the consequent increase in product prices. The pandemic, in fact, has led to numerous blocks on the movement of people and goods and increased border controls, slowing down global trade overall. The fact that products have started to circulate more slowly has increased the costs of renting containers (which must be rented for longer) by 500% and has slowed down delivery processes. Furthermore, due to the more general economic crisis triggered by the pandemic and anti-contagion regulations, companies have reduced the number of workers active at commercial ports, which has further slowed down the process of storing and shipping goods.

The expression "Just in time" indicates an industrial management model, of Japanese origin, which provides that only what is necessary is produced, in the necessary quantity and when required, in order to reduce any potential waste resulting from production activities, storage and supply. To function, the just in time model therefore requires efficient transport, information flows and advanced technologies for the management of logistics operations (for example, to collect deliveries), a panorama favorable to free trade with general contract conditions recognized at an international level (think of Incoterms), as well as a close synchronization relationship with suppliers. Once these conditions are respected, the system allows operators to reduce costs and guarantee continuous production linked to demand. So much so that some companies used to say, in the wake of the success of this model, that "our warehouses are the streets". But with the pandemic the system went haywire).

This system was made possible by the two most important economic innovations of the second half of the twentieth century: the computer and the container. In recent decades, GVCs have made it possible to reduce Western consumer prices to the point of "masking" them through the complicity of some financial bubbles (the stagnant trend in wages and the huge increase in inequality in OECD countries). On the other hand, we must recognize that, even though with often problematic ways, they have contributed enormously to the development of countries such as China which even in the 1990s were "under-industrialised". However, today the GVCs seem to have reached the end of the line, at least as they were conceived until January 2020. Covid and quarantines have first shown the great frailty of the logistics systems on which they depend, such as the "container crisis" and the notable delays of the "Just in time", (The expression "Just in time" indicates an industrial management model, of Japanese origin, which provides that only what is necessary is produced, in the necessary quantity and when required, in order to reduce any potential waste resulting from production activities, storage and supply. To function, the just in time model therefore requires efficient transport, information flows and advanced technologies for the management of logistics operations (for example, to collect deliveries), a panorama favorable to free trade with general contract conditions recognized at an international level (think of Incoterms), as well as a close synchronization

relationship with suppliers. Once these conditions are respected, the system allows operators to reduce costs and guarantee continuous production linked to demand. So much so that some companies used to say, in the wake of the success of this model, that "our warehouses are the streets". But with the pandemic the system went haywire) after which the energy crisis dealt them a near-fatal blow in the form of galloping increases in operating costs. These two phenomena have marked the return of inflation, which all experts agree in defining as the economic disease that for five centuries now heralds a serious moment of crisis, as has often happened in history, of the great historical cycles. (Just consider some of the most important examples in history that led to epochal changes. The inflationary process that characterized the European economy from the mid-14th century to the mid-16th century, in this period more raw materials and greater money led to a demographic increase which led to a sudden increase in demand which, in turn, caused the rise in food prices, the supply of which could not be increased given the technologies of the time. The "price revolution" was followed by other cases of out-of-control inflation, such as that which occurred in France at the time of the French Revolution. The most emblematic case occurred in Germany at the end of the First World War. In fact, when it comes to hyperinflation, one cannot fail to mention the failure of the Weimar Republic. Born at the end of the First World War with the best intentions, it was the first modern democracy in Europe which introduced universal suffrage, full freedom of the press and freedom of political expression, allowing the birth of far-right and far-left parties, and was center of a cultural revolution that aimed to redesign the socio-economic fabric of the whole of Europe. Unfortunately, under the weight of the debts accumulated in the First World War and the subsequent repression of the left-wing parties, the situation rapidly worsened, leading to its inevitable bankruptcy in 1933. The provisional government would have liked to establish a republican model that managed to remain within liberal policies and in greater harmony with other European countries. Unfortunately, things went differently and to deal with the endemic shortage of precious metals in the Bundesbank coffers, paper banknotes issued to pay war debts began to be printed. All this caused the very rapid devaluation of the currency, causing hyperinflation to explode and preventing the recovery of the economy. Banknotes amounting to several billion marks were issued, with which one could barely buy a sandwich. Hundreds of factories printed paper money day and night, with increasingly hyperbolic figures on them. All this led to an enormous and continuous increase in prices, which impoverished the German economy, fueling popular intolerance and discontent which were fertile ground for the birth and affirmation of Nazism. If the money injected does not follow economic growth, prices lose their function of signaling, through scarcity, the best allocation of resources, driving the system crazy. An increase that especially impoverishes the weakest, in particular the poor, the unemployed, those unable to work and those who have a fixed income, such as employees. But even entrepreneurs are starting to have difficulty, as it is increasingly difficult to find new customers to sell goods to. A situation that was experienced in 1929, also in the United States, albeit for very different reasons. Inflation is a phenomenon that is generated when something breaks in the delicate balance that regulates the quantity of money and the frequency and intensity of economic activities. If there is too much money or vice versa, the attractiveness of the money in circulation suddenly drops, inflation starts. If the economy suddenly slows down due to an unexpected event, such as a war or a pandemic, such imbalances are generated that the monetary authorities struggle to adequately contain. This is why, for some, we are entering the era of *deglobalisation* it is not unlikely to expect

that the recent increase in prices will be maintained for a long time and the economy will have to readjust profoundly, before seeing prices return to the levels we have been accustomed to in recent years. years. Furthermore, the level of debt accumulated in recent decades and inflation, if it does not get out of hand, will make it possible to reduce the burden of the trillions of public bonds still in circulation[1] An important aspect to consider is that the relative low prices that the "first world" has enjoyed in recent decades have undoubtedly acted as a help to the less well-off classes in Europe and the United States. As a consequence, as strong inflation developed, the inequalities that have arisen appear more ruthless. One of the worsening aspects is the trade war on technology between China and the United States. Started with fuss by Trump, it was inexorably continued with an even heavier hand by Biden. Just consider how US government has intensified controls on the exports of technological products to China as a means for trying to limit the export of advanced technologies as much as possible; sometime even blocking them. A decision consistent with the "Chips and Science Act" which allocates state investments of 280 billion dollars to the US semiconductor industry. This is an important act which inevitably confirms, in addition to the crisis of neoliberalism, the strengthening of the domestic chip industry for USA with the ultimate risk of making it a long-term strategic issue. Obviously, the need for military defense is often intertwined with economic reasons. In recent years, the USA has decided to allocate more than a trillion dollars to infrastructure, contradicting the policies made by the federal government since Reagan's time. A development plan based on the idea of "bringing everything back home" (that is a policy opposed to wild globalization) and therefore going back to the idea of the "producing American, consuming American and selling American". This concept can be particularly exemplified by the "American work" proposed by Trump whilst shouting his three watchwords from a podium "jobs! jobs! jobs!" in order to "make America great again". However, despite Biden wished to modernize and re-build the US infrastructure by allocating a truly significant sum, he did not take into account the large state deficit. By doing so, from the point of view of economic investments, he is implementing a modern-day "New Deal" worth almost 6 trillion of dollars. This plan seeks to find the necessary needs for the post-pandemic recovery: socio-economic strengthening, energy transition and structures to mitigate the effects of global warming. Unfortunately, within this ambitious project we also note the presence of significant funding for military expenses. In truth, these are colossal figures. At the moment these expenses certainly contribute to the increase in global inflation, but infrastructure financing was necessary, after decades of total neglect. In reality, large public investments in social and healthcare systems would also be necessary, but unfortunately, in the United States these still remain taboo topics. From a strictly economic point of view, the idea of returning to producing internally as much as possible has various virtuous implications for the United States. They could make life a little more difficult for China and would allow the US to reactivate its industrial capabilities. "Bidenomics", as Biden's investment plan is defined, should allow the USA to attenuate, or at least in part, the great trend towards the impoverishment of the middle classes which in recent years has put their social stability to strain. This is the reason why a potential anti-democratic drift in the country was feared. In a major change compared to decades of policies solely aimed at strengthening market mechanisms, the Council of Economic Advisers (The Council of Economic Advisers is a body made up of three economists, which advises the President of the United States on economic policy. The

Council is part of the Executive Office of the President and provides much of the White House's economic policy) admitted that: "empirical evidence demonstrates that a strong economy depends on a solid foundation of public investment and that investments in workers, in families and communities will pay off for decades to come". However, today we find ourselves faced with a "global bluff" (AA. VV., *Limes. Rivista italiana di geopolitica. Il bluff globale*. N.4/2023). As highlighted by Limes' headlines, the Italian magazine of geopolitics, on the cover page of its fourth volume of 2023 which clearly suggested the fact that globalization was not just a commercial phenomenon. Therefore, its evident transformation, with an outcome that is still uncertain, is not only an economic fact but also a political and cultural one. It is in fact the result of three purely historical-geopolitical events: the outcome of the two world wars, the US choice to open up to China in 1972 in an anti-Soviet key and the end of the Cold War after the fall of the Berlin Wall and the development of US-led globalization. The first event puts an end to leading role of European countries, particularly the United Kingdom and France first and foremost, in the global political scene by allowing the definitive rise of the United States as the first and only great economic and political power. The second laid the premises for the US-China alliance on which, up to now, rested that unifying dynamic we consider the true basis of globalization. Finally, the third had the effect of enhancing both the American material and cultural model (known as the Washington Consensus) as the ultimate standard, making it the paradigm with which the United States attempts to fit into a world-wide economic and political order centered on neoliberal globalization. What marked the end of absolute US hegemony was disillusionment with the aforementioned model as it fell victim to various failures of political strategy, too many wars and conflicts in the world (not to mention the so-called war on terrorism) and systemic evils of capitalism such as the great recession of 2008. Moreover, it also severely suffered from the inevitable emerging divergence between economic conveniences and geopolitical trajectories between the USA and China. Hence, the outcome is resulting in to an alteration of the relationship between (incurred) costs and (perceived) benefits of a primacy that the United States seems less capable and eager to sustain despite its unsuccessful efforts of being downgraded on a political and financial level. Interdependence, the fundamental essence of the globalized world and post-Cold War modernity, thus turns from a reason for great and fruitful cooperation into a source of tension between the United States and China with inevitable repercussions on Washington's allies - European and otherwise - now orphans of an American-centric order. Conversely, the idea of a continuity over time of the political action does not exist within Chinese cultural heritage. Xi Jinping has many years of government ahead of him to counter, for example, all American vetoes on the sale of *chip* to China, promoting the development of more autonomous technological possibilities. We must certainly hope that the Chinese response does not translate into an increase in aggression and pressure on Taiwan, where Asia's most advanced *chip* company is located. It would most certainly be a scenario with a very high and risky potential for escalation. The trend seems to be moving towards a return to a new structure of states allied to antagonistic blocs. On one side we have the Atlantic-Western world with an epicenter of power that is increasingly limited to the United States alone. On the other, China and its allies which seem to begin to include India, Russia and the Middle East where China itself has carried out a commendable mediation between renowned historical enemies such as Saudi Arabia and Iran. This aspect can be perceived as a contrast whose stake is nothing less than a dichotomy between the Western "traditional" fundamental concepts such as modernity, democracy and law on the

one hand, and, on the other, the political attitudes of China and Russia respectively who advocate for the beginning of a "new global", or post-global era, based on "new rules". At the moment, our knowledge leads us to glimpse at the return to an active role of the State in the economy (Gerbaudo 2023) where it is argued that «In the old world we leave behind – what the Oxford historian Gary Gerstle described as the "neoliberal era" – political discourse centered on the famous idea of a "free market", conceived as a space for commercial exchanges and "meritocratic" competition between businesses and individuals that had to be made to grow at the expense of a State considered too cumbersome, through privatizations, liberalizations and austerity policies. It was a liberal vision which, however, did not only belong to the right, so much so that some explicitly claimed it as part of the progressive cultural baggage. In the new world we are entering, still largely mysterious, the naive, and at the same time cynical, vision of the "free market" that dominated the golden years of globalization - what the British political theorist Jeremy Gilbert called the "long Nineties" – seems out of place."

Current events seem to be well summarized, as they were formed, in these interesting considerations: "... the collapse of the bipolar paradigm... has made the world more complex and unpredictable, with various consequences: finance, previously closely linked to the economy, became autonomous; demographic growth and decline alongside the scarcity of natural and food resources and the competition to appropriate them; the increased weight of emerging powers and the increased uncertainty with the end of "the military order"; the borders that have become permeable and the new information technologies that have made the world more interdependent"(Jean 2012). Many important scholars believe that Chinese interest is aimed at a multipolar world without a power that alone prevails over the rest of humanity: "China, in short, is looking for customers: to sell them its goods, use of their raw materials and make their own investments in them (development initiative), and to create a front of countries that are now less complacent in the face of Washington's wishes (security initiative); and it does so by waving the flag of multipolarism and respect for different national paths and different political forms (initiative for civilization). Presumably, for Beijing's more sober leaders the aim is not so much to create a new world order - which, in any case, is impossible without a war - but to be able to enjoy the same freedom of movement, in a literal and side, of their colleagues in Washington. After all, they say, China has acquired increasingly robust influence at an international level thanks to loans, investments and diplomatic initiatives, and therefore now deserves to have at least the same privileges enjoyed by the United States. All emerging powers, once a certain critical threshold of their growth has been exceeded, claim the "right" to play a role in the "redefinition of the rules" (as they say today) of international politics; rules that had been established when those powers had not yet emerged and which therefore do not take into account their recent needs (instead continuing to serve the needs of the old powers, even if they were declining). At the end of the nineteenth century, it was Germany and the United States that claimed their "rights" as emerging powers: the former, explicitly and loudly; the latter silently and perhaps also, in part, unconsciously, thanks to the conquest of new markets and increasingly advanced geo-strategic positions. As often happens, the weakest - even among the emerging or presumed emerging - tries to cover their deficiencies with bombastic proclamations and sensational actions, to the point of causing, as in the case of Wilhelmine Germany, catastrophic and irreparable damage. In light of these two examples, one could say that China is halfway between the German model and the American model. But its claims, in themselves, are not

enough to make its candidacy for a future role as a hegemonic power credible." (Graziano 2023).

Europe out of the picture?

Within the context of the international political situation, we have discussed so far, the European Union seems inexorably cut off. The reason might lay in the fact that Europe seems incapable of successfully developing into a single, unified political unit. The European dream of De Gasperi, Adenauer and Schumann, conventionally considered the founding fathers, was born from the commitment to avoid the third world war with the project, unfortunately left on paper, of developing economic, political and social integration among the European countries as means for fostering peaceful coexistence and mutual support. This sentiment was believed to allow the removal of all possible reasons for conflict. Indeed, in 1975 the EU signed the Helsinki agreements on security and cooperation in Europe with the USA, USSR and Canada, from which the OSCE was born. Today, unfortunately, the European Union essentially remains "an economic giant but a political dwarf" It is believed that this definition was given by former US Secretary of State Henry Kissinger: "Europe is an economic giant, a political dwarf", but there are no certainties on the matter). The European Union, in essence, has betrayed the great expectations that had led (Volpe 2021) to its birth, in particular the passive acceptance of the economic system of neoliberalism (Mincuzzi 2024), instead of increasing the "Europe of the peoples" and the deliberative democracy aware of its citizens with greater participation in decisions. As some scholars have stated: "Central bankers... preferred to save the credit institutions than invest in training, healthcare and the fight against climate change. Thus, they have contributed to increase the concentration of wealth, because the richest benefit from the growth of stock market and real estate securities enabled by the acquisition of securities and public money, while the savings of less well-off people are crushed by inflation. European rules on the free movement of capital have proven to be so extreme that even the International Monetary Fund has decided to reintroduce some forms of capital controls. The new European rules have also contributed to aggravating fiscal dumping (when a state offers lower taxes to attract foreign companies and people): unlimited reduction of corporate tax, development of tax havens, tax imposition" (Piketty 2024, p. 38). Furthermore, the policy of the European Union lacks a role that would effectively be autonomous from the interference of the United States and that would also be particularly proactive from the point of view of human rights and participatory democracy. Moreover, Europe should have tried to defuse the increasingly less latent conflict between the United States on the one hand and China and its allies on the other. The current conflict in Ukraine, with all its geopolitical implications, seems to be a further proof of this thought. If Europe had been truly autonomous and capable of expressing a unitary foreign policy (which sadly it is not the case), it would have been the best possible mediator, with the possibility of resolving the problems linked to the autonomy of the Russian-speaking regions within a new democratic, neutral and federal oriented Ukraine. Furthermore, historically wise, in place of American turbo-liberalism, the EU has almost always supported, without managing to have any impact (Somma 2021), the concept of a "democratic management of globalisation". However, the reality is that EU countries have, over time, become much more dependent on globalization than the United States. In fact, starting from the 1990s up to today, European integration in global value chains has grown by 20% more than that of the USA. Europe depends on the rest of the world for almost

everything: both for traditional production factors (energy, raw materials, labour) and for new and future ones (chips, batteries, memories). During this important moment of epochal turning point, Europe seems to be just a large market very rich in capital, but at the same time, also a continent poor in everything needed today and for the future to prosper. In short, the European Union, in addition to not having a leading role as promoter of the "revolutionary idea of freedom realized for each and every one in a European context in which... a free society is created, in which everyone is recognized in their original expressiveness...", it does neither have the fundamental "strategic autonomy", both political and economic, nor any good plans to "re-industrialize" or "regionalize" its economic processes. Hence, Europe is, once again, demonstrating its absolute inability to understand the future of the Euro-bureaucrats. The magic word "innovation" is circulating all around the globe: in energy, in systems, in processes, but at the moment the necessary funding is being diverted to useless military spending. In recent years, the speed and cost of technological innovation have been greatly facilitated by the growing collaboration between all global players, with continuous exchanges and global interdependence. But today we are moving, inexorably, in the opposite direction¸ or at least as far as we Europeans are concerned. At the moment, Europe is partly cut off from some of the industries it needs the most in order to calmly face its necessary and extremely useful energy transition. In fact, we note the important and disruptive Chinese supremacy in the industry of advanced technology of solar panels and the materials needed to build them. China produces nearly 95% of the world's polysilicon (Polycrystalline silicon is used in particular applications such as photovoltaic panels. Furthermore, polysilicon often replaces aluminum for the creation of metal parts inside semiconductor electronic devices due to its better mechanical resistance to the integrated circuit production process) and more than 80% of the world's solar panels. Yet, it accounts for only 30% of global demand (As of 2023, China has installed more than half of all new solar and wind power in the world; in particular: 50% solar, 60% onshore wind and 70% offshore wind. It installed 150 GW of new photovoltaic systems alone in 2023 (more than all those existing in Europe), and is also the first for new nuclear and hydroelectric power. Furthermore, in China all kinds of storage systems are being tested on a large scale: from batteries to compressed air, from pumping to flow batteries, from hydrogen to gravity systems. This unparalleled effort in the world has led China to drop below 50% of its electricity generated with fossil fuels, three years before 2025). On the contrary, Europe produces less than 3%, with unit costs 35% higher than Chinese production, but "consumes" 16%. Within the context of this new global panorama, primary supplies are fundamental; in particular raw materials, but also knowledge (for example such as concretely knowing the geography of available resources). The current, emerging international context reveals that Europe is acting more as a supporting player rather than having a relevant role, one which it could easily play due to its history, tradition, wealth and cultural development of fundamental human rights, economic capacity and well-being. Furthermore, the Old Continent is, in name and in fact, also the oldest continent in the world in terms of the average age of its inhabitants. This entails, at all levels, limits to innovations for several cultural reasons as revealed by the notable lack of turnover on the part of the younger generations, increasingly small in number, which often translates into political choices, practical priorities and economies with non-progressive, often conservative characteristics.

The risk of this European unpreparedness is that it will eventually be its members of both the middle and working classes who will pay the price; one which will inevitably generate political repercussions. Let us look, for example, at Italy which throughout history has

always proven to be a cutting-edge cultural, economic and political laboratory (just think of the Renaissance with its proto-capitalist forms, or of fascism that was born and prospered in our country and the strong birth rate which characterizes us for a few decades). Indeed, many of today's conflicts have had as their "first unmoving engine" the socio-economic malaise of the Western middle class who witnessed the share of global growth and income decreasing, year after year. Current events see the entire world population having a very uncertain perception of the future, with increasing insecurities and social inequalities. These sensations are much more problematic and widespread in Western societies, especially in Europe and the American Midwest. Conversely, they seem to be rosier in some parts of the world, especially in some very dynamic Asian societies. In reality, the Western ruling classes still hold the essential reins of the system for the functioning of global society and do not seem willing to share them with the rest of the world while the ruling classes of emerging countries have the urgent need to replace and counterbalance those who still seem to hold global power today. The alliance of the BRICS countries, which has increasingly strengthened and expanded, with the continuous accession of new member countries, demonstrates that things will change but we do not know how, much less when. The only certain thing, at the moment, is that a European Union dominated by the economic interests of the United States is condemned to lose its political, cultural and economic prestige, instead of becoming a possible autonomous Continental power and respected mediator of conflicts in the new world "order". Fortunately, and despite political tensions and various forms of "*embargo*", trade continues, although with less impetus than before. Given the close mutual ties between the European Union and China, built to mutual advantage in the past years, the immediate and radical breakdown of trade would in fact be a huge, almost irreparable damage for all economic partners who, despite a political situation of growing tension created from the United States, like to reveal that their commercial relationships are guided by a strategy of reducing risks instead of a desire for disruption. The striking fact to keep in mind is that American imports from China have continued to grow, albeit slightly, just as American exports to China have. The situation is no different between Europe and China, where trade continues, albeit with variable outcomes from sector to sector. However, the iron restrictions on the export of advanced technologies, the control of foreign investments in the EU and of European investments abroad are helping to prepare for an uncertain future. We are certainly not at the end of globalization, but we glimpse at a strong correction, as a result of which global growth is destined to fall and the price of goods to rise. A fierce struggle seems to have begun to attract those "extra jobs" which the transformation of globalization can make possible. The tools for this attraction are essentially two: the many public subsidies for high-tech companies and the low cost of labor for less advanced sectors. The United States has made strong investments available in this type of race, while in Europe the response has been divided into two parts. On the one hand, Germany and France, as always, are attracting cutting-edge technologies by all means. The rest of Europe, unfortunately, is attracted by the low wages of Romania, Hungary and Bulgaria. In this transformation, the role of other European nations is not yet clear, including Italy, which at the moment does not seem to have much autonomy, especially in decisive and important foreign policy issues since European countries are unable to play a political role free and autonomous from the indications of the United States of America. A more homogeneous and fair distribution of power at a global level would be necessary. We Europeans must try to continue along the path of political and democratic integration of

the European Union, going well beyond the ratification of the Treaty of Lisbon and finally giving the European Parliament the legislative and appointing power of a truly democratic federal government. We must advocate for the implementation of a unitary policy. We should have, for example, a European Treasury Ministry, a European Foreign Minister, a democratically elected President of the Union in office for a mandate long enough to allow him to have a political project and responsive to the real demands of the European citizens. Within the prospect of a world governance, therefore, greater weight must rightly be given to emerging countries. I would suggest to advocate for real democratic participation in all the countries of the world, reviewing in an inclusive and participatory way the current organization of world institutions which, until now, have always been under the restricted direction of Western governments. These institutions must in fact adapt to the new balances, and finally be truly more democratic, and it is absolutely necessary that political bodies such as the UN Security Council and the various economic agencies such as the IMF and the WTO would reflect the need to include in decision-making policies all the countries of the world. Along these lines we must try to promote real, adequate and widespread development for all the nations of the world, which first of all abandons the most shameful and unjust aspects of the predatory capitalism of some nations, especially Western ones and of the neocolonialism that have inexorably characterized world politics to this day.

A new fundamental law for all the peoples of the earth.

A possible and useful solution is proposed by Luigi Ferrajoli who suggests the approval of an "Earth Constitution" (Ferrajoli 2021, 2022) which just like the national Constitutions would eventually provide a legislative reference and, above all, would act as a brake on those who still want to pollute and therefore destroy the planet, or to who wants to be, at all costs, the only hegemonic power. The main task of this Constitution should be to encourage participation in important political decisions, or lay the foundations for doing so, by all citizens of the world. One of the fundamental "lessons" that the pandemic has taught us is that the, unfortunately, multiple emergencies and catastrophes of our time can only be responded to by going beyond the borders of national states and "imposing rigid limits and constitutional constraints on the currently wild powers of politics and the economy" (Ferrajoli 2021). The author analyzes the contemporary legal reality: "If it is true that constitutionalism consists of a system of limits and constraints on otherwise wild powers, to guarantee the principles of justice and constitutionally established fundamental rights, then we must recognize that today, compared to that constituent period, both the powers that the constitutions have the task of limiting and their attacks on fundamental goods and rights have changed. The powers on which our future depends today are above all the political ones of the great powers and the economic and financial ones of the global market. Furthermore, the relationship between politics and the economy has changed, to the point of being overturned: due to the predominantly local character of politics and the global character of the large economy, it is no longer the former that governs the latter, but vice versa" (Ferrajoli 2024). To this statement we can add the fact that with the end of the "illusion of a world peacefully unified by the market economy and the export of democracy, global interdependence requires a new balance between sovereignty and international law" (D'Attorre 2023). In this context, Ferrajoli believes that approving a world constitution is the only way to ensure the survival of humanity itself and not let it "succumb" (Ferrajoli 2021) given the current situation, which already sees a future of

global ecological catastrophe possible which unfortunately does not seem easy to currently avoid. The pandemic that exploded worldwide in 2020 is not in fact considered as an isolated event which, once over, will allow us to return to our previous life without changing anything and without worries. On the contrary, we must connect the epidemic crisis with other equally serious and macroscopic phenomena which are far from being exhausted. We find ourselves faced with an involution, with wars, barbarism and catastrophes which do not represent an inevitable destiny of man, but rather the fruit of precise economic and political choices which, as such, can always be rationally corrected in order to succeed to at least avoid the most harmful consequences (Colombo 2022) Ferrajoli considers it possible to create a "cosmopolitan democracy" (Ferrajoli 2021) and hopes for the possibility of the progressive construction of "global legal orders" as the best (always perfectible) vehicle for the affirmation, and reaffirmation, of rights and democracy itself in the contemporary world (Ferrajoli 2019). In a very concrete and explicit way it tells us that there is the need for a multi-leveled governmental development, as well as a multi-dimensional constitutional democracy capable of limiting global, economic and political powers, which today do not recognize rules. Indeed, the latest events, with countless wars in which powerful nations invade other ones and less powerful nations, whose defenseless civilians are massacred (especially innocent children), demonstrate the urgency of putting a stop to this barbarity. The proposal to build "a supranational constitutionalism capable of filling the void of public law produced by the asymmetry between the global character of today's extra-state powers and the still predominantly local character of constitutionalism, politics, law and the related functions of government and of guarantee" (Ferrajoli 2021) becomes absolutely urgent and necessary. Ferrajoli thinks that the effective enjoyment of fundamental rights, such as the right to a clean environment, truly recognized by all people will lead to a commonality of views. The starting point had already been identified by Norberto Bobbio who had theorized the presence of a *consensus omnium gentium* relating precisely to the existence of a commonly accepted list of inalienable "human rights" (Bobbio 1997). Whatever one thinks, the real possibility of founding a basically democratic global order that ensures peace, freedom and justice has fascinated human thought for centuries (starting from Kant's writing on perpetual peace), the political one in particular. International law itself should lead a future perspective to a federation of free states as Kant already glimpsed and Kelsen better specified (Kelsen 1989, In this work Kelsen with undoubted originality and with an impressive theoretical elaboration proposes a perspective defined by scholars as 'monistic' in opposition to both the theory of the primacy of state law and that of the equal pluralism of the sources of law. For Kelsen there is only one legal system that includes domestic and international law within a single normative hierarchy). All human beings living in a rational way, as supported by the thinking of all legal globalists (As Danilo Zolo explained to us: «The expression "legal globalism" is very recent, but the notion to which it refers is a development of the cosmopolitan philosophy developed in Greece by the Cynics and the Stoics, and which then had wide resonance in Mediterranean cultures, including the Roman one. Christian universalism also developed in the wake of Greek cosmopolitanism and the European Enlightenment finally took up and reworked the ancient lesson in both political and juridical terms. Christian Wolff revived the old Christian idea of civitas maxima, updating it as a "universal community of men". And Immanuel Kant, in the famous essay *Zum Ewigen Frieden*, of 1795, conceived the idea of a League of Peoples which would have to establish a "global legal order" or

"cosmopolitan law" (Weltbürgerrecht), having as its aim the promotion of a stable and universal peace. In the context of the processes of globalization underway today, the expression "legal globalism" can therefore be used to designate the current of philosophical-juridical thought that dates back to Kant and his idea of "cosmopolitan law". Through the mediation of the epistemological neo-Kantianism of the Marburg school, this current developed in the first decades of the twentieth century until it found its maximum expression in the grandiose theoretical-juridical construction of Hans Kelsen. Subsequently, in Italy, the legal and political philosopher Norberto Bobbio advanced the proposal of a "legal pacifism" which aimed at the idea of the political and legal unification of the planet. In German culture, the philosopher Jürgen Habermas has been an authoritative supporter of legal and political globalism for decades, whose theses are similar to Ulrich Beck's sociology", (Zolo 1998). Repudiate war and seek the common good in compliance with supreme law and rights. Ferrajoli's proposal for a world Constitution implies the use of innovative characteristics because it must respond to global problems unknown in other eras and protect new rights and vital goods which were unthinkable in the past. Inexorably, climate warming, the danger of conventional and nuclear conflicts, increasingly glaring inequalities, hundreds of thousands of migrants fleeing wars and environmental catastrophes, mark our present and future horizon. In his words: "It is not a utopia. It is the only way to save the planet, to address the growth of inequalities and the death of millions of people around the world due to hunger and lack of medicines, to deal with the drama of forced migrations, to defend ourselves from the savage powers that threaten the security of entire populations with their nuclear weapons."(Ferrajoli 2022). Following his statement, it should be our duty to highlight the existence of all serious problems at a global level which cannot be resolved at a local or national one, on which depends the survival of humanity. These serious problems essentially depend on the absence of limits to the wild powers of global markets beyond the classic politics of greatness between the various old and emerging state powers of the current world. Only through the implementation of strong constitutional laws, recognized by all, it would be possible eventually to introduce, for example, a planetary state property to protect all the vital goods of nature which are necessary for human survival. Only a strong law can succeed in banning weapons, starting with the most dangerous ones; that is nuclear weapons. Only a law that is valid and respected throughout the world will be able to guarantee fair taxes and progressive taxation banning those tax havens that still today favour tax evasion. With new and suitable global guaranteed institutions in defense of the rights of freedom and implementation of the social rights of all, the effective universalism of human rights can be achieved; that is peace and ultimately the ability to live in order to preserve the survival of humanity (Padgen 2023, Where the author asks the question whether «Is it possible today to think about governance of the planet and global citizenship? So imagine another geopolitics, beyond the boundaries of the traditional one? None of the great challenges that our present poses - the protection of the environment, the rational use of energy sources, the health of our species and with it of all living things - can now be faced by a single country, however powerful. From this observation arises the need to think about something that until now had seemed only pure utopia: the prospect of a government of the planet that definitively goes beyond the borders of nation-states, even when these tend to take the form of empires. On the other hand, expressions such as "international justice", "super-territoriality", "transnational government" fill our news, despite the horrors of a war of aggression on the gates of Europe; and we are beginning to become familiar with the idea of a global civil society, something like a truly

planetary civilization. This very lucid, realistic and visionary book, written by a great historian, projects us towards a possible future not only for the West, but for a world finally at peace with itself". This initiative must take into account, in the wake of the best democratic constitutional tradition, the rules contained in current international constitutions and charters and must make use of all the guarantee techniques that have been devised over the years to make people's rights effective. We must remove very personal goods such as parts of the human body, all common goods such as fundamental natural and environmental resources from the market, to be protected through the establishment of a global public property, and social goods, available free of charge to all, such as life-saving medicines. -life, vaccines and adequate and healthy nutrition for all. It is proposed to overcome the individualistic logic of rights, stipulating the unavailability and inalienability of vital goods in the absence of which the same rights are destined to remain only on paper. What sense does it make, for example, in proclaiming the right to health without recognizing free access to medicines or drinking water? Or affirm the right to a dignified existence while forgetting to guarantee present and future life on our planet in all its forms? This seems to us to be the first purpose of the "Constitution of the Earth", together with the maintenance of peace, the promotion of friendly relations between peoples and the realization of substantial equality with the total and ultimate recognition of social rights. Similarly, we hope for the provision of a catalog of goods to be considered illicit; the production, trade and possession of which must be prohibited, such as nuclear weapons, weapons of offense and death, hard drugs, radioactive waste and all toxic or hazardous waste. The "Constitution of the Earth" should ensure the effectiveness of the absolutely inalienable right to peace and survival of all the inhabitants of the planet, and of the planet itself. Hence the provision for the dissolution of the national armies and the entrusting of the monopoly of the production and possession of weapons "limited to those necessary for the exercise of public security functions", to the local, state and global police forces (proposed in the 'art. 77). Last but not least, the ban on activities that cause irreversible damage to nature (art. 56). A second aspect worth underlining concerns the ownership of rights. Other Declarations, unfortunately recent, such as the Nice Charter, (There were great limits in wanting to impose the European Constitution from above, quite the opposite of what was hoped for by the great philosopher, supporter of participatory and deliberative democracy, Jürgen Habermas who identified the Constitution and its development path as the path that would lead to the genesis of a constitutional patriotism centered on values, around which the foundations of a common civic and political identity would be created (Habermas, Zagrebelsky 2003). Based on this approach, the absence of a European demos as a starting point did not represent an insurmountable obstacle: making a constitutional Europe an indispensable culmination of an increasingly pervasive integration but still lacking an adequate channel of communication between the institutions and citizens, they would also become Europeans. In reality we can speak of a real failure: «On 13 December 2007 the Heads of State and Government of the Member States of the European Union will sign the new Treaty in Lisbon which closes the long two-year period of the "period of reflection "decided by the European Council in 2005, after the failure of the European Constitution decreed by its rejection in the French and Dutch referendums and by Great Britain's decision to block the ratification process, postponing it indefinitely", (Ornaghi 2000) which convincingly points out how «the non-existence of a truly continental party system and the paucity of European civil groups and movements make it difficult for that network of intermediaries

to develop, between public institutions and civil society, which constitutions and democracy need for work". Naturally, there are many positive aspects of the Treaty of Lisbon, in fact it should be highlighted that: «Among the innovations of the Lisbon reform, the principle of participatory democracy deserves particular attention. It joins the traditional one of representative democracy with a view to better participation of European citizens in the democratic life of the European Union" in (Morgese and Triggiani 2011).

Have not been able, most likely there was no political will, to address the issue of access to rights which, even when proclaimed as universal, require the possession of citizenship or legal entry and residence permits in European territory. The formula that we read in the Preamble of the Nice Charter, "places the person at the center of his action by establishing citizenship of the Union" – today sounds extremely hypocritical in the face of the contempt shown by the institutions of the EU, and the states that are part of it part, they show for the lives of women and men without a "privileged" Western citizenship. The draft Constitution we are discussing, however, in art. 5 recognizes all human beings as "citizenship of the Earth" and, for the rest, it avoids using the word "citizen", attributing rights - all rights, without any exceptions - to people. Unfortunately, historical experience has shown us that, up to now "Only a dominant hegemonic power, with some allies in a subordinate position, can be able to give life to a new world order, that is, to establish the rules and impose respect for them on other subjects. In the past, the powers that have succeeded—France after the Thirty Years' War, the United Kingdom after the Napoleonic Wars, and the United States after the World Wars—have all followed different paths and fulfilled that role in different ways. There is no framework to which the Chinese (or any other potential hegemonic aspirants, assuming that the Chinese consciously aspire to it) can draw inspiration. But they all went through calamitous wars from which they all had well-founded hopes of emerging victorious. Today, that condition does not exist, not for China, nor for anyone else. And not even, obviously, for the United States itself, which finds itself in the unprecedented and embarrassing position of sabotaging part of those rules that they themselves had imposed on everyone else at the end of the Second World War. Further proof that it is not the rules that determine the relationships between the powers, but the relationships between the powers that determine the rules" (Graziano 2023). Very probably these realistic and crude conclusions seem, in some way, pessimistic but they must lead us to hope that in conditions of balance and multipolarity between the world powers there may finally be the conditions to establish democratic rules, with a democratic Constitution of the World. It is clear that in addition to being a "right" goal, it is convenient for everyone, from every point of view, to at least try to avoid bloody and absolutely destructive conflicts. A nuclear war cannot rationally be imagined, with the possible consequence of the end of life for all living beings on the planet. This is why the world of post-globalization and the desirable end of a single dominant super power can lead to new hopes and possibilities for the entire human race, with peace and collaboration between all peoples. The essential role of law and legislation, starting from the fundamental ones, must face the transformations of the contemporary world (Very radical and difficult transformations to interpret, such as globalization and post-globalization, the new role assumed by principles with respect to norms, the multiplication of power centers in today's increasingly multipolar world, the strong impact of new technologies and intelligence artificial and, last but not least, the growing complexity of increasingly interconnected and over-communicating societies), by becoming even more indispensable for the protection of the human rights which, by definition, belong to every human being.

Therefore, a positive and constructive dialogue between different nations, institutions and cultures is an essential way to ensure that there is a better future in our increasingly "plural" world; indeed "Just like languages, humanity is plural. And if it can communicate internally, that means it has something in common." (Zaccaria 2022). Another aspect which is of fundamental importance is that together with the classic principles of the democratic constitutional rule of law, social rights should be taken truly seriously; that is all those rights that allow everyone to live a truly dignified life. It is through the respect for social rights that the cultural and professional growth of all human beings is achieved since not only they enable everyone to fulfill themselves in life but they allow us to become informed citizens in decisions and participation of democratic political choices. It is of fundamental matter to ensure that the principle of legality and the effective separation of powers is always respected, with an absolute autonomy from politics and thus from the possibility of being influenced by both legal and hidden financing of multi-billionaires as unfortunately happens in today's world in many democratic countries. According to Bernie Sanders in the United States today: "By controlling so much of our politics and media, billionaires are free to increase their wealth and power at exponential rates"(Sanders 2024) Furthermore, Sanders highlights that «Large corporations and Wall Street interest groups, the pharmaceutical industry, insurance companies, defense contractors and fossil fuel companies finance both political parties at the same time. Whether you're a Democrat or Republican, billionaires and Big Money interests want you on their side. They understand that a few million dollars in campaign contributions are peanuts compared to a provision in legislation – or the removal of certain provisions… – that could pave the way for the possibility of making billions in terms of corporate welfare or tax deductions,". This undeniable having in common the fundamental rights, which belong to every human person, must and can be the starting point for the world of the future. Otherwise, we will not be able to have a future worth living at least for the majority of the human race. But we must always be able to understand that «political democracy must be ready to redefine itself in light of the recognition of the new demands and new needs that arise in civil society. It is a fragile space subjected to permanent tensions, within which it is a question of balancing the dialectic between freedom and equality by resorting to solidarity policies that impose shared forms of life free from the dictatorship of the market. In fact, what needs to be rethought today is the very idea of modernity which was at the basis... of all European social democracies: a development of the productive forces which in its linearity would have generated the transition to socialist society. Socialist society understood as an exit from poverty and scarcity. ... political democracy must be ready to redefine itself in light of the recognition of the new demands and new needs that arise in civil society. It is a fragile space subjected to permanent tensions, within which it is a question of balancing the dialectic between freedom and equality by resorting to solidarity policies that impose shared forms of life free from the dictatorship of the market. ... it is therefore a question of rethinking the history of European and global modernity, especially that which extends from the Second World War to the present day" (Fistetti 2023). In the current era where technological progress allows for sensational work productivity, the conditions can be created to guarantee peaceful and dignified living conditions for everyone throughout the world. Certainly "in the 21st century we can put an end to a ruthlessly competitive economy in which most people struggle to survive while a handful of billionaires own more wealth than they will ever spend in a thousand lifetimes"(Sanders 2024). However, there still exists something extremely important and necessary to make a better world

possible which is actually free: quality education open to all. It is absolutely fundamental to guarantee high quality education to all and provide them with the deserving right to study to the highest levels, otherwise: "Students condemned to poor or apparent preparation, or even ignorance, more easily become victims of power. They are very weak, defenseless citizens, open to any improvised and noisy influence. Whoever ruined the school also seriously injured the Republic, the democratic system, individual freedom and awareness of rights. I hope someone notices this sooner or later. Future citizens are thus made more fragile and manipulable. I don't want to appear too pessimistic, but the success of impetuous and simplifying movements in terms of political struggle can also be explained by this cultural weakness."(Canfora 2013). The influential idea of the Nobel Prize winner for economics Amartya Sen is undoubtedly that people's well-being cannot be linked only to income, but must be interpreted according to the goods and conditions that make the subject, all people, able to express their abilities, both practical and intellectual, and, therefore, to promote their goals. The study of economics itself, although linked in an immediate sense to the pursuit of wealth, "at a deeper level is linked to other studies, aimed at the evaluation and advancement of more fundamental objectives" (Sen 1988). Sen speaks of "capability" as the freedom to realize multiple alternative combinations of functioning in the organization of society. According to Sen, it is necessary to overcome the idea according to which political freedoms are less relevant in developing and underdeveloped countries due to the "overwhelming brutality" of economic needs. At the same time, economists, although they have always been interested in inequality, should change their perspective and not only focus on income inequalities, but also contemplate those regarding the respect of effective substantive rights, such as a type of education which is guaranteed to all. In essence, ensuring that equity also concerns "ability". Sen, poses as a requirement for the education and training of human beings, that with the promotion of the freedom of... a protection of freedom from. Is also guaranteed, that is, a condition of absence of economic and social constraints that imprison the subject, guaranteeing the possibility to make choices and decisions freely and critically (Sen 1997).

The role of education and instruction according to this perspective can be perceived as one of the agents capable of keeping the link between development and freedom alive. Even if Sen refers to education in his texts, in reality his approach not only underlines the need to transmit knowledge and skills through school, but it also advocate for the promotion educational opportunities, understood as enculturation and training, that is that everyone "builds" - gives shape to - themselves according to their own potential. Educating, instructing and training should first of all mean addressing the lack of freedom rooted within our society and, in particular, nurturing civil and political liberties. Since participation, which is a requirement both for freedom and for development, requires knowledge and skills which are both nurtured and acquired only with basic schooling, "denying any group – for example girls – the possibility of going to school is opposing directly to the fundamental conditions of participatory freedom"(Sen 200). Sen clearly shares John Dewey's ideas regarding the mutual dependence between democracy and education Dewey 1965). In order to truly have a constitutive and protective role for development, a democracy should take into account the inter-connections between freedoms. policies and the satisfaction of economic needs. For Sen, all human beings must be considered as creatures who, if placed in the right conditions, actively engage in "forging their own destiny", without limiting themselves to passively receiving a development program. This point of view distances itself from the prevailing concept according to which the "economic man" pursues only his own personal interests (Sen

1988). In fact, states have very important roles in strengthening and safeguarding human "capabilities". However, in guaranteeing support for citizens, they must not expect to order and direct people as happened in states with a planned economy such as the Soviet Union (The Soviet economy was the second world economy for many years in the twentieth century. It was an economy based on state ownership of the means of production and mobilizing planning focused on the concentration and mobilization of resources for a specific objective, established by state leaders. , with no possibility that these decisions could be changed. Furthermore, there was a command administrative management system, an extremely high level of bureaucratization, state monopolization and a gap between the level of economic development and that of personal consumption of its citizens. Money-commodity relations in the economy of the USSR played a secondary role: only 14% of all industrial products entered the market system, while the remaining 86% of industrial products were distributed by bypassing market mechanisms and via methods of administrative command. In this system personal freedoms were very limited even if social rights were guaranteed much more than in the rest of the world). By placing freedom at the center of the ends and means of development, society's task becomes that of creating social opportunities that directly contribute to expanding human "capabilities" and the quality of life. An expansion that should concern not only, nor primarily income, but also healthcare, education and social security. Stiglitz has often spoken on the topic and believes that "The 'good school' [like a good university] helps you to be free, it allows you to reason and make informed choices; bad education seeks to indoctrinate and inculcate ideologies, to rely on blind faith and social coercion." (Lectio Cathedrae Magistralis "An economy for a just, free, and prosperous society", speech given by the 2001 Nobel Prize winner for Economics Joseph Eugene Stiglitz on the occasion of the celebrations for the eightieth birthday of the professor of Columbia University in New York promoted in Milan by the Catholic University, 26 May 2023. In the same speech Stiglitz stated «The conception of the market economy that has prevailed over the last forty years, neoliberalism, has not given positive results" in the pursuit of a "good society", revealing itself to be "not very sustainable from an economic, social, political and environmental point of view". Instead of bringing about balanced economic development, with the growth of income and wealth for all, it has only contributed to promoting "enormous social inequalities". For Stiglitz, «the increase in economic and social inequalities that neoliberalism has fostered represents the antithesis of what one might think of as a good society», furthermore he criticizes what he defines as «the supporters of unconstrained capitalism [according to whom it is necessary] to maximize the economic and political freedom of the individual [and] to limit excessive government interventions". According to the Nobel Prize winner, in fact, «unconstrained capitalism limits the freedom of most individuals to fully realize their potential. The real danger of neoliberalism is the destruction of values and the weakening of freedoms." Contemporary capitalism with its incredible excesses and lack of sufficient protection for the weakest sections of the population "is threatening democracy". Not only that, «The irony is that, in a system thus conceived, capitalism cannot prosper» since it does not, in any way, have the «trust» necessary for its functioning. A lack of trust which, consequently, «makes it almost impossible to address climate change with the necessary urgency and scale. The health and survival of millions of people is at stake, yet we may not be able to do anything." In short, he denounced, "capitalism is creating a type of man who will end up devouring capitalism itself" which "without reforms may not be sustainable". According to Stiglitz, the alternative to this system is a "progressive capitalism", a

conception of the market economy that offers the "promise of a prosperous economy in a more just, free, and inclusive society and «entails a better balance between the State, market and civil society, with a range of institutional arrangements, including cooperatives and non-profit institutions. Progressive capitalism can only function in a democratic state; and a State can only be truly democratic with systems of checks and balances, which do not work if there are no adequate control systems". Rather than perpetuating capitalism, in any form, we should think about changing the way we see the world by drawing inspiration from solidarity and respect for the human person. Ultimately, capitalism cannot be the engine of infinite growth and accumulation as the world and its resources are finite.

 The theme of adequate education open to all has always been of fundamental importance for some of the people who have left an indelible mark in history. Among them Nelson Mandela, Nobel Peace Prize winner, who considered education as the most powerful weapon for changing the world. From a good and rich education both thoughtful women and men are born and both can fully participate in the social, political and cultural life of their country, working together for the common good while protecting their own. Education is, quoting Malcom X, "the passport to the future, the means to prepare to face it". The opportunity to access a good qualitative education for all promotes tolerance and defeats prejudices and teaches us that humanity has common interests which go beyond geographical boundaries, ethnic groups, religions and skin color. It ultimately teaches us that working together is more important than competing. The four-time US president Franklin Roosevelt reiterated in various speeches that "Democracy itself cannot succeed if those who express their choices are not prepared to do so with caution. The true safeguard of democracy is therefore education." Bernie Sanders has been focusing his political thought on these concepts for years and has always supported "the battle for universal and quality education, at primary and secondary level, and for free colleges... making them more accessible and more engaging... It's about making our societies better. And it is a vital battle to defeat the threat of authoritarianism."(Sanders 2024). Therefore, only fostering quality and achieving an adequate public training and education can allow citizens to be creative and engaged in order to make democracy and society work for the good of all. We must recognize that education has a fundamental value in creating a much freer, fairer and more egalitarian society. Especially when schools and kindergartens in the most disadvantaged areas receive additional resources and funding to have more trained, motivated and well-paid teachers, extra programs and smaller classes to encourage everyone's learning. Already in the 19th century, the American reformer Horace Mann supported the fundamental role of education, describing how "education is the greatest equalizer of the starting conditions of individuals, it is the balancer of the social machine" (Sanders 2014). Inserting education and continuous training for all people as a mandatory fundamental right in the future world Constitution would mean laying the foundations of a new, certainly better world. But naturally other topics that are very neglected today should also be put on the agenda and addressed, such as the issue of inequalities and that of monopolies, with the ever-increasing weight that the few super-rich people have in political decisions Held 1989, Where all the important issues are highlighted such as the growing concentration of ownership: the global media is dominated by a small number of huge and very powerful business groups. Transition from public to private ownership with the privatization of media and telecommunications companies in many countries. Development of transnational corporate structures with companies in the sector no longer operating within rigid national borders. Integration of media products with the media industry much more integrated and less segmented than in the past. Increase in corporate

mergers, the tendency for alliances between companies belonging to different segments of the media industry has established itself. The dominant position of industrialized countries in the production and diffusion of media products has led many observers to speak of media imperialism. At issue is not only the survival of many cultural specificities: the control of information by the major Western communications companies means that at a global level the "first world" is constantly privileged, while attention is paid to developing countries especially during disasters, crises, wars or other violence. It seems obvious that a plurality of subjects must operate in the media sector in the public interest, because this ensures that different groups and opinions are listened to. But limiting the ownership and use of technologies can affect the development of the sector. Legislation on the mass media could start from the recognition that the control of the market by a few large companies is a threat both to economic competition and to democracy itself. Competitiveness means pluralism, and pluralism is assumed to be a good thing for democracy).

The clear certainty is that the concentration of ownership of the mass media in fewer and fewer hands causes serious problems for the correct functioning of democratic life. Indeed, "A healthy democracy cannot thrive if the most important problems affecting it are largely ignored due to the enormous conflicts of interest implicit in a media system controlled by a few large corporations"(Sanders 2024). Our current society is marked by a profound crisis of citizens' trust in politics, particularly evident in the Western world. Anger and dissatisfaction with conventional parties and their leaders is increasing day by day. Populism and anti-politics very often triumph, with arguments that are not always flawless, over democracy (Thompson 2017), Where we study the change that has affected the language and way of arguing in public debate. In a world of information increasingly disrupted by digital technologies, in which news chases each other incessantly and has an increasingly shorter lifespan, comments are increasingly hot and devoid of the necessary in-depth analysis, anyone who owns a mobile phone has their say on social media network on any topic and politics seems incapable of addressing the real and serious problems of the contemporary world, how can we have a place to seriously discuss important issues?, how will it be possible to make decisions in a thoughtful and shared way? And be able to form a truly informed public opinion with the appropriate skills?).

To this we must add that in the current world of cultural consumption a real revolution is underway, in fact until a few decades ago national media systems reigned almost unchallenged, today these are replaced or incorporated by the streaming giants. In this way, a mass culture is given shape that does not take into account local or national realities, but global, worldwide platforms, capable of assimilating, to a minimal extent, local cultural traits from a position of strength and then manipulating them, making them attractive to the world market. We are faced with a cultural hybridization characterized by an enormous asymmetry of power struggle between global platforms and national cultural systems, especially in those areas that are not able to compete in the technological dynamics of the twenty-first century. These platforms, from "simple" IT systems have evolved into the key infrastructure of the global economy and into giants capable of eroding and putting national sovereignties at risk by exploiting, in the era of extreme content personalization, the capacity of massive extraction of personal data (Balestrieri 2021). We know very well that in current societies "Power is more than communication, and communication exceeds power. But power is based on the control of communication, just as counterpower depends on breaking that control" (Castells 2010). Therefore, only by

democratically controlling mass communications can we hope for a world where the quality of life for all is the ultimate goal of democratic law (Kelsen 1985, Viola 1991); one which must guide the social life of all people. Furthermore, considering that fact that we are living, at a global level, in years of significant changes which will probably lead us towards a more pluralistic and multipolar world characterized by competing emerging countries without a truly predominant and powerful nation, we must try to create a truly democratic and representative international institutions that are adequate for the governance of the world system as soon as possible On the emergence in the current world of «serious political and social conflicts within countries due to the greatest disparities in wealth, political ideas and values; and the rise of a world power (China) that challenges the incumbent power (the USA) and the existing world order", see (Dalio 2022).

These new institutions should be founded on the recognition of both interdependence and political, legal and cultural pluralism. It would be absolutely necessary to launch a new inclusive monetary system and agree on the renewal of the World Bank, Monetary Fund and Trade Organization, seeking the collaboration and effective involvement of all countries (Greco 2021) Where it is highlighted how the law necessarily also brings into play our relational resources: solidarity and cooperation, in other words mutual trust. Rediscovering the space of trust in law is not only a way to bring to the fore the responsibility of those who act and those who create legal culture, but it is also the only way to bring the best qualities we possess back to the center of our legal discourse. In possession.

Law, applied to the implementation of a world constitution, should play a fundamental role in structuring and stabilizing this possible new global order. Ultimately, the role of law cannot exist without mutual recognition of cooperative and fiduciary relationships between states, just as it happens among people. Indeed, the current moment presents extreme dangers and adversities: "Humanity is currently experiencing one of the most dangerous periods in its history. To some extent, what is happening is unprecedented, but in others it remains in line with the conflicts that have pitted the West against its adversaries in the past"(Maalouf 2024), All this because we live in an era where: «A devastating war strikes the heart of Europe, the Middle East is inflamed by tensions that have never subsided, we feel almost daily threats of nuclear attacks that we thought belonged to the past. Conflicts multiply and intensify, the tug of war between the West, Russia and China conditions the world stage and influences our way of life, to the point of calling into question the very foundations of our civilization... the origins of the confrontation between the West and the its adversaries, [can be summarized as follows]: Japan, the first Asian country to challenge the supremacy of the "white" nations, champion of surprising accelerations and successes and equally rapid falls; Soviet Russia, which constituted, for three quarters of a century, a formidable opposition to the West and its system of values, before imploding and collapsing in turn; China, which in the 21st century, due to its economic development, demographic weight and the ideology of its leaders, represents the main challenge to the status quo of Western dominance; and finally the United States, which has resisted each of these challengers to become for over a century and a half the only financial, military and cultural power capable of hegemony, but which today, in turn, show the signs of a profound crisis » (Maalouf 2024).

 It is clear then that all of humanity should try to resolve these conflicts through a kind of constructive communication based on respect and recognition of mutual rights (Honneth 2015, 2019). For Honneth the man despised, humiliated, without recognition, loses his integrity, his rights, his personal autonomy and his moral autonomy. He points out that the

injustice of not recognizing a person what they deserve leads to social exclusion, not only produces a radical limitation of personal autonomy, but also causes a feeling of not being up to par with others or equal to others. From Rousseau to Sartre, from Hume to Mill, from Kant to Hegel, the history of the idea of recognition allows us to think of a dynamic and conflictual society, capable of hosting dissent and century and have formed our cultural tradition, interacting and contaminating each other until today. In an increasingly divided society, recognition is a precious and necessary resource to defend an idea of democracy that we can no longer take for granted. Because the idea of recognition is the awareness of mutual belonging, see on the topic, where it is explained that in a democracy, freedom and justice are not abstract and static concepts, but concrete and dynamic social practices, achievements that arise from an initial deprivation and a subsequent claim. The conflicts arising from this struggle for recognition are realized in new social institutions, in harmony with people's aspirations and with the pluralism of complex societies.

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