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RHETORIC AND LAW: AN INSIGHT INTO THE SCHOLASTIC DOCTRINE OF LEGAL GOVERNMENT

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Abstract

*Ancient scholasticism, from the Middle Ages to the height of the modern age, delivers us a conception of legal government that, despite significant internal differences, presents a unified underlying structure. One aspect, however, tends today to be overlooked: the rhetorical character of this structure, which harmoniously fits within an anthropological and ethical conception that has its theoretical paradigm in Aristotelian thought. The relationship between legislator and citizens, centered on legal discourse, is articulated at various interconnected levels, in which the three traditional *πίστεις* of rhetoric can easily be recognized. At first glance, it is possible to say that the law influences the conduct of citizens at the same time through the threat of punishment, which inclines to fear; through its directive force, which compels practical judgment about the action to be performed; and, finally, through its authority, which inclines the will to respect, ultimately aiming at generating the civic virtue of justice. This paper aims to highlight and deepen this rhetorical structure, showing its fruitfulness for contemporary legal theory.*

Keywords: rhetoric, law, government, scholasticism, virtues, morality



1. Introduction

The theme of this paper is the relationship between rhetoric and law from a scholastic perspective. More precisely, our intent is to reconstruct scholastic doctrine with particular reference to the relationship of legal government, in order to show how it is possible to find a rhetorical character in this conceptual structure.

Before getting into the matter, however, it is worth clarifying what we mean when we talk about scholasticism, since it is actually a concept that may seem simple at first glance but, when examined in depth, proves to be quite complex. Furthermore, it is not possible to understand the scholastic doctrine of legal government without briefly mentioning the fundamental concepts and structure of scholastic practical philosophy in general. Therefore, our discourse will be divided into the following three parts: first, we will outline the meaning of scholasticism that will be used in this presentation, distinguishing it from other meanings which represent some common assumptions that, nevertheless, raise some concerns; secondly, we will provide an overview of the fundamental concepts of scholastic practical philosophy and the relationship of legal government therein involved; thirdly, we will attempt to highlight the rhetorical nature of this relationship, emphasizing the perspectives, questions, and risks that such a line of research must address.

2. What is scholasticism?

To clarify what we mean by scholasticism, it is best to proceed by exclusion, examining some common meanings that, while certainly true in some respects, are nevertheless somewhat reductive overall¹.

Firstly, by scholasticism we do not mean medieval thought or, more precisely, the school of thought whose greatest exponent was Thomas Aquinas (Thomism). This is, for example, the perspective that had the greatest following in neo-scholasticism, a movement spanning the late 19th and early 20th centuries, exemplified by an important Belgian neo-scholastic historian, Maurice De Wulf (Wulf 1934).

At the same time, when we speak of scholasticism, we do not simply mean a theological method, as believed, for example, by another important historian, Martin Grabmann (Grabmann 1980), who identifies scholasticism with a method of thinking that, in the field of theology, combines theological faith and philosophical reason.

Although both of these perspectives undoubtedly capture important points of truth, we believe they have certain limitations.

Firstly, it is certainly true that scholasticism originated in the Middle Ages, thanks to the spread and establishment in young Europe of specific institutions for the transmission of knowledge, in particular universities. At the same time, however, scholasticism cannot be confined to the medieval period of European culture, nor to the philosophy of Thomas Aquinas alone. Its existence seems to follow the development of the university itself, together with similar educational institutions (e.g., colleges), extending peacefully throughout much of European cultural history at least until the end of the 18th century. Thus, in the field of philosophy, we are used to speak of 18th-century

¹ In this regard, we will mainly follow the reconstruction of the concept of scholasticism developed by the historian of philosophy Quinto (2001). This in-depth study, conducted using a lexicographical method, traces some of the main 'events' of the concept of 'scholasticism' and related terms, from the first medieval attestations to the 18th century, before comparing some widespread definitions and providing a new and more comprehensive one.



German scholasticism, emblematically represented by Christian Wolff, or of 16th- and 17th-century Hispanic scholasticism².

Secondly, it is undoubtedly true that for centuries theology has been the cornerstone of intellectual development in European educational institutions. Moreover, together with jurisprudence, as we will see shortly, it could be said to constitute the paradigmatic academic discipline precisely because of the relationship between faith and reason that it puts into practice, even before theorizing it. However, scholasticism cannot be reduced to theology, given that the same characteristics that seem to characterize this discipline are found in all university faculties, starting with law: the application of reason to the understanding of authoritative texts (*interpretatio*), which progresses in the questioning of dubious propositions (*disputatio*) and is accomplished in the elaboration of an organic and unified body of knowledge (*summa*).

It seems to us, then, that scholasticism stands out in European history as *the institution* or *common ground* for a multitude of peoples who, despite being separated by time and increasingly marked differences, are *involved in it*, receiving the virtue of speaking, disputing, and even arguing among themselves about every area of knowledge, giving rise to a flourishing *community* of dialogue³. The secret of this involvement lies not so much in the fact that only in this place it was transmitted the *lingua communis*, the Latin, but in the peculiar *teaching* practiced there, based on *listening to the words of authority and doctors*. The engaging power of the school, in other terms, could be said to be the power of the word unleashed to its fullest potential: the word read, interpreted, repeated, discovered (*inventio*), and determined (*judicium*). In short, the *word commented on* (from the Latin *cum- meditare*), that is to say, listened to and meditated upon in order to draw from it the essential nourishment for *one's own* speech⁴. The main fruit of the work of this educational institution is an extraordinary *continuity* of thought and language, capable of challenging the centuries, which in each discipline takes the name of *doctrine*.

With specific regard to practical philosophy, which we intend to deal with here, it is precisely to the existence of such a doctrine that authors such as J. Ritter (Ritter 1983) and G. Bien (Bien 1985), leading exponents of the 20th-century movement for the rehabilitation of practical philosophy together with G. Gadamer, refer to when they point out that from the Middle Ages to the beginning of the 19th century European knowledge has been characterized by a fundamentally common language together with a common core of terms and conceptual structures constituting a sort of grammar of philosophical discourse, whose main source was represented by the thought of Aristotle.

All this considered, therefore, our intention will be to reconstruct the scholastic doctrine in practical philosophy, with specific reference to the relationship of legal government, in order to show how it is possible to find a rhetorical character in this conceptual structure⁵.

² On second scholasticism more generally, see Ramis-Barceló 2024.

³ Quinto (2001) highlights this inseparable connection between educational institutions and scholasticism, also referring to the similar perspective of De Rijk (1985) and Wieland (1981).

⁴ As is well known, commentary, together with *quaestiones disputatae*, is the ancient school's favorite literary genre. The centrality of the word can be seen from the very beginning of the school curriculum, represented by the *artes sermocinales* (grammar, logic, and rhetoric). These arts would go on to form the *studia humanitatis* in the humanistic age (cf. Manzin 1994).

⁵ On the general importance of rhetoric for European culture during the central centuries of scholasticism cf. Fumaroli 1980.



Before beginning, one last important clarification is needed. Since we inevitably had to base our reconstruction on certain authors, we focused on some of the most representative ones: Thomas Aquinas, Samuel Pufendorf, Christian Thomasius, Christian Wolff, and, despite the important limits we will point out, Immanuel Kant, who prefaces his treatise on law and virtue with a clearly scholastic *philosophia practica universalis*⁶. The preferred criterion in the selection of these thinkers, in addition to the fact that they cover a period of about five centuries, is that they were authors of textbooks, i.e., treatises intended for educational (scholastic) purposes and, as such, aimed primarily at providing an overview of moral discipline in its fundamental concepts and structure (a doctrine, in fact). It is no coincidence, however, that with the exception of Thomas Aquinas, the various authors considered are concentrated in the Germanic area between the 17th and 18th centuries: it is in this context, starting with Pufendorf, that a 'canon' of the discipline, strictly philosophical⁷, emerges for the first time and in the most organic way, as will be followed in schools at least until the mid-19th century.

Given this alert, it should also be noted that the idea of a common doctrine among these authors does not imply that they say the same things: their thought develops in very different and sometimes incompatible directions. In this sense, scholasticism should not be confused with any particular school, but rather identified with a certain doctrinal horizon within which a plurality of different schools has been defined over time. Furthermore, our intention is not so much exegetical-philological but only aimed at showing how the *mindset* underlying these thoughts is related to rhetoric in a way that is not usually highlighted. Due to space limitations, we will limit ourselves to an essential reconstruction of a common theoretical paradigm and then analyze its implications in rhetorical terms.

3. Scholastic practical philosophy and the relationship of legal government: an essential framework

At the heart of scholastic practical philosophy lies the concept of human action (*actio*), i.e., the specific action of man⁸. This action is determined by two different competing *principles*.

On the one hand, there is the *intrinsic* principle represented by the agent himself, which moves by his own power. More precisely, this drive to act is given by two operating principles disposed on different levels. First of all, we have the human faculties (*facultas* or *potestas*), mainly passions, intellect, and will, which do not move separately but are closely intertwined. Only an action that proceeds from these faculties, and above all from the intellect and the will, can be said to be a specifically human action, since intellect and will distinguish man from every other animal⁹.

⁶ To facilitate comparison, the references to the works of these authors that we will provide do not follow the edition we consulted (for which, see the bibliography below), almost always in Italian, but the internal and standard structure of the works themselves, analytically divided into parts, books, sections, chapters, paragraphs or questions and articles.

⁷ In this sense, for example, we have chosen not to consider authors such as Francisco Suárez, Hugo Grotius, or Thomas Hobbes, whose philosophical and moral treatises, although they were highly influential precedents, focus mainly on certain areas of the discipline. Even Thomas Aquinas' moral reflection is theological in nature, although it follows Aristotle's philosophical approach of the Nicomachean Ethics in many respects.

⁸ Thomas Aquinas, *S.Th. I-IIae*, q. 6 (*proemium*); Pufendorf, *L.I*, V, 1-3; Thomasius, *L.I*, I, 53-72; Wolff, *L.I*, I, 1-7.

⁹ Thomas Aquinas, *S.Th. I-IIae*, q. 49 (*proemium*); Pufendorf, *L.I*, III-IV; Thomasius, *L.I*, I, 5-6; Wolff, *L.I*, I, 16-34, where the defects of rectitude in human action are analytically reviewed and distinguished on the basis of the agent's failure to use their intellect or will; Kant, pp. 11-15 (Introduction to the Metaphysics of Morals, I).



Thanks to the adequate and continuous exercise of these faculties, then, there arises the other intrinsic operating principle of action: *human virtues* (*virtus*), which constitute stable *dispositions* to good action, bringing man increasingly closer to attainable perfection¹⁰. Virtues can be considered an intensification and consolidation of faculties (the term “virtue” derives from the Latin *vis*, meaning ‘strength’), therefore there is a direct correspondence between virtues and faculties. In particular, virtues are traditionally distinguished in the *dianoetic* virtues (wisdom, intellect, science, prudence, and art), which consolidate the intellectual faculty, and the *ethical* virtues, which consolidate the appetitive faculties, namely the will (justice) and the passions (fortitude and temperance). Prudence, justice, fortitude, and temperance constitute, as is well known, the four cardinal virtues, that is to say, the virtues around which the entire practical life of man revolves¹¹.

On the other hand, we have the *law*, which exerts a certain pressure on the agent from *outside*, prompting him to act. In a mirror-like way, the law is first and foremost the act in which the power of governors (*potestas legis* or *imperium*) is expressed, while the exercise or expression of this power is called the force of law (*vis legis*)¹². This force has a *dispositive* nature (we usually refer to legal requirements as dispositions of law): it consists in disposing the agent in a certain way, inclining him or her to perform the action in accordance with the law. The main dispositions to legal action, as direct effect of the force of law, are the obligations (*obligatio*) and the subjective rights (*jus*)¹³, which in this perspective we could also call “*cardinal legal dispositions*”.

What we need to understand, therefore, is how these two principles of action intertwine and combine with each other or, in other words, how the law relates from the outside to the faculties and dispositions that drive man from within to ensure that he performs actions that are legally binding. To understand all this, it is necessary to comprehend how the relationship of legal government is structured and, therefore, how the agent relates to the force of law.

Turning, therefore, to the structure of the relationship of legal government, we must first consider this relationship from the point of view of the governed. They find themselves in a peculiar position before the governors, which is called *subjection* (*subjectio*)¹⁴. Now, we must consider that both the force of law and the subjection of the agent articulate themselves in different forms, between which there is a certain correspondence.

¹⁰ Thomas Aquinas, *S.Th. I-IIae*, q. 49, a. 1; Pufendorf, L.I, IV, 6, where he states the futility of a detailed review of individual virtues since the moral philosophy of the time had already spread widely on the point, almost reducing the treatment of the entire discipline to a list of virtues; Kant, pp. 227-230 (Introduction to the Doctrine of Virtue, I).

¹¹ Aquinas, *S.Th. II-IIae* (*proemium*).

¹² Aquinas, *S.Th. I-IIe*, q. 90 (*proemium*) and q. 96; Pufendorf, L.I, VI, 4, 9-10; Thomasius, L.I, IV, 31-54 (who distinguishes within the law the two forms of *consilium* and command in strict sense) and V, 1-6; Wolff, L.I, II, 39. Kant, 27-30, (Intr. to the Metaphysics of Morals, IV), who, as is well known, while admitting that moral law is the non-subjective principle of the agent's action, distinguishes within it between ethical law and legal law, depending on whether it combines the representation of duty with an internal motive (virtue or holiness) or an external motive (coercion or reward). In this way, external or legal law, while binding in conscience, does not constitute a *force* that influences the will, moving the agent only from the outside, which will open up a sort of gap between the strictly ethical level and the law as traditionally understood, even though preserving the comprehensive moral framework.

¹³ Pufendorf, L.I, I, 17-21; Thomasius, L.I, IV, 56-61 and V, 7-9. Wolff, L.I, II, 37 and 44-46.

¹⁴ Aquinas, *S.Th. I-IIae*, q. 96, a. 5; Pufendorf, L.VII, II, 8; This applies to all scholastic authors, including so-called contractualists such as Samuel Pufendorf, who base legislative power on a pact between individuals. This pact, indeed, is known as *pactum subjectionis* and has the effect for citizens to assume a position of subjection before the power that is going to be established (cf. Palladini (2019)).



Thus, firstly, the force of law manifests itself as a promise of *punishment* (*penalty*) in the event of transgression or a *reward* (*premium*) in the event of compliance with it, which have the effect of producing in the agent, respectively, the *fear* of being punished and the *hope* of being rewarded, namely two passions of opposite sign¹⁵.

Secondly, the content of the law as such exerts its own influence on the agent, since the latter perceives this content as binding on his practical judgment. Now, practical judgment bound by law is called *conscience* (*conscientia*), which is understood as the application of the law to the concrete practical case¹⁶. In this sense, it can be said that the law of civil government obliges in conscience¹⁷.

Finally, we see how the force of law also manifests itself in a more strictly subjective sense, which is related to the authority of the legislator, to which corresponds in the subject an attitude especially involving the faculty of will and known as *respect* (*reverentia/observantia*)¹⁸. This is a very peculiar attitude of the will consisting in esteeming and recognizing the law as something that has ethical value in itself and, therefore, requires voluntary obedience (*oboedientia*)¹⁹.

4. The rhetorical character of the relationship of legal government

Before the picture just outlined, it seems possible to make some observations which, while taking us beyond the formulas expressly used by scholastic authors, seem to bring out in a rather recognizable way at the heart of the dynamics of human action and legal government a properly rhetorical character.

Firstly, we can observe how the effects produced by the force of law in the agent involve all three types of human faculties described above. Fear and hope, in fact, are passions; conscience, as we have said, concerns practical reasoning and the judgment of action that is achieved through it; finally, respect for the law constitutes a specific attitude of the will. We can therefore see how the relationship of legal government operates at three levels: *pathos*, *logos* and *ethos*. From a static point of view, therefore, it is not difficult to glimpse in this structure the three *πίστεις* of classical rhetoric²⁰. It is worth remembering, moreover, that fear is one of the main passions analyzed by Aristotle as an effect of the rhetor's speech in the second book of his *Rhetoric*²¹.

¹⁵ Aquinas, *S.Th. I-IIae*, q. 95, a. 1; Pufendorf, *L.I*, VI, 14 (who also considers only the threatened punishment, with the fear that follows it, to be a truly essential part of the law, and not the reward); Thomasius, *L.I*, IV, 65-69; Wolff, *L.III*, S.II, V, 1070.

¹⁶ Aquinas, *S.Th. I*, q. 79, a. 13; Pufendorf, *L.I*, III, 4-9; Thomasius, *L.I*, IV, 14-30 (who, however, contrasts the importance traditionally attributed to individual conscience in regulating human action); Kant, pp. 252-253 and 299-301 (*Ethics*, P.I, L.I, C.II, S.II).

¹⁷ This is a point of great importance that all scholastic authors agree on, but which is not always given adequate emphasis: Aquinas, *S.Th. I-IIae*, q. 96, a. 4; Pufendorf, *L.I*, VI, 5 and 10 (where, on the basis of this criterion, obligation is distinguished from mere coercion);

¹⁸ Aquinas, *S.Th. II-IIae*, q. 102; Pufendorf, *L.I*, VI, 9; Thomasius, *L.I*, VI, 3-5; Kant, p. 255 (Introduction to the Doctrine of Virtue, XII, D.) and pp. 333-341 (*Ethics*, P.II, C.I, S.II), where respect for the law takes on central importance and becomes the foundation for universal respect among men.

¹⁹ Aquinas, *S.Th. II-IIae*, q. 104, according to whom obedience is an integral part of the virtue of observance; Thomasius, *L.I*, VI, 3-5; Wolff, *L.III*, S.II, V, 1079.

²⁰ For a legal interpretation and update of classical rhetoric, which we follow, see Puppo 2023; Manzin 2014; Tomasi 2020.

²¹ Aristotle, *Rhet.* 1382a20-1383b10. For a reconstruction of Aristotelian rhetoric, see Piazza 2008.



But there is another very important aspect to note, namely the fact that in this doctrine of the relationship of legal government, these three dimensions are not separate compartments but combine and intertwine in a unified dynamic. In this regard, we will limit ourselves to two examples that seem to be particularly significant and emblematic: first, the fear and hope induced by the promise of punishment or reward are not only effects that incline the agent to act in accordance with the law, but also have an impact on the consideration of the content of the law. These passions, in fact, *temper* and moderate the subject's excessive emotional inclinations towards different actions and thus allow the intellectual sphere and then the volitional sphere to come into play more effectively²². Another, even more eloquent example is the effect that the dimension of *ethos* generates on the level of *pathos*: when the agent adopts an attitude of respect for the authority of the legislator, a further form of fear arises within the agent, which is no longer the fear of punishment, but the so-called *timor reverentialis*, i.e., the fear of offending the authority with one's own transgression²³.

All this, in our opinion, allows us to glimpse a rhetorical character within this complex and articulated dynamic: in other terms, we can see how at the heart of this relationship, ultimately, there is a need for *persuasion*. The legislator does not simply want to compel agents to act in accordance with the law, but wants them to be persuaded and thereby actively adhere to the prescribed action. It must be admitted that the idea of placing persuasion at the center, although it is possible to find references to the expression "*persuasio*" in scholastic literature about law²⁴, is not sufficiently attested in the authors that we have briefly reviewed; however, it seems we still have sufficient elements to develop the doctrine examined in this direction.

Being able to explain the relationship of legal government in rhetorical terms could offer important clarifications that shed light on a further aspect that recurs in scholastic authors and concerns the relationship between law and morality.

According to a fundamental principle of scholastic legal doctrine, law has *moral* value. More precisely, applying this principle to the categories of practical philosophy that we saw at the beginning, this principle means that the disposition of law is a force that instills in the agent those dispositions to act that are virtues, in particular the virtue of social justice²⁵. In other words, we could say from this perspective that law performs an act of justification.

Obviously, there are very different ways in which this function can be conceived, and it is exactly here where rhetoric could come into play to tell us something about this dynamic. Rhetoric, in fact,

²² Aquinas, *S.Th.*, I-II, q. 95, a. 1, co.; this dynamic is subject of an in-depth analysis in Thomasius, *L.I.*, IV, 72-77, regarding the use of commands or precepts (covered by penalties and rewards) as a means of elevating governed to a level where mere *consilium* is sufficient, that is, the prescription that appeals first and foremost to the agent's reason (cf. Dioni 2009).

²³ Quinto (1998), which shows how, in the context of European scholasticism, a very thorough level of analysis will be achieved on this point, distinguishing up to seven different types of fear, fundamentally resolved in the distinction between *timor servilis* (typical of a servant towards his master) and *timor filialis* (typical of a child towards his parents), which differs from the former precisely because it relies on esteem and not on the risk of punishment.

²⁴ In the context of law, it is usually associated with the form of *consilium* (e.g., Thomasius, *L.I.*, IV, 55), to distinguish an influence focused on the convenience of the proposed action and not on the threat of punishment. As regards Thomas Aquinas, cf. Hibbs 1990.

²⁵ That the purpose of law is to make citizens virtuous and to preside over the common good is clearly attested to in Aquinas, *S.Th.*, I-II, q. 92; Pufendorf, *L.VII*, IX, 3-4; Wolff, *L.III*, S.II, V, 1068-1073. With regard to Thomasius, see Dioni 2009; in Kant, on the other hand, it is only ethical law that presides over virtue, not legal law, which, as has been said, also has a purely moral purpose in any case.



is characterized by an approach to communication dynamics that goes beyond the mere objective presentation of the message's content, focusing on the subjects: both the person who sends the message and those who receive it. In this sense, rhetoric takes into account the influence that law exerts not simply on the action, but on the agent himself, which we have said to be the intrinsic principle of human action. It therefore allows us to view the law as an activity that is not limited to imposing a prescription from outside to be followed regardless of one's subjective state, but rather involves the subject in all his faculties, instilling in him *from within* the subjective inclination to act. In essence, the law reveals itself to be an intrinsic aid to the agents, strengthening their faculties from within, contributing in this way to the formation of human virtues, especially those concerning social life.

Everything that has been said so far would obviously require much further study and, above all, would require each individual author to be considered separately. With a view to such further study, we believe it would be useful to raise some questions and point out some risks that such a perspective must address.

Firstly, it is clear that a relationship such as that of government is asymmetrical, with the two parties not on the same level. But what does this mean? Are the categories commonly used to understand rhetorical relationships and communications adequate, or is there a need to rethink them and conceive of this form of rhetorical interaction as a special one?

The second question, which is theoretical but also clearly very practical, deals with a fundamental aspect of human action: the element of freedom. In the same scholastic perspective, as we have seen, human action is characterized by freedom understood as being master (*dominus*) of one's own actions. But how can such an aspect of freedom be reconciled with the fact that the intrinsic force of the agent is in some way infused from outside by the force of law?

A final risk, perhaps the easiest to perceive on a practical level, is that when we interpret the relationship with the law in rhetorical terms, we open up the scenario and possibility of a force of law that is not rhetorical but sophistical, that is to say, a corruption of government even worse than that of open abuse and violence because much more subtle. This requires us to commit ourselves to seeking limits to power that are as clear and precise as possible.

References

- Aristotle. 2024. *Retorica*. [Rhetoric], a cura di M. Dorati. Milano: Mondadori.
- Bien, Gunther. 1985. *La filosofia politica di Aristotele*. [The political philosophy of Aristotle]. Bologna: Il Mulino.
- De Rijk, Lambert Marie. 1985. *La philosophie au moyen âge*. [Philosophy in the Middle Age]. Leiden: Brill.
- De Wulf, Maurice. 1934. *Histoire de la philosophie médiévale*. [History of medieval philosophy]. Tome 1. Louvain: Nauwelaerts.
- Dioni, Gianluca. 2009. *Dalla stultitia alla sapientia. Il concetto di dovere nel giusnaturalismo di Christian Thomasius*. [From stultitia to sapientia. The concept of duty in the doctrine of natural law of Christian Thomasius]. Lecce: Pensa Multimedia.
- Fumaroli, Marc. 1980. *L'Âge de l'éloquence: rhétorique et "res literaria" de la Renaissance au seuil de l'époque classique*. [The age of the eloquence: rhetoric and "res literaria" of the Renaissance at the threshold of the classical era]. Genève: Librairie Droz.
- Grabmann, Martin. 1980. *Storia del metodo scolastico, vol. I*. [History of the scholastic method]. Firenze: La Nuova Italia.
- Hibbs, Thomas S.. 1990. "A Rhetoric of Motives: Thomas on Obligation as Rational Persuasion." *The Thomist: A Speculative Quarterly Review* 54: 293–309.
- Kant, Immanuel. 2024. *La metafisica dei costumi*. [Metaphysics of morals]. Bari-Roma: Editori Laterza.



- Manzin, Maurizio. 1994. *Il petrarchismo giuridico. Filosofia e logica del diritto agli inizi dell'umanesimo*. [Legal Petrarchism. Philosophy and logic of law at the beginning of humanism]. Padova: CEDAM.
- Manzin, Maurizio. 2014. *Argomentazione giuridica e retorica forense. Dieci riletture sul ragionamento processuale*. [Legal argumentation and forensic rhetoric. Ten rereadings of legal procedural reasoning]. Torino: Giappichelli.
- Palladini, Fiammetta. 2019. *Samuel Pufendorf Disciple of Hobbes: For a Re-interpretation of Modern Natural Law*. Leiden: BRILL.
- Piazza, Francesca. 2008. *La Retorica di Aristotele. Introduzione alla lettura*. [Aristotle's rhetoric. An introduction to the reading]. Roma: Carocci Editore.
- Puppo, Federico. 2023. *Diritto e retorica*. [Law and rhetoric]. Torino: Giappichelli.
- Pufendorf, Samuel. 2016. *Il diritto della natura e delle genti*, I. [Of the law nature and nations], a cura di F. Palladini e F. Todescan, introduzione di N. Bobbio. Padova: CEDAM.
- Pufendorf, Samuel. 2025. *Il diritto della natura e delle genti*, VII, a cura di N. Bobbio e F. Todescan, introduzione di C. Ciscato. Padova: CEDAM.
- Quinto, Riccardo. 1988. "Timor reverentialis. Nella lingua della scolastica." [Timor reverentialis. In the language of scholasticism]. *Archivum Latinitatis Medii Aevi* 48–49: 103–43.
- Quinto, Riccardo. 2001. *Scholastica. Storia di un concetto*. [Scholastica. History of a concept]. Padova: Il Poligrafo.
- Ritter, Joachim. 1983. *Metafisica e Politica. Studi su Aristotele e Hegel*. [Metaphysics and politics. Studies on Aristotle and Hegel]. Bologna: Marietti.
- Ramis-Barceló, Rafael. 2024. *La segunda Escolástica. Una propuesta de síntesis histórica*. [The second scholasticism. A historical synthetic proposal]. Madrid: Dykinson.
- Thomas Aquinas. 2018. *Somma di teologia. Parte Prima*, a cura di F. Fiorentino. Roma: Città Nuova Editrice.
- Thomas Aquinas. 2018. *Somma di teologia. Prima parte della Parte Seconda*, a cura di F. Fiorentino. Roma: Città Nuova Editrice.
- Thomas Aquinas. 2018. *Somma di teologia. Seconda parte della Parte Seconda*, a cura di F. Fiorentino. Roma: Città Nuova Editrice.
- Thomasius, Christian. 2013. *I fondamenti del diritto di natura e delle genti*. [The foundations of law of nature and nations], a cura di G. Dioni, Postfazione di V. Fiorillo. Milano: FrancoAngeli.
- Tomasi, Serena. 2021. *L'argomentazione giuridica dopo Perelman. Teorie, tecniche e casi pratici*. [Legal Argumentation after Perelman: Theories, Techniques, and Practical Cases]. Roma: Carocci Editore.
- Wieland, Georg. 1981. *Ethica. Scientia practica. Die Anfänge der philosophischen Ethik im 13. Jahrhundert*. [Ethica. Scientia practica. The beginnings of philosophical ethics in the 13th century]. Münster: Aschendorff.
- Wolff, Christian. 2023. *Istituzioni del diritto di natura e delle genti* [Institutions of law of nature and nations], a cura di G. Dioni. Capua: Artetetra Edizioni.