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**MACBETH: THE  
INABILITY OF  
PHYSICAL VIOLENCE  
TO LEGITIMATE LEGAL-  
POLITICAL AUTHORITY**

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**Abstract:** This article intends to study the theme of legal legitimacy from an interdisciplinary dialogue between the Philosophy of Law and the Shakespearean play Macbeth. We start from a study of the relationship between legal obedience and the power of persuasive discourse, which uses an exercise of symbolic violence. We will see how the fact that Macbeth abuses physical violence and has moral guilt for Duncan's murder prevents him from institutionalizing his condition as ruler.

**Keywords:** violence, power, authority, Shakespeare, legitimacy.

## INTRODUCTION

He is here, by double trust in my care:

First, I am your subject and kinsman –

*Both are against the act. And, host,*

*Should banish the murderer,*

*And not take the dagger myself.*

(Macbeth, Act II, scene 7)

The issue of legal-political legitimacy is one of the most relevant within the field of Philosophy of Law, as it justifies the problem of legal obedience. This study investigates, from an interdisciplinary perspective, how the theme of legitimacy of legal power, violence and the political aspect of man permeate Shakespeare's work, evolving in complexity over the years and with his political maturation. There is, in Shakespearean narratives, the perception that abuse in this relationship, by rulers, can cause a subversive rupture of subordinates.

In plays inspired by Roman history, in historical plays and in various tragedies, there is a deepening of the critical study of the

theme of power, detached from the medieval view, as they are not directly linked to the English reality of the time, still based on the idea of divine right. Macbeth mirrors, from an affective and rational point of view, with exceptional didactic detail, all the pragmatic stages that generate the political-legal legitimacy crisis, caused by human abuse, which makes unlimited violence a fragile support for the power relationship, with the subsequent rupture of the authority/subject relationship. There is no defense of a specific ideology, but the indication of basic pragmatic elements of power, which affect all different political strands, without exception.

Legitimacy, from the Shakespearean perspective, would not only be based on religious elements, nor on the regularity of the procedure for instituting power, but also on its interactive fruition. Our study aims to make evident that, in the Macbeth tragedy, a new interactive vision of power is present and an idea of legitimacy is sustained by the balance of action between rulers and ruled, and not just by the unilateral theological view dominant in the official scenarios of the time.

Our analysis methodology will be based on an interdisciplinary dialogue that will relate legal-critical theories to the analysis of the Macbeth tragedy. The interdisciplinary study, which relates law and art, is present in the field of legal zetetic theoretical focus, as a fruitful way of expanding legal research. It is not reduced to a mere juxtaposition of discourses, as it indicates the formation of a new critical dialogue that mixes elements of theoretical language and artistic language. Contrary to dogmatic and practical theoretical studies, this form of reflection does not deal with issues related to the decidability of conflicts. In a different way, it is linked to the critical expansion of knowledge around the legal phenomenon, focusing on social, political, philosophical and aesthetic issues. However,

these approaches end up being related, insofar as it is not possible to develop a practical dogmatic hermeneutic without having a vision of knowledge of all the complexity that surrounds the legal phenomenon. Hence the need to value an interdisciplinary and critical study in its thematic field.

In our detailed analysis of Macbeth, associated with a pragmatic theory of power, we will show how exacerbated physical violence cannot sustain the legitimacy of legal-political obedience. Obedience depends on controlling the selectivity of the subject's action, which indicates the power relationship and uses symbolic violence rather than unlimited physical violence. The tormented King Macbeth is unable to institutionalize his status as ruler - meta-complementary authority, since, after murdering King Duncan, he becomes incapable of exercising symbolic violence, which must conceal his bloody intentions. He ends up exposing them in an abusive way, generating a deadly crisis of legal and political legitimacy. Before entering into the analysis of the work, we will address some central aspects of the pragmatic view of legal-political legitimacy. This article extends the interdisciplinary analyzes carried out in four plays in our book entitled Shakespeare and Law. (OLIVEIRA, 2015, 151p.).

### **ABUSE OF POWER AND CHALLENGE OF THE AUTHORITY OF THE LAW**

In a brief theoretical clarification, from a pragmatic point of view, we observe that legal norms are discourses that establish authority/subject relations, located in the field of communicative interaction, dependent on an institutionalization at a social level of the authority relationship itself, which must neutralize the dissent and the possible contrary social reactions. It is at this point that we can clearly identify the

existing relationship between law, power and communication, insofar as the relationship of authority does not pre-exist the interaction itself, as it is properly constituted during the interactive process. It does not exist based on a claim by the normative editor to impose a complementary relationship of superiority, but to the extent that the subject is also willing to place himself in this subordinate condition. Power is not solely in the hands of authority; therefore it is not something that it has. It crosses and at the same time constitutes the very authority/subject relationship. (FERRAZ JR., 1978, p. 109).

In this sense, we see that both the report and the commitment of the normative messages imply power relations, understood as the normative editor's selectivity control in relation to the social addressees. The complementarity of the normative editor is guaranteed by the institutionalization of the control of the selectivity of the reactions of the social addressees that identify the state norms as being legally valid to the detriment of the others. Therefore, it is extremely important that he takes into consideration, the reactions of the so-called social addressees, who can confirm, reject or disconfirm the normative message. Both confirmation (lawfulness) and rejection (illegality) recognize the meta-complementary commitment of the legal norm. (FERRAZ JR., 1978, p.109).

However, the constant possibility of having disconfirming reactions makes the confrontation between law and power inevitable, since it constitutes an extreme situation in which the social addressees fail to recognize the complementary relationship established in the fulfillment of legal norms, no longer assuming the condition of subjects in the relationship. In this situation, the social addressees eliminate the selectivity control that the normative editor tries to perform. This has a predetermined expectation that the

relationship of authority that he establishes will be seen as a structure that motivates the selectivity of the addressee who, in fact, now has only two alternatives: confirm or reject the message. However, those who disconfirm the norm completely disappoint this expectation, as they act as if the authority, and the acts of coercion that it determines, did not exist, as a strategy to challenge the commitment aspect of their norms. The content of legal norms and the complementary relationship they establish cease to influence the options and cease to be a motivating structure for the selectivity of those addressed, who no longer see the possibility of applying sanctions as an alternative to be avoided. (OLIVEIRA, 2006, p. 104).

He who disconfirms a normative message no longer feels obliged to submit to authority because he does not recognize it as such, insofar as he himself no longer assumes himself as the subject of the relationship. In this sense, it causes the editor to lose, at least momentarily, his control over the addressees. If successful, it can create a new power relationship, parallel to the first, in which the subject receiving state normative messages becomes the authority issuing new normative messages. Thus, it must be neutralized by the authority that, at all costs, will try to immunize itself against it, by disconfirming the disconfirming reaction, transforming it into a simple rejection, which can be classified as illegal behavior, which can be controlled by it. (OLIVEIRA, 2006, p. 120 to 122).

The disconfirming reactions arise at a time when the legitimacy of the power relationship is weakened. Legitimacy is precisely linked to the imposition of certain meanings and the lack of knowledge, on the part of social addressees, of the power relations between groups that make up society, which constitute the so-called symbolic violence. Power will be considered legitimate as long as its exercise of

symbolic violence is concealed and unknown by social addressees, so that it can influence behavior through its leadership, reputation and authority, which must be combined in a congruent way. Once the social arbitration, around power relations, becomes evident, legitimacy is compromised. In the words of the author "*this basic selection is arbitrary, because its function and structure cannot be deduced from any universal principle, but depend on social complexity and not on the nature of things or human nature.*" (FERRAZ Jr., 2002, p. 56).

Influence by authority is necessary for the constitution of legal/anti-legal schematism, it imposes itself counterfactually and is generalized despite the passage of time. Although there is disappointment in the expectation, the subject still maintains it, enabling the jurisdiction of power. It always conceals the relations of force, which are at its base, adding its own symbolic force to the same relations, through norms that come to regulate the use of force. In this sense, we saw that the meta-complementary authority only recognizes the confirmation and rejection of its messages. Influence by reputation acts more directly in the reporting of norms, as it neutralizes normative contents and enables their uncritical assimilation by subjects, in terms of ideological values. Finally, influence through leadership neutralizes the differences between authority and subjects, handling the lack of consensus and institutionalizing the normative meta-complementary relationship. Here all legislative, executive and judicial institutional procedures gain prominence, as well as media propaganda mechanisms. In practice, these three generalizations must combine to reinforce each other, but in dysfunctional situations they lose their dissimulating character.

The legitimacy of power can be weakened in defective normative communicative situations

where there are abuses in communication by the normative editor, in which he eliminates the very possibility of selecting the subject, that is, in situations where he coerces the subject, in a certain way eliminating it as such. In this case, perception of injustice and possible revocation of authority may occur. Space is opened for disconfirming reactions to emerge. An example of abusive communication occurs when the authority itself uses violence in a disconfirming and generalized way, and not as an alternative to be avoided, that is, as an integral part of controlling the selectivity of social agents. This is what we will see next in the analysis of the play Macbeth.

### **THE ABUSIVE USE OF VIOLENCE IN MACBETH AND THE DESTRUCTION OF PRAGMATIC LEGITIMACY**

To develop our study, we guided ourselves by a detailed analysis of the text of the play and also by the filmic reading made by Orson Welles in 1948, who directs and acts in the role of the protagonist, with exceptional brilliance, to expose the moral complexity of Macbeth, based on the tragic ambivalence between the ambition for power to become king and the awareness of the practice of moral evil and the crimes assumed in the name of this desire. In this great mystical tragedy, between 1605 and 1607, we have a complex composition of interactive elements that make possible the pragmatic-legal reading of power, as well as a rich discussion about the inner evil that drives external criminal practices. In the words of Barbara Heliodora, *we followed the terrible trajectory of a man full of qualities, a good subject and the best general, who at a certain point is dominated by ambition.* (HELIODORA, 1978, p.669).

The play begins in the middle of the dark moor, as a kind of prologue to the evil environment that will dominate the scene of

the tragedy. Three sister witches announce the arrival of Macbeth, a brave general of the King of Scotland's army ruled, with strengthened pragmatic legitimacy, by King Duncan. Darkness indicates, in symbolic terms, the dark presence of evil that communicates with Macbeth and with his also valiant army colleague Banquo. The laconic and extremely vague speeches of the witches are presented as a kind of prophecy of the future. (SHAKESPEARE, 2006, p.719).

#### **First Witch**

*Save Macbeth; oh hail, Baron of Glamis!*

#### **Second Witch**

*Save Macbeth, oh hail Baron of Cawdor!*

#### **Third Witch**

*Save Macbeth; who will one day be king!*

Banquo is astonished at Macbeth's apparent fortune, inquiries about his future, and receives three more laconic and open predictions addressed to him.

#### **First Witch**

*Lesser, however greater, than Macbeth!*

#### **Second Witch**

*Less happy, however, happier!*

#### **Third Witch**

*He will not be a king, but a father of kings!*

*Hail, then, Macbeth and Banquo!*

Macbeth demonstrates that he was well affected by the lines, but initially he sees them with disbelief, as he does not consider the possibility of obtaining this promotion since the Baron of Cawdor lives in prosperity. However, unexpectedly, with the arrival of the noble Rosse, he receives information that the Baron of Cawdor has committed a crime

of treason and has been condemned to death. Rosse announces that the title must belong to Macbeth, previously named Baron of Glamis. (SHAKESPEARE, 2006, p.718).

It is at this very moment that the laconic and vague words of the witches capture the mind and awaken, in an impactful way, the ambition for the power to be king in Macbeth. In fact, it is this ambition that influences the very literal and, in a certain way, simplistic interpretation of the prophecies. He was promoted to Baron of Cawdor without having to act. And to be king, must he act? The writing of the letter addressed to Lady Macbeth, apparently only informative, will be the starting point of his pragmatic actions that will show how much the selectivity of our protagonist's actions will be controlled by the ambitious interpretation of the witches' speech. The letter says like this:

*I was found on the day of triumph and I learned from the most reliable sources that you have knowledge above mortals. When he burned with the desire to question them further, they turned to air, into which they vanished. While I was transfixed with astonishment, missives arrived from the king who hailed me as Baron of Cawdor, by which title these strange sisters had called me, referring to a time yet to come with "Hail who will be king!" All this I thought fit to communicate to you, my beloved partner of greatness, so that you do not lose the dividends of joy, remaining in ignorance of the greatness that is promised to you. Keep it in your heart and that everything goes well.* (SHAKESPEARE, 2006, p.717-718)

Lady Macbeth, also surrounded by the strong ambition for power, has her actions even more controlled by her husband's letter, as she decides to go beyond passively waiting for the prophecy to come true, since its fulfillment would depend on Duncan's natural death. She decides to take what she calls a shortcut, assuming, for us spectators, a plan to persuade her husband, in a clear exercise of linguistic power, to take the king's life. They form a very loving and ardent couple from

a sexual point of view. Although they share ambition, Macbeth is seen as too kind by her (SHAKESPEARE, 2006, p.718).

Knowing that Macbeth is coming and that the king will also spend a night at the castle, she seeks to persuade herself to join forces with evil, in morbid speech. She seeks to find a kind of absolute evil within herself to fulfill her power ambitions. (SHAKESPEARE, 2006,719).

Macbeth arrives and calls his wife my love. She highlights the happiness of the letter sent and also, in a great emotional counterpoint, her deadly plan to take the king's life that same night. Using discursive resources linked to an exercise of symbolic violence, she conceals, from others, the mortal plan of disconfirming her authority, simulating a false loyal confirmation as a subject. Lady Macbeth highlights the need for her husband to develop the same discursive dissimulation ((SHAKESPEARE, 2006, p. 719).

Macbeth is ambitious, but his moral sense is ambivalent and complex. He hesitates to perform the mortal act, emphasizing that the meta-complementary legitimacy of the king was based on his generous kindness, which characterized authority, leadership and reputation. His wife insists on assuming moral confirmation of the necessity of murder and total cruelty. The husband argues, confirming his status as subject and host, that he must protect his ruler. He points out that he's just been honored with the promotion and mulls over the possibility of the plan failing. We observe his difficulty in assuming the disconfirming action so well constructed from his wife's perspective, who goes so far as to compare the supposed weakening of his ambition and courage with his masculinity. (SHAKESPEARE, 2006, p. 722 to p.724).

Lady Macbeth's persuasive speech, which manipulates the affirmation of her love and her masculine sexuality, manages to control

the selectivity of her husband's actions. Even anticipating some possibility of failure, he is persuaded and joins the deadly conspiracy. The ambition aroused by the witches' prophecy gives the wife an absolute certainty of naive success, which does not allow for the uncertainties of language. Despite the fact that the act has a pragmatic sense of subversive disobedience disconfirming Duncan's real authority, the authorship must be disguised and reconstructed as an illicit rejection to incriminate third parties. Lady Macbeth plans a discursive reframing of the death scene so that it acquires a sense of criminal rejection practiced by the king's own chamberlains. Cleverly, once again, Shakespeare observes the difference that can exist between the fact itself and what is legally reconstructed in official terms. He also indicates the distinction between criminal disobedience (pragmatic rejection) and subversive disobedience (pragmatic disconfirmation). (SHAKESPEARE, 2006, p. 723 and 724).

When Macbeth returns from the king's chambers, he brings in his hands two bloody daggers, stating that it is a sad sight. His reaction is to assume, from a moral and legal point of view, the criminal rejection of his acts, he cannot, in the terms presented by his wife, consider his act a disconfirming subversive disobedience. His ambition to be king came to live with the ambivalent acceptance of the criminal meaning of his actions, from a moral and legal point of view. This scene seems to anticipate all the moral torment that will later accompany him. A mysterious voice that seems to be his conscience warns that he will no longer sleep. Lady Macbeth, still taken by the assertiveness of the certainty of the conspiracy's success, points out that he needs to get rid of the evidence of daggers and bloody hands, but her husband says he cannot look at what he has done. The wife doesn't seem to show any sign of guilt and

takes the initiative to return the daggers and reconstruct the crime scene, pointing the guards as the perpetrators of the violent act. (SHAKESPEARE, 2006, p. 730).

Macduff and Lenox knock on the door early in the morning, reporting that the King has asked to be awakened early. Macbeth and his wife wear nightclothes to hide the long night they have been awake. Macduff finds the king's body, shouts a dramatic public warning of treason. Macbeth kills the guards, already stating that the tormenting exercise of physical violence will be reproduced without limits. He seems to have been persuaded by his wife well beyond what she herself expected. He justifies his act through an exercise in symbolic violence, reaffirming that, out of love for the king, he could not contain himself when he saw the blood-stained guards with dirty daggers, still in their beds. (SHAKESPEARE, 2006, p.736).

The King's sons, Malcolm and Donalbain, the King's direct heirs, flee to England and Ireland, fearing for their lives. Macduff suspects, wrongly, that the guards were paid by them out of greed. They decide that the sovereign must be Macbeth, who, already in the condition of king, endorses, as an exercise of symbolic violence, the convenient thesis of parricide. (SHAKESPEARE, 2006, p.742).

In the position of king, he shows even more his moral torment in the face of the act committed against Duncan, at the same time that his ambition for power increases. your irrational side: *homo demens*, in the sense thought by Edgar Morin, it appears. Although he exhibits a conscience intoxicated by guilt, in an ambivalent way, he seems to assume physical violence as a total power strategy. He tries to conceal his authorship, but commits new acts of disguised violent criminal rejection. Macbeth fears Banquo's noble nature, fears being killed by him when he remembers the prophecy that his sons would

be kings and decides to order the death of him and his son Fleance, who manages to escape death. He assumes, finally, the active pole in this relationship of power/violence.

At the first royal banquet, she draws the attention of Lady Macbeth, still dominated by apparent rationality, by her state of intoxication, not only physical, but also moral, which highlights all her discomfort and her guilt still present in the face of the assumption of this active position in the command of acts of violence. At the party, Macbeth sees the ghosts of Banquo and Duncan, despairs and ends the ceremony. Macduff does not attend the party; the new king is informed that he has gone to England to find Duncan's children. (SHAKESPEARE, 2006, p. 743).

Macbeth fails to institutionalize his meta-complementary authority, especially in terms of leadership and reputation, he feels weak as a king. He fears that others will undermine his authority because they consider it unfair. He goes to meet the witches, once again, to assuage their despair and anguish. They prophesy three maxims, which, on a superficial reading, soothe the king. Macbeth's loss of power would indicate the performance of actions impossible according to natural laws. (SHAKESPEARE, 2006, p. 764 and p. 765).

New laconic phrases are uttered and Macbeth fails to perceive, once again, the interpretive phenomenon of prophetic language. By allowing a supposed literal sense, adjusted to his ambitions, to control his actions, he feels strengthened, as the prophecies indicate a real impossibility for him to suffer a deposition, as it would only occur in the face of situations impossible to happen by natural laws. He decides to take Fife Castle, killing Macduff's children and wife, who confirmed his royal authority. It is at this moment that the exercise of their physical and non-symbolic violence becomes explicit

and abusive, destroying their authority, their leadership and their reputation, opening the doors to subversive reaction. When Macduff is informed of the tragic deaths, he decides to lead, with the help of a thousand English soldiers, an act of deadly disconfirmation of the abusive disconfirmations practiced by Macbeth, qualifying his actions as criminal rejections and his rule as tyrannical.

After the abusive deaths of Fife Castle, we learn that Lady Macbeth herself reaches a state of guilt and moral torment, even more radical than that of her husband, when she perceives the presence of limitless physical violence in government. She can't wipe the blood off her hands, in an interesting symbolic mention. She ends up committing suicide. It mentions the deaths of the Baron of Fife. (SHAKESPEARE, 2006, p.784).

Ten thousand English soldiers' approach, disguised with branches of Birnam forest, which seems to be heading towards Macbeth's castle. Finally, face to face with Macduff, he learns that he did not have a spontaneous birth, as he was torn from his mother out of time. Macbeth, finally, realizes the metaphorical and non-literal character of the second prophecies, which did not refer to an act of nature, but to articulated human actions, which transform what is considered natural. He assumes that the witches manipulated his and his wife's actions in destructive terms. The manipulation took into consideration, the presence of the couple's evil aspects. But he decides to fight for power until the end, until Macduff manages to disconfirm his authority in deadly terms, showing his head and destroying his fragile meta-complementary authority, characterizing his position as that of a criminal usurper. At this moment, Malcolm, Duncan's legitimate heir, assumes the legal position of king (SHAKESPEARE, 2006, p. 797 and 798).



## CONCLUSIONS

The interdisciplinary reading of the play *Macbeth* shows the presence of an interactive view of the command-obedience relationship projected in a historical environment where, formally, a unilateral conception of power was assumed. We also observe how the theme of power, related to the speeches, will be the basis of this tragedy, already present in the first prophecy of the witches. The magical speech awakens Macbeth's ambition to be king and favors a literal interpretation, disconnected from a broader linguistic whole. Lady Macbeth is strongly persuaded by the words of the witches, indirectly, narrated by her husband, starting to look within her for absolute evil, as a moral condition for the practice of Duncan's murder and extends this persuasion to her husband. Only at the end of the play will we see that this absolute moral evil cannot persist in Lady Macbeth's spirit, as the symbolic washing of hands and suicide characterize her torment at seeing the chain of bloody deeds that her ambition has spawned.

Macbeth cannot find the total evil within himself, yet he has the selectivity of his actions controlled by his wife. However, his moral ambivalence grows until the practice of the mortal act is confirmed and the reconstruction of authorship is extended, in an abusive way, to the chamberlains and the king's children. He is aware that Duncan has his good rule confirmed in interactive terms and that he himself was favored with a promotion to the position of Baron of Cawdor recently. There is a complex, gray and ambiguous moral conscience in Macbeth that prevents him from assuming the mortal act performed as a

genuine act of subversive disconfirmation of legal authority. But, after Duncan's death and his coronation, his moral torment does not disappear, but at the same time, motivated by his ambition, he is no longer able to conceive of losing his status as king and begins to feel threatened. Our protagonist does not seem to recognize his own pragmatic legitimacy.

In this complex web of irrational emotions, which become dominant in Macbeth's mind, the use of physical violence, instead of the so-called symbolic violence, will prove to be abusive and disconfirming of the very condition of his royalty. The abusive death of Macduff's family, obedient to Macbeth's authority, drives Macduff's disconfirming collective action, which turns Macbeth's acts into criminal rejection, confirming Malcolm's new royal authority. Duncan's death comes to have a sense of illicit rejection and Macbeth's action as criminal usurpation. For the second time, a naive interpretive reading of the prophecies, and the failure to perceive their metaphorical character, will lead our protagonist to a tragic encounter with death, seen as a model of informal vertical justice, which repays evil with the practice of evil. Certainly, we observe the tragic perception that physical violence alone is incapable of legitimizing political-juridical power. Shakespeare uses mysticism as a narrative resource, but his political reading is human par excellence. The mysticism of the prophecy's points to a unilateral vision of power, but its role is only to awaken ambition and instigate our protagonist's pragmatic actions, which fail in terms of interactive reality. Macbeth, not the witches, would be responsible for their human, moral and political ruin.

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