

LEGAL TRANSNATIONALISM: PIRATES AND LUTHERAN

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The study presented aims to analyse the process of (legal) transnationalism, focusing the subject and the issue from a literary perspective through the writings of Pier Paolo Pasolini. On the basic assumption that transnationalism and globalization imply a transforming power in each national reality, which is able to lead with itself an element of change of the structural aspects of local society. The last-one is achieved through the rules of a global (legal) language, in the cultural model of each (constitutional) legal order; as well as it is expressed in Pasolini's topics the real and virtual extension of this behavioural path, individual and/or institutional, due to increasingly hegemonic power demonstrations. The proliferation of speech gravitates as a symbols of globalization itself, in a big space for research, as it was pioneering assumed by Pasolini's literary through the 70s and accomplished in the literary works "Pirates Writings" and "Lutheran Letters". However, it is time to reflect these thematics into transnational legal scenarios. It is time to measure the impotence of the State with the dawn of new transnational institutions (LAMBERT, 2012, p. 04). This is a moment in which Society and State loose the centrality they held through modernity and, with them, the modern law. This is the time in which the great legal disputes are restrained by the desire to establish directions to the equation of "Law-Body-Space" (Staffen, 2015, p. 39). Notably the growing trend of globalization processes have created a world market, a new order above and transnational which allows the free movement of capital, goods, properties and services. It allows an hegemonic power built on technical, economic and financial issues, which features are spread worldwide (CASSESE, 2006, p. 12-13) and it clearly shows the decrease (crisis) of traditional political spaces. This is the main criticism expressed by Pier Paolo Pasolini in his writings. Specifically, the institutionalization of axes lacking of gravity, in which individuals are naked and undressed of their personal characterizations in favour of spaces of domination institutionalized by the desire of unachievable

enjoyment, induced, non-spontaneous and transnational. In this way virtual spaces are established, in which everything has a value, because, in reality it is worthless. Here the concern for a skewed reintroduction of a new fascism, in which nothing is worth because there is not a notion of "limit", only a "position" of the maximum alienability of goods, very personal or not. In essence, the transnational referent that guides Pasolini is the concern about the manipulation of the "transcendence discourse" and the social indifference through pirate ideas, i.e. piracy practices legitimized by traditional public authorities which, not having other alternatives, let themselves be seduced by self-destructive promises. This context becomes relevant with the inclusion of transnational provisions in peripheral countries of the central axes of internationalization, as is the case of Brazil. A striking example of transnational "invasion" in the attributes of national/regional identification concerns the orthographic revision organized by the association of Portuguese Speaking Countries Community. The imprint is purely of transnational nature, which has standardized all national orthographic rules, without, however, be exposed publicly, so that the imposed rules come from speeches and biogenic practices. In fact, the whole cultural change promoted was implemented and enforced without further clarification, co-opting the reality of the affected countries. Pasolini transnational referent is the referent of the ambiguity, of the hedonistic imitation and substantially unconscious adoption, but always presented as the purest expression of the will. There is a joy in it to be subdued, betrayed, humiliated and deprived of dignity, as in the common and indivisible condition of the betrayed and betrayer, of Pirate and Lutheran. In short, with all the development process of transnationalism in the last forty years and the dawn of global/transnational legal expedients, the literary warning is that Pasolini cannot be ignored.