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“Be embraced, Millions!”: The Right to Fraternity, the Declaration of the Rights of Man and of the Citizen and Beethoven’s Ninth Symphony

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Abstract:

Can a song fill a legal gap? Or, more specifically, can Beethoven’s Ninth Symphony guide the interpretation to the point of filling the gap in the right to fraternity in the Declaration of the Rights of Man and of the Citizen? It can be seen that Beethoven, when using the poem *An die Freude*, by Schiller, in the composition of the fourth movement of the Ninth Symphony, conveyed the message contained in Schiller’s verses, that all men are brothers, in direct reference to the object of the present research, namely, the right to fraternity. In this sense, considering the exaltation of fraternity through Beethoven’s Ninth Symphony, the central objective of this research, therefore, is to analyze the possibility of bridging the gap in the right to fraternity in the Declaration of the Rights of Man and of the Citizen through Beethoven’s Ninth Symphony. The research reveals that the fourth movement of Beethoven’s Ninth Symphony, the Coral, can function not only as a work of art, but also as an instrument to address the right to fraternity as a symbol of unity between peoples.

Keywords: Law and Music – Fraternity – Beethoven’s Ninth Symphony

Introduction

In the context of the historical evolution of Human Rights, the 17 articles of the Declaration of the Rights of Man and of the Citizen were influenced by the motto of the French Revolution: *liberté, égalité, fraternité*. However, although the rights to freedom and

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equality are expressed in the text of the Declaration, more specifically in its article 1¹, the same cannot be said about the right to fraternity.

Ludwig van Beethoven (1770-1827) composed the fourth movement of his Ninth Symphony, the Choral, using the poem *An die Freude*, written by Schiller, which exalts the fraternity and union of humanity and is currently the anthem of the European Union². Thus, he relayed the message that all men are brothers, in direct reference to the right to fraternity. In this sense, considering the exaltation of fraternity through Beethoven's Ninth Symphony, it is hypothesized that this symphony could guide the interpretation of the Declaration, thus filling the gap in the right to fraternity.

As verified, based on documentary research³ carried out in 2018 at the Beethoven-Haus Museum in Bonn and the Goethe und Schiller Archiv Museum in Weimar, Germany, it is possible to say that Beethoven had the intention of using Schiller's poem in a musical composition around 1793, therefore, more than 30 years before the premiere of the Ninth Symphony.

Thus, it is important to study the historical context of the French Revolution and the Enlightenment ideals that influenced artists, once artistic activity is not only reflected in a product for posterity nor can it be loaded only with the feelings and opinions of those who executed the work, but also represents what happened at that moment in history.

In addition, this work studies the role of the musician and the poet as heroes and their influences on politics and history.

1. First Movement: *Allegro* – a legal symphony: law, music and literature

It is possible to state that every work of art is, in itself, a signifier open to different meanings (Rocha 2013), once art essentially derives its value from its human origin, due to the fact that it is a product of the spirit (Lacoste 2011). For this reason, the different looks and perspectives that the same work can foster should not be discarded, once art helps to recognize how man has identified himself, because even when they break with established traditions, all artists reflect their time and place in history (Hodge 2018).

According to what Franca Filho (2011: 18) defines, art and law are cultural manifestations which have always maintained a great proximity throughout history, portraying man in relation to everything that surrounds him. Given this, Lopes (2010) emphasizes that it is possible to glimpse in all artistic manifestations the existence of space for conflict and the way in which it is governed by law. In the same way, music, as an art form, expresses feelings and emotions that often convey ideas that expose the themes of

¹* "Men are born free and remain free and equal in rights. Social distinctions can be based only on public utility."

²* As Sachs (2017: 6) pointed out, the fourth movement of Beethoven's Ninth Symphony "was officially transformed into an anthem of Europe in 1972, when the Council of Ministers of the European Union took the decision in Strasbourg".

³* There is a letter, dated 1793, in which a lawyer from the city of Bonn, in Germany, named Bartholomäus Fischenich, wrote to Charlotte Schiller, Friedrich Schiller's wife, about Beethoven's intention to perform a musical composition for the poem written by Schiller, *An die Freude*, the Ode to Joy, which extols in verse the Fraternity and the union of humanity. In that letter, Fischenich describes Beethoven as a young man of universally praised musical talents... he says he expects something perfect, because everything he does is dedicated to the grandiose and the sublime. What is curious is the fact that the Ninth Symphony premiered more than 31 years later, only in 1824, when Beethoven used Schiller's poem in the composition of the fourth movement of the Ninth Symphony.

law, acting as a means of communication about law and voicing its concerns (Carneiro 2016).

In the work of Gadamer (1999), it is possible to adopt a critique of aesthetic consciousness as a starting point, the immediate result of which is the possibility of thinking about art while considering the horizon of meaning of the hermeneutic experience: openness, historicity, dialogue and finitude. The core of Gadamer's work, therefore, focuses on the concept of experience, whose structure allows its three levels to be interconnected: art, history and language. Thus, it is possible to develop and justify the experience of art and its relationship with history through transposition, which is due to the experience of a genius inspiration that, with the confidence of a sleepwalker, creates the work of art that, in turn, will become an experience for the one who receives it (Gadamer 1999).

Within the scope of historical understanding, it is necessary to move to the historical horizon about which tradition speaks in order to enable the understanding of the intended content in its true dimensions. Thus, the hermeneutic requirement of putting oneself in the place of the other[s] in order to understand them is justified (Gadamer 1999).

In other words, Gadamer (1999) highlights the reflections that the work of art is understood as the consummation of the symbolic representation of life, on the way to which all experience is already found. That is why it is characterized as an object of aesthetic experience; therefore, becoming an aesthetic experience is the determination of the work of art, which carries within itself the universe of the experience from which it proceeds.

In this order of ideas, Carpeaux (2013) clarified that, like all European pre-romanticism, that of the Germans also configured a revolt of sentimentalism against rationalism and, despite appearing to have been a reactionary movement against progressivism of the eighteenth century, it was a revolutionary reaction against the narrow life of intellectuals under the petty absolutism of the *Ancien Régime* in Germany.

Another relevant idea concerns what Ramos (2016) wrote about the work *On the Social Contract* (1762), in which he says that, for Rousseau, equality and freedom are inherent to human beings, who, with this, are able to express their will and exercise power. Thus, governments should represent the will of the majority, respect the values of the general will, and contribute to the consolidation of both representative democracy and the possibility of the supremacy of the general will in the face of violations of rights arising from the passions of the majority in moments of crisis. In addition, as pointed out by Hauser (1980), Rousseau highlighted a tendency in literature that culminated in the reader's intimate identification with the hero.

Following Rousseau, Immanuel Kant (1724-1804) influenced the conception of the hero in the literary and musical works of German pre-Romanticism and Romanticism. According to Swafford (2017), Kant became the bridge between the Enlightenment and the Romantic era – which means that, at the beginning of the 19th century, Kant occupied in philosophy the position that Goethe had in literature and Beethoven, in music. In this sense, it is pertinent to highlight that, for Kant, the “categorical imperative” would be the explanation for morality, through which each individual would find their own path, based on the understanding that each one should act only in accordance with the maxim which can wish at the same time to become a universal law. Every act needs to be carried out with the conviction that if everyone did the same, life would be better.

As underlined by Edelman (2011), the aesthetics to which Kant was referring had revealed that all men are brothers because they originate from a common humanity: a *humaniora*. On the one hand, because humanity means the universal feeling of empathy; on the other hand, due to the faculty of being able to communicate in an intimate and universal way. And the combination of these qualities constitutes the intrinsic sociability of the human species, which differentiates it from the limitations of other animals. This sociability, revealed through aesthetics, forms the basis of freedom and equality. Without artistic communication, without this irreplaceable experience, people would never be aware of their unity.

Carpeaux (2013), in his turns, pointed out that Schiller – who was one of the greatest exponents of German literature –, was a student of Kantian philosophy and elaborated a new aesthetic of the autonomy of art. In this sense, the considerations of Carpeaux (2013) about the influence exerted by Kant on Schiller's works deserve to be highlighted, considering the rhetorical idealism of moralism, according to which Schiller disfigures the great historical conflicts and transforms History into court that judges according to the laws of Kantian ethics, making prevail a poetic justice that punishes the bad and glorifies the good.

In addition to the information provided, it is necessary to emphasize Hunt's (2009) considerations when explaining that all people are fundamentally similar because of their intimate feelings, mentioning empathy as the feeling of putting oneself in the place of others to imagine their suffering and, thus, describe the change in people's opinion even before the law approaches such matters of unacceptable disrespect for human rights, through art, particularly literature.

In view of this, there is the classic sentence by Dostoevsky (2020), when he stated in 1869 that beauty will save the world is closely linked to the function of art as the true key to freedom, defended by Schiller (1984), in 1793, when he pointed out that art is the daughter of freedom and that the construction of true political freedom would be the greatest of all works of art, pointing to the solution of the political problem as being the indispensability of walking through the aesthetic, because it is through beauty that one finds freedom.

2. Second Movement: (Scherzo) – Molto Vivace – a legal reading of Beethoven's Ninth Symphony

The absence of the right to fraternity in the text of the Declaration of the Rights of Man and of the Citizen, of 1789, did not prevent that principle from being addressed both in Schiller's poem and in Beethoven's symphony, and in other forms of art, especially literature, so that it is possible to point out that the cultural consequences arising from the French Revolution led to a situation in which sociopolitical ideas were disseminated through artistic activities.

In this sense, according to Franca Filho (2019), music and law, far beyond shaping behaviors, are also expressions of language. Therefore, it is possible to argue that Beethoven, by using Schiller's poem to compose the Ninth Symphony, ends up identifying the context of the French Post-Revolution in terms of the fraternity of men, which can help in identifying the legal content of the fraternity in the context of this discussion. As Sachs (2017) underscored, Schiller's *Ode to Joy*, in Beethoven's transforming hands, became a subtle yet robust and unmistakable ode, and a prayer for the suffering of humanity.

In this perspective, among the idealistic truths proclaimed in Schiller's poem at the premiere of the Ninth Symphony, as Lockwood (2005) emphasizes, are celebrated joy and freedom above all, before a God who dwells above the stars at a time when political dismay had discouraged society and political tyranny had returned to the European world after 1815, so that it is possible to consider that the Ninth Symphony originated from the effort to instill again some hope in a world so desperate for the affirmation of the survival of such ideals.

Although Beethoven evoked Schiller's message of brotherly love, or universal brotherhood, in 1824, the meaning was a powerful demonstration for the political freedom of mankind against the repressive police state that Prince Metternich had built up after the Congress of Vienna in 1815. His masterpiece, therefore, would be timeless.

From this angle, Rasmussen (2015: 43) pointed out that Beethoven's symphony was able to express the essence of Schiller's poem, particularly in relation to the words "Joy/*Freude*" and "Freedom/*Freiheit*", because the joy derived from the freedom in the development of the music also underlies it, so that the conclusion is explained as follows: "La-Rouche sees this *Freude/Freiheit* interrelationship as a generative principle of development".

In others words, Schiller's verses, when used by Beethoven in the composition of the fourth movement of the Ninth Symphony, began to carry a strong sense of humanistic formation, with the message that all men should be brothers. By the way, it is worth noting that on March 9, 2022, the musicians of the Kiev Symphony performed Beethoven's Ninth Symphony in order to convey a message of hope so that the population, which was, and still is, suffering from Russia's war against Ukraine, would not lose faith in better days.

Thus, by performing a musical composition for Schiller's poem, the poet of freedom, Beethoven, gave a gift not only to the Germans, but to all mankind (Rasmussen, 2015). This said, the universal principles of freedom, equality and fraternity possibly sensitized Beethoven and Schiller to the liberal aspects of 1789, leading them to honor the Revolution in their masterpieces: the Ninth Symphony and the Ode to Joy. It should be clarified that, at this historic moment, the Ninth Symphony appeals to the congregation of men, promoting peaceful coexistence with differences and harmony among peoples, emphasizing fraternity, even though this value is not expressly stated in the text of the Declaration.

3. Third Movement: *Adagio* – a (beautiful) melody – the construction of Human Rights

After the French Revolution, considered by Bobbio (2004) as the inaugural event of the Age of Rights, the triad *Liberté, Égalité et Fraternité* supported the Declaration of the Rights of Man and of the Citizen in 1789. This was the starting point of the positive reinforcement of Human Rights, from a foundation present in several future regulations that all people are born free and with equal rights (Ramos 2016).

In this regard, Morais (2022) points out that, despite the motto of the French Revolution indicating freedom, equality, and fraternity as values, there is no express correspondence of this last element in the text of the Declaration of the Rights of Man and of the Citizen. That is, throughout its seventeen articles, there is no clear reference to the right to fraternity, nor to its legal content.

However, it is important to note that Mazzini (1863[1834]) recognized that the results of the Christian Era were summarized and placed beyond any doubt in the Declaration of the Rights of Man and of the Citizen, elevating to political dogma the freedom conquered in the sphere of ideas of the Greco-Roman world, the equality conquered by the Christian world, and the fraternity, which is the immediate consequence of the two previous terms.

Regarding the musical compositions of Romanticism, Lopes (2006) clarifies that, on the contrary to what occurred in Classicism, where musicians produced by order, in Romanticism, individual sponsorship gave way to audience sponsorship, placing the musician as a vehicle for expression of the individual's freedom, being the role of the composer to express the will of the people, rather than the themes chosen by the sponsoring nobility. As Carpeaux (1968) noted, the church, the monarchical court and the aristocrat's palace lost their role as patrons who commission works from the artist.

Carpeaux (1968) also highlighted that, in the 19th century, the composer faced a mass of unknowns as an audience, who had not commissioned anything, but who expected something new. The composer fulfilled his role, employing the Romantic artist's subjectivity for the new anonymous public, which was the bourgeoisie. Furthermore, as demonstrated by Sachs (2017), at the beginning of the 19th century, music made at home, *Hausmusik*, became the system of domestic entertainment, as, with the rise of the bourgeoisie, middle-class families were able to offer music lessons to their children.

It is important to point out that, after the French Revolution, it was observed that in Germany, a politically decentralized nation, writers played the role of spiritual leaders, and their productions were used by musicians in their compositions. In this way, the explanation for the interpretation of the legal text is envisaged, from the Latin adage *in claris cessat interpretatio*. In the same way, in the presence of a gap in the law, it is essential that interpretation takes place, which corroborates what Shelley meant when he called poets as unrecognized legislators of the world, considering that the Law is not limited to the will of the legislator.

Likewise, it became evident that fraternity was not included in the text of the Declaration of the Rights of Man and of the Citizen by the legislators. However, the true holder of power in the democratic state of law is the people, who did not allow that principle to be forgotten. That said, it can be said that the approach of this principle through Art captured the relevance of its meaning for the people, even before its inclusion in the text of the Universal Declaration of Human Rights after the Second World War, when the concept of fraternity came to be considered the pillar of the universality of human rights, promoting culture and education with an emphasis on the dignity of the human person.

It was also found that, in the contemporary context, the respect for minorities, the environment, and support for refugees are themes that deserve to be highlighted, with a view to promoting world peace and obedience to democratic ideals, considering that the spirit of fraternity must prevail in all legal systems. In addition, the world has gone through a sensitive period, before a pandemic, with irreparable human losses due to a deadly virus, in addition to the recent conflicts in Afghanistan, with the return of the Taliban to power, as well as the war of Russia against Ukraine, which gives greater relevance to the study of the right to fraternity, so that all human beings have the same guarantees and opportunities.

4. Fourth Movement: *Presto* - between the voices of the Choir and the silence of Human Rights

As already discussed, when Beethoven composed the Ninth Symphony, human voices were used for the first time in a composition, in this case, in the fourth movement of the Symphony, as if the composer wanted to give concrete proof that instrumental music is absolutely incapable of speaking (Sachs 2017). In contrast to what Beethoven proposed, the silence of the voices not heard by the legislator, in the absence of fraternity as a legal principle, will be used as a metaphor to illustrate that, while these voices are silenced, respect for the human right of fraternity will not have been fully implemented.

In studying the gap in the right to fraternity in the Declaration of the Rights of Man and of the Citizen, of 1789, it is necessary to reflect on the activity of the jurist, both as a legislator and representative of the French people, in the elaboration of the legal text. Comparato (2007) notes that, when analyzing the legal techniques used in the aforementioned Declaration and the Bill of Rights, North Americans gave more importance to judicial guarantees than to the pure and simple declaration of rights, while the French limited themselves to declaring rights, without mentioning the judicial instruments that guarantee them, emphasizing that law lives, in the last analysis, in human conscience, and that, even when subjective rights are not accompanied by their own guaranteeing instruments, they are still felt in the social environment as unpostponable demands.

In addition, the silence regarding fraternity, or as Baggio (2008) said the situation of forgetting fraternity in the text of the Declaration of the Rights of Man and of the Citizen, did not prevent this principle from being identified by Mazzini (1863[1834]) in the interpretation of the fusion of freedom and equality, even if approached through art, in various ways, before it came to be received by the Universal Declaration of Human Rights in 1948. Therefore, 159 years after the French Revolution, the silence on fraternity had finally been broken.

In this continuity, it is important to emphasize that the observation that there was silence regarding fraternity in the text of the Declaration of the Rights of Man and of the Citizen, of 1789, does not mean to attest that the debate on the inclusion of this principle did not take place, once it took part of many speeches proclaimed at the conventions, mainly those uttered by Robespierre, who did not remain silent in the face of the negatives received, and he continued to assert the forgotten principle, proposing a new text that would include fraternity in the Declaration of the Rights of Man and of the Citizen.

In this sense, attention is drawn to the speech of Robespierre (2018), delivered at the Convention of April 24, 1793, containing the proposal to be voted on for the new declaration of rights. Of the four articles present in the text proposed by Robespierre, Article 1 stands out, which expressly contains the definition of the ideal of universal fraternity, in the sense of considering all men of all countries as brothers, in addition to highlighting the responsibility of mutual help, which should prevail among all peoples.

The words written by Saramago (2017) about the collective blindness of the characters in his book *Ensaio sobre a Cegueira*, who are blind people who can see, but cannot see, also deserve to be highlighted. In an allusive way, it is possible to use a metaphor, questioning whether humanity would be affected by a collective deafness, which does not listen to the appeals of forgotten voices. If this is the case, human beings will need to learn from Beethoven, who, even without hearing, gave voice to the choir, which became a symbol of universal fraternity.

As the United Nations developed efforts to rebuild human rights after the violations occurred during the Second World War, the scope of human rights holders changed throughout history. Thus, once again, borrowing the teachings of Cunha (2014) and his words about fraternity and the role of art as an instrument for the education of human beings, in the sense of educating everyone so that the law is fraternal and humanist, as indeed it should be, it is necessary to emphasize that all voices need to be heard.

If justice is blind, in the sense of not seeing differences between litigants and guaranteeing impartiality in judgments, the jurist cannot be deaf! Neither the legislator, nor the judge, nor society! Beethoven's example should serve as an inspiration, given that, even without hearing, the aforementioned composer gave voice to the choir, with the poem of joy, freedom, and universal fraternity written by Schiller, transmitting the message to humanity that all human beings are brothers. Thus, it is essential that forgotten, silenced, and unprotected voices be heard so that democracy and respect for the dignity of the human person can be fully exercised.

Conclusion

Music, like law, has cultural roots which are reflections of the history of a people and thus represents the spirit of the culture of a time. In this sense, this research found that a legal gap can be filled through music, such as Beethoven's Ninth Symphony, in relation to the gap in the right to Fraternity in the Declaration of the Rights of Man and of the Citizen of 1789.

In addition, the artist's role and the message contained in art were considered as instruments for modifying the actions of groups, individual behaviors, and legislation, so that the spirit of Fraternity, in the sense of a universal bond of brotherhood of humans, can permeate the conduct of all in building a democratic society and a better world for current and future generations.

Thus, the transdisciplinary study of law and art served as a basis for observing the importance of artistic activity for approaching the right to fraternity, even though this topic had not yet been addressed by law. In this way, it is possible to envisage that art can be used as an instrument of social change and even as a reformulation of the legal model.

In other words, the importance of the change in the role of the musicians was verified: they stopped producing music only for the nobility and began creating compositions that reflected the interests of society, thus becoming a vehicle for the dissemination of these yearnings at a time when the respect for democratic/Enlightenment ideals was sought by those who wanted changes.

In view of this, it was observed that Rousseau's Enlightenment ideals and Kantian ethics exerted influence on the works of German Pre-Romanticism and Romanticism, contributing to guide people's behavior, including in the legal field, which had an impact on education and moral formation, based on the message transmitted through Kantian morality present in Schiller's literature and Beethoven's symphony, which portrays the triumph of the Kantian hero over the tyrant after fighting against the injustices of the *Ancien Régime*.

That said, this study recognizes that human beings are not isolated; the universal bond of brotherhood cannot be forgotten, and the care of looking to the other – to listen to the needs of all groups, joining the choir to speak louder, with a coral of all voices – can be the key to resolving conflicts between peoples and achieving world harmony. Art

thus makes it possible for the voices of those whose rights have been disrespected, forgotten, and silenced to be heard.

Therefore, this article had the ability to represent, through music, the need for true respect for the right to fraternity, considering the emission of the sound of silenced voices which still do not have full support and guarantee for their human rights. In this sense, silence was used as a metaphor for the legal gap and to honor the composer who, even without hearing, gave voice to the choir in the fourth movement of the Ninth Symphony, to express the message of universal fraternity contained in the poem *An die Freude* by Schiller.

Finally, using parameters of legal hermeneutics, before the existing gap in relation to the right to Fraternity in the Declaration of the Rights of Man and of the Citizen enacted after the French Revolution in 1789, it was found that Beethoven's Ninth Symphony, for its breadth, can be considered as the true artistic-legal translation of this Declaration. In summary, the research reveals that the fourth movement of Beethoven's Ninth Symphony, the Coral, can function not only as a work of art, but also as an instrument to address the right to fraternity as a symbol of unity between peoples.

References

- Baggio A. Maria, 2008. *A Redescoberta da Fraternidade na Época do "Terceiro 1789"*, in Baggio A. Maria, *O Princípio Esquecido: a fraternidade na reflexão atual das ciências políticas*, vol. I, São Paulo: Cidade Nova, pp. 7-24.
- Bobbio N., 2004. *A Era dos Direitos*, 7. ed., Rio de Janeiro: Elsevier.
- Carneiro M. Francisca, 2016. *Direito & Estilo: primeiras conjecturas sobre a estilística jurídica*, 1. ed. Timburi: Editora Cia do ebook.
- Carpeaux O. Maria, 1968. *Uma nova história da música*, 2. ed., Rio de Janeiro: Edições de Ouro.
- _____, 2013. *A História Concisa da Literatura Alemã*, São Paulo: Faro Editorial.
- Comparato F. Konder, 2007. *A Afirmação Histórica dos Direitos Humanos*, 5. ed., São Paulo: Saraiva.
- Cunha P. Ferreira da, 2014. *Direitos Fundamentais: fundamentos e direitos sociais*, Lisboa: Quid Juris.
- Dostoiévski F., 2020. *O idiota*, Rio de Janeiro: Nova Fronteira, e-book.
- Edelman B., 2011. *Tous Artistes en Droit: une petite histoire de l'esthétique à l'ère des droits de l'homme*, Paris: Hermann.
- Franca Filho M. Toscano, 2011. *A Cegueira da Justiça: diálogo iconográfico entre arte e direito*, Porto Alegre: Sergio Antonio Fabris Editor.
- _____, 2019. Suíte Músico-Jurisprudencial: pequenas considerações hermenêuticas para violino, violoncelo, piano e constituição, in *Revista Brasileira de Políticas Públicas*,

- Brasília, v. 9, n. 3, p. 400-408, <https://www.publicacoes.uniceub.br/RBPP/article/view/6469>
- France, 1789. *La Déclaration des Droits de l'Homme et du Citoyen*, Assemblée Nationale, Paris, 1789, <https://www.elysee.fr/la-presidence/la-declaration-des-droits-de-l-homme-et-du-citoyen>.
- Gadamer H.-G., 1999. *Verdade e Método: traços fundamentais de uma hermenêutica filosófica*, 3. ed., tradução de Flávio P. Meurer, Petrópolis: Editora Vozes.
- Hauser A., 1980. *História Social da Literatura e da Arte*, v. I, São Paulo: Mestre Jou.
- Hodge, S., 2018. *Breve História da Arte*, tradução de Maria L. de A. L. Paz, Barcelona: Editorial Gustavo Gili, SL.
- Hunt L., 2009. *A Invenção dos Direitos Humanos: uma história*, São Paulo: Companhia das Letras.
- Lacoste J., 2011. *A Filosofia da Arte*, tradução de Álvaro Cabral, 2. ed., Rio de Janeiro: Zahar.
- Lockwood L., 2005. *Beethoven: the music and the life*. New York: W. W. Norton & Company.
- Lopes M. Sette, 2006. *Uma Metáfora: música e direito*, São Paulo: LTr.
- _____, 2010. A Ironia e a Imagem do Direito: a expressão da justiça na caricatura e na charge, in Lacerda, B. A.; Lopes, M. S., *Imagens da Justiça*, São Paulo: LTr, pp. 210-254.
- Mazzini G., 1863[1834]. *Dell'Iniziativa Rivoluzionaria in Europa*, in Mazzini G., *Scritti Editi ed Inediti di Giuseppe Mazzini*, v. V, Milão: Dacli, pp. 55-84.
- Morais N. Leite, 2022. *O Direito à Fraternidade e a Nona Sinfonia de Beethoven*, João Pessoa: Editora Porta.
- Ramos A. de Carvalho, 2016. *Curso de Direitos Humanos*, 3. ed., São Paulo: Saraiva.
- Rasmussen, M., 2015. *All Men Become Brothers: The Decades-Long Struggle for Beethoven's Ninth Symphony*, in *Executive Intelligence Review*, Vol. 42, n° 26, June 26, pp. 38-51.
- Robespierre, M., 2018. *Discours par Maximilien Robespierre: 17 Avril 1792 – 27 Juillet 1794*, [S.l.]: Édition Litres, e-book.
- Rocha, Ricardo, 2013. *As Nove Sinfonias de Beethoven: uma análise estrutural*, Rio de Janeiro: Ibis Libris.
- Saramago, J., 2017. *Ensaio sobre a Cegueira*, São Paulo: Companhia das Letras.
- Schiller, F., 1984. *A Educação Estética do Homem numa Série de Cartas*, 7. ed., tradução de Roberto Schwarz e Márcio Suzuki, Munique: Iluminuras, e-book.
- Sachs, H., 2017. *A Nona Sinfonia: A obra-prima de Beethoven e o mundo na época de sua criação*, tradução de Clóvis Marques, Rio de Janeiro: José Olympio.
- Swafford, J., 2017. *Beethoven: angústia e triunfo*, tradução de Laura Folgueira, Barueri: Editora Amarellys.