



## Ordine internazionale e diritti umani

International Legal Order and Human Rights  
Ordenamiento Jurídico Internacional y Derechos Humanos  
Ordre juridique international et Droits de l'Homme

### INTERNATIONAL LAW AND DECAMERONE: THE ORDER OF ANARCHY

The basic question posed in this work is how and why International Law can be considered, as it is, law: being the structure regulating the relations between so-called “sovereign states”, by definition *superiorem non recognoscentes*, but obliged by rules, though not hierarchically organized. That poses two more fundamental questions: what does sovereignty mean, and how can you define a State, a «State as a person» in International Law, just to use the precise words of the Montevideo Convention? To both questions the answer, a tentative answer being this article substantially the first chapter of a book in print, can be found describing the international society, better the International Community (that is: “not” a society) in terms of a “complex structure” as, eventually, described since the studies of von Bertalanffy. Therefrom, also derives the, not only theoretical, distinction between the juridical concepts of “State” and “Subject” of International Law, that implies that a “Subject” can be a “person” of International Law (in the very terms of the Montevideo Convention) without being a “State”, and, conversely, a “State” can be no “Subject” at all.