

La cultura tra teoria dei diritti fondamentali e teoria del pluralismo giuridico

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Culture as Fundamental Right or as Normative System.

Abstract: The paper explores the two different configuration of the concept of culture existing in the comparative and Italian legal systems. At international level culture is considered a human right, at the Italian level it is understood as a norm of behavior that can enter in conflict with the Italian legal system, therefore multicultural conflicts are read under the theory of the legal pluralism. The paper observes how the book of Paola Parolari, *Culture, diritto, diritti*, takes a strong position in favour of the existence of a “right to cultural difference”, but the Italian “living law” does not seem yet comfortable in treating culture as a right. The paper explores the reasons of this resistance.

Keywords: Cultural rights, Legal pluralism, Cultural defense, Normative conflicts, Multiculturalism.

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