Ragioni per agire: il diritto come processo di interpretazione e come pratica sociale

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Reasons for Acting: the Law as an Interpretation Process and a Social Practice

Abstract: In his book, Damiano Canale assumes that the vocabulary of the philosophy of law best fits an explanation of the nature of law, to deal particularly with the issue of conflict. From conceptual analysis to the philosophy of action, law is a planning activity that coordinates our behavior in order to resolve doubts and disagreements about the moral matters that affect our communal life. The text thereby provides a new perspective for legal philosophy, a perspective that is alternative to both naturalized jurisprudence and the Oxford-style approach to the study of legal concepts. In my comment, I try to assess how convincing is Canale's proposal of providing reasons for settling conflicts, with a special focus to the similarities between philosophy of law and political philosophy. Both these branches of philosophy are likely to have the explanatory resources for underpinning our common sense assumptions about law and morality.

Keywords: Morality, Normativity, Philosophy of law, Political philosophy, Disagreement, Conflict.

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