

Per una visione moderata della struttura della democrazia costituzionale

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For a Moderate Vision of the Structure of Constitutional Democracy

Abstract: In this short reply, I address the comments by Antonia Baraggia and Susanna Pozzolo on my recently published book *The Making of Constitutional Democracy: From Creation to Application of Law*. As to Baraggia's comments, I highlight what I take to be the gist of the argument put forward in the book about the common structure of modern constitutionalism and how the apparent differences between different models should be understood. As to Pozzolo's critical engagement, I contend that even her favoured legal realist approach – using the interesting concept of legal routines – cannot escape the internal tension of any legal realist attempt that purports to explain the area of legal determinacy.

Keywords: Constitutional democracy, Constitutionalism, Legal realism, Legal determinacy, Legal interpretation, Legal routines, Moderate cognitivism.

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