

L'irriducibilità del dono al diritto

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The Irreducibility of Gift to Law

Abstract: Law claims to dictate norms that aim to discipline the human behavior in each its significant expression. However, there are some aspect of the moral life that law is incapable of explaining. Among these ones, gift represent one of the most critical moral categories for law. The analysis will be conducted on the phenomenology of gift, on the connected juridical institutes and on the moral involvement pertaining each involved category. It will show how, given certain features of law, when gift interface with juridical experience, the former seems to lose some of its more peculiar traits and, in a certain way, seems to be absorbed by law and its logic, even when it compares with human rights category, where law morality is evident.

Keywords: Acts of liberality, Phenomenology of gift, Rights based morality, Gift based morality.

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