

# **Sul positivismo giuridico e la sua crisi**

Commenti al volume di Massimo La Torre, *Il diritto contro se stesso*

## **Ciò che è vivo del positivismo giuridico**

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*What is Living of Legal Positivism*

*Abstract:* In his latest book Massimo La Torre makes a number of criticisms to legal positivism. Most of them are convincing. In this essay I try to reply to the few I disagree with. In particular, I deal with La Torre's objections against Hart's theories on legal interpretation and the internal point of view and against Raz's theory of legitimate authority. In the last paragraph I outline some ideological reasons for not considering legal positivism entirely dead.

*Keywords:* Legal positivism, Law and morality, Legal interpretation, Internal point of view, Legitimate authority, Law and force.

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