

## Il Diritto Muto Neuroscienze Conoscenza Tacita Valori Condivisi

Primo piano Francesco Benigno e Daniele Di Bartolomeo, Il mistero della ripetizione: la Rivoluzione francese e le repliche della storia 1. L'illusione di rifare l'antico: Chateaubriand 2. Davanti al bivio della storia: Marx 3. Dai fatti alle parole: il tema della ripetizione nella storiografia novecentesca 4. Self-fulfilling prophecies? 5. L'idea di ripetizione nei discorsi degli attori storici 6. Conclusioni. Filo rosso Birgit Emich, Dalla Chiesa tridentina al mito di Trento. Una rilettura storico-concettuale 1. È esistita una «Chiesa tridentina»? Lo stato della ricerca storiografica 2. Come la Chiesa è diventata tridentina 3. Trento come mito e come argomento Questioni Fernanda Alfieri, Storia e neuroscienze 1. Ragioni di un interesse 2. Neuro-distopie 3. Dalla «veridizione» alla «verivisione»? 4. Neurohistory 5. Coscienze Claudio Grasso, Anarchismo e terrorismo tra Otto e Novecento: nuove prospettive di ricerca in alcuni studi recenti 1. Anarchici e spie 2. Dinamite sociale 3. Dal tirannicidio al terrorismo 4. La lotta internazionale all'anarchismo 5. Conclusioni Contrappunti Maestà lesa e legittimata nell'Italia del Trecento. Della Misericordia legge Cengarle Vedere i mostri. Lo studio della natura in età moderna. Molino legge Krämer Risorgimento melodrammatico. Veca legge Sorba Dalle periferie al centro: l'ibrida storia del diritto internazionale. Fiocchi Malaspina legge Becker Lorca Après nous, le déluge! La parabola wilsoniana. Settis legge Tooze

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Gli autori di questo numero *Summaries*

*Shaping the Normative Landscape* is an investigation of the value of obligations and of rights, of forgiveness, of consent and refusal, of promise and request. David Owens shows that these are all instruments by which we exercise control over our normative environment. Philosophers from Hume to Scanlon have supposed that when we make promises and give our consent, our real interest is in controlling (or being able to anticipate) what people will actually do and that our interest in rights and obligations is a by-product of this more fundamental interest. In fact, we value for its own sake the ability to decide who is obliged to do what, to determine when blame is appropriate, to settle whether an act wrongs us. Owens explores how we control the rights and obligations of ourselves and of those around us. We do so by making friends and thereby creating the rights and obligations of friendship. We do so by making promises and so binding ourselves to perform. We do so by consenting to medical treatment and thereby giving the doctor the right to go ahead. The normative character of our world matters to us on its own account. To make sense of promise, consent, friendship and other related phenomena we must acknowledge that normative interests are amongst our fundamental interests. We must also rethink the psychology of agency and the nature of social convention.

"This marriage is not supposed to happen." Lombardy, 1628, a time of oppressive Spanish occupation of Northern Italy, and of the Thirty Years' War. The young lovers

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Lorenzo and Lucia, both from peasant families, are planning their wedding. However, the villainous Don Rodrigo has designs on Lucia, and the lovers are forced to flee their village. Their dangerous journey in exile takes them through one of the most dramatic epochs in Italian history, filled with war, famine and plague - will they ever be able to find happiness together? Dave Eggers says, of the series: "I couldn't be prouder to be a part of it. Ever since Alessandro conceived this idea I thought it was brilliant. The editions that they've complied have been lushly illustrated and elegantly designed." The topical chapters in this cutting-edge collection at the intersection of comparative law and anthropology explore the mutually enriching insights and outlooks of the two fields. Comparative Law and Anthropology adopts a foundational approach to social and cultural issues and their resolution, rather than relying on unified paradigms of research or unified objects of study. Taken together, the contributions extend long-developing trends from legal anthropology to an anthropology of law and from externally imposed to internally generated interpretations of norms and processes of legal significance within particular cultures. The book's expansive conceptualization of comparative law encompasses not only its traditional geographical orientation, but also historical and jurisprudential dimensions. It is also noteworthy in blending the expertise of long-established, acclaimed scholars with new voices from a range of disciplines and backgrounds.

This volume features fourteen essays that examine the works of key figures within the

phenomenological movement in a clear and accessible way. It presents the fertile, groundbreaking, and unique aspects of phenomenological theorizing against the background of contemporary debate about social ontology and collective intentionality. The expert contributors explore the insights of such thinkers as Martin Heidegger, Edmund Husserl, Adolf Reinach, and Max Scheler. Readers will also learn about other sources that, although almost wholly neglected by historians of philosophy, testify to the vitality of the phenomenological tradition. In addition, the contributions highlight the systematic relevance of phenomenological research by pinpointing its position on social ontology and collective intentionality within the history of philosophy. By presenting phenomenological contributions in a scholarly yet accessible way, this volume introduces an interesting and important perspective into contemporary debate insofar as it bridges the gap between the analytical and the continental traditions in social philosophy. The volume provides readers with a deep understanding into such questions as: What does it mean to share experiences with others? What does it mean to share emotions with friends or to share intentions with partners in a joint endeavor? What are groups? What are institutional facts like money, universities, and cocktail parties? What are values and what role do values play in social reality? In this volume, the communicative and neuropsychological correlates of daily interactions are discussed. The predominant account on explaining the construction of meaning by humans is the inter-relational perspective, that postulates an intentional

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convergence of meaning arising as a consequence of the active exchanges between people. The neural correlates of communication were illustrated in the light of new empirical results, considering the main topics of: a) language and language development; b) pragmatics and neuropragmatics of communication; c) neurocognition and the cognitive bases of intentions; d) nonverbal communication and emotion contribution to the communicative systems. New methodological approaches are considered, with particular attention to neuroimaging (such as PET and fMRI) and brain stimulation techniques (as MEG and TMS), as well as their application to the clinical field.

This book, first published in 2000, is a comprehensive survey of research and theory in personality psychology.

There have been extraordinary developments in the field of neuroscience in recent years, sparking a number of discussions within the legal field. This book studies the various interactions between neuroscience and the world of law, and explores how neuroscientific findings could affect some fundamental legal categories and how the law should be implemented in such cases. The book is divided into three main parts. Starting with a general overview of the convergence of neuroscience and law, the first part outlines the importance of their continuous interaction, the challenges that neuroscience poses for the concepts of free will and responsibility, and the peculiar characteristics of a “new” cognitive liberty. In turn, the second part addresses the

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phenomenon of cognitive and moral enhancement, as well as the uses of neurotechnology and their impacts on health, self-determination and the concept of being human. The third and last part investigates the use of neuroscientific findings in both criminal and civil cases, and seeks to determine whether they can provide valuable evidence and facilitate the assessment of personal responsibility, helping to resolve cases. The book is the result of an interdisciplinary dialogue involving jurists, philosophers, neuroscientists, forensic medicine specialists, and scholars in the humanities; further, it is intended for a broad readership interested in understanding the impacts of scientific and technological developments on people's lives and on our social systems.

Have you heard about the man who lived with a hole in his head? Or the boy raised by his parents as a girl? From the woman with multiple personalities, to the man with no brain, this collection of case studies provides a compelling insight into the human mind. This is a fascinating collection of human stories. Some are well-known case studies that have informed clinical practice, others are relatively unknown. For this edition, Rolls has added recent research findings on each case study plus four brand new cases: the story of Washoe, the ape who could communicate; the much debated case of Holly Ramona and repressed memory; and Kim Peek, the real 'Rainman'. Classic Case Studies in Psychology is for everyone who has ever wondered about the stranger side of life. No prior knowledge of psychology is required, just an open mind. For those who

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wish to use this book as part of their studies, or who are just keen to learn more, fun multiple choice questions, fascinating further reading, helpful web links, and self-assessment questions are all available free on our website, [www.routledge.com/cw/rolls](http://www.routledge.com/cw/rolls). Prepare to be amazed ...

This fully revised and updated second edition of *The Oxford Handbook of Comparative Law* provides a wide-ranging and diverse critical survey of comparative law at the beginning of the twenty-first century. It summarizes and evaluates a discipline that is time-honoured but not easily understood in all its dimensions. In the current era of globalization, this discipline is more relevant than ever, both on the academic and on the practical level. The Handbook is divided into three main sections. Section I surveys how comparative law has developed and where it stands today in various parts of the world. This includes not only traditional model jurisdictions, such as France, Germany, and the United States, but also other regions like Eastern Europe, East Asia, and Latin America. Section II then discusses the major approaches to comparative law - its methods, goals, and its relationship with other fields, such as legal history, economics, and linguistics. Finally, section III deals with the status of comparative studies in over a dozen subject matter areas, including the major categories of private, economic, public, and criminal law. The Handbook contains forty-eight chapters written by experts from around the world. The aim of each chapter is to provide an accessible, original, and critical account of the current state of comparative law in its respective area which will

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help to shape the agenda in the years to come. Each chapter also includes a short bibliography referencing the definitive works in the field.

Em uma parceria inédita da Editora Contracorrente com as prestigiosas editoras Giappichelli, da Itália, e Astrea, da Argentina, apresenta-se ao público brasileiro a monumental obra "Sistemas constitucionais comparados", de autoria dos catedráticos italianos Lucio Pegoraro e Angelo Rinella. Dividido em dois volumes, o livro trata de temas substanciais da matéria, dá aplicação às teorias metodológicas, expostas no capítulo introdutório, relativas à centralidade da linguagem, às classificações, aos formantes, à circulação e aos transplantes, às relações com outras ciências, ao pluralismo e à rejeição ao eurocentrismo. "Sistemas constitucionais comparados" favorece a abordagem interdisciplinar, mas, ao mesmo tempo, não descarta o método jurídico. A abertura a modos não só ocidentais de fazer direito deve lidar com a polissemia da palavra "direito" nas diversas épocas e latitudes. A desconstrução, aplicada a linguagem e classes, e as novas propostas de sistematização são acompanhadas, porém, da exposição das categorias tradicionais, bem como da explicação dos institutos vigentes e das teses prevaletentes.

This introduction to the new field of economic analysis of the law focuses on the core areas of our legal system - property, torts and accidents, contract, and crime - as well as litigation. The handbook is full of examples and is highly accessible, since no background in either law or economics is assumed and it's free of jargon, graphs, and

technical material

Representing the first comprehensive analysis of Gaga and Ohad Naharin's aesthetic approach, this book follows the sensual and mental emphases of the movement research practiced by dancers of the Batsheva Dance Company. Considering the body as a means of expression, *Embodied Philosophy in Dance* deciphers forms of meaning in dance as a medium for perception and realization within the body. In doing so, the book addresses embodied philosophies of mind, hermeneutics, pragmatism, and social theories in order to illuminate the perceptual experience of dancing. It also reveals the interconnections between physical and mental processes of reasoning and explores the nature of physical intelligence.

It was the classical task of legal rhetoric to make law both seen and understood. These conjoint goals came to be separated and opposed in modernity and a degree of blindness ensued. Legal reason was increasingly deemed to be a purely textual enterprise. Against this constraint and in furtherance of an incipient visual turn in legal studies, *Genealogies of Legal Vision* seeks to revive the classical *ars iuris* and to this end traces the history of regimes of visual control. Law always relied in significant measure upon the use of visual representations, upon pictures, architecture, costume and statuary to convey authority and sovereign norm. Military, religious, administrative and legal insignia found juridical codification and expression in collections of signs of office, in heraldic codes, in genealogical devices, and then finally in the juridical

invention in the mid-sixteenth century of the legal emblem book. *Genealogies of Legal Vision* traces the complex lineage of the legal emblem and argues that the *mens emblematica* of the humanist lawyers was the inauguration of a visiocratic regime that continues into the multiple new technologies and novel media of contemporary governance. Bringing together leading experts on the history and art of legal emblems this collection provides a ground-breaking account of the long relationship between visibility, meaning and normativity.

Simplexity, as I understand it, is the range of solutions living organisms have found, despite the complexity of natural processes, to enable the brain to prepare an action and plan for the consequences of it. These solutions are simplifying principles that enable the processing of information or situations, by taking into account past experience and anticipating the future.

The contributions to this volume were written by historians, legal historians and art historians, each using his or her own methods and sources, but all concentrating on topics from the broad subject of historical legal iconography. How have the concepts of law and justice been represented in (public) art from the Late Middle Ages onwards? Justices and rulers had their courtrooms, but also churches, decorated with inspiring images. At first, the religious influence was enormous, but starting with the Early Modern Era, new symbols and

allegories began appearing. Throughout history, art has been used to legitimise the act of judging, but artists have also satirised the law and the lawyers; architects and artisans have engaged in juridical and judicial projects and, in some criminal cases, convicts have even been sentenced to produce works of art. The book illustrates and contextualises the various interactions between law and justice on the one hand, and their artistic representations in paintings, statues, drawings, tapestries, prints and books on the other.

The concept of culture is troublingly vague and, at the same time, hotly contested, and law's relations to culture are as complex, varied and disputed as the concept of culture itself. The concept of the traditional, unified, reified, civilizing idea of culture has come under attack. The growth of cultural studies has played an important role in redefining culture by including popular culture and questions of social stratification, power and social conflict. Law and legal studies are relative latecomers to cultural studies. As scholars have come to see law as not something apart from culture and society, they have begun to explore the connections between law and culture. Focusing on the production, interpretation, consumption and circulation of legal meaning, these scholars suggest that law is inseparable from the interests, goals and understandings that deeply shape or compromise social life. Against this background, *Law in the Domains of Culture*

brings the insights and approaches of cultural studies to law and tries to secure for law a place in cultural analysis. This book provides a sampling of significant theoretical issues in the cultural analysis of law and illustrates some of those issues in provocative examples of the genre. *Law in the Domains of Culture* is designed to encourage the still tentative efforts to forge a new interdisciplinary synthesis, cultural studies of law. The contributors are Carol Clover, Rosemary Coombe, Marjorie Garber, Thomas R. Kearns, William Miller, Andrew Ross, Austin Sarat, and Martha Woodmansee. Austin Sarat is William Nelson Cromwell Professor of Jurisprudence and Political Science, Amherst College. Thomas R. Kearns is William H. Hastie Professor of Philosophy, Amherst College.

The specially commissioned papers in this book lay a solid theoretical foundation for comparative legal history as a distinct academic discipline. While facilitating a much needed dialogue between comparatists and legal historians, this research handbook examines methodologies in this emerging field and reconsiders legal concepts and institutions like custom, civil procedure, and codification from a comparative legal history perspective.

Dopo un rapido e necessario inquadramento teoretico sul tema del silenzio, anche con riferimento alle dimensioni teologiche, filosofiche, esistenziali che ne accompagnano la consistenza, si presenta una piccola fenomenologia del

silenzio, come la si può cogliere all'interno della dimensione giuridica della esistenza umana. Alla fine di questo piccolo viaggio fenomenologico, si potrà apprezzare come – al contrario di ciò che comunemente si pensa – il diritto parli anche, e forse soprattutto, attraverso il silenzio. Un orizzonte di comprensione diverso e originale dunque e molto fecondo anche nella prospettiva della formazione della coscienza giuridica contemporanea.

This is a new release of the original 1929 edition.

La complejidad es un elemento de la estructura dinámica de los sistemas jurídicos y, como tal, forma parte del alcance del derecho comparado, tanto privado como público. La metodología es un denominador común para la formación de los estudiantes de los cursos de la Facultad de Derecho. El conocimiento de múltiples métodos —y el pluralismo metodológico— promueve el aprendizaje de disciplinas jurídicas básicas y su desarrollo en estudios de segundo y tercer ciclo. Junto a los temas clásicos de la metodología comparativa, el volumen aborda el tema de los desarrollos comparativos en relación con los fenómenos cada vez más frecuentes de carácter global que afectan el derecho público.

Comprising an array of distinguished contributors, this pioneering volume of original contributions explores theoretical and empirical issues in comparative law. The innovative,

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interpretive approach found here combines explorative scholarship and research with thoughtful, qualitative critiques of the field. The book promotes a deeper appreciation of classical theories and offers new ways to re-orient the study of legal transplants and transnational codes. *Methods of Comparative Law* brings to bear new thinking on topics including: the mutual relationship between space and law; the plot that structures legal narratives, identities and judicial interpretations; a strategic approach to legal decision making; and the inner potentialities of the 'comparative law and economics' approach to the field. Together, the contributors reassess the scientific understanding of comparative methodologies in the field of law in order to provide both critical insights into the traditional literature and an original overview of the most recent and purposive trends. A welcome addition to the lively field of comparative law, *Methods of Comparative Law* will appeal to students and scholars of law, comparative law and economics. Judges and practitioners will also find much of interest here. *Professional English in Use Law* is a brand new addition to the *Professional English in Use* series.

In the tradition of *On Beauty*, *On Ugliness* and *The Infinity of Lists*, Umberto Eco presents an enthralling and erudite illustrated tour of the fabled places that have awed and eluded us through the ages. From the epic poems of Homer to contemporary science fiction, from the Holy Scriptures to modern mythology and fairy tale, literature and art are full of illusory places we have at some time believed are real, and onto which we have projected our dreams, ideals and fears. Umberto Eco leads us on an illuminating journey through these legendary lands - Atlantis, Thule and Hyperborea, the Earth's interior and the Land of Cockaigne - and explores utopias and dystopias where our imagination can confront concepts that are too incredible, or

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too challenging, for our limited real world. In *The Book of Legendary Lands* the author's text is accompanied by several hundred carefully assembled works of art and literature; the result is a beautifully illustrated volume with broad and enduring appeal.

The book examines the major issues in perinatal clinical psychology with the presence of theoretical information and operational indications, through a biopsychosocial approach. The multiplicity of scientific information reported makes this book both a comprehensive overview on the major perinatal mental health disorders and illnesses, and a clinical guide. It covers perinatal clinical psychology through a journey of 15 chapters, putting the arguments on a solid theoretical basis and reporting multiple operational indications of great utility for daily clinical practice. It has well documented new evidence bases in the field of clinical psychology that have underpinned the conspicuous current global and national developments in perinatal mental health. As such, it is an excellent resource for researchers, policy makers, and practitioners – in fact, anyone and everyone who wishes to understand and rediscover, in a single opera, the current scientific and application scenario related to psychological health during pregnancy and after childbirth.

Why is life worth living? What makes actions right or wrong? What is reality and how do we know it? *The Brain and the Meaning of Life* draws on research in philosophy, psychology, and neuroscience to answer some of the most pressing questions about life's nature and value. Paul Thagard argues that evidence requires the abandonment of many traditional ideas about the soul, free will, and immortality, and shows how brain science matters for fundamental issues about reality, morality, and the meaning of life. The ongoing Brain Revolution reveals how love, work, and play provide good reasons for living. Defending the superiority of evidence-

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based reasoning over religious faith and philosophical thought experiments, Thagard argues that minds are brains and that reality is what science can discover. Brains come to know reality through a combination of perception and reasoning. Just as important, our brains evaluate aspects of reality through emotions that can produce both good and bad decisions. Our cognitive and emotional abilities allow us to understand reality, decide effectively, act morally, and pursue the vital needs of love, work, and play. Wisdom consists of knowing what matters, why it matters, and how to achieve it. *The Brain and the Meaning of Life* shows how brain science helps to answer questions about the nature of mind and reality, while alleviating anxiety about the difficulty of life in a vast universe. The book integrates decades of multidisciplinary research, but its clear explanations and humor make it accessible to the general reader.

Il volume, frutto del lavoro di giovani giuristi, avvocati e dottori di ricerca, offre un esame comparato dei principali sistemi giuridici stranieri, sotto il profilo storico, pubblico e privato. In particolare, vengono messi a confronto alcuni tra i più importanti ordinamenti di Civil Law con quelli di Common Law. A seguire, gli ordinamenti nordici, raggruppati in un autonomo sistema. Di rilievo, infine, sono gli approfondimenti del modello islamico e russo, che precedono la conclusione del volume con un focus sul sistema cinese.

This book offers an analysis of public service broadcasting (PSB) in European Countries that highlights the issues – both legal and not – currently facing PSB. Focusing particularly on the link between public TV and the political class, Giorgia Pavani offers an overview of the structure and governance of PSB from both a comparative and international viewpoint. The text is a useful research tool for those who want to study PSB from a viewpoint that goes

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beyond the legal perspective, and helps the reader to further understand the phenomenon of influence on public TV policy. By combining new comparative approaches in the studies of PSB with a detailed and updated analysis of International, European and comparative law, the result is an innovative and multidisciplinary volume that seeks to unpick the relationship between PSB and politics.

This volume surveys 150 law books of fundamental importance in the history of Western legal literature and culture. The entries are organized in three sections: the first dealing with the transitional period of fifteenth-century editions of medieval authorities, the second spanning the early modern period from the sixteenth to the eighteenth century, and the third focusing on the nineteenth and twentieth centuries. The contributors are scholars from all over the world. Each 'old book' is analyzed by a recognized specialist in the specific field of interest. Individual entries give a short biography of the author and discuss the significance of the works in the time and setting of their publication, and in their broader influence on the development of law worldwide. Introductory essays explore the development of Western legal traditions, especially the influence of the English common law, and of Roman and canon law on legal writers, and the borrowings and interaction between them. The book goes beyond the study of institutions and traditions of individual countries to chart a broader perspective on the transmission of legal concepts across legal, political, and geographical boundaries. Examining the branches of this genealogical tree of books makes clear their pervasive influence on modern legal systems, including attempts at rationalizing custom or creating new hybrid systems by transplanting Western legal concepts into other jurisdictions.

Discusses renowned masters including Roberto Rossellini and Federico Fellini, as well as

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directors lesser known outside Italy like Dino Risi and Ettore Scola. The author examines overlooked Italian genre films such as horror movies, comedies, and Westerns, and he also devotes attention to neglected periods like the Fascist era. He illuminates the epic scope of Italian filmmaking, showing it to be a powerful cultural force in Italy and leaving no doubt about its enduring influence abroad. Encompassing the social, political, and technical aspects of the craft, the author recreates the world of Italian cinema.

This article seeks to displace the traditional concept of precedent as based upon textual reasoning with a concept of *imago decidendi* or the binding image of a prior decision.

Il diritto muto. Neuroscienze, conoscenza tacita, valori condivisi  
Neuroscience and Law  
Complicated Crossings and New Perspectives  
Springer Nature

Praise for the First Edition: 'Essential to any collection of work on the body, health and illness, or social theory' - Choice 'Sophisticated ... and acutely perceptive of the importance of the complex dialectic between social institutions, culture and biological conditions' - Times Higher Education Supplement 'Chris Shilling has done us all a splendid service in bringing together and illustrating the tremendous diversity and richness of sociological thinking on the topic of human embodiment and its implications' - Sociological Review This updated edition of the bestselling text retains all the strengths of the first edition. Chris Shilling: provides a critical survey of the field; demonstrates how developments in diet, sexuality, reproductive technology, genetic engineering and sports science have made the body a site for social alternatives and individual choices; and elucidates the practical uses of theory in striking and accessible ways. In addition, new, original material: explores the latest feminist, phenomenological and action-oriented approaches to the body; examines the latest work on 'body projects' and the

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relationship between the body and self-identity; and outlines a compelling theoretical framework that provides a radical basis for the consolidation of body studies.

Research Handbook on EU Consumer and Contract Law takes stock of the evolution of this fascinating area of private law to date and identifies key themes for the future development of the law and research agendas. The Handbook is divided into three parts:

Alex D., consumed by a restless unanswered longing, ditches school to drink and trade stories with his posse of delinquents until he meets Aidi who, unfortunately, is leaving for a year in America at the end of the summer

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