

## Editorial

The first twenty years of this journal have really been in the name of an ircocervo. “The Ircocervo”, in short, for the ircocervo. Some would say that it would be the most natural thing to embrace your own name. But this name itself is very particular: it has also aroused great controversy, to the point of being completely misunderstood. Recently, it has also been discussed in an important journal such as the “Rivista di Filosofia del Diritto/*Journal of Legal Philosophy*”, where the historical role of our magazine has been correctly mentioned, at the risk of flattening out on Benedetto Croce’s interpretation. Hence, the great Neapolitan philosopher sees the ircocervo as an abstruse figure, mythologically half goat and half deer, accordingly to legal philosophy itself, unexpectedly halfway between general philosophy and legal science. It is an inexhaustible battle similar to the one of Cervantes’ heroes against the windmills (this is the image which Opocher uses to quote the “philosopher ircocervo” of which Croce speaks). A stumbling block, if you don’t understand exactly its meaning. To tell the truth, it was not that much understood. Because, as often happens, there is more in a single metaphor. This is the case with the name of our journal. Obviously, the irreverent meaning that Croce gives to the ircocervo is not ignored. As Francesco Gentile recalls, it is also likely that Croce draws from the language of Spaccanapoli, who uses the very expression “pigliä n’ircuciérvo” to denounce an absurdity. But it is also evident that things could not have been simply like this. Hence the provocation of using, not by chance, the very name with which the whole philosophy of law had been mocked. It is like in William of Ockam’s commentary on Aristotle’s *Perí Hermeneías*: the ircocervo makes a true scientific project out of its limit (the nominalistic abstrusity of something whose essence you cannot express). Rather than the consideration of a simple *flatus vocis*, it is a warning to seek the philosophical universal in concrete things in a simple and immediate way. Therefore, the opposite of Crocian denigration; a real provocation that demonstrates the absolute fruitfulness of philosophical knowledge put to the test of explaining the reality with the concept, and the concept with reality. The goal is “common experience”, to quote another great philosopher like Capograssi. How? We take advantage of an idea that is only thinkable, something which does not exist in the real world, to question the latter

and go beyond mere contingency. A challenge nowadays. In this perspective, the journal “L’Ircocervo” has really been, in all these years, a real ircocervo. It is enough to look at its singular beginning, and ultimately at its re-foundation.

It was clear since the beginning, because of the formidable intuition of Francesco Gentile to give life to a purely telematic journal, an intuition that was far ahead of the times, given that “L’Ircocervo”, in Italy, has been the first telematic journal of philosophy of law ever. That is the meaning of the concept, which is only apparently incredible to reason, or to sensitive perception, but which instead explains the world so much, in order to anticipate what is not yet there — even before it becomes decidedly common and even dominant. Not an “abstruse” figure at all! And it is not just a good idea for the media, but an indispensable way to read the great information revolution of law and of all social reality. In fact, by “L’Ircocervo” a school of excellent scholars of legal informatics was born. With all the limits of the new computer skills that are on the horizon. On the other hand, in all these years has not been lacking the critique of the algorithmic change in the social sciences or the critique to the statistical reduction of human experience. A turning point that unreasonably takes for granted the predictability of behaviours, instead of their dialectical variability. Or the mere convention as opposed to the fundamental ontological datum of the essence of things. It is easy to understand the matter. It is raised by the very meaning of subjective autonomy, or of the intersubjective relationships at the basis of the legal system, a meaning that is far from any “geometric” or structurally hypothetical-deductive perspective of legal experience.

But let’s get back to the magazine. As the index of this issue shows, numerous scholars have enthusiastically welcomed the call for papers dedicated to the special issue of the magazine’s twentieth anniversary. They are many, and all authoritative. We would like to thank them all. This is perhaps the most evident sign of the extreme vitality of a journal that goes beyond the particular history from which all things originate to become a consolidated topos of Italian philosophical-legal thought (as a matter of fact, starting only from 2019, “L’Ircocervo” has published nearly one hundred essays by scholars notoriously accredited to the major Italian and foreign universities). In addition, two very significant documents appear in a section entitled “Testimonials”. First of all, Ugo Pagallo’s lucid reconstruction of the magazine’s early days and his description of their great inspiration; in this section there are also the finely theological pages of Ottavio de Bertolis, who, among Gentile’s major students, most of all received the teaching of his master that, in the last season, was mainly in search of the Sacred. The intent of these

“testimonies” cannot be trivially homologated to the common method of a scientific journal. The purpose is another; equally, however, decisive. If anything, it is a true *Nacherleben*, that is the attempt to relive the fullness of the community history of the journal. Indeed, it would be fatal and even coward for the intellectual to forget that his thought always originates in a community, and it is addressed to one as well.

Agata C. Amato Mangiameli

Paolo Becchi

Gian Pietro Calabrò

Lucio Franzese

Antonio Incampo

Torquato G. Tasso