

Methodology and Legal Theory.

Foreword

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In 2009, the first Oxford-Girona annual seminar in Legal Theory was organised with the purpose of providing an occasion to discuss work-in-progress by legal philosophers based in these two Universities¹. After four successful seminars, the University of Genoa was invited to join this initiative. As a result, an international workshop on legal interpretation and legal philosophy, with speakers from the Universities of Oxford, Girona, and Genoa, took place at St. Hilda's College, Oxford, on 10 April 2015².

Most recently, our annual seminar evolved into the Civil Law - Common Law Forum in Legal Theory, with the aim of facilitating the exchange of ideas between legal philosophers trained in civil and common law traditions. In developing this new format, we decided to broaden participation in the event, while maintaining a single theme to guide discussion. This year, the Forum focused on methodology and legal theory.

The following section includes articles based upon papers presented and discussed at the Civil Law – Common Law Forum in Legal Theory, which took place on 19-20 June 2019 at the University of Genoa, under the auspices of the Tarello Institute for Legal Philosophy. The authors of these articles are: Stanley Paulson (Washington University of St. Louis and the University of Kiel); Pablo Navarro (University of Girona and Conicet, Argentina); Corrado Roversi (University of Bologna); Lucila Fernández Alle (University of Girona); Dan Priel (York University, Toronto); Luca Malagoli (University of Genoa); and Carolina Fernández Blanco (University of Girona).

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¹ The first Oxford-Girona seminar in Legal Theory took place at the University of Girona on 14-15 December 2009.

² Most of the papers discussed at this workshop were subsequently published in the 2016 issue of *Analisi & Diritto*.

By approaching the theme of methodology and legal theory from a variety of perspectives, these authors offer the readers of *Analisi & Diritto* thought-provoking articles on Kelsenian methodology (Paulson, Navarro), the artifact theory of law as a methodological tool (Roversi and Fernández Alle), the methodology of naturalism and realism (Priel and Malagoli), and current approaches to the rule of law (Fernández Blanco).

Despite the breadth of methodological and theoretical issues discussed, all these articles share a commitment to the rational reconstruction of legal phenomena through the fundamental tools of analytical jurisprudence – most importantly, a focus on conceptual analysis, attention to the is-ought dichotomy, and an appreciation of the distinction between empirical and analytical propositions.

Over the course of the two days, in this year's Forum, the original ideas and arguments at the core of these articles benefitted from the insights of scholars with different legal backgrounds and philosophical sensitivities. The academic conversation sustained by our Forum thrives on diversity – for this reason, we are planning to strengthen the plurality of views that animate our meetings. In publishing these articles, we hope that this conversation will continue and be enriched by further ideas and contributions.