THE SYSTEMIC EVOLUTION OF LAW AND THE MATTER OF NORMALITY AND DEVIANCE IN COMPLEX SYSTEMS

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In complex, global scenarios, the gap between legal norms (according to the shapes of criminal Law) and deviance from social norms is getting wider and wider as law is going more and more transnationally and supranationally (from EU to OECD, from WHO and WTO to WIPO) while in the common sense of local community identity, social norms still are relatively rigid on a more local scale which in some extreme cases become the stargate to ideological-religious-ethnical radicalization where cosmopolitanism is not yet taken for granted. From Goffmann’s Stigma and Becker’s Outsiders, through Tomeo’s conception of the conflictual structure of law, up to the dispute between Kelsen and Ehlich, finally approaching Luhman’s works in Sociology of Law based on a complex system vision based on the system/environment paradigm, this panel calls for interdisciplinary contributions (from Sociology to Law,
from Philosophy to Political Science, from Economics of legal rationality to complexity studies tout court) to debate, in theory and practice, in strategy, tactics and operations, in which way the expansion of trans-supranational legislation focused on the governance of complexity is some way selecting and reshaping community-based social norms and in which ways social norms can generate irritation, resonance and noisy shiftings from the outer environment to the process of legislative expansion of the law system considering radicalization a socio-political drift of failed management of complexity, thus radicalizatio as outer environmet resonance, meaningless in se, which, nevertheless could be positively selected by those conceptions of law as conflictual structure.