

A NEW APPROACH TO THE CONCEPT OF LAW

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SABINO has said: “to recognize the development of different approaches, methods, and common criteria in research is not useful, at the end, to magnify the success of a scientific *koiné* previously done, but only to recognize the links that today exist among the different national cultures”.

It is difficult to better formulate the aims of our European Group of Public Law and the efforts that we have invested in them in the last twenty years working together.

This statement was possible because Sabino has performed the role of a rigorous and useful intellectual, being active in scientific research and academic responsibilities, leading a numerous group of professors in Administrative Law, being a member of national and international institutions dealing with Public Administration, being a member of government and an active consultant, and lastly being a member of the Italian Constitutional Court.

He has been, in fact, a man engaged to the problems, values and desires of society. But not of a close society. His intellectual curiosity has made him look at other legal orders, and to understand, doing so, the differences and similarities between legal institutions and legal systems, with special relevance in explaining the European Union process, with its tools of deconstruction of national institutions and its reconstruction on the European level into new institutions that have a different function.

In the same way, his early understanding of the importance of Economic Public Law, placed him in the position to realize that the deep effect of the economic globalization in national economies, will cause a similar effect of the global rules on national legal orders.

That is why, in the scientific work of Sabino, a new approach to the concept of Law is very clear, not only as a body of rules declared formally by a Parliament, but also as a culture of legal orders conceived of as a deposit

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of History, of the institutional evolution of political bodies, and of the sociological roots of the very normative proceedings.

As it was said by Giannini, his academic mentor: "Legal science acts through a continuous transcription into the legal orders of the results of sociology".

Sabino is one of the first scholars to understand that the dogmatic construction of public law under the national state has come to an end. In fact, from my point of view, the most important contribution of Sabino to public law is that he recognizes and defines the battlefield of the new dogma of public law, that only can be made today "*Oltre lo Stato*", that is to say, essentially, ensuring the actual function of supranational authorities and supranational Courts of Law.

Concluding, among several friends offering this *laudatio*, and as a conversation between two men of the Mediterranean sea, I would like to give a final definition of Sabino: "Created and aged in excellent Naples and Pisa oak. Bright ruby in cellar. Predominant comparative spicy aromas on the nose. Silky to the taste. Very global. Extended and excellent."