

Lost in the System or Lost in Translation? The Exchanges between Hart and Ross

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ABSTRACT. According to the received opinion there is a theoretical incompatibility between Herbert Hart's *The Concept of Law* and Alf Ross's *On Law and Justice*, and, according to the received opinion, it stems above all from Hart's emphasis on the internal point of view. The present paper argues that this reading is mistaken. *The Concept of Law* does not go beyond *On Law and Justice* in so far as both present arguments to the effect that law is based on a shared understanding between participants in a project perceived by every participant to be a project in common. The paper demonstrates that there are substantive parallels between Hart's combination of "acceptance" or "acknowledgement" and a "critical reflective attitude" and Ross's combination of "motivation" or "feeling" and a "coherent whole of meaning and motivation." The main conclusion is that the views of norms and normativity put forward in *The Concept of Law* and *On Law and Justice* are very close in essential respects, and, more specifically, that the two works are at root identical in their representation of the basis of normativity in reality.

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