

**Medici, A. (2018). "Material Constitution and Political Justice", in: Hincapié, D. y Castro, L. (Coord.) GlocAL Philosophy of Law. Bogotá: National University of Colombia. Pp. 133 - 170.**

It explores the potential of Latin American liberation philosophy and the decolonial turn to support constitutional theory.

It raises the material foundation; reproductive rationality judgments; the law as a mediation of consensual coexistence; an analysis of complexity; the oligarchic Constitution versus the democratic Constitution; and the material Constitution and justice.

The new transforming constitutionalism in the region proposes innovations such as a decolonizing and re-founding will of the State.

The new texts and constitutional systems of Venezuela, from 1999; Ecuador, 2008; and Bolivia, from 2009; They propose innovations such as protagonist popular participation, articulating forms of direct and indirect democracy and even recognizing their community dimension. It also raises the incorporation of a series of evaluative principles typical of the worldviews of the original peoples, together with the traditional principles stemming from modern constitutionalism, new rights that give a new depth to the social and environmental claims of constitutionalism.

At the level of constitutional practices, systems to a greater or lesser extent are always defective in organizing consensual and feasible coexistence, to the extent that social groups do not have the factual, ecological, economic, cultural and political conditions to be able to develop a worthy way of life. Hence the importance of this content, both in the architectural moment and of the constitutional dialectic, as in the critical moment or of the constitutional analectic. Human life in community is the human being's mode of reality and, therefore, the criterion of practical and theoretical truth. The preproduction and development of human life is a criterion of truth, of practical truth as human, and theoretical when we open ourselves to reality from the horizon that life circumscribes as its mediations of reproduction, development.

Constitutional theory is linked from Latin America with the philosophy of liberation for a double reason: to overcome the idea of the separation between law, morality and politics from a relational perspective; and to show that a foundation of law in ethics is possible, without relapsing into static or ahistorical naturalism and, at the same time, dialoguing with the theories that reconnect law and morality, especially at the constitutional level.

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The material concept of constitution links questions about the ordering of livelihoods and distributive justice with the problem of power relations between social groups, allowing a critical judgment about the consensual reproductive rationality and the feasibility of the constitutional system.