

Pluralismo giuridico, costituzionalismo sociale e diritti fondamentali: le sfide di un incerto presente

FRANCESCA SCAMARDELLA

Legal Pluralism, Social Constitutionalism, and Fundamental Rights: Challenges of an Uncertain Present Time

Abstract: These brief notes present some responses to the theses and reflections of Luigi Crema, Nannerel Fiano and Paola Parolari, discussed at the presentation of my book, *Etsi Constitutio non daretur. Le costituzioni civili nel mondo transnazionale* (2023). In particular, I try to better clarify the distinction between global constitutionalism and social constitutionalism and to defend my main thesis, according to which the latter – albeit with its limits, which mainly concern the protection of fundamental rights and freedoms – could constitute a *tertium datur* between global constitutionalism and a return to the state, after forty years of globalisation.

Keywords: Social constitutionalism, Global constitutionalism, Civil constitutions, Fundamental rights.

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