

# Il Potere Costituente Saggio Sulle Alternative Del Moderno Argomenti

Constitutionalism and Transitional Justice in South Africa  
Constituent Power in Early Modern Political Philosophy  
State of Exception  
Medieval Sovereignty  
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over the last fifteen years the south african postapartheid transitional amnesty process implemented by the truth and reconciliation commission trc has been extensively analyzed by scholars and commentators from around the world and from almost every discipline of human sciences lawyers historians anthropologists and sociologists as well as political scientists have tried to understand describe and comment on the shocking south african political decision to give amnesty to all who fully disclosed their politically motivated crimes committed during the apartheid era investigating the postapartheid transition in south africa from a multidisciplinary perspective involving constitutional law criminal law history and political science this book explores the overlapping of the postapartheid constitution making process and the amnesty process for political violence under apartheid and shows that both processes represent important innovations in terms of constitutional law and transitional justice systems both processes contain mechanisms that encourage the constitution of the unity of the political body while ensuring future solidity and stability from this perspective the book deals with the importance of several concepts such as truth about the past publicly shared memory unity of the political body and public confession

this book offers an in depth examination of constituent power through the writings of six major philosophers from the 16th and 17th centuries highlighting how their ideas have shaped the foundation and transformation of political philosophy filippo del lucchese delves into how la boetie bodin lipsius campanella suarez and hobbes conceptualized and influenced the evolution of this fundamental political idea by examining their writings he illuminates the diverse interpretations and the profound impact these thinkers had on the formation of political authority and constitutional frameworks he also bridges this historical analysis with contemporary debates on democracy sovereignty and the enduring tension between political foundation and institutional stability in modern legal and political theory

in a globalized world exposed to ever more dramatic dangers the established legal order enters into crisis and the rhetoric of fear is deployed in order to legitimate states of exception italian philosopher giorgio agamben has widely elaborated on the historical effects of the juridical concept of the state of exception recalling the definition formulated by german legal theorist carl schmitt the state of exception presents itself as an inherently elusive phenomenon a juridical no man s land where the law is suspended in order to be preserved the juridical tensions inherent in the state of exception necessitate a constant interplay of anomie

and nomos an ongoing interaction between order and the suspension of order used to justify every conceivable abuse of power such interplay epitomized by the aftermath of the 2001 terrorist attacks in the usa has become central to today s geopolitical scenario this book examines the implications of the state of exception on both a macro and micropolitical level strongly informed by italy s long history of exceptional uses of power the book is divided into three parts the first part explores philosophical issues related to the history of the state of exception within the frame of juridical political and economical principles the second part focuses on italian cultural and literary production during times of socio political crisis devoting special attention to the ways in which history may interact with its fictional representations the third section is devoted to the literary and cinematic representations of the biopolitical effects of the state of exception on italian urban areas and the spectacularization of terrorism in italian cinema

medieval sovereignty examines the idea of sovereignty in the middle ages and asks if it can be considered a fundamental element of medieval constitutional order francesco maiolo analyzes the writings of marsilius of padua 1275 80 1342 43 and bartolous of saxoferrato 1314 57 and assesses their relative contributions as early proponents of popular sovereignty both are credited with having provided the legal justification for medieval popular government maiolo s cogent reconsideration of this primacy is an important addition to current medieval studies

modern liberal democracy and authoritarian collectivism have known diverse political regimes autocratic oligarchic or democratic they each consist of a mixed partly oligarchic regime in which plebeian politics are subordinated with authoritarian collectivism s defeat a return to modernity has produced one more hybrid configuration an in depth investigation of political modernity and how it is differentiated from other forms of society this book researches its origins and trajectory as a specific dimension of modern civilisation articulating a renewed critical theory through an analysis of rights and law politics state and autonomy social reproduction crisis and political change examining these diverse aspects political modernity and social theory proposes an encompassing and far reaching approach spanning past and present stressing radical plebeian democracy and maintaining a strong opening to the future and to possible alternatives to modernity the open access version of this book available at taylorfrancis com has been made available under a creative commons attribution cc by 4 0 license

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