



Invited
Lecturer

Judgment no. 1 of 1956: A Founding Moment in Italian Constitutionalism

Tuesday, March 5, 2024, 16:00

The Buchmann Faculty of Law (via Zoom)



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What is a founding moment of a constitutional order? Can a founding moment take the form of a transformative decision by an apex court? What is the difference between a landmark judgment and a founding moment? In order to answer these questions, I will rely on the case of Italy. More specifically, I will argue that the first judgment handed down by the Italian Constitutional Court – namely sentenza no. 1 of 1956, in which the Court declared for the first time the unconstitutionality of a Fascist-era piece of legislation – was more than a landmark judgment: actually, it represented a founding moment in Italian constitutionalism. Indeed, this ruling was decisive in making a clean break with the previous autocratic regime, in upholding the normativity and supremacy of the Constitution, and in enforcing the principles of constitutionalism in the country.

The event will be held online, please see Zoom link here >>

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